

*(Translated from Chinese)*

**Permanent Mission of the People's Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland**

Receipt is hereby acknowledged of joint communication No. UA CHN 2/2017 dated 10 February 2017 from the Human Rights Council Working Group on Arbitrary Detention, the Special Rapporteur in the field of cultural rights, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on minority issues, and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment. The Government of China has looked carefully into the matter referred to in the communication and wishes to make the following reply:

**1. Basic facts**

Tashi Wangchuk is a 31-year-old male from Chenduo county in the Yushu Tibetan autonomous prefecture of Qinghai Province. On suspicion of inciting separatism, he was arrested and prosecuted in accordance with the law. The Intermediate People's Court of Yushu, Qinghai is currently trying the case in accordance with the law.

**2. Legal grounds for arrest and detention**

On 29 January 2016 the public security authorities of Yushu, Qinghai placed Tashi Wangchuk in criminal detention as a suspect, in accordance with the rules set out in the first and second paragraphs of article 83 of the Criminal Procedure Law of the People's Republic of China. On 4 March 2016, the People's Procuratorate in Yushu City authorized the arrest of Tashi Wangchuk for the offence of inciting separatism. At the trial, Tashi Wangchuk made a full confession of his criminal acts. He is now being held at the public security bureau detention centre in Yushu city.

**3. Tashi Wangchuk's state of health**

Tashi Wangchuk is now physically healthy and psychologically stable.

**4. Family notification**

The communication states that when Tashi Wangchuk was arrested, his family was not informed of the arrest in a timely manner. Enquiries have shown that this is not true. At the time of Tashi Wangchuk's arrest, the public security authorities notified a member of his family, [REDACTED], that same day. [REDACTED]'s signature appears on the arrest notice.

**5. Situation at the time of detention**

The communication states that during his detention, Tashi Wangchuk was subjected to torture and was in poor physical and mental health. Synchronized audio and video recordings made of the interrogation show that the investigators did not use any type of torture to extract a confession from Tashi Wangchuk and that he was allowed ample rest periods during the investigation. The situation described in the communication does not reflect reality.

**6. Contact with the outside world while in detention**

The communication states that, while in detention, Tashi Wangchuk was not allowed any contact with the outside world and that, for example, his right to seek legal advice was restricted. Enquiries have shown that this is untrue. Tashi Wangchuk had two defence lawyers. On 16 June 2016, both lawyers met with him at the detention centre. Later, at Tashi Wangchuk's request, the police guards at the detention centre notified the defence lawyers that he wished to meet with them a second time.

