

# EUROPEAN PARLIAMENT

2004



2009

---

Session Document

24.10.2005

B6-0570/2005

## **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 Bill Newton Dunn, Frédérique Ries, Dirk Sterckx

on behalf of the ALDE Group

on The case of Tenzin Delek Rinpoche

PE 364.147

**B6-0561/2005**

**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 EU Treaty and its provisions on human rights,
  - having regard to its resolution of 28 April 2005 on the Annual Report on Human Rights in the World 2004 and the EU's policy on the matter,
  - having regard to the report and recommendations of the EU-China human rights dialogue seminar on 20-21 June 2005,
  - having regard to the Joint Statement of the EU-China Summit of 5 September 2005,
  - 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 EU-China Summit of 5 September 2005 has marked the 30th anniversary of EU-China diplomatic ties with agreement on a new strategic dialogue; whereas the question of human rights was one of the key issues placed on the agenda to be dealt with,

1. Is deeply concerned about the state of health of Tenzin Delek Rinpoche;
2. Calls on 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 legal authorities to cancel all sentences against Tenzin Delek and release him immediately;
6. Reaffirms its call for the universal 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 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 Commission and the Council to make clear to the Chinese authorities that a genuine partnership can only develop when shared values are fully respected and put into practice;
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.