

November 2006



# The price of freedom

## Murder of Tibetan refugees in the Himalayas

On 30 September 2006, just 20kms from Mount Everest where the Olympic torch is due to be taken in the run up to the 2008 Beijing Olympics, Chinese soldiers knelt down and aimed their assault rifles at a group of 75 defenceless Tibetan refugees in the distance. Seconds later they fired deliberately and indiscriminately at the group consisting mostly of women and children.

Unlike previous shootings at the border, the events were witnessed and filmed by western climbers ensuring that for the first time the brutality of China's targeting of Tibetan refugees has been exposed and can be prosecuted.

This report, through use of eye-witness accounts and video evidence seeks to force the Chinese authorities to acknowledge what happened at Nangpa La Pass and ensure that such an atrocity will never happen again. This can be achieved by implementing the report's recommendations.

## The Shooting

The group of 75 refugees, with many children and women from Kham, the eastern region of Tibet, had already been walking for 17 days and had run out of food. They would walk during the night to avoid the attention of patrolling border security, but due to having so many children, some as young as seven, they decided to carry on during daylight.

At 10.30am on 30 September 2006, crossing the Nangpa La Pass at over 18,000 feet on the border of Tibet and Nepal the group were shot at by Chinese border guards.



The line of refugees in Nangpa pass, with the body of Kelsang Nortso circled in red

*"I saw a line of Tibetans heading towards the start of the [Nangpa] pass - a common sight. Then, without warning, shots rang out. Over and over and over. Then the line of people started to run uphill. Watching the line snake off through the snow, as the shots rang out, we saw two shapes fall. The binoculars confirmed it: two people were down, and they weren't getting up." A climber reporting to Mounteverest.net.*

Pierre Maina, a Danish doctor who also witnessed the shooting: *"The first thing I saw is that some 50 meters from our tent, some Tibetans tried to run fast, and they all seemed like children. Many Chinese soldiers began shooting at them. I saw the person at the very front of this group shot and fall down."*

About half an hour after the shooting, a group of ten children aged between six and ten years old were marched into the Advance Base Camp by soldiers with rifles. *"The children were in single file, about six feet away from me. They didn't see us - they weren't looking around the way kids normally would, they were too frightened.."* Steve Lawes, British police officer

It was 17-year old year nun, Kelsang Nortso, who was shot dead first. She risked her life to receive a religious education in India and aspired to join a nunnery there. She was entrusted to look after about 12 children in the group. These children appear to be those taken away by the soldiers it is suspected they are in Chinese custody now.



Three teenage nuns who escaped the shooting

Tenzin Wangmo, another nun was walking directly behind Kelsang. *"When a bullet hit young Kelsang, she collapsed into the snow, crying that she had been hit and asked for help. But the nuns themselves were weak with cold, fatigue and hunger."* She made an attempt to grab Kelsang's arm and pull her along. But fearing for their lives the group could not stop. Kelsang Nortso's body was left in the snow for 36 hours before security personnel buried it where it lay.

One survivor, Lobsang Choedon, hid in the tent of some of the foreign climbers who gave him food and clothing, before setting off again to reach Nepal. Only 43 of the refugees managed to escape and arrive safely at the Tibetan refugee centre in Katmandu, Nepal, while 32 are still missing.

When the reports of the shooting reached the international media, the Chinese government denied the eyewitness reports and claimed that the group 'attacked' the border guards and they had acted in self-defence (Xinhua October 12). This contradicted eye-witness testimonies of unarmed children and women shot at from behind. The Xinhua report claimed that *"the initial investigation showed it is a premeditated case of large-scale human smuggling organised by snakeheads"* as a cynical attempt to link the refugees to illegal gangs smuggling people from China to the West.



Survivors Lobsang Choeden, Dolma Palkyid and Thupten Tsering

The Chinese explanation clearly contradicts all eyewitness testimonies which stated that the group was fired at from a distance, without warning. *"The soldiers were putting their rifles to their shoulders, taking aim, and firing towards the group. One person fell, got up, but then fell again ... this was a massacre but the witnesses had no weapons and no ability to fight back. They could only try to run. However, on a wide, open, glacial terrain, there is no place to hide."* British police officer Steve Lawes.

The Chinese authorities have announced the death of a victim, who allegedly died in hospital due to 'oxygen shortage'. Later he was identified by the group as 23-year old male, Kunsang Namgyal, who was reportedly shot in the leg twice.

Two victims of the shooting are confirmed dead. Another eye-witness, however, at the Advanced Base Camp spoke of seeing Chinese soldiers burying up to eight bodies on the glacier, though this cannot be confirmed.

### Evidence

The Chinese version of the shooting has been incontrovertibly refuted, by video footage taken by a Romanian cameraman of Pro TV, first broadcast by Mounteverst.net, titled: "*There is no excuse: China: Nangpa La video shows border guards sharp-shoot refugees.*" The video clearly shows that the refugees were attacked from a distance, and were shot in the back.



Chinese soldiers carrying shovels after the removal of the bodies

### Violation of international law

The shooting is a grave violation of the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (1990), which amongst its requirements says that, "Law enforcement officials shall not use firearms against persons except in self-defence or defence of others against the imminent threat of death or serious injury, to prevent the perpetration of a particularly serious injury involving grave threat to life, to arrest a person presenting such a danger and resisting their authority, or to prevent his or her escape, and only when less extreme means are insufficient to achieve these objectives. In any event, intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life."

### Climate of fear

Once they left Tibet, more and more climbers started to come forward to give testimony of what they had seen. Many climbers who are sponsored by major expedition outfitters will not speak out, as they would be banned from operating in Tibet. The witnesses reported a 'climate of fear' in the base camp after the shooting as dozens of soldiers swarmed the place. Another eyewitness described the soldiers as really young, no more than 20 years old. Three eyewitnesses have reported that the Chinese Embassy in Nepal contacted them and tried to talk to them, an allegation denied by the Chinese Foreign Ministry spokesperson.

### Worldwide condemnation

The shooting at the Nangpa La Pass of unarmed and innocent Tibetans, mostly children and women has resulted in international uproar.

Various governments such as Canada, USA, Norway and Denmark have condemned the killings publicly and have called for an independent enquiry.

The UNHCR has also enquired into the reported shootings, and the office of the UN High Commissioner for Refugees said it was investigating the incident and that it has taken 'what action it is able and mandated to take in such situation'.

The EU raised the incident with the Chinese government at the EU-China Human Rights Dialogue, held in Beijing on 19 October 2006. Despite widespread media coverage in Britain and consequent public concern, the British Government to date has failed publicly to condemn the killings.



Refugees, including children, are led away in handcuffs by soldiers

***"They were shooting Tibetans like rats"***

Sergiu Matei, a Romanian climber, as quoted on MountEverest.net

# Recommendations to Governments and Inter-Governmental organisations



- Ensure China conducts a full, independent and transparent investigation and ensure that those responsible are brought to justice.
- Ensure China accounts for the wellbeing and release of those Tibetans arrested as a result of this event.
- Ensure China reviews its policy on the treatment of Tibetan refugees and ensure full compliance with international law.

## Dear supporter

Please write to your MP and ask them to:

1. Sign EDM 227 "Shooting of Tibetans"  
<http://edmi.parliament.uk/EDMi/EDMDetails.aspx?EDMID=31800&SESSION=885>
2. Write to Ambassador of the People's Republic of China to the United Kingdom  
His Excellency Mr. Zha Peixin  
49-51 Portland Place  
London W1B 1JL
3. Write to Rt Hon Ian McCartney, Minister for Trade, Investment and Foreign Affairs  
Department of Trade & Industry  
Cabinet Office  
House of Commons  
London SW1A 0AA
4. Write to Janet Lim, Director, Regional Bureau for Asia and the Pacific  
United Nations High Commissioner for Refugees  
Case postale 2500  
CH-1211 Geneve 2  
Email: LIM@unhcr.org

## Links:

[www.freetibet.org](http://www.freetibet.org)

Video of the incident at Mount Everest.net 13 Oct. 2006 <http://www.mounteverest.net/news.php?news=15182>

China draws a veil across the mountains The Guardian 27 Oct. 2006  
<http://www.guardian.co.uk/china/story/0,,1933798,00.html>

Repression under China: Murder in the mountains, The Independent, 25 October 2006  
<http://news.independent.co.uk/world/asia/article1927123.ece>

2005 Refugee Report: Dangerous Crossing, 2005 Update, International Campaign for Tibet  
<http://www.savetibet.org/documents/pdfs/2005RefugeeReport.pdf>

The Nangpa La pass which is one of the toughest borders in the world to cross, is the common route Tibetans take to escape to exile. Refugees have been shot at before by both the Chinese and Nepali soldiers, but this is the first time such killing was captured on video.. The journey is taken during night and takes 20 days on average. Everybody who chooses to escape through Nepal risks frostbite, falling down into the crevasses, getting shot by soldiers or freezing to death. Still, about 3000 Tibetans make this journey every year risking their lives for freedom. If they are caught before reaching the UN headquarters in Kathamandu, they risk forced repatriation, beatings and rape. Those who are returned face prison sentences and torture in Tibet.