

THE DEATH OF KELSANG NAMTSO

COMPILED BY STACY MOSHER FROM REPORTS BY INTERNATIONAL CAMPAIGN FOR TIBET (ICT)

In early October, the world was shocked by reports from mountain climbers who witnessed the cold-blooded slaying by Chinese border patrols of at least one Tibetan attempting to cross the Himalayas into Nepal. But the young nun Kelsang Namtso is not the first Tibetan to lose her life in a bid for freedom, and is unlikely to be the last.

On the morning of September 30, 2006, Chinese border patrols opened fire on a group of more than 70 Tibetans who were attempting to cross the Himalayas into Nepal. A 17-year old nun, Kelsang Namtso, was killed immediately, and there were unconfirmed reports of a second death.

The incident took place on the glaciated Nangpa Pass at 18,753 feet, just a few kilometers west of Mount Cho Oyu, which is approximately 20 kilometers west of Mount Everest at the border between Tibet and Nepal. It was witnessed by a number of international mountaineers at advance base camp, who saw Chinese military personnel kneel down, take aim and open fire on the Tibetans, some of whom were children as young as 10.

Two 17-year old monks from Nyingtri (Chinese: Linzhi), Tibet Autonomous Region, later told ICT that the incident was terrifying: “We could only hear the gunfire and our friends screaming.” The group of Tibetans confirmed that Chinese border security or military had taken at least nine children aged between six and eight and an older man before they were able to cross into Nepal.

Several international mountaineers provided ICT with eye witness accounts of the incident:

- A mountain climber summiting Cho Oyu reported to ICT in an email communication, “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 second climber, a British mountain guide who was also summiting Cho Oyu at the time, told ICT that other climbers had witnessed one of the Tibetans getting up after they had fallen, indicating that one of the two might have survived, although it is not known if the person died later from his or her injuries. “There could have been as many as 60 climbers at Advance Base Camp who witnessed the incident. They could see Chinese soldiers quite close to Advance Base Camp kneeling, taking aim and shooting, again and again, at the group, who were completely defenseless. A couple of hours later, a caravan of yaks came along the pass from Nepal and there was no shooting. Clearly distinctions were made between intended targets.” He added, “After the shooting, a yak caravan came along the pass from Nepal and stopped by the body before moving on. The yaks were chest-deep in powdery snow. No one could run far in those conditions, particularly young children. Those of us who watched realized how easy it would have been for the soldiers to detain the Tibetans, instead of shooting at them.”
- A British climber, police officer Steve Lawes, was among a group of climbers and Sherpas at Cho Oyu’s base camp who witnessed both the shooting and the subsequent capture of the Tibetan children. Lawes said, “I saw a group of between 20 and 30 people on foot heading towards the Nangpa Pass. Then those of us at Advance Base Camp heard two shots, which may have been warning shots. The group started to cross the glacier and there were more shots. We were probably around 300 yards away from the Chinese who were shooting. This time it definitely wasn’t warning shots: 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. We had a telescope with us but the soldiers took this. Later they used it to look at the dead body.” Approximately 20 minutes after the shooting, according to Lawes and fellow climbers, two of the military personnel went to check the body, but it was left lying on the pass for around 36 hours before it was taken away by security personnel.
- A set of images received by ICT and taken through a telescope by a British climber at the Cho Oyu base camp depicts



Pp. 76–77: Photos taken by a British climber, who passed them to ICT. Here, Chinese PAP approach the body of the nun the day after the shooting.

a group of around 12 police and possibly officials gathered around the nun’s body in the snow. One of the officials or police is apparently taking notes and at one point another is pictured, after most of the group has left, lying in the snow with his hands behind his head. Several climbers confirmed seeing members of the group taking pictures of the body. A shovel can be seen planted in the ground, which appears to confirm several eyewitness reports that the nun’s body was buried where she died in the snow.

- The images, taken at close range, also depict People’s Armed Police personnel escorting a Tibetan who was apparently wounded—possibly by gun-fire, although this could not be confirmed—through Advance Base Camp. According to several eyewitnesses, the Tibetan was walking with a limp and had to keep stopping to rest. The pictures also depict children being escorted by the soldiers through the camp. Eyewitnesses reported that some of the group of Tibetans who had failed to reach Nepalese territory, including a young boy whose leg was apparently injured by the shooting, were taken into their vehicles and driven back to the Tibetan border towns.
- Steve Lawes said that approximately half an hour after he and others had witnessed the group come under fire, a group of about 10 to 12 children, who seemed to be aged between six and ten years old, were marched into Advance Base Camp by three soldiers with assault rifles.¹ Lawes said, “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. By that time, Advance Base Camp was crawling with soldiers. They had pretty much taken over, and the atmosphere was very intimidating. We were doing our best not to do anything that might spark off more violence.”

The shooting is likely to have been carried out by the People’s Armed Police, a paramilitary unit formed in the early 1980s, which is responsible for internal security, border control and protection of state installations, including prisons. The PAP, which is the main body that patrols the high mountain passes where Tibetans attempt to escape into Nepal, is under the control of both a government Ministry and the Party.² Bases of the PAP in the region are all fortified, have detention facilities, and are used when necessary by People’s Liberation Army personnel. According to sources in the area, increased numbers of military personnel were deployed in the region following the incident.

There were more than 10 large expeditions at Cho Oyu at the time of the shooting, and one source estimated that as many as 100 people could have witnessed it. But most climbers refused to speak publicly until they were safely out of Chinese territory and in Nepal. Tom Sjogren from the online adventure portal Explorersweb Inc., who was in touch with some of the climbers on Cho Oyu at the time, said, “Right away, there was pressure at base camp by some commercial outfitters to keep this quiet. Rumors are circulating that the people shot were

‘smugglers,’ and climbers are being told that they should keep quiet—at least until they are out of China. We believe there is absolutely no reason for western climbers to be afraid of the Chinese government if they speak up, other than a commercial risk for certain guiding operators, but even that is not likely.”

There were several reports of a strong presence of Chinese security personnel at Cho Oyu’s advance base camp after the incident. Steve Lawes and several other witnesses, speaking on the phone from Nepal, described a tense and “intimidating” atmosphere following the shooting as the armed security personnel “took over” Advance Base Camp. An American climber who wanted to remain anonymous because of his company’s operations in China said: “The [soldiers] were very young guys, not very experienced, some of them only about 19 or 20 years old. Most of the climbers tried to keep a distance and the atmosphere was very tense.”

Forty-three Tibetans from the group were apparently able to safely reach Nepalese territory, after which they were sent to the Tibetan Refugees Reception Center in Kathmandu. Most of the group, including children as young as 10 as well as Tibetans in their twenties and thirties, were reported to be from Kham in eastern Tibet. Others, including the nun who died, were from central Tibet. A local Tibetan source said that some Tibetans might have been apprehended by Chinese security forces because Chinese military vehicles, including ambulances, had been seen at a vehicle-accessible road close to the incident area on the same day. Another local Tibetan source said that members of the group had been forced to abandon the bullet-ridden body of the nun on the pass, because they feared that carrying it out of Tibet might lead to their arrest.

The official Xinhua News Agency confirmed on October 12 that at least one person had died following the shooting at Nangpa Pass, but attributed one death to “altitude sickness,” and said border patrols had opened fire in “self defense.”³

On October 26, the European Parliament passed a resolution calling on the Chinese authorities to conduct a full investigation into the events at Nangpa Pass and to ensure that those responsible for any crimes committed were brought to justice. The resolution cited strong condemnation of an “excessive use of force” by Chinese People’s Armed Police in opening fire on unarmed Tibetan civilians. Thomas Mann, Chairman of the Tibet Intergroup at the European Parliament, initiated the resolution in order to condemn what he called “the brutal behavior of the Chinese security forces.” The Parliament also raised China’s responsibilities to offer full protection to children under the UN Convention on the Rights of the Child, noting that the 17-year-old nun killed in the shootings was a child under international law and that Chinese forces had subsequently taken into custody at least nine other children, according to eyewitness reports. The parliament called for their immediate release.

The background to tragedy

Between 2,000 and 3,000 Tibetans make the dangerous crossing through the Himalayas via Nepal to India each year. The Nangpa Pass serves as a main trading route between Tibet and Nepal, and is commonly used as an escape route by Tibetans



PAP gather around the body of the nun.

fleeing into exile. The ancient route connects the Tibetan town of Tingri to the Himalayan foothill towns of Namche Bazaar, Lukla and Jiri. Under ideal climatic conditions the trek from Tingri to the Nangpa mountain pass usually takes two or three days, but it can take five and even 10 days. It takes approximately another two days to cross the frozen Nangpa pass, and no less than two to three weeks to reach Kathmandu on foot.

Although the September 30 incident was the first time that a Tibetan refugee had been shot dead in front of such a large number of witnesses from the international mountaineering community, Tibetan refugees escaping from Tibet into Nepal have been fired upon before on both the Chinese and Nepalese side of the border:

- In **November 1998**, a 15-year-old Tibetan was shot dead near the border in Saga County, Shigatse Prefecture in the Tibet Autonomous Region.
- In **2002**, there were separate eyewitness reports by Western mountain climbers of Chinese border police firing upon Tibetan refugees as well as pursuing refugees across Nangpa La into Nepalese territory. Nepalese police in Namche Bazaar, the main trading village south of Nangpa La, told ICT that



Children and adult Tibetans captured by the PAP are led away from Advance Base Camp.

Lies that Cannot be Covered by Glaciers

BY CHEN WEIJIAN

This essay, by a Chinese journalist now based in New Zealand, was virtually the only original commentary posted on overseas dissident ChineseWeb sites.

Recently, soldiers from China's People's Liberation Army opened fire on a group of Tibetans, including children, who were crossing the glacial Nangpa Pass in an attempt to join the Tibetan government in exile in India. Two people were reported killed. This atrocity was witnessed by more than 60 international mountaineers who were nearby at the time. The mountaineers saw kneeling Chinese soldiers slowly and calmly shoot repeatedly at shabbily dressed Tibetan men, women and children, who were fleeing in all directions. Around 10 terrified children were rounded up like mice caught by a cat. The mountaineers could not believe that the country that will host the 2008 Olympic Games could so barbarously kill its own citizens. This incident was immediately reported by the international media and shocked the world, as international law has long clearly stipulated that "border patrols can use arms only as a last resort when their lives are threatened," and these Tibetan fugitives were unarmed and completely defenseless.

According to statistics from the Tibetan government in exile, each year more than 2,500 Tibetans cross the glaciers to pass through Nepal into Dharamsala, India, where the government in exile is based. Many refugees die during the crossing. Their frozen bodies are often seen along the escape routes, which inevitably pass through dangerous terrain as the refugees avoid contact with Chinese border patrols. The Tibetan fugitives must then pass through an area that they have named "Death Valley," where a single loosened stone can cause a thunderous avalanche. Many Tibetans have been buried under these falling rocks.

Even if the fugitives are fortunate enough to avoid an avalanche and enter Nepal, their freedom is still far off. Threatened by the Chinese government, the Nepalese government has set up checkpoints along the Tibetan escape routes, and many Tibetans, after escaping the talons of the Chinese Communist Party, have been arrested by Nepalese border police and detained in prison camps, after which they are sent back to Tibet. Every fugitive Tibetan is punished by the Chinese authorities upon his or her return.

I have visited Dharamsala and interviewed many Tibetan exiles there. Many of them showed me fingers and toes missing or maimed by frostbite and recalled their fugitive experience as a nightmare. When I asked them why they fled Tibet to India at such great risk, they all told me with a smile that it was to see the Dalai Lama, to be free and to learn of their own culture.

Although the Tibetan government in exile is not wealthy, and pays its officials a monthly salary of only \$100, it manages to provide adequately for the basic needs of Tibetan refugees. This is particularly true in the area of education,

with every child, whether born in exile or arriving as a fugitive from Tibet, receiving compulsory primary and secondary education. Not only is there no tuition to pay, but all of the children's living expenses are covered by the government at an average cost of about 2,000 rupees a month (about \$44) for each student. The government also provides each student with 100 rupees a month for incidental expenses. In comparison, teachers' salaries are only 3,000-4,000 rupees a month (about \$66-\$88), and many teachers, particularly foreigners, are volunteers.

The exiled Tibetan community has not implemented a completely free healthcare system, but its Public Health Ministry requires that people above the age of 65 and all new exiles receive free medical treatment, while monks and students pay half. The free education and virtually free healthcare are a great attraction, but freedom and a life free of fear are clearly the most important reasons for Tibetans fleeing to Dharamsala.

In recent years the CCP has dishonestly claimed that human rights conditions in Tibet have greatly improved, that the lives of the Tibetan people have become prosperous and that Tibetans can freely practice their own religion, learn their own culture and enjoy their traditional lifestyle. The CCP has also claimed that those who flee to exile in India have been deceived by the Dalai Lama and his cohorts, that many discover conditions far worse than back home, and that after seeing the corruption in the exile administration, they return to Tibet. But digital information sources are difficult to block, and Tibetan refugees are in no way deceived about the conditions in India and the integrity of the government in exile. Every Tibetan who has fled to India can tell friends and relatives back home about the actual conditions. That is why, over the decades, the footprints of fugitives have never disappeared from the icebergs and snowfields between Tibet and Dharamsala. Regardless of how many fall on their way, Tibetan refugees continue to advance, wave upon wave, toward Dharamsala. Every drop of blood left on the ice and snow denounces the Communist Party's tyranny and exposes its lies.

This is not the first time the CCP has fired upon Tibetan fugitives, and it will certainly not be the last. In decades past, East German border police fired on East Germans as they tried to cross the Berlin Wall to escape Communist tyranny. Eventually, those murderous border patrols were tried for their crimes. I believe that the day will come when Chinese border guards who have killed fleeing Tibetans will likewise receive their just punishment.

Translated by Wang Ai

The original Chinese essay was first posted on the Peacehall Web site on October 13, 2006, <http://www.peacehall.com/news/gb/pubvp/2006/10/200610131705.shtml>.

during their investigation of the border incursion, they collected at least a dozen spent rifle shell casings on the Nepalese side of the pass. No public reprimands of the Chinese were made by the Nepalese authorities at the time.

- ICT reported on a similar incident in **October 2003**, when a group of 34 Tibetan refugees was fired upon by Chinese border security while attempting to cross into Nepal over Nangpa La. One of the Tibetans in the group told ICT that only 17 members of the group of 34 had successfully made it over the Nangpa La while the others were caught by border security. It is not known if any of the 17 who did not make the journey were shot.⁴

An American who lived and worked on the south side of the Nangpa La, and who has been to Cho Oyu base camp, said, “Sherpa and Tibetan traders from border villages on both sides of the pass are allowed to travel freely for purposes of informal trade, and those who transit the Nangpa La regularly say that it is not uncommon for the PAP to chase refugees well into Nepal—though never down as far as the Sherpa villages proper.” In at least two incidents in recent years, Western climbers in the area have been fired upon by Chinese border patrols.

Why Tibetans leave Tibet

The government of the People’s Republic of China takes the position that economic and social changes are improving the living conditions of Tibetans in Tibet and, therefore, that their loyalty towards the “motherland” should be enhanced. However, thousands of Tibetans continue to leave Tibet due to these so-called “improvements” as well as political and cultural factors.

Among all factors, the one most affecting Tibetans’ lives in Tibet today is Beijing’s economic development strategy, under the rubric of “Western Development.” The Western Development Strategy, initiated in 1999 by then Party Secretary and President Jiang Zemin, has a highly political agenda directly linked to the repression of the Tibetan people under Chinese rule. The campaign emerges from Beijing’s political objectives to further assimilate Tibet into China and ensure stability in the region. Beijing’s development policies are focused on the exploitation of mineral and natural resources, and infrastructure development in Tibet to benefit areas in China. Implementation of fast-track economic development is inimical to cultural and religious diversity and the exercise of political freedoms. These economic policies are imposed from the top-down and are insensitive to local needs; they reflect the priorities of the central government and not the Tibetan population.

Among the groups of Tibetan refugees who cross the borders into Nepal are marginalized people affected by the economic development of their regions and the market competition dominated by new Chinese migrants. The new opportunities offered by the Chinese government to Chinese in terms of freedom of movement and the development of the western regions have produced a competitive environment in many Tibetan areas. Tibetans find themselves unable to pursue their traditional livelihoods and pressured by heavy taxation and state-imposed market controls.

In 2005, as in the past, most Tibetan refugees are monks and nuns who found it impossible to pursue a religious vocation in Tibet. Over the last ten years more than 45 percent of Tibetan refugees led monastic lives, including about 3 to 4 percent as nuns. Monks and nuns continue to be targeted by political campaigns aimed at devaluing religious education and limiting monastic influence in the Tibetan communities, and the Chinese government maintains tight controls on religious practices and places of worship in Tibetan areas.

Thousands of Tibetans continue to leave Tibet due to these so-called “improvements” as well as political and cultural factors.

The lack of proper education policies encouraging and supporting the study of Tibetan language at all levels of scholastic curriculum is also a cause of major frustration for Tibetans and one of the major reasons for seeking refuge in India for many children and adults. Chinese policies and the competitive employment market penalize those who do not know the Chinese language. The national curriculum is taught in Tibetan language medium only in primary schools in Tibet. Beyond primary school, Tibetan language is typically an elective class, and all other subjects are taught in Mandarin Chinese. Children lacking the Chinese language skills needed to understand other subjects in upper grades often fall behind and lose interest in school. Prosperous Tibetan families often send their children to

Official Xinhua News Agency Statement on the Shooting

Lhasa, Oct. 12 — Nearly 70 people attempted to illegally cross the border between China and Nepal in the Tibet Autonomous Region on the early morning of Sept. 30 and one died during a conflict with border control guards, said an official of the related department of the region Thursday.

The official said a small squad of Chinese frontier soldiers found the stowaways and tried to persuade them to go back to their home. But the stowaways refused and attacked the soldiers.

Under the circumstances, “the frontier soldiers were forced to defend themselves and injured two stowaways,” said the source.

One injured person died later in hospital due to oxygen shortage on the 6,200-meter high land, while another injured person received treatment in the local hospital.

Preliminary interrogations showed that it was a large-scale and premeditated illegal stowaway case. Further investigations into the case are underway.

study in China in order to improve their Chinese language skills and obtain a good degree from a Chinese university. Families with a lower income, who cannot afford school fees, often make the decision to send their children into exile in India so that they can gain a Tibetan education and be close to the Dalai Lama.

Over the last decade, approximately 30 percent of Tibetan refugees were children and students seeking a Tibetan education in exile. The remaining 20 percent were farmers and 5 percent were nomads and unemployed. Over the past four years, three-quarters of the refugees who arrived in Nepal were from the Kham or Amdo regions of eastern Tibet (now primarily incorporated into the Chinese provinces of Qinghai, Gansu, Sichuan and Yunnan).

Former political prisoners and those who have been targeted by the state for participating in what the Chinese authorities broadly term “splittist (or separatist) activities”—attempting to “split” Tibet from China—are also among those who flee Tibet every year. Political activism and pro-independence activities are strictly prohibited and heavily penalized according to Chinese laws. Ex-prisoners and political activists face a bleak existence once released from prison. Nuns and monks are prohibited from returning to their monasteries. Though many among them try to build a new life, the opportunities are scarce and they suffer constant supervision and suspicion. Among those who flee are also many Tibetans who have evaded arrest for political charges. If they returned to Tibet they would face severe punishment.

Crossing the Himalayas

To reach Nepal, Tibetan refugees embark on a dangerous journey, which, depending on their point of departure and weather conditions, can take from two to six weeks. The dangers lie not only in the harsh geographical conditions of the routes that Tibetans commonly use to cross the border on foot, but also in the high risk of being captured by Chinese border guards. In order to minimize the chances of capture, most of the Tibetan refugees travel in winter, as the Chinese People’s Armed Police (PAP) patrolling the Tibetan side of the border are believed to be less active in their patrols during these colder months.

Since 2003 the PAP has tightened up border security and access to remote mountain routes. In 2003, a new prison, the Snowland New Reception Center, was opened in Shigatse specifically to receive Tibetans caught attempting to escape to or returning illegally from Nepal or India. Border security on the Nepal side has also increased due to the presence of the Unified Command⁵ of the Royal Nepal Army (RNA) formed by army soldiers, armed police and regular police, with the principal mission to combat the Maoists. In some areas, such as Kodari, the special armed paramilitary police assume all border monitoring duties. It is common for Chinese and Nepalese security to cooperate in initiatives to ensure that the borders are protected.

According to Chinese criminal law, Tibetans who cross the border illegally violate Article 322 and are subject to imprisonment for “secretly crossing the national boundary.” The dangers for guides leading Tibetans across the mountain passes

have increased in recent years, as longer sentences have been imposed on those who are caught.

The value of guides lies in their knowledge of how to evade both Chinese border security and the Nepalese police (or to negotiate with the latter), and to navigate the difficult terrain and mountain paths. The fee received by Tibetan guides ranges from \$80 to \$350 per person, often a year’s wage for rural Tibetans. Despite the risks and the high fees, Tibetans know that refugee groups led by a guide are much more likely to arrive safely at the TRRC in Kathmandu than those without a group guide.

A growing peril in Nepal

Tibetans face dangers on both sides of the border. On the Nepal side, there are increasing risks of forced repatriation or *refoulement*⁶ (the return of persons to a country where they fear persecution). Towards the end of 2005, it became apparent that the Nepalese police were showing less restraint in capturing and detaining Tibetans traveling through the Nepalese border areas to Kathmandu. In October 2000, a Tibetan monk died on his way to hospital in Kathmandu after being shot by Nepalese police following his escape across the border into Nepal.

The risks for Tibetans transiting through Nepal have increased over the past two years due to increasing Chinese influence on the Nepalese government, as well as in the context of King Gyanendra’s seizure of power in February 2005 and the ongoing Maoist insurgency in Nepal, which has claimed more than 13,000 lives.

The most significant downturn in the political situation in Nepal for Tibetans came in January 2005 with the notice from the Nepalese authorities to close the Office of the Representative of His Holiness the Dalai Lama and the Tibetan Refugee Welfare Office (TRWO) in Kathmandu—a move that was clearly linked to China’s influence on the Kingdom. Together with the United Nations High Commissioner for Refugees (UNHCR), the TRWO is responsible for the care of Tibetan refugees transiting through and, with the Office of the Representative of His Holiness the Dalai Lama, legally resident in Nepal.

China is forging closer trade links with Nepal, and in return, Nepalese authorities have made statements asserting that Nepal will not tolerate “anti-China” activities on its soil.

Within a week of the closure orders, on February 1, 2005, Nepal’s King Gyanendra seized power, sacked the government and declared a state of emergency. Although India, the United States and Europe reacted with statements of strong disapproval at the takeover and the dissolution of democratic institutions and freedoms, China backed the King, and has subsequently taken advantage of the turmoil created by the Nepalese insurgency and conflicts within the Nepalese government to exert increasing political influence on Nepal.

Although 2005 ended with Nepalese opposition parties

calling for anti-monarchy demonstrations and with protests in the streets demanding a return to democracy, the complex and insecure situation for Tibetans in Nepal, both long-staying and those who are in transit, has until very recently been set in a context of worsening conflict in one of the poorest countries of South Asia.⁷

The volatile political situation and precarious security conditions have caused heavy damage to the tourist industry, one of Nepal's main sources of income. China is forging closer trade links with Nepal, and in return, Nepalese authorities have made statements asserting that Nepal will not tolerate "anti-China" activities on its soil. This includes disallowing or curtailing long-established and traditional Tibetan cultural and religious events. China has ongoing plans to survey and demarcate the Tibet-Nepal border, which will enable the authorities to inventory Tibetan crossing areas and plan future outposts for the People's Liberation Army.

Throughout 2005 and 2006, the situation for Tibetan refugees in Nepal was deeply insecure, with further risks of forced repatriation or *refoulement* and increasing concern for long-staying Tibetans in Nepal.

Another factor increasing risk for Tibetan refugees in Nepal in 2005 was a lack of UNHCR monitoring missions. The UNHCR does not carry out regular visits to border areas, but has on occasion sent monitoring missions to sensitive and border regions in order to prevent deportations from occurring and to educate Nepalese security personnel about the existence of UNHCR funding for facilitating the travel of Tibetan refugees to the TRRC. These mission destinations included the Sindhupalchok district towns of Kodari, Tatopani, Chautara and Barabise, all located near the China-Nepal Friendship Highway; Lukla airport in the Solo Khumbu region near the Nangpa mountain pass; and Dunche and Sabru Besi in the Rasuwa district north of Kathmandu. The UNHCR has also met government officials from these areas in Kathmandu.

Due to the lack of these monitoring visits in 2005, risks for Tibetans escaping from Tibet increased. Throughout 2005, many Tibetan refugees were apprehended by the Nepalese armed forces during their patrolling of border areas where the Maoists are known to be active. In these cases, Tibetans risk harassment and maltreatment, looting of their jewelry, money and other precious belongings, and often suffer beatings.

Risky pilgrimages

Even Tibetans who make religious pilgrimages through completely legal means risk retribution upon their return to Tibet. Increasing numbers of Tibetans holding Chinese passports entered Nepal in 2005, a trend that has been more noticeable since Nepal was designated as a tourist destination by China in 2002. Many Tibetans holding Chinese passports travel to Nepal on religious pilgrimage—the stupas of Swayambhunath and Boudhanath in Kathmandu together with Namu Boudha, near Kathmandu, and Lumbini, the birthplace of the Buddha, are the most visited sacred Buddhist places in Nepal. Many Tibetan pilgrims also travel on to India, mainly to Sarnath in Uttar Pradesh, where the Buddha preached his first sermon, and Bodhi Gaya in Bihar, where he is said to have gained enlightenment.

But attempting a pilgrimage to their spiritual leader, the Dalai Lama, in Dharamsala can put Tibetans at considerable risk. Visitors are required by the Central Administration of His Holiness the Dalai Lama (CTA) to have an Indian visa stamp in their passports to be present at an audience with the Dalai Lama, and this can lead to harassment, and possibly detention by Chinese security officials, on their return to Tibet. ICT has also received reports of Tibetans having their passports confiscated upon returning from a trip to India.

In spite of this risk, in late 2005, the number of Tibetans arriving in Nepal increased due to a major religious empowerment, the Kalachakra, being conveyed by the Dalai Lama in January 2006. Thousands of Tibetans, including some 7,000 Tibetans holding Chinese passports, transited through Nepal to go to this important Buddhist ceremony in Amravati in the southern Indian state of Andhra Pradesh.

This article was compiled from "Dangerous Crossing: Conditions Impacting the Flight of Tibetan Refugees, 2005 Update," and reports on the Nangpa Pass shooting by International Campaign for Tibet, <http://www.savetibet.org/>.

NOTES

1. Witnesses described the guns as AK-47s, but weapons seen were more likely to be Chinese Type 81 Assault Rifles (copies of the AK-47 Kalashnikov, designed for short-range engagements), the principal automatic rifle used by the People's Liberation Army.
2. There are two chains of Command for People's Armed Police. The Armed Police is simultaneously under the command of the CCP's Central Military Committee and the State Council. The armed police force headquarters falls under the direct jurisdiction of the government Ministry of Public Security, under Minister Zhou Yongkang.
3. Associated Press, "China says border guards killed a fleeing refugee in self-defense," October 12, 2006, http://www.iht.com/articles/ap/2006/10/12/asia/AS_GEN_China_Tibetan_Refugees.php.
4. See "China Constructs Road Near Nangpa La to Stem Flow of Tibetan Refugees to Nepal," December 3, 2003, ICT report at <http://www.savetibet.org/news/newsitem.php?id=552>.
5. Nepalese Unified Command (NUC) is a unified military force constituted by the Nepalese government in 2001 to facilitate operations against Maoist insurgents in the country. The NUC comprises the three main security forces of the country Royal Nepalese Army (RNA), Nepal Police, and Armed Police Force plus the intelligence department.
6. According to Article 33 of the UN Convention Relating to the Status of Refugees, "No Contracting State shall expel or return ('refouler') a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion." Article 33, United Nations Convention relating to the Status of Refugees, adopted on July 28, 1951.
7. Following a general ceasefire in mid-2006, Nepal's government began engaging in talks with Maoist rebels in October. After six hours of talks on November 6, 2006, a senior Nepali politician reported that an agreement was imminent on one of the most contentious issues, disposal of the rebels' weapons. The two sides have also reportedly agreed that a constituent assembly will be elected in June 2007, and that this assembly will as its first order of business decide the fate of Nepal's monarchy. See "'Arms deal' at Nepal peace talks," BBC, November 6, 2006, http://news.bbc.co.uk/2/hi/south_asia/6119826.stm.