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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 115 of the Rules of Procedure

by Thomas Mann, Bernd Posselt and Charles Tannock

on behalf of the EPP-ED

on the case of Tenzin Delek Rinpoche

European parliament resolution on the case of Tenzin Delek Rinpoche

The European Parliament,

- recalling its earlier resolutions on Tibet and the human rights situation in China,
 - having regard to its resolution of 18 November 2004 and 13 January 2005 on Tibet, the case of Tenzin Delek Rinpoche,
 - having regard to the human rights dialogue between the EU and China,
 - having regard to Rule 115(5) of its Rules of Procedure,
- A. whereas on 2 December 2002 the Kardze Intermediate People's Court in the Kardze Tibetan Autonomous Prefecture of Sichuan Province sentenced Tenzin Delek Rinpoche, an influential and respected Buddhist lama, to death with a two-year suspension and his attendant, Lobsang Dhondup, to death without suspension,
- B. whereas the involvement of Tenzin Delek and Lobsang Dhondup in a series of bombings or in incitement to separatism has not been proven,
- C. whereas Lobsang Dhondup was executed on 26 January 2003,
- D. whereas according to Chinese law - as the accused has not broken the law again during the two-year suspension period - and after immense pressure from the international community and human rights organisations the death sentence for Tenzin Delek has been commuted to life imprisonment on 26 January 2005,
- E. whereas Human Rights organisations report, that Tenzin Delek Rinpoche is in a life-threatening state of health - unable to speak or walk - due to torture and inhuman conditions of imprisonment,
- F. whereas information concerning the state of health of Tenzin Delek cannot be checked by independent observers, as the Chinese Government refuses access,
- G. whereas the embargo on arms sales to China which was decided and implemented in 1989, because of the Tiananmen Square Massacre and the continued violation of human rights and religious freedom, is still in force.
1. Is deeply concerned about the state of health of Tenzin Delek Rinpoche;
 2. Calls the responsible authorities to do everything to improve the living conditions and state of health of Tenzin Delek;
 3. Demands that the Chinese Government allow Manfred Nowak, the U.N. Special Rapporteur on Torture, during his inspection to China from 21 November to 2 December 2005, to visit Tenzin Delek and report on his state of health;

4. Reiterates its support for the rule of law and appreciates the commutation of the death sentence handed down to Tenzin Delek;
5. Nevertheless urges the Chinese Government to cancel all sentences against Tenzin Delek and release him immediately;
6. Affirms its call for the abolition of the death penalty and an immediate moratorium on capital punishment in China;
7. Calls once more on the Government of the People's Republic of China to improve the inhuman conditions of imprisonment in their jails, to cease and abolish torture of detainees, as well as to stop the continued violation of the human rights of the Tibetan people and other minorities and to ensure that it respects international standards of human rights and humanitarian law;
8. Calls on the Council and the Member States to maintain the EU embargo on trade in arms with the People's Republic of China and not to weaken the existing national limitations on such arms sales;
9. Calls on the Government of the People's Republic of China to step up the ongoing dialogue with the representatives of the Dalai Lama so as to reach a mutually acceptable solution to the Tibet issue without further delay;
10. Instructs its President to forward this resolution to the Council, the Commission, the UN Secretary-General, the Chinese Government, the Governor of Sichuan Province, and the Chief Prosecutor of the Sichuan Provincial People's Procuratorate.