

The Right Honorable Dr. Baburam Bhattarai
c/o Nepal Consulate General
c/o Ministry of Home Affairs
c/o Nepal Embassy Japan

September 21, 2011

Right Honorable Prime Minister Bhattarai,

I am writing to express my grave concern for the 23 Tibetan refugees — including eight children — being held by the Nepalese Department of Immigration (DOI) in Kathmandu. The group was detained around September 11th and has not been processed in accordance with the "Gentlemen's Agreement" between the Government of Nepal and the United Nations High Commission for Refugees (UNHCR).

Reports from credible sources indicate that the Chinese government is claiming the eight minors in the group to be victims of human trafficking. These reports represent an alarming escalation in China's campaign to stop the flow of Tibetan refugees — escaping state-sponsored repression in Tibet — into Nepal and India. In the many decades that Tibetans have been entering Nepal from Tibet, we know there has been not a single case of human trafficking.

In this case, the 23 Tibetans in detention have been interviewed by the UNHCR and others extensively and there is no evidence to support China's claims. In fact, according to the interviews, the reasons given by the group for leaving Tibet are consistent with traditional reasons Tibetans leave Tibet, compiled over decades.

I understand Nepal has just been hit by an earthquake and I extend to you my deepest sympathies and condolences for the lives lost. I assume that this terrible natural disaster may have caused a delay in processing the refugees' case. I felt compelled to write to you and ask you to personally ensure this issue is swiftly resolved and the basic rights of the Tibetan refugees upheld.

For many decades, Nepal provided extraordinarily generous refuge for Tibetan refugees — providing them with shelter, medical services and even education and many Tibetans are productive citizens of Nepal. In keeping with these values, I urge your government to immediately:

1) Uphold the "Gentlemen's Agreement" with the UNHCR and allow for the safe transit of the 23 Tibetan refugees to India; and

2) Comply with the international principle of non-refoulement and honor your obligation under the UN Torture Convention to prevent the forcible return of anyone to a country where they are at risk of being subjected to torture.

I will be monitoring this situation closely and updating our members worldwide to developments in this case.

Sincerely,

Signature_____