

2 0 0 5   S P E C I A L   R E P O R T



KUANG: TORTURE IN TIBET

# KUANG: TORTURE IN TIBET



Tibetan Centre for Human Rights & Democracy

***KUXING:***  
**TORTURE IN TIBET**  
A Special Report



Tibetan Centre for Human Rights & Democracy



## **Tibetan Centre for Human Rights and Democracy**

The Tibetan Centre for Human Rights and Democracy (TCHRD) is the first Tibetan non-governmental organization to be formed with the mission to promote and protect human rights of Tibetans in Tibet and to educate the exile Tibetan community on human rights concepts and democratic principles. TCHRD is independent of the Tibetan Government-in-exile, and is based in Dharamsala, India. It is funded by donations from individual supporters and foundations around the world. It was founded in January 1996 and was registered as an NGO on 4 May 1996.

TCHRD conducts regular, systematic investigations of human rights abuses in Tibet and publishes research documents on various human rights issues confronted by the Tibetan people in Tibet. TCHRD organizes various educational programmes like workshops, talk series, and public discussions in an effort to empower the Tibetan exile community to play an important participatory and vigilant role in a democratic future Tibet. TCHRD attends the UN Commission on Human Rights and takes part in other national and international conferences to highlight the human rights situation in Tibet.

TCHRD's staff members are Mr. Urgen Tenzin, *Executive Director*; Mr. Jampa Monlam, *Assistant Director*; Mr. Tashi Choephel and Mr. Tsering Agloe, *Researcher*; Mr. Tenzin Norgay, *UN Affairs Personnel*; Mr. Tashi Phuntsok, *Information Officer*; Mr. Dawa Tsering and Mr. Lobsang Tsultrim, *Field Officer*; Ms. Phurbu Dolma, *Accountant*; Ms. Tenzin Migmar, *General Assistant*; Mr. Bugahgah, *Office Assistant*; Mr. Palden Tsering, *Office Driver*.

With special thanks to Mr. Gabrielle Lafitte and Mrs. Fay Sims for their editorial assistance.

**For copies of any reports and/or for more information, please contact:**

### **Tibetan Centre for Human Rights and Democracy**

Top Floor, Narthang Building, Gangchen Kyishong

Dharamsala, H.P., 176215, India

Telefax: + 91 1892 223363/225874

email: dsala@tchrd.org website www.tchrd.org

Reprinted in November 2007

© TCHRD January 2006

Funded by Heinrich Böll Foundation

ISBN: 81-88884-21-9

This special report is dedicated to all the  
Tibetans who died due to torture in  
Chinese occupied Tibet.



5 — Preface

7 — Introduction

8 — Definition and existing UN legal instruments on torture

11 — Torture in Tibet

26 — International and domestic mechanisms on torture

    26 . . . . . i) United Nations Convention Against Torture (CAT)

    28 . . . . . ii) UN backed mechanism devoted to eradication of torture

    33 . . . . . iii) Torture in Chinese constitution

39 — Known death of Tibetan political prisoners as a result of torture

40 — Pro-independence activism and aftermath

43 — Martial law decreed in Lhasa

45 — Recent change of epicenter

47 — Common torture methods

54 — Psychological aspects of torture in Tibet

57 — Torture accounts of former political prisoners

    62 . . . . . i) Driven to suicide and insanity

    65 . . . . . ii) Extreme torture

    71 . . . . . iii) Forced confession through electric shocks & chilly fires

    76 . . . . . iv) Lack of medical treatment

    78 . . . . . v) Forced labor, forced exercise & hardship of political prisoners

    80 . . . . . vi) Gender specific abuse

    81 . . . . . vii) Solitary confinement

83	Accountability of perpetrators of torture
85	The absence of independent judiciary and due process
90	The consequences of torture
93	Conclusion
94	Recommendations
96	Profile of known Tibetan political prisoners died due to torture since 1987
141	List of known Tibetans who were shot dead or committed suicide due to extreme torture
143	Notes

### Appendix

151	i) List of known Prisons and Detention Centres in Tibet
156	ii) PRC's ratification of major international human rights laws
157	iii) Known deaths as a result of torture from 19987-2004
163	iv) Glossary of terms and abbreviations



## Preface

Torture is the grossest violation of fundamental human rights. It destroys the dignity of persons by degrading their bodies with injuries, which are sometimes irreparable and causing severe damage to minds and spirits. The horrific consequences of this terrible human rights violation spread to the family of the victims and into their social surroundings. Through these acts, the values and principles upon which democracy and human rights are based and any form of human dignity lose their significance.

There is a universal consensus in the international community that torture and other forms of cruel, inhuman or degrading punishment or treatment cannot be reconciled or tolerated in a global order that is fundamentally committed to basic human respect and dignity. Torture strikes at the essential physical and psychological integrity of a human being. It is, therefore, not surprising that torture is prohibited under international, national and regional laws of different states. However, in an authoritarian state like China there exists an operational code that accepts and sometimes, advertently or inadvertently, supports the torturer. Impunity for the perpetrator is common practice and torture goes unpunished.

As torture is a conduct that cannot be officially condoned or sanctioned by law, it is also a conduct that is carried out clandestinely. Torture by its necessity to be practiced in secret and then denied, challenges the very idea of law itself. Furthermore, the practice of torture and ill treatments, which deny transparency, accountability, and responsibility, often trigger enhanced levels of human rights violations such as disappearances, extra judicial killings and genocide.

The Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (Convention Against Torture or UNCAT), adopted by the United Nations, signifies enormous progress against the use of torture by categorizing the practice of torture as an international crime and by creating the mechanisms to denounce it. However, despite efforts on the issue of prevention, progress has been limited at national and inter-



national level. The People's Republic of China (PRC) signed the Convention on 12 December 1986 and subsequently, ratified the Convention on 4 October 1988. On 5 October 1998, 10 years after ratification of CAT, the PRC signed the International Covenant on Civil and Political Rights (ICCPR) but has not yet announced a date for its' ratification and hence, is not legally bound by its provisions.

The PRC has now signed all the major United Nations laws relating to human rights, however, evidence and testimonies from recently released political prisoners and detainees highlight low commitment by the Chinese authorities in upholding its international legal commitments. In the PRC, the practice of torture and ill treatment continue to be reported in a wide variety of state institutions despite the introduction of several new regulations aimed at curbing the practice. The common methods of torture and ill-treatment included kicking, beating, suspension by the arms, electric shock using cattle prod<sup>1</sup>, shackling in painful position, solitary confinement, and sleep and food deprivation for long periods of time.

The national mechanisms together with the international mechanisms contemplated by the Protocol on torture, will help to prevent the practice of torture specifically in the places where it happens most frequently, namely places of detention. In all places where persons are deprived of their liberty, for whatever reason, there exists the potential risk of being subjected to torture or cruel, inhuman or degrading treatment or punishment. The mechanisms that are to be created will prevent this risk from becoming a reality.

This special report evaluates torture in China-occupied Tibet and the death of Tibetan political prisoners as a result of torture and ill treatment while in custody and after release from prison. The report also assesses the PRC's compliance with the Convention Against Torture and other domestic legislation concerning torture. It also elucidates various torture methods employed by the PRC on political prisoners and detainees in prisons, detention centres and labour camps across Tibet. It further provides a detailed list of known deaths of Tibetan political prisoners while in custody and after release since 1987.



## CHAPTER 1

# Introduction

The international community has recognized torture as one of the most brutal and unacceptable assaults on human dignity from which no region in the world has managed to free itself. The prohibition of torture, inhuman and degrading treatment or punishment is expressly prohibited by countless international conventions and the Universal Declaration of Human Rights. Regional law and international law doctrine have for several decades considered this prohibition to be part of international customary law which cannot be derogated in time of peace or war, or under the pretext of imminent danger to national security. Yet, despite this universal condemnation, torture still persists around the world.

For this very reason, during the 1970's, while the Convention against Torture was being negotiated among different countries at the UN, several international organizations put their efforts together to find new and more realistic ways to prevent the continued use of torture. Inspired by the results of visits to prisons during times of war conducted by the International Committee of the Red Cross (ICRC), the Swiss philanthropist Mr. Jean-Jacques Gauttler sought to create a system of regular inspections of places of detention throughout the world. Following a lengthy and arduous negotiation process, such a system was finally established by the Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment which will be hereafter referred to as OPCAT or the Optional Protocol.

## CHAPTER 2

### Definition and existing UN legal instrument on torture

It should be noted that there are, in fact, two forms of torture. The first refers to the infliction of extreme pain and suffering by a victimizer who dominates and controls. The pain caused by the torture may have either physical or psychological elements or a combination of both. The second form of torture concerns more with restrictive legal definition that includes official state sanction and/or participation. The classical example of this version involves police or official security practices invoked for the purpose of obtaining a confession, or perhaps as a distinctive form of state-sponsored terrorism and repression.<sup>2</sup>

Under international human rights law, the most widely recognized definition of torture is contained in the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984 (hereinafter Convention Against Torture). Article 1 of the Convention defines torture in the following way.

*“the term ‘torture’ means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.”*



From this article, four fundamental elements that define torture under the Convention can be observed:

- a) there must be severe physical or psychological pain or suffering caused to the victim;
- b) it must be for a purpose;
- c) it must be a deliberate act; and
- d) it must be inflicted by or at the instigation of or with the consent or acquiescence of a public official or person acting in an official capacity.

To paraphrase, torture encompasses many forms of suffering, both physical and psychological in nature. It is particularly important not to forget about psychological forms of ill-treatment - very often these can have the most long-lasting consequences for victims, who may recover from physical injuries yet continue to suffer from deep psychological trauma.

Whilst there are varying definitions of torture at the international and domestic levels, the essential distinguishing features of torture, contained in the UNCAT are common to all definitions. The definition contained in the UNCAT does however, contain a list of purposes for which an act of torture is perpetrated. This list gives an indication of the types of purposes that may lie behind the infliction of severe physical or psychological suffering. Furthermore, the process of considering whether or not such an act is sufficiently severe so as to amount to torture should be a subjective test taking into account the specific circumstances of each case.

Unlike torture, acts of cruel, inhuman and degrading treatment or punishment are not expressly defined by the UNCAT or other instruments. The UNCAT simply refers to them as acts that cannot be considered to fall within the definition of torture as outlined in Article 1 of the Convention. This can cause some ambiguity as to what other forms of ill-treatment actually encompass torture. Therefore, these acts have been largely defined by the jurisprudence of international and regional human rights bodies and human rights experts. Current interpretations consider that these acts can be distinguished from torture if they have not been inflicted for any spe-

cific purpose. Nevertheless, in order to be considered cruel, inhuman or degrading treatment or punishment, an act must still be inflicted by, or at the instigation or, or with the consent or acquiescence, of a public official or a person acting in an official capacity.

Other forms of ill-treatment which have been found to amount to torture, either alone or in combination with other forms of treatment, include: beating on the sole of the feet, suspension by the arms while these are tied behind the back, sexual assaults, suspension up side down of the victim, electric baton and cattle prod (esp. very often to the genitalia), deprivation of food and water for long periods of time, exposure to extreme conditions - sunlight and cold temperatures, whipping, burning the skin with lit cigarettes, etc. Psychological forms of torture include severe humiliation, threats, insult and deceit, and solitary confinement. The PRC employs all the above methods on Tibetan political prisoners or suspects during the course of their interrogation, detention, imprisonment and after their release.



### CHAPTER 3

## Torture in Tibet

The practice of torture against Tibetan political prisoners has been endemic and grave. The prevalence of torture in Tibet is in many ways the result of a tyrannical system that persecutes those who exercise their fundamental human rights in a peaceful manner. Severe abuse, beatings and torture inflicted by police and other security personnels are most prevalent at the initial stage of detention when the intention is to extract confessions from detainees or suspects. Those being held in detention are particularly vulnerable as they are questioned without the presence of lawyers, are denied the right of an accused to remain silent during the investigation phase and at trial which is inherent to the presumption of innocence, and suspects are frequently held incommunicado for long period of time. Although China has signed and ratified the Convention Against Torture, yet the government has made use of the provision under Article 28 of the Convention to declare that they *"do not recognize the competence of the Committee Against Torture to investigate allegations of widespread torture within their boundaries."* And the PRC Government does not consider itself bound by paragraph 1 of article 30 of the Convention.

Such practices have been used as a method of repression since the Chinese occupation of Tibet in 1959. Throughout the 1980s and 1990s, political dissidents are known to have been persecuted and their rights violated by the authorities at various levels.<sup>3</sup> The emergence of the active yet peaceful political movement inside Tibet in the late 1980s, with the subsequent arrests of leaders and massive crackdown with excessive use of force, resulted in the arrests of thousands of Tibetan and the deaths of several hundred Tibetans. The last decade also witnessed a steep increase in the imposition and use of the death penalty in China, the methods of which may amount to inhuman treatment<sup>4</sup>.

Tibetan Centre for Human Rights and Democracy (TCHRD) database reveals that currently, more than 132 known political prisoners continue to



languish in prisons and detention centres without any formal trial and 26 more Tibetans were known to have been arrested in 2005, mostly after peacefully exercising their right to freedom of expression and opinion. Out of the total number of known Tibetan political prisoners, 52 or 39.3% are serving more than 10 years prison sentence, whereas monks constitute 91 or 68.93% of the total known number. There are also unconfirmed reports of arrest of more than 60 Tibetans leading to the 40th founding anniversary of Tibetan Autonomous Region 'TAR'. All the abovementioned Tibetan prisoners were arrested without warrant, arbitrarily detained, or imprisoned using vague definitions of harboring or expressing anti-Chinese opinions. Reasons for their arrest include: printing or pasting political leaflets; forming 'counter-revolutionary organizations' that endanger state security; espionage or divulging information to the 'Dalai clique'; shouting reactionary slogans; encouraging reactionary singing; hoisting or possessing the banned Tibetan flag; failing to reform; and participating in demonstrations etc.

This year China invited the two-week visit of UN Special Rapporteur on Torture, Prof. Manfred Nowak from 20 November to 2 December 2005 during which he visited detention centers in Beijing, Urumqi in Xinjiang and Lhasa in Tibet. The conclusion drawn by the Special Rapporteur was "that the practice of torture, though on the decline – particularly in urban areas – remains widespread in China"<sup>5</sup>. While Prof. Nowak noted areas of improvement in the Chinese legal system, there remain significant and serious concerns as to the actual implementation of the rule of law, the use of the death penalty for wide-ranging and vaguely defined offences, and the continued targeting and mistreatment of Tibetans. Prof. Nowak was also critical of attempts by State Security and Public Security officials to "obstruct or resist his attempts at fact-finding" and accused the Security Services of using intimidation, surveillance and physically preventing alleged victims or family members from meeting with the Special Rapporteur. The statement also mentioned that, "In his interviews with detainees, the Special Rapporteur observed a palpable level of fear and self-censorship, which he had not experienced in the course of his previous missions".



Prof. Nowak made a series of harsh observations about the lack of conformity of the PRC with the U.N. Convention against Torture, which the PRC was one of the first nations to sign back in 1988. With regard to torture, Prof. Nowak and his predecessors had received “serious allegations” of a “consistent and systematic pattern of torture related to ethnic minorities, particularly Tibetans and Uighurs...” and in great detail described specific torture techniques. He also noted inefficiency of the current complaint mechanisms. For example, he was informed that in Prison No. 4 in Urumqi, the procurators have not received a single torture complaint during the last decade. In the Tibetan Autonomous Region, he was told that no complaint had been received since 2003...” He underlined some of the primary deficiencies after his visit that includes, an absence of procedural safeguards to make the prohibition of torture effective; the lack of independent monitoring of places of detention or a functional complaints mechanism; no independent judiciary and a judiciary that demands confessions and places emphasis on prisoner punishment and ‘re-education.’

The Special Rapporteur on Torture also offered number of recommendations on reforming legal and judicial procedures. However, considering that the PRC already has an array of impressive-sounding regulations on the books—including prohibitions on torture itself—recommendation alone is unlikely to bring about much changes. Whether these recommendations are heeded or not it reveal how widely torture is being used and how bad the situation truly is. For recommendations made by the Special Rapporteur see the end of the report.

TCHRD has also recorded the known deaths of 88 Tibetan political prisoners from torture since 1987. In most cases, the cause of death remains unaccounted for. All of these Tibetans died either in Chinese custody or shortly after being released from prison in very poor health due to torture. It is evident from testimonies that denial of timely and effective medical attention to the prisoners has been one of the main causes of political prisoners’ deaths.



Following are few cases of disturbing evidence that torture of prisoners in Tibet continues, in a number of cases resulting in death in custody or after being released on medical parole in their near-death condition. Torture has become deeply entrenched in Tibet as part of price that political activists must pay.

**Nyima Drakpa**, 29, a political prisoner from Tawu County, Kardze, "TAP" died at his home on 1 October 2003. Nyima Drakpa was serving nine years' imprisonment sentence after being released in early September 2003 on medical parole. He was suffering from severe health complications at the time of his release from Tawu County Detention Centre. He died as a result of torture inflicted while in prison.



Nyima Drakpa fled to India in 1990 and stayed for three years in a monastery in South India. In 1994, he returned to his monastery in Tibet where he stayed until his escape to Lhasa in the wake of impending arrest for his pro-independence postings. Drakpa was arrested in May 2000 and subsequently sentenced to nine years' imprisonment on charges of "endangering state security" and "incitement against the masses" at a closed trial on 5 October 2000 by the county Court.

It was reported that Drakpa was so severely tortured in prison that both his legs were broken and he could not even stand properly on his own. It is said he required support from his fellow prisoners to go to bathroom. Nyima Dakpa reportedly said, "*If I am released, I will continue to paste Free Tibet slogans till Tibet gets freedom*"<sup>6</sup>.

It is evident from Nyima's testimony that he was repeatedly tortured and he knew death was imminent for him and yet fought defiantly against his oppressors.















## An Appeal from the core of my heart

*To His Holiness the Dalai Lama, and all fellow Tibetan brethren,*

*My name is Keri Nyima Drakpa (sked ri'i nyima grags pa) and I'm a Tibetan youth from Tawu County of the Kham region of Tibet. Just as the saying goes: "Although small, a marmot has all his physical attributes complete", similarly, though I am neither a scholar full of wisdom, nor a man known for his wealth, I'm someone with a boundless love and concern for my own nationality. I have always been concerned with, and given much thought to, our nationality's state of absolute backwardness and that under the oppression of the ruling classes, we don't even have the right to use our own language etc. This represents a denial of human rights and deprives us of any degree of political authority.*

*At the same time, having studied and absorbed the glorious historical accounts of how our ancestors had exercised political authority and ruled the country, I made a firm resolution that, if necessary, I would definitely sacrifice my own life for the sake of my nationality. Thus, with unfeigned sincerity, wishing that my fellow Tibetan nationals could enjoy proper freedom, and desperately hoping that a separate Tibetan country could be established, I wrote many posters demanding that, "All Chinese should return to their hometowns and allow Tibet to be independent." I put them up on the end as well as side walls of the District Government buildings on 7th January 2000, 9th April 1998, 10th November 1999, 12th November 1999, 19th November 1999, 6th December 1999 and 29th December 1999.*

*At the end of each poster I signed my name clearly. However, ill fated that I am, before I had managed to accomplish a single objective, my precious life seemed doomed to be ended at the hands of the cruel and repressive Chinese.*

*Last year, on the 22nd of March, when I was in Lhasa, four members of the Tawu Public Security Bureau officers arrived and arrested me immediately. Right from the start, without even asking me a single question,*



they started beating me like beating a drum and rendered me incapable of uttering even a word. They gave me neither a mouthful of food nor a drop of water to drink, and immediately took me in a plane back to Chengdu. Upon arrival in Chengdu, they let a few Chinese police officers beat me up. Those reincarnations of the black devil himself, in the form of Chinese cadres, pinned me down and beat me so mercilessly that I became half dead and half alive. At the time, I fell unconscious. When I regained consciousness, it was around eleven at night. I sensed that my whole body hurt with excruciating pain and it was impossible to move properly. In particular, I realised that both my legs had turned numb and were devoid of any sensation. Ten days after we had arrived in Tawu, they started interrogating me. Despite the intense and excruciating pain all over my body, ill fated though I was, I managed to tell them exactly everything that I deeply believe and feel in my heart, and acknowledged that I had indeed written all those posters.

Therefore, last year on October 5th, the Court in Kardze Tibet Autonomous Prefecture, sentenced me to a prison term of nine years. However, I'm now in such a decrepit state that I cannot eat even a mouthful of food, and my legs, too, are rendered lame by the cruel Chinese. As such, I know that before long I am going to die. I am certainly not afraid to die. As the last breath of the life of this ruddy-faced Tibetan is about to cease, let this appeal be relayed to my maternal uncle, Jowo Kyab, or to fellow Tibetan brethren who cherish and value the interest and cause of our Tibetan nationality, to ensure that through the good offices of His Holiness the Dalai Lama, China's bullying, cruel treatment and legal punishments of Tibetan people like me is made widely known among the international community of the world. And besides, I appeal to my fellow Tibetan brethren with whom I share the same flesh and bone, you must know and understand the truth about how China mistreats us through unreserved bullying, illegal and immoral actions. We must unite at all costs and rise up against China.

Keri Nyima Drakpa  
Dated 1st April 2001



### **Testimony of Nyima: A nun and former political prisoner**

Nyima<sup>7</sup> originally from in Yul-Nga Village, Tsang Shar Township, Phenpo County, Tibetan Autonomous Region “TAR” is a nun at Phenpo Podo Nunnery.<sup>8</sup> After completing five years of imprisonment in Drapchi Prison she was released in March 1999. She spent the following three years attempting to recover from the inhuman torture and maltreatment that she had undergone. She was hospitalized for many months until the medical costs became too high for her family to bear, and she had to recover at home.

For Nyima and her friends, life outside the prison for political prisoners was too onerous to tolerate as they were under constant surveillance of the Public Security Bureau (PSB). In addition to their own suffering, all of their friends and relatives became targets for scrutiny and intimidation. With no other choice, on 9 March 2004 Nyima began her harrowing journey into exile leaving friends and family behind. Nyima joined a small group of fellow Tibetans and trekked over the Himalayas to Nepal, moving only at night so as not to be seen by Chinese forces. The journey took nearly one month. On 20 April 2004 Nyima reached Dharamsala- the seat of exile Tibetan government.

Nyima testified to TCHRD on numerous torture and inhuman treatment she and her friends had suffered while in the detention center and in prison. Following is the short transcript of her testimony:



*"In September 1993, my friends and I were expelled from the nunnery following local authorities' directive that bans all nuns under the age of 18 from staying and studying at the nunnery. In order to voice our opinion, I along with two of my friends decided to undertake an activity that is to change the course of our lives forever. On 19 March 1994 we clandestinely left for Lhasa to protest against religious oppression. Upon arriving in Lhasa on the morning of 21 March, we headed to busy Barkhor market and shouted slogans for fifteen minutes before four officers shoved leather gloves into our mouths and immediately arrested us. We were first detained in the police station, and then forced into a van that transported us to Gutsa Detention Center. On the way to Gutsa we were violently beaten.*

*In order to gain information about any outside instigators involved in our actions, the officials attempted to force me to confess to my crime and to accept the 'mistakes' I had committed. During each interrogation session, I refused to answer their questions and would not admit to having committed a crime. It was my belief that the Chinese had committed the crime and had infringed upon my individual human rights. I was not going to admit to anything, even at the cost of my life. If I did so, they would have won. For this, I underwent extensive torture.*

*Each day of interrogation the same questions were asked over and over again, and each day I refused to comply. Chinese officials used whatever tools were available to them- usually chairs, belts, boots and fists. As the interrogation sessions continued, the torture became worse. I was repeatedly burned with lit cigarettes, had boiling water poured over my body, and my mouth prodded with wooden sticks. I still refused to confess to having committed any crime. After six months of daily interrogation and torture, I was formally charged and convicted. I never received access to legal representation and a trial of any kind. For my 'crime,' I received a five-year prison sentence with three years deprivation of political rights. My friends and I continued to be detained at Gutsa Detention Center for one year and five months. In August 1995, we were transferred to Drapchi Prison. On reaching Drapchi Prison, we were made to study*



*prison rules and regulation. After a week, I was supposed to have memorized the entire text to recite before prison officials.*

*I did not read nor memorized the text, for I knew that I had not committed any crime. As a result, I was forced to stand outside and stare at the sun for hours on end without moving. Often, guards placed a water bowl on my head and newspapers between my knees and under my arms to make sure that I did not move. If any of the objects fell to the ground, I was beaten. Staring at the sun for prolonged hours causes one to get dizzy, vomit and to lose consciousness. Each time this happened I would be beaten. This form of torture continued for two months.*

*Following two months of staring at the sun, I and 63 other prisoners were forced to learn military exercises and drills, where we often had to march in perfect unison in a half-starved state. Each time someone did not complete the drill perfectly, the individual was beaten. This continued for four months.*

*I once again refused to learn self-incriminating phrases that I accept my mistakes and would work to reform my mind. Instead I repeated human rights and pro-independence slogans. For this act of total defiance, all visiting privileges from my family were cut off, and four guards systematically beat me. The guards referred to the session as 'playing soccer,' and I was the soccer ball. The guards stood in a square formation and she had to walk up to each guard so they could kick her to the ground.*

*A particular brutal torture tactic I underwent was when I and several other prisoners were forced to stand barefoot on ice for an entire day without moving. After several hours of excruciating pain, our bodies went completely numb. During this time a female prison guard came in wearing high heels and proceeded to stomp on the frozen feet of each woman. In the late afternoon we were forced to pull our feet off the ice, ripping the soles from our feet and leaving the ice soaked in blood. We were then made stand in the sun, causing our nerves to thaw and subjecting our bodies once again to extreme pain.*



*On the third day of Tibetan New Year in 1997, the two cellblocks of female prisoners consisting of both criminal and political were brought into the courtyard of Drapchi Prison to sing songs in praise of Mao Zedong and the Communist Party. As one female criminal inmate began to sing the song, Jamdron and I stood up and began singing a song in praise of the Dalai Lama and a free Tibet. The Prison guards immediately grabbed us and dragged us into the closest office. We continued to sing defiantly until we were beaten into submission. At that time, all of the political prisoners in the courtyard refused to stand until we were released. Unfortunately, a unit of officers immediately arrived to quell the women's protest in the courtyard. We were then hit with an electric baton and rendered unconscious. We awoke when the guards splashed water on our faces, only to beat us again.*

*This incident landed us in solitary confinement for over one year. We were kept in a small, dark cell and fed one dumpling and a bowl of water each day, and given no clothing or blankets to shield from the incredibly cold Tibetan winter.*

*After one year of solitary confinement, I was moved into a cell with Jamdron for eight more months. We could not recognize each other at first sight as we had both terribly emaciated during our confinement. After eight months we were returned to cells with the rest of the political prisoners. Three months later in March 1999, after five years of imprisonment, I was released from Drapchi Prison."*



## Testimony of Nyidron: A nun and former political prisoner

Nyidron joined Phenpo Podo Nunnery in 1992. However, she couldn't stay for long as she was arrested by PSB officials for protesting against the Chinese government on 21 March 1994 at Barkhor in Lhasa. She was subsequently sentenced to five years imprisonment.

Following is Nyidron's testimony given to TCHRD upon her arrival at Dharamsala on 20 April 2004.

Nyidron lost two front teeth due to prison officials' severe beatings and was also put in a solitary confinement cell for eleven months.

*"In the aftermath of 1 and 4 May 1998 prisoner protests in Drapchi Prison, I was called to the prison office and asked about the key person who led the protests. I didn't give any answer. After the protest, many prisoners got severely beaten, solitary confined and sentence extended. I, along with eight other female political prisoners, were taken to watch the trial of two criminal prisoners who were sentenced to death. The officers intimidated us that we would meet the same fate if we didn't reform.*

*After eight days, all the political prisoners threw their bowls out of the prison in protest at not feeding the political prisoners in the solitary confinement cells. The prisoners sat on a hunger strike for a week. The prison officers promised that the prisoners in solitary confinement would be fed and asked us to eat as well. After few days, all the prisoners were assembled and told that we should learn the Chinese national anthem and we were required to sing it together. None of the prisoners complied with the order, as a result of which the officials started to beat us one by one. Nevertheless none of us sang the anthem. The officials then called the Peoples Arm Police (PAP) crack commandos who began to hit every prisoner and one of them hit me on my mouth with a metallic rod. My two*



*front teeth came out and I started to bleed profusely. I spat the blood on the officer's face. He was angry and beat me even more. I lost consciousness and when I regained my senses, I had been in the prison clinic for seven days in a coma. I was then put in a solitary confinement cell for eleven months in a half-dead, half-alive condition.*

*On 20 March 1999, when my five years' prison term expired, I was taken out of the solitary confinement cell and led to the prison office. The prison officials warned that I must not speak about the prison incidents to the outside world. They made me write a letter agreeing to their terms and they put my thumbprint at the end of it. They continued to intimidate me with dire consequences if I failed to comply with their instructions. Two PSB officers from Phenpo County dropped me at my house and told my brother that I was not allowed to move around and made him sign a paper in compliance with the order.*

*I was admitted to a hospital for a long duration but, before I could recover fully, my family had to pull me out as they couldn't afford the exorbitant medical expenses. My nunnery was instructed that I couldn't re-join and I couldn't get any work for sustenance. In 2002, I, along with Nyima, ran a small food stall at Lhasa Ramoche but, after a month, three PSB officers from the Lhasa City PSB ordered us to close the stall saying that it was a meeting point for "reactionaries". Life is very difficult for former political prisoners. They don't get jobs in any co-operatives and private businesses. The authorities won't issue registration certificates or other permits if they wish to run small business of their own. It's the end of a person in Tibet if he or she has any political activism in their background."*



## CHAPTER 4

### International and Domestic mechanisms on torture

#### i) United Nation's Convention Against Torture (CAT)

Proscription of torture is one of the most basic fundamental aspects of human rights law. Article 5 of the Universal Declaration of Human Rights holds that “[n]o one shall be subjected to torture or cruel, inhuman or degrading treatment or punishment.” This sentiment is similarly expressed in Article 7 of the International Covenant on Civil and Political Rights (ICCPR)<sup>9</sup>.

The UN Convention Against Torture stipulates explicitly in Article 2 that countries under the Convention are obliged to “take effective legislative, administrative, judicial and other measures to prevent acts of torture.” This particular provision in the article formally established the specific legal obligation of the state to prevent torture<sup>10</sup>. The Convention Against Torture is the only legally binding treaty at the universal level concerned exclusively with the eradication of torture.

The venerable aims of the various treaties and bodies for the prevention of torture and other human rights abuses are often lost through inadequate mechanisms and provisions in place to administer their enforcement. It is widely recognized that the current system of safeguarding against Human Rights is at present ineffectual.

*“Without implementation, these declarations ring hollow. Without action, promises are meaningless... People who face war crimes find no solace in the unimplemented words of the Geneva Conventions. Treaties prohibiting torture are cold comfort to prisoners abused by their captors, particularly if the international human rights machinery enables those responsible to hide behind friends in high places.”* Kofi Annan, 21 March 2005.



The **Convention Against Torture** provides safeguards against torture additional to those evoked by the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights both of which provide that:

*“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.” [In addition, the ICCPR grants that: “In particular, no one shall be subjected without his free consent to medical or scientific experimentation.”]*

The main emphasis of the Convention Against Torture is on the responsibility of each State Party to “take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction”<sup>11</sup> and to “make these offences punishable by appropriate penalties which take into account their grave nature”<sup>12</sup>. Whereas article 10 of the Convention states; “Each State Party shall ensure that education and information regarding the prohibition against torture are fully included in the training of law enforcement personnel, civil or military personnel, medical personnel, public officials and other persons who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment”.

The Convention also obliges States Parties to take effective measures to prevent torture and other forms of cruel, inhuman and degrading treatment or punishment. In this respect it contains a range of related obligations designed to prevent and prohibit these acts within states parties such as the review of interrogation techniques; prompt and impartial investigations; the prohibition of the use of any statement obtained through torture as evidence in any proceedings; a right to obtain redress and compensation.<sup>13</sup>

PRC has maintained its reservation for two articles of the Convention. The reservations made upon signature and confirmed upon ratification are:

“(1) The Chinese Government does not recognize the competence of the Committee against Torture as provided for in article 20 of the Convention<sup>14</sup>.



“(2) The Chinese Government does not consider itself bound by paragraph 1 of article 30 of the Convention.”

## **ii) UN backed mechanisms devoted to eradication of Torture**

There are three important UN backed mechanisms with respect to the eradication of torture: 1.) UN Committee Against the Torture, which was set up pursuant to Article 17 of the Convention Against Torture, 2.) UN Special Rapporteur on Torture, created pursuant to the UN Commission on Human Rights' Resolution 1985/33, and 3.) UN Voluntary Fund for Victims of Torture, set up pursuant to U.N. General Assembly Resolution 36/151 of December 16, 1981. As well, The UN Congress on the Prevention of Crime and the Treatment of Offenders in 1955, that, among other things, adopted the Standard Minimal Rules for the Treatment of Prisoners which was a result of one of the pivotal initiatives taken by the UN.<sup>15</sup>

**a. Committee Against Torture:** One of the major functions of the Committee Against Torture is to monitor the implementation of the Convention Against Torture. The committee was established as a “high moral standing and recognized competence in the field of human rights”.

The Committee carries out its task through the procedures as described in Articles 19, 20 and 21 of the Convention Against Torture. According to article 19, the state parties to the Convention submit to the Committee, by the way of the U.N. Secretary-General, reports on the measures they have taken under the Convention. These reports are then subject to the Committee's revision and comments and information from them can be included in the Committee's annual report<sup>16</sup>. State parties are required to submit periodic reports every four years detailing measures taken to implement their commitments under the Convention, which are to be considered and commented upon, as appropriate, by the Committee. China submitted its third periodic report on Implementation of the Convention Against Torture on 19 September 1999.<sup>17</sup> The last Periodic Report of China failed to address the possibility of withdrawing its reservation to article 20 of the Torture convention or recognizing Committee Against Torture's competence under articles 21 and 22, to receive communications from, respec-



tively, other states party and individuals who claim to be victims of torture. This is in line with China's constant attempts to prevent international scrutiny of its human rights record in Tibet.

China has submitted three periodic reports to the Committee Against Torture with the fourth periodic report of China is actually due on 2 November 2001 but it has not been submitted so far.<sup>18</sup> The Committee has repeatedly expressed its concern "about the continuing allegations of serious incidents of torture, especially involving Tibetans and other national minorities".<sup>19</sup> Same has been reported in the Special Rapporteur on violence against women and its causes and consequences in their report<sup>20</sup> draw attention to cases of violence against women, in particular against minority group. The human rights record in China, with particular regard to torture, has also drawn widespread criticism from several states as well as from human rights organizations.<sup>21</sup>

In practice, the committee consists of 10 members elected with "consideration being given to equitable geographical distribution" and each State Party may nominate one person from among its own nationals, members from countries with questionable human rights records, including China, enjoy membership. Mr. Mengjia Yu of China is currently serving as Vice-Chairperson on the Committee against Torture, with a term of office from May 2000 to December 2005. That officials coming from countries such as China, renowned for gross human rights violations, should be invested with positions of such moral weight is a clear restraint on the efficacy of a treaty body upholding human rights, no matter how honorable its original aims.

On top of that, in the case of well founded allegations by state or other sources on state party violations and practice of torture, the Committee has the power under article 20 to invite that state party to examine the allegations and to provide explanations regarding the allegations. The investigation may include a visit to the institutions allegedly practicing torture<sup>22</sup>. The outcome of the investigation is communicated to the state party concerned, along with the comments recommendations and suggestions of the Committee Against Torture. However, the competence conferred upon the Committee by Article 20 is optional; the state party may, at the time of



ratifying or acceding to the Convention Against Torture, declare that it does not recognize this competence.<sup>23</sup>

**b. The Special Rapporteur on Torture:** The Special Rapporteur on Torture is the product of the state parties' attempt to combat torture with a position to complement the Committee Against Torture. The UN Commission on Human Rights appointed a Special Rapporteur to seek credible information on torture and to respond without delay. While the committee examines specific allegations of torture, the Rapporteur monitors torture in general<sup>24</sup>.

The Rapporteur may ask the government of an individual state party to provide information on its legislative and administrative measures to prevent torture, and to remedy its consequences. Furthermore, the Special Rapporteur can examine questions of torture in states that are parties to the Convention, all UN member states, and even all states with UN observer status. Finally, in an effort to protect the right to physical and mental integrity, the Rapporteur may bring accusations of torture to the attention of the government concerned, consult with government representatives, and make on-site consultative visits<sup>25</sup>.

Unlike the complaint mechanisms of the human rights treaty monitoring bodies, the Special Rapporteur does not require the exhaustion of domestic remedies to act and the mandate covers all countries, irrespective of whether a State has ratified the Convention against Torture. The current Special Rapporteur, Prof. Manfred Nowak<sup>26</sup>, was appointed on 1 December 2004. The directive of the Special Rapporteur comprises three principle activities: the transmission of urgent appeals to States with regard to individuals reported to be at risk of torture, communications on alleged cases of torture in the past, and submission of annual reports to the Commission of Human Rights and the General Assembly of the UN. The Special Rapporteur may send joint communications or seek joint missions with other thematic mechanisms and country rapporteurs.

The UN Special Rapporteur on Torture's country visits aim "to assess first-hand the situation in the country concerning torture, including institu-



tional and legislative factors that contribute to such practices, and to make relevant recommendations.” A fair and credible assessment therefore entails, among other things, freedom of inquiry, such as access to places of detention and interrogation; confidential and unsupervised interviews with detainees, private persons and representatives of civil society, without fear of reprisals; and access to all relevant documentation.<sup>27</sup>

The former Special Rapporteur on Torture, Theo van Boven, issued a statement stating regret that his visit to the PRC, which was scheduled to take place from the end of June 2004, has been postponed until later this year at the Government’s request for “additional time to prepare for the two-week visit, especially given the different authorities, departments, and provinces involved”, was cited by the Government as a reason for the postponement<sup>28</sup>. Permission to visit was sought for the first time in 1995, the latest visit of Special Rapporteur on Torture to China materialized only a decade after the initial request. The UN Working Group on Arbitrary Detention (WGAD) delegation headed by chairperson, Ms Leila Zerrougui visited China from September 18-30, 2004. International human rights non-governmental organizations continued to be denied access to the country to conduct independent research.

With respect to the current treaty body system, in his ‘Plan of Action: Protection and Empowerment’ submitted by the Office of the High Commissioner for Human Rights (OHCHR) in May 2005 in response to the request by the UN Secretary General, the UN High Commissioner for Human Rights acknowledges:

*“States...report separately to different treaty bodies, often on very similar or overlapping issues...Reports are delayed or, when submitted, are often inadequate, and there is insufficient time to consider them. The concluding observations by the treaty bodies often lack the precision needed to guide reform efforts, and are too often given insufficient attention by States.”*

Thus the fundamental limitation of the Convention Against Torture and other current legislation is the absence of an appropriate enforcement mecha-



nism. Founded on the notion of a general consensus amongst State Parties that torture is intolerable in any circumstance, the Convention is optional in its implementation. It is thus rendered ineffectual when torture is inherent within the political architecture of a State party.

*"Laws that are consistently breached without consequences are unlikely to be respected. This, regrettably, is the case with international human rights provisions at the national level. Where cases of torture go unpunished, . . . , human rights law loses its credibility. . . . [M]uch remains to be done at the national level to enforce basic human rights guarantees, not least by establishing and defending judicial independence."*<sup>29</sup>

Additionally, the current mechanisms against torture are based on the accepted wisdom that the main deterrent force against human rights violations is the desire for approval and acceptance within the international community. However, as recognized in 'Respect', the Human Rights Newsletter of the UN Office of the High Commission for Human Rights, May 2005, the seemingly unassailable principle of the absolute prohibition of torture is under attack: *"The very concept of what constitutes torture is being argued, redefined, questioned and well established norms are once again being challenged."*

As pertinently described by Edouard DeLaplace of the Association for the Prevention of Torture, *"The impact of this could be that countries where torture is routinely practiced will argue that it is acceptable because it is done by superpowers"*. Indeed, this very real concern was brought to fruition in March this year, when the US condemned China's human rights record and in particular the killing and torture of dissidents, in its annual assessment of human rights around the world. Three days later Chinese responded with its own report. *"It is quite ironic that... the United States once again posed as the 'world human rights police',"* it said, and went on to draw attention to the documentary evidence of systematic abuse of detainees by American soldiers at Abu Gharib prison in Iraq.

While it is difficult to say with certainty which members of the international community hold the moral high-ground, there is an insuperable concern that torture may begin to be committed with impunity.



In the Conclusions and Recommendations of the Committee against Torture in its assessment of the report submitted by PRC for its sitting in Geneva between 1-19 May 2000, under 'Subjects for Concern' were included the following salient points relevant to torture:

*116. The Committee is concerned about the continuing allegations of serious incidents of torture, especially involving Tibetans and other national minorities.*

*117. The Committee notes with concern the absence of detailed information and statistics regarding torture and other forms of cruel, inhuman or degrading treatment or punishment, disaggregated by gender.*

*121. The absence of a uniform and effective investigation mechanism to examine allegations of torture is noted with concern. (May 9, 2000)*

China has repeatedly avoided scrutiny at the Commission on Human Rights by making use of a procedural motion "to take no action" to prevent debate of a draft resolution on its human rights record. *"Although CHR61 had some notable positive outcomes... the Commission's silence on the serious human rights violations in so many countries leads me to wonder whether the international community has lost its moral voice"*, Peter Splinter, Amnesty International's representative to the UN in Geneva, commenting on the 61<sup>st</sup> session of the Human Rights Commission in 2005.

### **iii) Torture in Chinese Constitution**

The Chinese Constitution does not contain an express prohibition of torture. The relevant provisions of the Constitution in this context are Article 37 and 38 that protect the personal dignity of Chinese citizens<sup>30</sup>. The presence of various provisions in statutory law has spelled out the prohibition of torture. The present Chinese constitution was promulgated on 4 December 1982. Chapter two of the Constitution of the PRC covering several fundamental civil and political as well as economic, social and cultural rights but contains neither an express right to life nor an explicit prohibition of torture and other forms of ill-treatment<sup>31</sup>.



Despite minor steps forward in describing offenses of torture and ill-treatment that can be prosecuted, the definition of torture in Chinese law continues to fall far short of the definition contained in Article 1 of the Convention Against Torture. Torture in Chinese law is still essentially defined as the use of physical force (the Chinese word for torture, '*Kuxing*' primarily connotes physical torture that leaves physical scar or impairment), which has serious consequences, resulting in permanent injury or death, to coerce a statement or confession.

Given this explanation, torture is rarely prosecuted in China. In particular, physical or mental torture that leaves no physical trace is difficult if not impossible to punish with appropriate penalties in China. While providing impunity for officials who employ physical violence, this reality also effectively encourages many law enforcement officials to rely on ill treatment, rather than on proper investigative techniques, to break cases.

China has been accustomed to cite lack of (economic) 'development' or 'stability' as a reason for human rights violations and, significantly, makes no paper guarantees that the violations will not reoccur. It does not admit that torture and other human rights abuses are the direct result of institutionalized practices and official government policies, repressive legislation and abuse of power. The widespread reliance on judicial proceedings on confessions also renders the use of torture more likely.

In short, China has generally failed to take substantive measures to prevent torture since its last report to the Committee in 1999.<sup>32</sup> China's revised CPL, along with the revised Criminal Law, has done little to prevent torture. Moreover, the inadequate sentences or punishments handed down to perpetrators of torture demonstrate the ineffectiveness of China's implementation policies. And the failure to introduce necessary institutional reforms severely compromised the enforcement of these measures in practice. Until requested by the UN Committee against Torture in May 1996, the government had yet even to incorporate a definition of torture in its domestic legal system consistent with the provisions of the Convention Against Torture. The many persons engaged in law enforcement work who are not categorized as officials are immune from China's legal provisions prohibit-



ing torture. Article 12 of the Convention against Torture requires “prompt and impartial investigation, wherever there is reasonable ground to believe that an act of torture has been committed.”<sup>33</sup>

The PRC has, throughout the 1990s, taken several steps to combat torture, such as reforming existing laws and enacting a series of new ones, conducting education and training courses for law enforcement officials and publication of human rights instruments<sup>34</sup>. Some legal reforms were introduced, including new regulations aimed at preventing torture in police custody, and an amendment to the constitution on 14 March 2004 which stated that; “*The state respects and safeguards human rights.*” But this failed to have a significant impact on serious and widespread human rights violations taking place in Tibet and across Mainland China.

In the analysis of Chinese legal experts, “*The constitutional changes of March 2004 were unlikely to have any direct influence on the outcomes of court cases, because the courts here usually do not test laws and government decisions for fidelity to the Constitution.*”<sup>35</sup> PRC has so far not set up a national human rights commission or comparable body with a mandate to protect human rights. Furthermore, independent human rights organizations are not allowed to operate in China.

The Criminal Law of the People’s Republic of China, promulgated by the National People’s Congress on 1 July 1979 and amended on 14 March 1997 specifically prohibits state functionaries from extracting confession from criminal suspects by means of torture.<sup>36</sup> Article 14 of the Prisoner Law forbids prison official from “coercing confession by torture, physical abuse, imposing corporal punishments against imprisoned<sup>37</sup> and “from insulting the dignity of the imprisoned.<sup>38</sup> The PRC 1999 report submitted to the UN Committee Against Torture emphasizes that Chinese officials who commit torture now face enhanced punitive measures<sup>39</sup> and that torture is a ‘criminal behavior subject to investigation and prosecution.’<sup>40</sup>

Furthermore, the Criminal Procedure Law (CPL) bans the extortion of confessions by means of torture.<sup>41</sup> The CPL also lacks a clear presumption of innocence and a right to remain silent to avoid self-incrimination, the



very basis for a fair legal system. China should adopt these basic principles in its criminal law in order to bring the Chinese legal system in compliance with international human rights norms.

In the Criminal Procedure Law, the 'endangering of state security' is regarded as a grave crime, under the pretext of which many human rights violations are committed. Numerous Tibetans have been arrested, detained and tortured with the justification of 'protection of state security'. In particular, the calumny of American policy on 'war on terrorism' incorporated in the 2001 re-launch of the 'Strike Hard' campaign has been used to justify a swift and very powerful crackdown on political dissidence. With the purported legislative improvements enacted by its 1997 revisions of the Chinese Criminal Code and the Criminal Procedure Law (CPL) of 1979<sup>42</sup>; included the redefinition of the charge "counter-revolutionary activities" to "endangering state security".

The UN Special Rapporteur on Torture observes few positive developments at the legislative level after his tour to China like the planned reform of several laws relevant to the criminal procedure in order to bring Chinese legislation in conformity with international norms in particular the fair trial standard contained in the ICCPR which PRC is a signatory. These amendments, however, remain inadequate to deter, punish and redress acts of torture.

The UN Special Rapporteur on Torture after his visit to China in November- December this year, highlighted measures government has undertaken to tackle torture such as issuance of a set of unified regulations on the standardization of law-enforcement procedures for public security institutions entitled "Regulations on the Procedures for Handling Administrative Cases" by the Minister of Public Security, Zhou Yongkang in August 2003.<sup>43</sup> This regulation includes procedures defining police powers in respect of time limits for confiscation of property, legal means for gathering evidence, time limits on investigation and examination of suspects etc.

In addition to this measure, in 2004, the Ministry issued regulation prohibiting the use of torture and threats to extract confessions. The Supreme People's Procuratorate announced that eliminating interrogation through



torture and has instructed procurators that confessions obtained as a result of torture cannot form a basis for the formal approval of arrests and it must work to eliminate illegally obtained evidence.<sup>44</sup> The regulation also says police should collect evidence through comprehensive, objective and timely means. Forced confession is strictly forbidden and legally invalid. Police who extort confession through torture will be ascertained legal and administrative responsibility according to the severity of the case. Also in mid-April 2005, Sichuan law enforcement and judicial authorities issued a joint opinion that prohibits the use of illegally obtained evidence.<sup>45</sup>

In its Third Periodic Report to the Convention Against Torture (hereinafter Third Periodic Report), China contends that it redressed this deficiency through Chapters IV (Crimes of Infringing Upon the Rights of the Person and the Democratic Rights of Citizens) and VIII (Graft and Bribery) of its revised Criminal Procedure Law of 1997.<sup>46</sup> The only reference to torture, however, is article 247, which prohibits only judicial officers from extorting confessions by torture.<sup>47</sup> Article 248 adds that “supervisory and management personnel of prisons, detention centres, and other guard houses who beat or physically abuse their inmates, if the case is serious, are to be sentenced to three years or fewer in prison or put under criminal detention.”<sup>48</sup> Neither of these articles comes close to meeting China’s obligation to ban all forms of torture.

Article 247 of the Criminal Law, only prohibits torture to extort confessions. This is particularly important as torture and degrading treatments are meted out to Tibetans, especially political prisoners, to extract confession. Article 247 also only applies to judicial officers, leaving many perpetrators not accountable.

Article 248 is also inconsistent and flawed. It only addresses ‘serious’ cases with no indication of what constitutes a ‘serious’ case, providing wide room for interpretation<sup>49</sup>. Moreover, article 248 only applies to supervisory and management personnel, leaving much room for interpretation regarding whether the law covers staff guards, or whether supervisors and managers will be held responsible for torture they overlook that was committed by guards.



The practice of torture has been committed by police officers, the staff of other types of state institutions, such as drug rehabilitation centres, psychiatric hospitals, administrative camps, detention centers, and prisons, as well as persons acting in an official capacity as security staff.<sup>50</sup> Finally, the law prohibits only physical abuse and does not incorporate mental torture. No provision in the law prohibits psychological torture, which constitutes a major part of torture, a particularly significant omission in view of China's documented use of solitary confinement to punish prisoners who refuse to submit to 'reeducation' and 'reform.'<sup>51</sup> Psychological torture can be extremely effective in causing both short term and long term damage and should not be considered a lesser form of torture.

China's focus on nominal legislative change betrays its tacit recognition that the practical realities of Tibet remain largely unchanged. Torture continues to be endemic and prevalent occurrence in detention centres and prisons in Tibet, resulting in many serious physical and mental injuries and deaths. The practice of torture continues to be an instrument of state control in Tibet. The police, prison guards, Public Security Bureau officials routinely torture Tibetan detainees, particularly for those held for political crimes.<sup>52</sup>

Most pertinent to Tibet are articles 102 to 106 of the CPL, which redefine and expand the scope of crimes against the security of the state, the new practical equivalent of 'counter-revolutionary' crimes<sup>53</sup>. Article 103 of the new Criminal Code is devoted expressly to crimes of 'splittism,' a provision 'clearly aimed at pro-independence movements and activists in restive ethnic minority regions such as Tibet, Xinjiang and Inner Mongolia'<sup>54</sup>.

In most of the cases, Tibetans were detained either for exercising their fundamental human rights; participating in peaceful protests or for possessing pictures and audiotapes of the Dalai Lama. Almost all the prisoners arrested have at some stage undergone severe physical abuse at the hands of either Public Security Bureau officers or prison guards- or often by both. In practice, most of these perpetrators enjoy impunity for their acts as Tibet lack genuinely independent judiciary that facilitates the impunity for perpetrators and those acts in violation of the Torture Convention.



## CHAPTER 5

# Known death of Tibetan political prisoners as a result of torture

Through extensive independent research and refugee testimonies, TCHRD has recorded the known deaths of 88 Tibetan political prisoners from torture since 1987, as will be described in detail below. Additionally there are more than 132 known political prisoners still languishing in various prisons and detention centers across the Tibetan Autonomous Region (TAR) and outside the TAR. There are more than 150 cases of torture and death in detention, but here only those cases have been dealt with where the victim could be identified by name and died as a result of torture. If unidentifiable cases are to be included, the number is likely to be more than 200. Of course, this number does not include the hundreds of thousands of Tibetan people who have been killed since the Chinese invasion in 1959.

An alarming variety of torture techniques employed in Tibetan prisons and detention centres have been documented by TCHRD. Some of the most common are the use of electric batons and electric shocks delivered by cattle prods to the genitals, mouth, and other sensitive areas, beating with metal rods, sticks, rifle butts, leather belts and buckles, burning with cigarette butts, exposure to extreme heat or cold, aerial suspension or being restrained by rope in a painful position. Other documented torture techniques include starvation, forcing victims to stare at the sun for long periods of time, attack by ferocious dogs, sexual assault, prolonged solitary confinement, urinating in victims' mouth, forcing victims to witness others being tortured, military exercise drill, and death threats.



## CHAPTER 6

# Pro-independence activism and aftermath

The major portion of this special report contains testimonies of former Tibetan political prisoners who were imprisoned for their participation in the first independence demonstrations that took place in Lhasa and other places in 1987.

*Turning Point:* The demonstration initiated primarily by the monks of Drepung Monastery, in Lhasa on 27 September 1987 was the largest since the Lhasa uprising in 1959. The spark of the September peaceful demonstration had a cascading effect as more major protests occurred in the following months and years that each led to violent responses by armed authorities, including shootings, arrest and torture. It is estimated that over 200 demonstrations took place during the six year period between 1987 and 1993 and around 3,500 arrests were made during this period. The participants, often monks and nuns, were labeled political enemies or enemies of the state, and the injured were often denied any medical treatment because of their participation in the demonstrations.

This demonstration, was mainly sparked by the public execution of two Tibetans and the sentencing of nine more three days earlier. The execution was witnessed by around 15,000 people. A report in the *Tibetan Bulletin*, an English language journal published by the Tibetan government in exile, stated that the public execution of the Tibetans had a political motive: "The meeting had been called by the Chinese authorities to criticize the Dalai Lama and the international support shown for his peace proposal for the restoration of human rights and freedom in Tibet." In response, around 20 to 30 monks<sup>55</sup> from Drepung Monastery and over 100 lay people carried the banned Tibetan national flags and called for Tibet's independence at the Barkhor, Lhasa's main market place, before circumambulating the Central Cathedral. Many were immediately arrested, tortured, and imprisoned for up to four months.



The first demonstration and expression of nationalist sentiment was followed by a second peaceful demonstration led by a group of monks from Sera Monastery in Lhasa on 1 October 1987. A crowd of around 3000 turned out for the demonstration but the peaceful demonstration turned violent after the Chinese authorities beat up demonstrators, arrested up to 60 people<sup>56</sup> and held them in the Barkhor police station. The police station was set on fire while protestors were inside. The authorities reacted by shooting indiscriminately on the crowd from the station roof. It is believed that at least 19 people were killed and hundreds wounded. The following day as a garrison of soldiers guarded the city, security police stormed Sera Monastery, Lhasa and carried out mass arrests.

On 6 October 1987, another demonstration took place and it is believed that about twelve people were killed. An estimated 600 demonstrators were arrested. Subsequently, it was reported that some of the detainees were tortured by the authorities.<sup>57</sup>

March 5, 1988, marked the most violent outcome of the protests during this period. On the final day of the *Monlam Chenmo* (Great Prayer festival), an occasion which attracts hundred of thousands of pilgrims from far and wide to Lhasa, monks from Gaden Monastery confronted officials during the closing ceremony, demanding the release of political prisoner, Yulo Dawa Tsering. Although the sequence of events remains unclear, a Chinese official shot and killed a man from Kham, and the situation quickly escalated. The Chinese authorities began to use tear gas and fired into the crowd when people started shouting slogans. While completing their last circuit of the Barkhor, the monks moved into the Jokhang temple for refuge. The waiting Chinese People's Armed Police (PAP) inside the temple, closed the gates and attacked around 100 monks using clubs studded with nails and knives. There were also reports of monks being beaten indiscriminately and thrown from the roof and that tear gas was used. Up to 15 monks were beaten to death by the police inside the Jokhang. Many other persons were arrested in Lhasa after the demonstration, with estimates of 10,000 including approximately 100 monks.<sup>58</sup> Those arrested were reportedly subjected to torture and cruel treatment.



*Lhasa sealed off:* From October 1, 1988, Lhasa was sealed off and a special squadron of around 12,000 soldiers was added to strengthen the existing number of security forces to patrol the city and deal with any further demonstrations and unrest. Some sources estimate that there were up to 200,000 Chinese troops stationed in and around Lhasa at that time. Two months later, on December 10, 1988, another demonstration marking International Human Rights day took place. Chinese police fired into the crowd without warning and killed around 18 people.



## CHAPTER 7

# Martial Law decreed in Lhasa

At the beginning of March 1989, a year after the massacre of the monks at the Great Prayer Festival (Monlam Chenmo), a series of demonstrations broke out. A group of about 12 monks, and nuns and lay people, staged a peaceful demonstration at the Jokhang. As the number of demonstrators grew, the police eventually opened fire from their rooftop position, killing most of the prominent demonstrators. Protests continued the following day with around 1,500 Tibetans from all walks of life demonstrating in the streets. Incidents of violence, such as shop burning, broke out leading to an unprecedented event.

In response to the protests, Martial Law was declared, taking effect at midnight on March 7, 1989 as declared by the then "TAR" Party Secretary, Hu Jintao, the present President of the PRC. Armed Chinese soldiers moved into the center of Lhasa during the night and started raiding the homes of those suspected of involvement in the unrest and the organization of the demonstration. Heavy armored vehicles and tanks rolled into the main streets. Dozens of Tibetans, including children, were taken from their homes and thrown into military trucks. During the first three days of the operation, around 75 people were believed to have been killed.<sup>59</sup> In the month of March alone, around 30,000 troops with heavy weapon marched into Lhasa<sup>60</sup>. During the 13 months that Martial Law was to last, the authorities were effectively granted license to crush the demonstrators and their methods ranged from arbitrary arrests and beatings to indiscriminate firing into unarmed crowds.

Martial Law and the large military presence curtailed political activities until 1993. On 24 May 1993 a demonstration, initially protesting rising food prices, of approximately one thousand people was held in Lhasa. The demonstration was broken up after six hours, when people started calling for independence. Security forces used tear gas to disperse the crowd, injuring protestors, and made a number of arrests. It is estimated that about 289



political prisoners were arrested during 1993, an increase of 150 over the previous year.<sup>61</sup>

*Prison Outbreak:* Peaceful demonstrations occurred in Drapchi Prison in 1998, in response to the use of violence and torture against prisoners. Deaths were reported after prison guards opened fire on demonstrators on International Labour Day on 1 May 1998 when a Chinese National Flag raising ceremony was held in the prison. One prisoner, Khedup, 32, a former monk of Gaden Monastery was arrested in December 1995 and was serving five years prison sentence, was severely beaten and placed in solitary confinement because of his involvement in the May 1st protest. He died on 28 October 1998 due to excessive torture.<sup>62</sup>

Other demonstrations took place on 4 May 1998 when a Youth Day ceremony took place in the prison. Sixty political prisoners of the new Unit#5 of Drapchi prison were instructed to march beside the Chinese flag and salute it. Other prisoners were ordered to shout the slogans: "knowing ones' guilt", "abiding by the rules", and "endeavor for self reform"<sup>63</sup>. Later two prisoners from Unit#6 started shouting "free Tibet" slogans and other prisoners joined in, turning the ceremony into chaos. As a result, the six political prisoners of Unit#6 were punished with sentence increases of one to five years. Some prisoners from the New Unit#5 also had their sentences increased by four to five years. On the same day, a monk from Khangmar Monastery, Lobsang Choephel, 25, committed suicide by hanging himself in a prison bathroom. He left a suicide note stating; "*I committed suicide for the six million Tibetan people. I will never salute and bow under the Chinese flag. My friends, we will meet in our next lives.*"<sup>64</sup> When his fellow inmates carried out the body of Lobsang Choephel, they shouted 'Free Tibet'. Upon hearing the protest, inmates in the old unit started demonstrating and began breaking the prison gates. Prison officials shot at the prisoners and one prisoner, Ngawang Sherab, was injured. Subsequently, PAP officials arrived and suppressed the protest. The testimonies of former political prisoners who participated in the May demonstrations in prison demonstrates that prisoners are harassed, tortured, driven to death, suffer sentence extensions and are placed in solitary confinement for long periods of time.



## CHAPTER 8

### Recent change of epicenter

In the past decade, the centre of political activities shifted from Lhasa to the eastern Tibetan region of Amdo, now incorporated into the Chinese provinces of Qinghai and Gansu, and since 2000, has moved to the Kham region in Sichuan Province, 'TAP'. Various reports of arbitrary detention, arrest, incommunicado detention, torture, and even death of Tibetan political prisoners have been reported from these regions. Many highly respected religious heads of various monasteries have faced imprisonment and arbitrary detention for the expression of their beliefs and opinions and for open defiance of the edicts of the authorities.

As of December 2005, there are at least 132 known Tibetan political prisoners in Tibet. It is believed that torture is regularly used against them by the authorities or torture forms a part of their everyday lives..... No claims of torture in Tibetan prisoners have ever been investigated by the Chinese authorities, at the time of arrest, interrogation or sentencing. Political prisoners are denied proper legal rights; indeed the legal system is designed to ensure successful prosecutions of the accused.

Tibetan prisoners typically suffer acts of torture at two stages in the process of detention, arrest, adjudication, and sentencing; initially during the pre-trial period of detention (or pre-administrative disposition) which can range from two to six months; and secondly, while serving time in Tibet's prisons and "Re-education Through Labour" camps (RTL) (*Ch: Laojiao*). Many of the most outrageous acts of torture occur during the first period and prisoners generally undergo rigorous interrogation to secure confessions to be used during their trial.

At the initial stage, interrogations are generally carried out by the PAP, China's military police. Suspect can also be detained at local Public Security Bureau (PSB) police stations and detention centers. There have also been some reported accounts of torture carried out by members of the procuracy



(the prosecuting body) or by court officials to elicit confessions and coerce information.

Many Tibetan suspects typically spend between two to six months in a detention centre before receiving a sentence, which may be delivered through either administrative or judicial channels, apparently at the discretion of the authorities. During this period of interrogation the prisoners are at the highest risk of torture as torture is applied to extract confessions and to force prisoners to reveal the names of accomplices, organizations or foreign associates<sup>65</sup>.

Full details about the deaths and torture of prisoners have lately began to filter in from Tibet and TCHRD has received reports of political prisoners in various prisons and detention centers. China shows no sign of adhering to international human rights treaties. Prisons, detention centres, and labour camps in Tibet where suspicious deaths have occurred include Drapchi Prison in Lhasa, also known as 'Tibet Autonomous Region' Prison Number# 1, "TAR" PSB Detention Centre or Sangyip Prison, Lhasa City PSB Detention Centre or Gutsa Prison, Powo Tramo Prison, "TAR re-education through labour camp" or Trisam Prison and Lhasa Prison (formerly known as Outridu).



## CHAPTER 9

### Common torture methods

Torture is routinely used to force confession, as a means of repressing political dissent, punishing criminal activity, and also as a means of extortion. Torture victims include those suspected of having committed crimes, criminal detainees and prisoners, political opponents, human rights activists, members of ethnic minorities, particularly Tibetans and Uighurs, and marginalized groups<sup>66</sup>.

The UN Special Rapporteur after his visit to China and Tibet this year confirmed that many of these methods of torture have been used<sup>67</sup> and the other methods previously unknown are also being used such as the 'tiger bench', where one is forced to sit motionless on a tiny stool a few centimeters off the ground; 'reversing an airplane', where one is forced to bend over while holding legs straight, feet close together and arms lifted high; or 'exhausting an eagle', where one is forced to stand on a tall stool and subjected to beatings until exhaustion.

According to testimonies from refugees and information from within Tibet, the most common forms of torture in Tibet still appear to be physical beatings using fists and feet, electric batons, rubber cords, belt buckles, iron rods, and electric cattle prods. Other torture methods that do not leave any physical marks on the victims are also used, including exposure to extreme temperature, threats of death, standing in total immobility in the sun for stretches of time ranging from 12-16 hours, holding paper between the legs and under the arms for long periods of time, and a bowl of water or a book positioned on the head. Any movement resulted in being beaten with an electric baton, scalding from a cup of hot water thrown onto bare skin, deprivation of food and sleep, or undergoing military drill-like sessions whilst having to shout slogans like: "strive for reformation" (*gyurkoy-la-shugnon*), "a new reformed man" (*lharyang mi sarpa*)<sup>68</sup>. Monks and nuns, in particular, often suffer from psychological torture, as they are often forced to abuse their religious beliefs. There are numerous accounts given by former



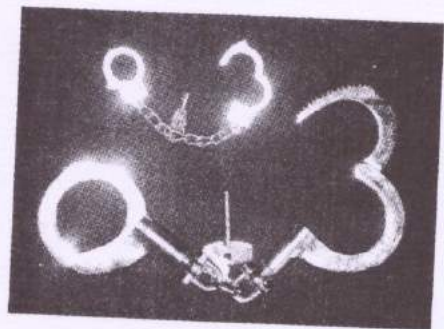
political prisoners that placement in solitary confinement for extensive periods of time are a very common practice. There are reports of cases where this has driven the prisoner insane and in a few cases, has damaged eyesight.

The TCHRD publication, 'Tales of Terror' published in 1999 highlights the common methods of torturing detainees. During detention, a wide variety of torture methods are used. Recently, there have been increased reports of attempts to disguise the effects of torture, for example, by the infliction of internal injuries without leaving any outside marks or physical scars. Liver or kidney damage, caused by consistent beatings to these areas, and the subsequent withholding of medical treatment, are common causes of death. Women are often sexually molested with torture instruments and nuns seem particularly vulnerable. Victims of torture injured in detention centres and prisons, are generally denied medical attention. In a few cases, this has resulted in permanent physical paralysis; in other cases, even death. However, in the case of person in a near death condition, they are often released to their families or hospital so as to avoid state responsibility.

Torture during imprisonment often involves forced labour. Prisoners are assigned a daily work quota to fulfill, no matter their state of physical or mental health, of an often extremely strenuous nature. Some have described the physical demands as worse than beatings. There are also certain techniques that have a profound effect on the psyche, including blood and fluid extraction or food deprivation and prolonged solitary confinement.

#### a) Cuffs

The Chinese invented several types of painful cuffs. The most painful method is finger cuffing by handcuffing behind the back. The hands are tied behind the back with one hand over the shoulder and the other hand against the lower back and then thumb-cuffs to link the thumbs are applied. The victim is then hung on a bar for interrogation. Foot-cuffs of different weights are also used and some prisoners are made to do hard labour foot-cuffed. Former prisoners have reported that they had to dig a hole in the ground to make the pain bearable and the work possible.

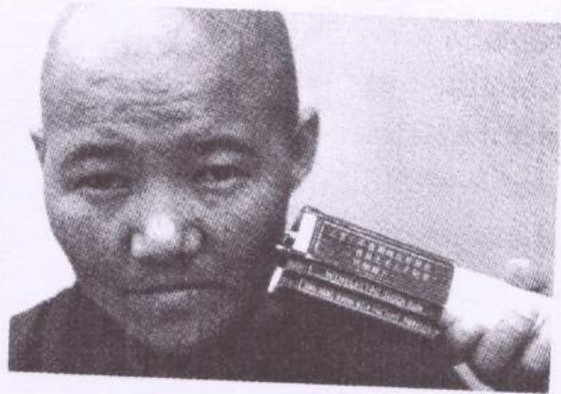




Some prisoners have stated that the most painful cuff is the self-tightening handcuff, also called the yellow cuff. This becomes tighter with every movement. It has sharp teeth inside that lacerate the wrists, causing bleeding and leaving permanent scars. Another type of handcuff was fastened, as Palden Gyatso<sup>69</sup> states, "so that the wrist would develop blisters all around and these would later become inflamed and turn into burns."

### **b) Electric Shocks**

Electric batons or cattle prods are among the most commonly used torture instruments employed by police officers and jail guards in persecuting prisoners in detention centres and prisons. They use electric batons of various sizes that carry high voltage



to shock the sensitive areas of prisoners bodies, including the mouth, the centre of the palms, the bottom of the feet, the genitals, and chest, neck, or breasts. Sometimes they use several electric batons simultaneously to shock the prisoner. Water is often poured on the prisoners to intensify the electric shocks.

The electric baton or cattle prod was a new torture technique introduced by Chinese officials in the early 1980s. Some are part of a policeman's equipment, mostly used on pro-independence demonstrators; others are kept in the interrogation cells and are used to hit the victim on the body or face, or as an instrument for sexual assault on female prisoners. There are many reports of women having electric batons inserted into their vagina or anus. This instrument is also frequently forced into the prisoner's mouth as a punishment for responding incorrectly, causing severe swelling of the tongue. In some cases prisoners have lost their teeth. The victim can also be directly electrocuted with electric wires wrapped around the wrists or fixed to the thumbs or other parts of the body. To increase the shock, water may be poured on the victim. The damages due to these electric shocks are generally very serious, leading to internal injuries or mental disturbances.



### c) Aerial Suspension

Aerial suspension is another inhumane torture method applied to prisoners during interrogation and during the imprisonment and detention. With both arms tightly tied behind the back, both feet off the ground or only the toes barely touching the ground, one is hung from the ceiling with rope. While being forced to remain in that position, the torturers may burn coal and chilli powder underneath the victim. According to former victims, the burning sensation can be so severe that they are unable to open their eyes for several hours. The extreme perspiration from the body also exacerbates the pain. Palden Gyatso, said that hot water was also poured over prisoners while they were hung from the ceiling.



Hanging prisoners from the ceiling with a fire burning underneath, is a method commonly described by former prisoners. Often chilli is thrown on the fire, producing a thick smoke and enhancing the burns. "When they sprayed chilli powder on the fire it provoked a terrible burning sensation on my whole body and each time I was unable to open my eyes for several hours," says Jampel Tsering.<sup>70</sup>

### d) Exposure to Extreme Temperatures

Prisoners are sometimes forced to remain in extreme condition both in cold winter weather and under scorching summer heat. Many former political prisoners testified that they were left to sleep on the concrete floors of unheated prison cells in the dead of winter either naked or wearing very thin clothes, and to make the cold even more unbearable, prison staff have been reported to leave the windows open in political prisoners' cells during the night. Winter temperatures in Lhasa average between zero to minus 13 degrees celsius. Many former political prisoners are kept in such cells even when badly injured or on the verge of death and poor health. Some solitary confinement cells are designed to be extremely cold without possibility of the sunlight entering the cells.



The prisoners are also exposed to extreme heat, being forced to work for long hours in unventilated sweatshops or being left outside in the scorching sun for hours wearing very warm and fur hats. Furthermore, prisoners are forced to live in extremely filthy and unsanitary conditions. Another technique is to burn the victim directly by tying him or her to a hot chimney, burning him or her with cigarettes, or suspending the victim above a fire of burning chilli powder.

#### **e) Ferocious Dogs**

Ferocious dogs are sometimes brought in during interrogation sessions and made to attack the prisoner. Any movement or panic from the prisoner will prompt the dog to attack. There are cases where prisoners were badly mutilated due to this technique.

#### **f) Sexual Assault**

Sexual assault is one of the most barbaric torture techniques used in prisons in Tibet. Sexual assault is a violent crime consisting of unwilling sexual contact with another person. Often the act is accomplished by force sufficient to cause physical injury. At other times, even though no lasting physical injury is sustained, the psychological damage done by this intimate violation may be substantial. It is mostly aimed at breaking the faith and spirit of defenseless Buddhist nuns who have participated in pro-independence demonstrations. Sticks and electric batons are inserted into their vagina and anus, provoking incredible pain and irreversible internal injuries such as kidney damage and psychological trauma. Such acts of torture are used to humiliate and demoralize the victims due to social stigma attached to such experiences, especially for nuns who take vows of celibacy.

#### **g) Solitary Confinement**

Solitary confinement is a punishment in which a prisoner is denied contact with any other persons, excluding guards and doctors. Solitary confinement is considered by some to be cruel and unusual punishment, because of its severe effects on a prisoner's mental state. Solitary confinement conditions are designed to be as inhumane as possible, with cells so small (normally 6ft x 3ft) that the prisoner can only sit and that size of the cell can vary from prison to prison. The cells are also completely dark, in some



cases there are metal floors which makes the cell unbearably cold. The only container in the cell is a small pot to be used both as a bowl and a toilet. The prisoner kept in solitary confinement is never allowed to go out of his or her cell except for interrogation sessions and is usually kept manacled. The solitary confinement period can last longer than six months.

#### **h) Torture Videos**

Prisoners are sometimes forced to watch torture videos showing atrocities against Tibetans such as mass executions. The most widely shown is that of a Buddhist monk being savagely tortured. He is first crucified with his feet and hands pierced with nails. He is then shot twice, before being hanged above a pile of wood and burnt alive.

#### **i) Urinating in the Victim's Mouth**

This is one of the many techniques used by Chinese officials in prisons to humiliate the detainees. They may force the victim to drink large quantities and deny them the right to leave the room until he or she cannot help relieving him or herself. Another reported technique is to directly urinate into the victim's mouth, generally through a rubber tube. Monks and nuns often suffer from the worse forms of psychological torture, as they are often forced to abuse their religious beliefs. For instance, a method of psychological abuse is forcing monks and nuns to carry human faeces on their backs over a *thangka* (religious scroll).

#### **j) Forced blood and fluid donations**

Forced blood extraction is a method of physical and psychological torture inflicted on the prisoners in Tibet. Physically, this method is used to weaken prisoners. At such high altitudes in Tibet, coupled with poor prison diet, the loss of blood would weaken a person of his health. With prisoners already weak from beatings, repeated blood extractions can sometimes lead to death.



### **k) Other Torture Techniques**

Some other torture techniques reported by former detainees and prisoners include: fist-beating and kicking, savage beating by whipping the victim with stinging nettles, perforating his or her skin with needles, inserting bamboo sticks under his or her fingernails, hitting the joints of the limbs - especially those of the ankles - with such instruments as a hammer and beating the victim with a bat equipped with folded nails and even straps of various types, occasionally with a number of tails at one end. There have also been reports of beatings with wooden truncheons and iron bars, including wooden clubs with filed down nails protruding from the end to tear the flesh.



**CHAPTER 10****Psychological aspects of torture in Tibet**

In Tibet, the act of physical and mental torture is consciously inflicted on the victim, often in a carefully planned and in a calculated manner aimed at achieving the goal of the torturer, superior and the regime at large. The Chinese authorities in Tibet have employed various torture methods of isolation, humiliation, psychological pressure and physical pain to break down the victim, to intimidate those close to the victim, and to discourage other dissidents from further political activity and to break the spiritual cord that connect the Tibetan people to their spiritual guide—the Dalai Lama. Another purpose of torture is to enhance the apparent power and invincibility of the communist regime in Tibet. As in the case of interrogation or rather euphemistically called ‘information gathering’, an important rationale for torture by the authorities, the content of the victim’s answers to questions is only rarely important to the regime. (In many cases they already have the information they claim to seek. Often the questions are irrelevant) it is the fact of answering rather than the content, that is always crucial. The fact of answering is taken as proof of the power of the authorities and through them, the power of the regime.

According to the UN Convention Against Torture, definition of torture included both aspects of physical and mental pain and anguish. Just as physical torture destroys language through the creation of extreme physical pain<sup>71</sup> so mental torture destroys what one might term the central core of the individual, the Self. It is this Self that is the organizing function of our psychological world, the organizing structure of the psyche. Torture is thus not only a gross violation of the body, but also of the mind. Torture is a trauma that disrupts the adaptational functioning of the individual leading to pathological alteration in images of the Self and its interactions with the outside world. Torture is aimed at the destruction of the individuals’ identity and sense of Self.



Over the past few decades, the various acts of psychological torture are inflicted especially at monks and nuns that include abusing their religious sentiments and testing their faith in the Dalai Lama - their spiritual guru - by forcing them to denounce him. Denouncing one's spiritual guide, banning his portrait and outlawing the act of performing long-life prayer ceremony in his honor are all meant to hurt the religious sentiment of the Tibetan people especially those monks and nuns who suffer immense mental trauma. Particularly the ongoing campaign of 'patriotic re-education' aimed at undermining and eliminating the Dalai Lama's influence in Tibet was a kind of political tests on residents of Tibetan monasteries to root out any allegiance to the Dalai Lama. The authorities overriding paranoia about social stability has led to strike at the heart of the Tibetan culture, religion and monasteries - considered as the 'hotbed of political dissents'. The PRC's continuous repression of Tibetan Buddhism and is a clear manifestation of its suspicion of interlinkage between Tibetan spirituality and Tibetan nationalism. The admiration and respect generated by charismatic religious lamas who touch not only Tibetans and international audience but also ordinary Chinese from mainland China-who are gradually catching up with their spiritual awakening- are deemed potential threat to the domination of Communist party.

The recent death of Ngawang Jangchup, 28, monk of Drepung Monastery in October 2005 following the 'work team' visit to conduct 'patriotic re-education' can be attributed to the psychological trauma that he had underwent. Ngawang had a heated argument with the 'work team' officials in the monastery, when monks were asked to denounce the Dalai Lama as "splittist" and pronounced loyalty to the Chinese Government, which he flatly refused and instead praised the Dalai Lama as "the saviour for the present and the next life". Monks are placed in extremely difficult position either to comply with the Party's directive or to commit religious blasphemy or to leave the monastic life clandestinely or out of compulsion or in this case, take extreme step.

A subtle form of mental torture is being used on former political prisoners in Tibet. Life after prison for these prisoners are made extremely difficult as they are denied readmission into their monastery or nunnery-often only



the cell has been changed-, ostracized socially, are constantly harassed by PSB officials, and have no prospect of finding employment. Many having to report to a police station on periodic basis; or being confronted in home. The psychological trauma that former political prisoners have to endure is so great that many risk their lives and make the journey across the Himalayas to get a new lease on life in exile. All the above acts that China refers to are merely 'relevant to combating torture'<sup>72</sup> fall significantly short of the Torture Convention's requirement that states proscribe all acts of torture and punish these violations with penalties that reflect their grave nature.<sup>73</sup>



## CHAPTER 11

# Torture accounts of former Political Prisoner

TCHRD has documented a long list of known Tibetan political prisoners who have died as a result of torture and ill-treatment while in detention or in prison since 1987. The testimonies that follow are accounts from people who have survived torture and testimonies of the victims before their death. Most of the torture victims have endured a variety of torture techniques since their detention or in prison and even after their release that have more profound effect on the psyche of the person.

Prisoners generally undergo intense interrogation before being formally 'arrested' to secure confessions to be used during their trial and also to gain information about other dissidents. Despite removal from law of the practice of shelter and investigation (*Ch: Shourong Shencha*), it is still legal to detain suspects for 44 days before formal arrest under the new criminal laws. This means that prisoners who undergo interrogation in detention centres such as Gutsa, just outside Lhasa, frequently endure more severe torture than those who have already been sentenced.

The following terror accounts given by former political prisoners underline the abovementioned methods of torture used by Chinese authorities on prisoners.

**Dhamchoe Dolma**, 29, is a former nun of Shar Bumpa Nunnery<sup>74</sup> served six years' prison term in Drapchi Prison for her political activities. Upon her escape to India in 2004, she testified about her activism in Tibet and Prison atrocities, "In June 1998 the policemen summoned all the nuns to learn a song that had to be performed for the local leaders during their prison visit or else face punishment. Hence, we were made to stand still in the sun from nine to five with an hour break at noon. That night at around 11 pm, five prison officials came into my room and took me to a room



where I was interrogated as to why I refused to learn the song? I did not reply. They then beat me with an electric cattle prod all over my body until I became unconscious. When I regained my consciousness, I was again asked whether I was now willing to learn the song and sing. I replied negatively and they beat me on my heel with electric battle prod, the shock of which again caused me to lose consciousness. Later I found myself in bathroom of my cell. I had wetted and excreted in my pants. I was unable to speak because my mouth was swollen and my face all bruised and cut. I was kept in the bathroom, in this condition for seven days. I was then moved to solitary confinement cell and provided only one meal a day consisting of little rice and a bowl of water. The food was barely enough to keep me alive. The prison officials were careful to give me enough so that I wouldn't die. I stayed there for six months for the end of which I was sent back to my unit (prison)"<sup>75</sup>

Two members of the Group of "Drapchi 14 Singing Nuns"<sup>76</sup>, **Gyaltsen Dolkar**, 33, and **Namdrol Lhamo**, 40, arrived in Kathmandu, Nepal at the end of October 2004. Gyaltsen and Namdol shared their grueling experiences in the prison and officials' particularly strong revulsion towards political prisoners.

Gyaltsen testified, "In 1990, during *Shoton* Festival (Opera Festival), 13 nuns; five from my nunnery i.e. Garu Nunnery and eight nuns from Michungri Nunnery raised slogans calling for 'freedom in Tibet' and 'Long Live the Dalai Lama' in Barkhor, Street. In no time nearly 30 PSB and PAP officers arrived at the spot. The officers beat us severely and led us to Gutsa Detention Centre."

"Each of us were then called in for interrogation, during which the officials hit electric batons on our necks and other parts of the body which made us unconscious. Some of us were shocked with live wires with an officer spinning a device that generated electric shocks. The pain was excruciating. They also let loose dogs on us and sometimes we were hung from the ceiling and inserted electric batons in our mouth. Later in the night, we were put separately in the women cells."



“In the following days, two or three officers interrogated us daily demanding to know the group leader and other “separatist” activities we had done in the past. Torture in various forms like electrocution, hitting with iron rods and electric shock batons were a routine in Gutsa Detention Centre.” After three months of rigorous interrogation and torture, Lhasa Intermediate People’s Court sentenced them to varying prison sentence ranging from three-seven years. Gyaltzen was sentenced to four years’ imprisonment in Drapchi. She described her trial and tribulation in Drapchi Prison, “The newly arrived prisoners were not allowed to interact with the old inmates. The prisoners performed exercise drills in the morning and for two weeks we had to learn prison rules and regulations. If we failed to memorize the rules by heart, we were beaten and made to stand in the sun for more than two hours.”

“After two months, we were allotted green houses to grow vegetables. Each green house was required to produce vegetable worth ten thousand Yuan annually, failing which the prisoners are beaten severely.”

“Though the prison is facilitated with a small dispensary, the political prisoners avoid visiting the dispensary as the doctors and the nurses don’t treat them properly. Although it has been stipulated in the Chinese law that all the prisoners should be treated equally but in practice, there is gross discrimination against political prisoners. The political prisoners are watched closely and beaten or visitations from family members are denied at the slightest instance. The criminal prisoners on the other hand get lighter works and receive proper medical treatment even for minor injuries.”<sup>77</sup>

**Phuntsok Tsering**, 29, a metal statue maker from Kardze, Sichuan Province spent one and a half year in detention for his opposition to the unlawful arrest of Geshe Sonam Phuntsok<sup>78</sup>. Phuntsok reached exile in India on 2 January 2003.

On the morning of 26 October 1999, on his way from work Phuntsok Tsering came to know about the arrest of Geshe Sonam Phuntsok the day before. In order to show their support for Geshe, approximately 300-people gathered in front of the gate of Kardze County police station pleaded for



his release. When the official response turned harsh, commotion occurred between the crowd and the police. Phuntsok recounts. "Around 10.30 a.m., approximately 100 armed troops consisting of PAP and PSB officers surrounded us. The armed officers started beating people in the crowd indiscriminately. Then PSB officer hit me with his revolver on my nose. I tasted blood in my mouth and fell unconscious. My friend was also hit. When I regained my sense, I was covered with blood and dragged inside the gate. There my friend and I received further beatings like dogs. When they were done with us, I tried to get up but I could barely stand on my feet."

*"For five days and nights, they kept us in the local PSB Detention Centre. During that time, the officers took turns beating us the whole time. During this time we suffered incredibly. They poured hot water on our face, poked us with electric batons, hit us with rifle butt and thick wooden stick. At times the officers would use a rock to hit us on the head."*

*"After five days, I was transferred to a smaller cell of approximately 11 X 11 foot. For a day I was alone there but the next day more people came in. The additional people were all arrested in connection with their dissent over the arrest of Geshe. In that small space we were about 12 people. There were three elderly ladies. I was the youngest in the group. I was 25 years old. My friend and I were treated the worst because we were arrested from the spot of demonstration. The rest were detained from their homes after conducting searches. The eldest in the group was a woman who was around 55 years old."*

*"We were not allowed to talk to each other at all but were too tired and ill to talk anyway. At times all of us were chained one to another, at other times our hands were cuffed at the back. For the two months I was detained there I was taken for interrogation and beaten for minimum of four to five times a day. For a month and a half, I was not given any food. Some of my inmates had managed to smuggle bags of tsampa (roasted Tibetan barley flour) so I did not totally starve. We were confined to that cell the whole time and not allowed to go out at all. The room had no natural light and we had a common tin within the room for defecation and urination. The presence of women in the room did not matter to the*



officers. In fact women were subjected to the same kind of beating as we were. There was no space for us to lie down and besides the fact that we were chained together it was difficult to lie down relaxed. For two months we endured the severe condition and the stench.”

“Every time I was taken for beatings and interrogation, the rest of the group also received some form of beatings and harassments. Beatings would be conducted by 10-15 officers on a person. All of us would be called randomly at different times for beatings. The small space was covered with blood marks all over. Many times the officers would piss in the mouth of some of the inmates. I did not have to suffer that humiliation nor did the women in the room. Some of the names I can remember of the torturers are: Choekyap, Lolo, Yikhap, Yama Dorjee, Tsering, Namgyap, Yar jar ming, Yarchar, Phabying, Namgyab, Cha zim ming, Drapung po shor.”

Phuntsok further recounts that; “Initially the eight of us were held in the unit where we were made to perform rigorous exercises and military style drills. This would start from four in the morning and go on until nine in the night with a 10-minute recess for lunch. In the morning sometimes we had to watch a video for an hour on the greatness of the People’s Republic of China. We were detained in this unit for two months. Food was inedible and scarce. Life was very difficult. After two months, we were transferred to the labour unit number 4 within the same prison. The task there was making bricks. Condition was awful because we had to work in such intense heat under the scorching sun. It was difficult because we had to work long hours with insufficient food. Because this prison was located far from our homes, we barely received visitors.”

“Life after release was terrible. I was constantly harassed. One day in the April of 2001, my bike was confiscated for “insufficient documents”. At another time I was fined 400 Yuan for no reason. I decided to flee Tibet to escape from all these harassment.”<sup>79</sup>



Rule 33 of the UN Standard Minimum Rules for the Treatment of Prisoners states, "Instruments of restraint, such as handcuffs, chains, irons and strait-jackets, shall never be applied as a punishment. Furthermore, chains or irons shall not be used as restraints. Other instruments of restraint shall not be used except in the following circumstances:

- a) As a precaution against escape during a transfer, provided that they shall be removed when the prisoner appears before a judicial or administrative authority;
- b) On medical grounds by direction of the medical officers;
- c) By order of the director, if other methods of control fail, in order to prevent a prisoner from injuring himself or others or from damaging property; in such instances, the director shall at once contact the medical officer and report to the higher administrative authority.<sup>80</sup>

### **i) Driven to suicide and insanity**

TCHRD has recorded many cases where prisoners who are unable to tolerate repeated physical and mental torture have taken their own life. The enormous pressure to carry the physical as well as psychological torments of denouncing one's religious beliefs and faith plays a role. At the outset of Chinese occupation of Tibet many people were driven into suicide after being subjected to numerous 'Thamzing' or 'struggle sessions, a public form of humiliation. Following are few cases of former political prisoners who committed suicide after being subjected to severe inhuman torture.

**Saru Dawa**, 27-years-old born in Saru Township, Dzoge County, Ngaba Prefecture, Sichuan Province, 'TAP' was a monk of Kirti Monastery. He escaped into India in 1992 and joined Kirti Monastery in Dharamsala. After studying in the monastery for eight years, he returned to Tibet in November 2000 after receiving news of his mother's ill health.

In mid February 2001, the corpse of Saru Dawa, was recovered by his relatives from near the Nyari Detention Center, Shigatse 'TAR'. Despite denial by the police authorities of Nyari initially, however, after obtaining money from the relatives, a prison official acknowledged that he had been detained but had subsequently committed suicide.



Dawa's relatives were informed that he had committed a 'serious crime'. His relatives were shown a picture of Dawa with the Dalai Lama, and some books published in the exile community. One prison official was reportedly quoted as saying that Dawa was physically not well when he first came to Nyari Detention Centre, and despite medical care his health failed to improve. His poor health, coupled with the serious crime he had committed, was supposedly too much for Dawa to endure, and he finally committed suicide on 9 January 2001<sup>81</sup>.

**Lobsang Choephel**, 25, a monk from Khangmar Monastery, Dhamshung County, Lhasa Municipality was arrested for his participation in 10 April 1995 pro-independence demonstration with four other monks to sacred Jhokhang Monastery in Lhasa. The famous May 1 and 4, 1998 Drapchi Prison demonstration led to torture, inhuman treatment, solitary confinement, extension of sentences for Prisoners. Unable to stand brutality, on the evening of 4 May 1998, Lobsang Choephel committed suicide by using iron bars of the toilet window to hang himself. The Drapchi Prison protest had resulted in total eight deaths, solitary confinement for many prisoners and sentence extension for many inmates.<sup>82</sup>

After the death of Lobsang Choephel on 4 May 1998, the prisoners carried out his body and shouted 'Free Tibet'. Upon hearing the protest, inmates in the old unit started demonstrating, and began to break down the prison gates. Around 7 pm the same evening, Phuntsok Wangchuk, 27-year-old student from Lhoka, Chongyal County, Perab Township, who was serving a prison sentence was interrogated when he denied his involvement in the incident. He was then forced to stand in a crucifix position, a block of wood was placed along his shoulders, and his arms and hands were tied to it. He was shut in another prison ward with all the windows closed. Five or six prison guards hit him mercilessly with electric batons and iron rods. When he fell unconscious, cold water was thrown on his face. Even after he was taken back to his cell, the torture continued: an electric baton was activated on his genitals and in his mouth. His condition then became so serious that they had to rush him to the army hospital. He was hospitalized for one and a half months. On 1 July 1998 he confessed to his participation in the protest and he was again severely beaten, even his wounds were subjected to electric shocks. Unable to bear the torture, he attempted suicide by swallowing four needles and broken glass on 23 July 1998.<sup>83</sup>



**Jangchub Dolma**, a 21-year-old nun from Yangchen Galo Nunnery, reportedly became insane due to ill treatment she received while in detention.

Dolma participated in a political demonstration in the Barkhor area on 28 February 1995 along with her cousin Rinchen Palmo (21). Four Public Security Bureau (PSB) Officials immediately arrested the two. The nuns were detained in Gutsa Detention Centre for five months. For the first two months the nuns experienced severe maltreatment. They were hit with electric batons, kicked and punched.

Later Dolma and Palmo were transferred to Drapchi Prison on 30 July 2000. On July 15, 1995 about 150 ml blood was extracted from each of the nuns by the officials of the People's Hospital. It was told that the extracted blood will cover the cost of food during their stay in Gutsa. During their stay in Gutsa the nuns were denied any visitation rights. Jangchub Dolma later developed heart problem because of treatment meted out to her.

In June 1995, the Intermediate People's Court of Lhasa sentenced Dolma and Palmo to five years' imprisonment with a deprivation of political rights for two years. Along with 58 other nuns, Dolma and Palmo were transferred to Drapchi Prison on 30 July 1995. In total 60 nuns were placed in the new female unit '3' of Drapchi Prison. On the second day of their arrival, the nuns were forced to wake up at 4 am and attend an hour-long military exercise after which, they were served a Tingmo (steamed dough) and black tea.

Their routine for the next three months was set on the second day of their arrival in Drapchi. They were made to stand in the sun from 8.30 am to 8 pm. To make them stand still, papers were placed in-between their legs and under their armpits. They were forced to balance a filled bowl on their head. If they made any movement they were beaten and sometimes hot water was thrown on their body. Electric batons were used on their bodies. Many nuns fell unconscious during this harsh punishment, but none of the nuns were allowed to help each other. Sometimes they were made to stand until 12 midnight. Occasionally, there were given 10 minutes break to go to the toilet, but these were random and infrequent.

Dolma continued to get into trouble and receive beatings for her intrepid behaviour such as complaining about the poor prison diet. Again in November 1997, Dolma, along with 10 other cellmates were kept standing



barefoot in cold water for reciting prayers. Dolma received additional beatings for laughing at the prison officials.

During the May 1998 Drapchi protests, Dolma, Chogdrup Dolma, and a number of other prisoners were placed in solitary confinement for three months from May to August 1998. During this time, she was again hit with electric baton, rubber cord and belt buckles on her head and over her body. As a result, Dolma suffered a fracture in her finger. In October 1998, Dolma's sentence was increased by six years. Jangchub Dolma now suffers from complex health problems but has not received any medical assistance<sup>84</sup>.

## **ii) Extreme Torture:**

**Jamyang Dhondup**<sup>85</sup> served five-years in Ngaba Prison along with his friends A-ngag and Ta-Lobsang and cousin brother Gyatso. They distributed pro-independence leaflets during the founding anniversary of the People's Liberation Army (PLA) held in Lithang horse racing area on 2 August 1992.

The PSB officials detained them in Lithang Detention Center where he was interrogated and beaten with electric cattle prods for the first few days and he was detained for four months in Lithang Detention Center, during which time he was kept in solitary confinement. Later, Jamyang, A-Ngag and Ta-Lobsang were transferred to Kardze Detention Centre in late December 1993 where they suffered from poor nutrition. Jamyang's friend and fellow prisoner, La-thak died in Lithang Detention Center from excessive beatings by prison guards. Officials gave the cause of death as suicide. Throughout his time in Kardze, he was constantly being forced to confess his crimes and to reform. He was kept in solitary confinement in Kardze for 14 months.<sup>86</sup>

**Jigme Yangchen** was sentenced to seven-year prison term in 1991 for her participation in a peaceful demonstration in Lhasa on 28 August 1990 along with six other nuns from Shungseb Nunnery.<sup>87</sup> PSB officials arrested them and detained them in a detention center nearby. Jigme, one of the members of group of fourteen singing nuns clandestinely recorded songs expressing devotion to the Dalai Lama and messages to relatives, friends and Tibet supporters in a tape recorder smuggled into prison. When discovered about



the cassette, the nuns faced humiliation, beatings and constant harassment by the prison officials. Jigme suffered severe physical injuries as a result of such treatment.

During the Tibetan new year (*Tib: Losar*) in 1992 which coincided with March 10, Tibetan National Uprising Day, Jigme and approximately 23 other nuns blatantly defied prison rules and refused to wear prison uniforms. Reports received at that time indicated that 50-60 members of the PAP beat the nuns. They were tied with ropes, beaten with rods and belts and jolted with electric cattle prods and suffered serious injuries and some sustained permanent impairment as a result. Jigme suffers from various internal ailments due to numerous beatings she had endured in the Prison.<sup>88</sup>

**Chungdak**, a former political prisoner served seven years imprisonment in Drapchi Prison. She first participated in 27 September 1987 pro-independence demonstration in Lhasa and despite her detention, thereafter she joined the 10 December 1988 demonstration. In 1992, while serving her prison sentence at Drapchi, she was involved in a protest along with the political prisoners of the 3rd unit (formerly the female political prisoners unit). The women had refused to wear the prison uniform in observance of Tibetan New Year and were all beaten for breaching prison rules. During the beating, Chungdak was struck on her face with an electric baton by one of the prison guards. Prison officials transferred her to Outridu prison camp<sup>89</sup> where she was kept for eight days before being transferred back to Drapchi (political prisoners are often separated after involvement in political activities in prison). In Outridu, Chungdak was handcuffed and beaten. She was reportedly beaten and placed in solitary confinement for almost a month for refusing to sing a socialist song in the prison<sup>90</sup>.

**Ngawang Dolma**,<sup>91</sup> a nun of Gyabdrag Nunnery joined 14 other nuns for a peaceful demonstration for Tibet's freedom in Lhasa on 13 February 1995 and PSB officials arrested them minutes after their sloganeering. When they began to resist the arrest, they were beaten and thrown in a police truck to be taken to the Lhasa PSB(Gutsa)detention center. At the detention center they were interrogated, beaten for making inconsistent statements and not responding in a desired manner. Neither the nunnery nor their families were informed of their whereabouts. In June 1995, Lhasa



Intermediate People's Court passed prison sentence on the nuns and subsequently, transferred them to Drapchi Prison.

They were the first female inmates to be kept in the newly constructed female unit #3. For a month, they were made to stand in the sun from sunrise to sunset, allowing breaks only during meals. After that, for almost four months, extended daily marches were enforced. During these marches, Ngawang faced a lot of beatings because she could not follow the commands and also due to her poor health, she had difficulty keeping up with the constant physical demands.

In 1997, on the occasion of the Tibetan New Year, Ngawang and her friends sang a freedom song. Soon after, the PAP severely beat them with belt buckles and later kept in solitary confinement cell. She suffered more beatings for her participation in the May 1998 prison protest. She now suffers from kidney problems and has ulcer.<sup>92</sup>

**Jigme Gyatso**<sup>93</sup>, a former monk of Gaden Monastery was arrested for political reason in 1997 and is serving 15 years' prison sentence in Drapchi Prison. According to Sonam Gyalpo, a friend and former inmate, "The officers tied Jigme's hand behind his back and struck him with electric shocks all over his body and forced him to 'confess to the alleged crime.' Despite producing an alibi, Gyatso was detained for five days during which time he was not given any food and water. Moreover, he was beaten and tortured severely. At the time of his return to Drapchi Prison, inmates saw him barely able to walk by himself. He was supporting himself to the wall and his body spoke clearly of severe thrashing and ill-treatment."<sup>94</sup>

**Lhakpa Wangyal**,<sup>95</sup> a former monk from Nalanda Monastery reported, "On 28 February 1995, eight monks including Penpa, a chant master of Nalanda Monastery were arrested and detained in a PSB detention center. On March 5, 1995 six more monks were arrested on charges of possessing a Tibetan national flag, distributing political pamphlets and opposing the "work team". They were detained for a day in the County detention centre and later shifted to Seitru PSB Detention Centre. On the way to Seitru, the police tied their hands behind their backs. When Penpa pleaded to the police to loosen his handcuffs, they hit him on the neck, almost rendering him unconscious. The monks were incarcerated for four months in Seitru and for the first three months they were kept in separate cells."



After shifting to Drapchi Prison in Lhasa, they had to exercise and study prison regulations, failing which they were tortured. Penpa witnessed the death of a fellow prisoner, Sangay Tenphel in 1996, who died due to poor living conditions in the prison and severe torture inflicted by the prison guards. After his release on 2 February 1998, Penpa was not permitted to rejoin his former monastery. Penpa was kept under strict surveillance and his movements were restricted.<sup>96</sup>

Lodroe Gyatso<sup>97</sup> is serving a cumulative sentence of 21 years imprisonment in Drapchi Prison. Initially implicated for murder, Gyatso had 15 year prison term when he received additional six years for political activities while imprisoned thereby making his total sentence to 21 years. According to former political prisoner Sonam Gonpo who came into exile in August 2000, "On 20 November 1997 while waiting for their names to be called out during prison visiting day, Gyatso walked away from the group of prisoners to get some sunlight. He was leaning against a wall when the officer in charge immediately took him back inside his cell. The other prisoners protested and said if Gyatso was not allowed visitors, they would not receive visitors too. The group was taken in along with Gyatso and as a punishment, were not permitted to receive visitors. In the meantime, Gyatso was seen with his head covered with a black cloth and beaten by prison guards after which he was solitarily confined. Following his release from the solitary confinement, he was detained along with the criminal prisoners."<sup>98</sup>

On 4 March 1995, Lodroe staged a lone demonstration in Drapchi and threw around 350 hand-written flyer. Seven prison officers immediately clamped thump-cuffs on Lodroe, kicked and beat him with their belts, tied him and continued to torture him until he bled from his mouth and nose. He was taken to the solitary confinement cell where he was untied and beaten again.

Three days later, prison officials, Lee Tue Tang, Liu Bao and Zhao demanded Lodroe to "confess to his mistakes." He refused and instead shouted slogans. He was beaten so badly that he fell unconscious. The interrogations lasted a month. During his imprisonment in the solitary confinement cell, Lodroe was given a small piece of Tingmo (steamed dumpling) and a small mug of water twice a day.<sup>99</sup>



**Sonam Gonpo**,<sup>100</sup> a monk of Zokhang Monastery, Uyak Township in Dzogang County, Chamdo Prefecture gave testimony of torture ordeals. Sonam Gonpo reports, *"On 2 May 1996, Chamdo region PSB officers came to the monastery in the night and took us away to Chamdo PSB office and detained us in two separate cells. The officials interrogated us and simultaneously kicked, punched and slapped numerous times, including being beaten with a stick on my knee. The worst was when they threw water on me and hit me with the electric shock. I often found myself unconscious. On one occasion, the PSB officers kicked me on the chest and I threw up blood."*

*"After a day, they transferred us to Chamdo Region Detention Centre and detained us for three months. We were kept in different cells, interrogated and beaten. According to how we respond to their questions. We were served black tea with a steamed dumpling in the morning and rice and soup for lunch. For a month I was sick and could not sit up straight. On 25 June, 1996, 21 prisoners including the two of us were paraded in a public rally with a white cardboard specifying our 'crimes' hung on our necks."<sup>101</sup>*

**Choeying Kunsang** participated in the protest of May 1 and 4 1998 in Drapchi Prison. She was the first former political prisoner from the 'new' 3<sup>rd</sup> female unit of Drapchi Prison who has come into exile. She testified on the torture that one of her prison inmates, **Deckyi Yangzom** had undergone. *"We were called for the third time and made to learn eulogy songs. We refused to cooperate resulting in further punishment. That night, Dekyi Yangzom, a nun, came back to the cell severely beaten. She was black and blue on the face. She told me the officers hit her with electric prod on her breast, cheeks and inserted it into her vagina. She could barely talk. The next day she had to join in with the rest of us when we were made to stand in the sun from seven in the morning to eight in the evening. Newspaper were put between our legs and under our armpits and we had to balance a bowl filled with water on our head. Many of us were falling unconscious but none of us were allowed to help each other. The moment we made a movement, we were beaten. We had approximately 10 minutes break in between when we could either eat or go to toilet. After eight in the evening, we were given a tiny steamed dumpling, which was not sufficient at all. This went on for a week. One noon, some of the nuns taken away in a white vehicle by prison officers. That night we discovered Dekyi*



*Yangzom was missing from our unit. We did not see her again. When we were released, we found out from her family members that she had died. The authorities had informed them that she had 'committed suicide'*<sup>102</sup>

**Gedun Gyatso**<sup>103</sup> was Gyaljing's roommate, the discipline master of Pomda Monastery. Gyatso testified that on 26 August 1997, "work team" that ordered the monks to sign documents denouncing the Dalai Lama and "splittist activities" visited Pomda Monastery. Gyaljing who refused the order, was taken to a police station in Pomda Township. The prison authorities interrogated, beat and forcefully tried to make him sign the document. Gyaljing instead shouted slogans. Then his hands were immediately tied behind his back and a towel placed in his mouth."

On 2 September 1997, PSB officers detained Gyatso in Chamdo PSB detention Center and interrogated him about the banned Tibetan national flag drawn on the wall of another monk's room. He was even forced to sign a statement of his crimes. Gyatso endured severe beatings and torture during his detention period of three months. He reported that officials from Anti-Riot Department (a small cell within the detention Centre) and PSB were involved in the torture including few Tibetan officials as well.

The officials kicked Gyatso around his head and torso and used electric cattle prods to beat him on his back and buttocks and electrocuted him with the prod. At one stage, Gyatso remembered about twenty people, men and women, taking turns to whip him with an electric cord. He was whipped so hard that he was unable to sit down or lie on his back for weeks together. He was denied medical treatment and did not see any other prisoner besides his cellmate.

Gyatso related the worst form of torture that he endured was being confined in a small room flooded with water. The officials used electric prods to electrocute him through the water knocking him unconscious. He would wake up in his cell after a long period of unconsciousness. Gyatso reported that he was left standing in the cold wintry nights dressed only in a shirt and pant for four nights. He was handcuffed and his arms were tied above his head. During his detention period, Gyatso was tortured at all times of the day and night in no set pattern. Gyatso still suffers from the after-effects of the torture. He suffers from kidney disease that aggravates when exposed to cold.<sup>104</sup>



Gyatso also shed light on the torture that some of his fellow political prisoners had undergone in Chamdo PSB Detention Center. **Dawa Dorjee**, a fellow political prisoner was tortured with seven monks whilst in their detention. The monks were stripped naked and hung upside down. Their bodies were then hit with big sticks and electric prods applied to their genitals, causing serious burns. The monks were made to stand up straight and repeatedly hit with a big stick on their shins, which knocked them down on the floor. The police then stamped on their heads and faces with their boots. The monks were covered in blood and excreta and had to crawl against the wall to stand up".<sup>105</sup>

### **iii) Forced confession through electric shock and chilli fires**

**Norbu Damdul** is a monk of Kardze Monastery in eastern Tibet and a former political prisoner from Yu Sang Village, Dotho Township, Kardze County. Norbu defied 'work team's' political session and put up many political leaflets at some major cross roads in Kardze County. In April 1996, he was detained for ten days at the police station on suspicion for his involvement in pasting political leaflets.

At the time of detention, the police tortured him severely. He was stripped naked except for his underpants. Hung upside down from the ceiling by his feet, the police made a fire underneath him and threw chilli powder into it. As the fumes billowed up it was unbearably painful for him and he nearly choked to death. At another time, a policeman made him go down on to his hands and knees and sat on his back, riding him like a horse. They also spat in his face and sometimes gave him electric shocks while his hands were handcuffed behind his back. The officers also told him that except for him, the other Tibetans did not have a problem accepting Chinese rule.

Norbu was vomiting blood from the beatings received and it compelled him to eventually confess to his involvement in the political activities. During his ten-day detention, he was not given sufficient food and was detained with a criminal prisoner. The authorities insisted that Norbu had "accomplices" and was adamant to find them out. They tried all means to get him to reveal other names, including enticement through monetary



gains. When the authorities failed to squeeze any information out of Norbu, they detained him for further eight months, after which he was tried and the court sentenced him to three years' imprisonment. He was imprisoned at Ngapa Prison, in Sichuan Province<sup>106</sup>.

**Dhak Lobsang** from Jheney village, Jompa Township, Lithang County, Kardze Prefecture was a monk of Lithang Monastery. He worked as the administrator before his arrest on 19 August 1993 by PSB officers on alleged charges of his involvement in pro-independence activities. Dhak Lobsang reported, "When I refused to say anything, the officers said 'you are lying'. I was beaten and kicked. I was hit with stick, cattle prod, and other torture equipments. No part of my body was left without being hit or kicked. As a result of the kicks and blows, I lost my two front teeth. I thought I would die. After nearly an hour of beating, I fell unconscious. When I regained my consciousness I realised that they had poured cold water to wake me up and the beating resumed. I lost my consciousness several times and each time the cold water was poured to wake me up. I was in no position to talk, stand or move. I could hardly open my eyes."

*"Around 5 a.m in the morning, two officers held me from my arms and dragged me to a room where Mr. Passang, Head of the Lithang County, and Chakdrup, Head of Lithang PSB, were waiting for me. The moment I was placed in the room, Chakdrup slapped me hard on my cheek and said 'this guy is the trouble-maker". Then Passang told me 'not to invite death for myself' and said I still had the opportunity to choose the white path i.e. confession. When I did not respond, the officers flung me into the custody room. After two days, they took me to the torture room and started interrogation accompanied with beatings. They frequently asked questions like 'Who are your other friends?' 'What links do you have with those outside Tibet?' and, 'Who told you to write the slogans?' They interrogated me more than 13 times within a period of three months."*

*"I was detained for the three whole months at Lithang PSB Detention Centre. My handcuffs were unchained only for just five minutes during the two times my clothes were changed. I met my friends; Jamyang Dhondup, Choephel and Lhadar, who were all arrested before. I came to know that they were equally tortured."*



*"During one interrogation session, I was shown the pro-independence leaflets with my handwriting, which they probably found from my room. I finally confessed. I was kept along with more than eleven people inside a small room. The place was so congested that there was hardly any place to move. Each of us had less than one-foot breadth of space to sleep. We could only sleep sideways. There were two open-ended buckets meant for toilet in that room. The foul smell of the toilet along with the congestion was unbearable and suffocating. But we had no other option. The food provided was not fit enough to eat. It was so bad and meagre that many of my fellow prisoners fell sick. Only pigs would be given such food."<sup>107</sup>*

**Soepa** (ordained name Loden Thupten) from Mancho Village, Uyang Township, Dzogang County (Zuagang xian), Chamdo Prefecture, was a monk and a former political prisoner from Tibet. Soepa said, "I suffered different forms of torture and maltreatment at the hands of the PSB officers. To extract information, I was shocked with electric baton. They poured alcohol on my head and prodded me with the electric baton. The hurt was all the more severe. They put a yoke on my neck and my hands were held up straight in the air behind the yoke. At the same time, I was made to kneel on two sharp-edged stones with a stick at the back of my knee. When I moved a bit unable to bear this cruel position, they stepped on the stick in the leg. The pain was excruciating. Wangdu, a Tibetan official, was the main person responsible for the torture. That way, I was tortured and interrogated at the PSB office for an entire day. In the evening I was taken to Chamdo Detention Centre or Chamdo Prison in Chamdo County, "TAR"."

*"I was interrogated once in every two to three days. Each time I was interrogated, I was beaten and pushed against the wall. My head was banged and I was kicked on the chest."<sup>108</sup>*

**Bukhog** is originally from Tsashol Township, Meldrolgungkar County, 'TAR'. In 1995, Bukhog and his friend Jigme Gyalpo were arrested for pro-independence activities. Lhasa Intermediate People's Court sentenced both men to six years' imprisonment term. Upon completing his sentence, Bukhog was released on 19 April 2001. Unable to lead a normal life after release from prison, Bukhog fled to Tibet and reached Tibetan Reception Center, Kathmandu, Nepal, in November 2003.



He gave detailed account of his prison ordeal after being arrested from his relatives' place in Kongpo, "On 20 May 1995, four PSB officials from my hometown and two from Nyingtri Prefecture, 'TAR' arrived at my relatives place to arrest me. The officials took me back to my hometown and detained me in the County PSB Detention Centre. On the same evening the officials began their interrogations coupled with constant beating and torture. I was beaten indiscriminately with the butt of a rifle, electric prod and wire strings. My fingers were tightened with two wires connected to a small generator, which had to be activated manually. Every time, the security personnel turned the handles, I felt the unbearable pain of the electric shock. They also lashed me with their leather belts and struck me hard with their heavy boots. I was left unconscious throughout the night.

*There would be routine questioning by the prison officials. The interrogation was carried out to check if we had reformed in our way of thinking. When the prisoners failed to give a satisfactory answer, the officials did not hesitate to physically abuse the prisoners. There were strict rules to follow during visitations by our relatives. The visitations were allowed only once a month."*<sup>109</sup>

**Tsering Dhondup**, head of Othok Village in Nyagchuka County, Kardze "TAP", Sichuan Province, was one of the four detainees held in connection with the Trulku Tenzin Delek's case. He was arrested two months after Trulku Tenzin Delek's arrest on 7 April 2002. According to information gathered by the TCHRD, Tsering suffered brutal beatings and torture while in Dartsedo detention center. Reports also state that he could not walk at all. It was reported that both his legs were broken and that he had lost sight in one eye.<sup>110</sup>

**Jigme Gyatso** (lay name *Kalsang Jigme*) served two years in prison whereas brother, **Lungtok** (lay name: Tsedor) and friend **Tenam** from Chamdo served four years imprisonment term for carrying copies of the Universal Declaration of Human Rights (UDHR) and literatures on the Dalai Lama's teaching. Three of them while returning to Tibet in 2001 were stopped near Shigatse by the Chinese policemen. The police found booklets of teachings by the Dalai Lama and Tibetan language translation copies of the UDHR in Tenam's luggage and the three were arrested. Gyatso recounts, "For three days without any food, the three of us were interrogated and beaten



severely. The police demanded to know who had told us to carry the books and our motives behind carrying the book into Tibet. When we replied that we had brought it on our own for reading purposes, they slapped and booted us. After three days, we were led to Lhasa and thrown into the Public Security Bureau (PSB) Detention Centre. We were separated into different cells and interrogations followed for the next 16 days. Three times a day, we were put under interrogation and each time when the official was not satisfied with our answer, he would beat me and electrocute me until I fell unconscious. My brother and Tenam received similar treatment”<sup>111</sup>

**Sonam Ngodup**, a monk of Kardze Monastery was from Sengu Chu Village, Kardze County, Kardze, Sichuan Province “TAP”. He served seven years in prison on charges of ‘inciting masses through anti-government propaganda’ and ‘endangering state security’. In 2002, he was transferred to Mok Prison in Ngaba Prefecture. Due to interrogation, he lost unconsciousness and collapsed on the ground several times. He lost his front teeth during a bad collapse facing the ground. Due to constant beatings and torture and denial of proper and timely medical treatment in the prison, he is currently known to be in grave health. If his prison term is not extended, Sonam Ngodup will be released in 2007 upon completion of his seven years’ imprisonment term<sup>112</sup>.

**Ngawang Tsultrim** recounts his traumatic experience at Gutsa Detention Center after being arrested for demonstrating in the crowded Barkhor Market on 14 May 1994 with three of his other friends. Minutes after their demonstration a team of officers from Lhasa PSB and Anti-riot police dressed in civil clothes arrested and shoved them into a vehicle. “We were taken to Gutsa Detention Centre where we were lined up in front of an officer with a hammer in his hand. Without uttering a word, two officers caught our arms and the officer hit us on the knee and the joints all over the body with the hammer. We collapsed on the ground unable to stand the excruciating pain. Each of us was then held by our feet by two officers and dragged towards the cells like a corpse. We were locked up in separate cells.”

*“The next day at nine in the morning, we were called for interrogation separately. An officer asked me questions while two others stood by the side hitting me when I didn’t answer properly. “Why did you protest” and “who is behind*



*this protest” were the questions that were asked to all of us. I told that no one asked me to protest and I did it on my own for the freedom of Tibet. The interrogators were enraged with my answer and they lifted up my robe from the back and started to lash me with their leather service belts. One officer took an iron ash tray lying on the table and knocked me on the head with it. When I regained consciousness, they started to kick and punch me on the face. My co-protesters also met with the same fate.”*<sup>113</sup>

**Bhudruk**, a monk from Sershul County, Kardze Prefecture, Sichuan Province, “TAP” reached Nepal on 16 April 2005 after having served 15 years’ prison sentence for participating in peaceful pro-independence demonstration in Lhasa. He described the ordeal he and his friends have suffered, “I was taken to Lhasa Gungkar airport to be flown to Sichuan and there I was put in a prison. After four days of detention I was put in Dartsedo Prison for six days. There I was interrogated for a whole day. They were more interested in people behind us and whether or not the Dalai Lama was financing us. Thereafter I was sent to Kardze People’s Armed Police office. There I was severely tortured and beaten by electric prod to exhort confessions from me during the interrogation. I was hung from a ceiling and then tortured beyond my endurance. They even splashed boiling hot water over my body. I told them that there was no one behind me.”<sup>114</sup>

#### **iv) Lack of medical treatment**

Injuries inflicted by torture on prisoners are very often denied sufficient and timely medical treatment or treated too little too late. The survivors of torture in many cases sustain permanent damage after their release. In many cases, Chinese authorities employ this long-standing strategy of releasing prisoners whose critical health condition is beyond recovery and recuperation. This tactic of late release of critically ill prisoners usually on medical parole is to shun responsibility for their deaths and to eschew criticisms against denial of adequate, timely and effective medical care.

**Ngawang Sangdrol** was a juvenile when she was initially apprehended. She was one the longest serving female political prisoner and had her sentence increased on three occasions. She had consistently suffered inhumane tor-



ture at the hands of the prison authorities, including solitary confinement. At the time of her release, Sangdrol was serving 19 and half years' imprisonment. And her release nine years early from Drapchi Prison in Tibet on 17 October 2002 reportedly for good behavior was more on medical ground than for the officially stated reason of good behavior. **Pasang Lhamo**, a former Drapchi inmate added that, "*Sangdrol had endured extensive beatings and torture during her imprisonment especially for her participation in the May 1998 protest in Drapchi Prison. She suffers multiple chronic ailments such as severe bouts of frequent headaches, stomach, intestinal and heart diseases that could be related to anxiety and stress*" <sup>115</sup>

**Bukhog**, a former political prisoner after serving six years in prison testifies the poor medical facilities for prisoners. "*In terms of medical facilities, the prison has virtually no proper facilities to treat the ailing prisoners. Due to poor facilities, the prison had to transfer many prisoners who were seriously ill to larger hospitals. The situation is still the same. The entire condition of the prison has actually deteriorated considerably through the years.*" <sup>116</sup>

In the case of **Sonam Tsering**, who was 14 years old at the time of his arrest for participating in a political demonstration in the Barkhor area in Lhasa city.

Once when Sonam failed to perform rigorous exercises as he became sick, he was punished by being forced to stand for long period of time under the hot sun. When requested for medical treatment, a prison guard hit him three times on the head claiming that his sickness was a lie. Tsering stated that for "*all the political prisoners it was impossible to receive medical treatment unless bedridden and on the verge of death.*" <sup>117</sup>

**Norbu**, a former political prisoner narrates the lack of medical facilities for prisoners, "*when prisoners fell ill, they were given the same medicines irrespective of whether they were suffering a headache or stomach pain.*" <sup>118</sup>

**Passang Lhamo**, a former political prisoner after serving five years imprisonment term was released on 25 May 1999 from Drapchi Prison. Upon her release, the officers instructed her parents not to let her move out of home to any other places. Lhamo had once visited Lhasa for a medical



check-up. When the county PSB learned about her visit, they interrogated her parents and Lhamo was ordered to instantly return without getting a medical check-up<sup>119</sup>.

### v) Forced labour, forced exercise and hardship of political prisoners

Forced labour and exercise drill coupled with poor diets are common in Chinese administered prisons in Tibet. On a daily basis, prisoners must fulfill specified work quotas and perform military drills, regardless of their physical state. Forced exercise for prolonged periods of time in the form of military-style drills has been practiced regularly in Drapchi Prison since 1995, and few reports indicate that only the very old or very sick are exempted from this treatment. Prisoners in weak and unhealthy state are known to have suffered a severe decline in their health following forced over-exertion. Following are two such cases:

Ngawang Tsultrim explains "*The prisoners are made to perform exercise drills in two sets in the prisons. The daily routines are between 10-12 in the morning and 3.30-7:00pm in the evening. Since the diet in the prison is not nutritious, many prisoners collapse during the exercise due to weakness. The guards kick or hit the prisoners with sticks who collapse or lags behind the others.*"<sup>120</sup>

Bhudruk<sup>121</sup> states, "*In recent times political prisoners are not housed in the same cell. At the most, three political prisoners are kept in the same cell. The rich and influential businessmen from China visited the prison with the collaboration of prison guards and officials. They exploit the system of "reform through labour" and made the prisoners to work extensively to produce their own goods without any wages and salary.*"<sup>122</sup>

Jangchup Dolma, a nun from Yangchen Galo Nunnery was sentenced to five years' imprisonment with a deprivation of political rights for two years for her participation in a political demonstration in the Barkhor area on 28 February 1995. Jangchup testifies, "*At a particular military exercise, in November 1995, the nuns were forced to run from 8.30 am to 12 noon and from 2 pm to 6.30 pm but sometimes we were made to do it till 1 am. Often the nuns*



*were forced to balance a brick on their foot for approximately seven minutes with their legs stretched out horizontally. Various other forms of punishment like standing barefoot in cold water during winter from 7 pm to 2 am was also applied. The diet too was extremely poor as well. Such ill treatment went on till 2 December 1995.”*<sup>123</sup>

Eventually, Dolma developed ulcer and kidney pain. She was specially scrutinized by the prison officials and often faced reprisals for trivial matters. Dolma found it suffocating and ultimately became insane.

**Passang Lhamo** along with four other nuns from Garu Nunnery were arrested for staging a pro-independence demonstration in Barkor in May/June 1994. Passang along with two of her friends were sentenced to five years' imprisonment and one-year deprivation of political rights. The three nuns were released from Drapchi Prison on 25 May 1999. In their testimony to the TCHRD, “*In November 1999, the five nuns were taken to Drapchi Prison and kept in the 3rd unit of the prison where they were forced to participate in rigid exercise sessions. The sessions involve standing in the sun with a book placed on their head and a piece of paper placed under their armpits for about nine hours a day. Many times, the nuns fell down unconscious because of heat and pain, but the prison authorities ignored their pleas and forced them to stand in the sun. Lhamo reported that from February 1995 to May 1998, the prisoners were forced to exercise like military men, as they were made to run for almost the whole day with only an hour break from 1 to 2pm. The prison exercise was mainly running all day within the prison premise. During the May 1998 protest in Drapchi Prison, Lhamo and other inmates in the 3rd unit were beaten severely by the prison guards with belts, iron rods and electric cattle prods. After the protest incident, the prisoners were confined in their cells for the whole day, and it became impossible for them to know the condition of other inmates confined just near them. The prisoners were forbidden to talk or look outside their cell window as surveillance cameras and bugs were installed for vigilance. The prisoners suffered from isolation and, suffocation due to long period of confinement in their small cells. Only once a month, for a period of 10 to 30 minutes, they were allowed to meet their relatives.”*<sup>124</sup>



### vi) Gender specific abuse

Women in detention centres are actually more vulnerable than men, as the authorities use torture as a means of punishment and interrogation against female prisoners. Reports of gender specific violence have been prevalent in Chinese administered detention centers and prisons in Tibet since late 80's. Particularly nuns have been singled out for sexual assaults with sticks and electric cattle prods are forcibly inserted into the anus, vagina and mouth. Although no Chinese government sources have described the objective of these cruel and illegal acts, former political prisoners and experts believe that such acts of torture are used to humiliate and demoralize the victims due to social stigma attached to such experiences, especially for nuns who take vows of celibacy.

The use of sexual assault and rape against women and in particular nuns was documented beginning in the late 1980s. The victims were nuns who had participated in the demonstrations from 1987 to 1989 against the Chinese occupation of Tibet. Throughout the early and mid-nineties, reports from Tibet indicated that this practice still continues to happen, but from 1995 this type of abuse was not reported. With the arrival of Choeying Kunsang, a female political prisoner from Tibet who reports on the rape of Dekyi Yangzom, it appears that gender-specific violence continues to be employed.

Methods of abuse include: stripping the woman naked and inserting wires which send electric shocks in the sexual organs and wrapping electric wires with high voltage around nipples. The use of a cattle prod is a common form of torture, whereby the instrument is applied to the hands and feet, inside the mouth, anus and vagina. Other methods that do not leave physical marks are also applied, including: prolonged periods of standing in the sun, exposure to extreme temperatures, vigorous running "exercises", solitary confinement, long hours in green houses and deprivation of food and sleep.



## **vii) Solitary confinement**

Solitary confinement for long period of time that the political prisoners had to endure without proper diet are prominent features in Chinese administered prisons in Tibet. Though prisoner suffers physically from being in the solitary confinement, the mental torture of being left in agony in a small cramped cell without light have more lasting psychological impact on the prisoner. The claustrophobic effect of being kept in the dungeon literally torments and shakes the very foundation of one's personality. While torture can and does take place at all stages of detention in China, when a period of detention is prolonged illegally, detainees may be at higher risk of being tortured. This is particularly the case when detainees are held incommunicado, that is without access to legal representation or the right to family visits. TCHRD has recorded many cases of political prisoners being put in a solitary confinement for very long time and in some cases driven the prisoner insane. This kind of sentence in many cases amounts to both physical and psychological torture. The function of torture in Tibet seeks to break the physical and moral resistance of an individual. Aside from the physical assault, it is the mental trauma and harassment that a victim is highly affected throughout their life.

### **Testimonies:**

**Jamdron** and **Nyima** initially arrested for their pro-independence demonstration in Lhasa on 13 February 1995 later served their sentences in Drapchi Prison. For defying the Chinese authorities by singing Tibetan freedom songs instead of singing patriotic Chinese songs while in Drapchi Prison, both of them were subjected to severe interrogation and harsh beating in prison office. Later Jamdron and Nyima were transferred to the solitary confinement cells until December 1998, for 22 months. Fellow inmates have observed that Jamdron has developed a permanent bent in her back and suffer multiple health problems.<sup>125</sup>

**Tenzin** is a political prisoner serving eight years prison sentence in Lhasa for his political activities in Lhasa. He was detained along with two others for three months during which time he was kept for 20 days in solitary



confinement. He was not allowed to receive any visitors for an entire month. His parents and relatives did not know anything about his condition or whereabouts. He was later transferred to Gutsa Detention Centre where he was detained for ten months prior to his sentencing. Later Lhasa City Intermediate People's Court sentenced Tenzin to eight years' imprisonment.<sup>126</sup>

During the May 1998 Drapchi protests, the nuns, **Chogdrup Dolma** (lay name Namdrol), **Jangchup Dolma** (*Lay name Palkyi*) and **Che Che** had their prison sentences extended to five, six and two years respectively. They were confined for three months in a dark unlit cell from May to August 1998 with hardly enough space to stretch ones legs. Rest of the 17 other nuns, who also participated in the May 1998 prison protest were kept in solitary confinement for seven months<sup>127</sup>.



## CHAPTER 12

# Accountability of perpetrators of torture

The criminal offence of extorting confessions by means of torture exists in Chinese laws, but there is no specific criminal offence or torture in line with the definition found in Article 1 of the Convention Against Torture.<sup>128</sup>

According to Chinese law, acts of torture could fall within the scope of several criminal offences. In addition to the offence of using torture to extract confessions, which carries a maximum punishment of three years imprisonment,<sup>129</sup> maltreatment of prisoners, punishable by up to ten years imprisonment in serious cases,<sup>130</sup> and infliction of bodily injury, punishable by up to ten years imprisonment in cases of grievous bodily harm also exist.<sup>131</sup>

Similar punishments will be imposed if bodily injuries are inflicted on anyone in the course of unlawful detention and deprive the person of his freedom by any other means.<sup>132</sup> If torture results in death, perpetrators can, if committed intentionally, be held responsible for homicide, which is punishable, depending on the circumstances, by imprisonment of not less than three years up to the death penalty.<sup>133</sup>

In China, any authority receiving a complaint about torture or ill-treatment may launch its own investigation and impose disciplinary penalties within its jurisdiction. In most cases, administrative supervision departments possess a wide range of powers to investigate and impose disciplinary sanctions for official misconduct.<sup>134</sup> An important part of the procedural law, the law does not provide for any immunity for perpetrators of torture. While there have apparently been numerous complaints about torture and ill-treatment, those that remain in detention have rarely complained, because of the difficulty of obtaining access to a legal representative and the lack of protection against further ill-treatment that might result from bringing a complaint. In addition to that there are no independent agencies to investigate cases of torture. The majority of the cases are investigated by the



same agents of the public security organs who are alleged to have committed tortures in the very first place. If the alleged torture is considered to be subject of prosecution under the Criminal Law, people's procuratorate acts as sole organs to investigate the crimes.<sup>135</sup>

In majority of the cases, the usual response to complaints of torture has been inaction or exerting pressure on the complainants to withdraw their complaints. Investigations are, if carried out at all, reportedly not conducted thoroughly. In few cases police officers and security officials have reportedly manipulated evidence. Consequently, the majority of investigations results in closing the case for lack of evidence as the investigating bodies enjoy a wide margin of discretion in practice. They are also subject to outside interference by government bodies in deciding whether or not to proceed with a prosecution.



## CHAPTER 13

# The absence of independent judiciary and due process

An independent and impartial judiciary is the cornerstone of the right to a fair trial in international law. PRC's lack of an independent judiciary as it suffers from relatively low status in comparison to other state organs. Without a court system that judges cases fairly and independently accordingly to law, redressing grievances in timely manner and problem of torture cannot be brought under effective control, particularly in a context where police exercise wide discretion in matters of arrest and detention and are under great pressure to solve cases<sup>136</sup>. Such absence of an independent judiciary and China's failure to protect Tibetan people's legal rights to a fair process contribute significantly to the continuing occurrence and prevalence of torture in Tibet. Tibetans accused of political offences are continued to be denied due process. Detainees' access to lawyers and family members continued to be severely restricted and trials fell far short of international fair trial standards. Those charged with offences related to "state secrets" or "terrorism" had their legal rights restricted and were tried in camera.

From the findings of Special Rapporteur on Torture visit to China, Tibet and Xinjiang, the following factors have been identified which contributes to the prohibition of torture effective such as : the effective exclusion of evidence from statements made as a result of torture, presumption of innocence; timely notice of reasons for detention or arrest; prompt external review of detention or arrest; granting of non-custodial measures such as bail; the right of habeas corpus; and timely access to counsel and adequate time and facilities to prepare a defence. Other serious limitations are the lack of an independent monitoring mechanism of all places of detention and a functional complaints mechanism.

China's third periodic report on torture asserts that the revised Criminal Procedure Law (CPL) of 1997 provides for 'abolition of the system of



detention for interrogation<sup>137</sup> and one form of administered detention known as “custody and investigation” (*shourong shencha*) also translated as ‘shelter and investigation’ that allowed police to detain suspects for extended period without a charge which had caused widespread human rights violations was abolished. This positive move was somewhat counterbalanced by the introduction of new provisions in the CPL which permit the detention of categories of people who previously fell within the scope of custody and investigation.<sup>138</sup> The remaining two forms of administrative detention are ‘Custody and Repatriation’ (*shourong qiansong*), which provides more scope for administrative detention as ‘custody and investigation’ and ‘Re-education Through Labour’, (*laodong jiaoyang*), which permits the detention for up to four years of people who are not formally regarded as ‘criminals’.

The Criminal Procedure Law also requires that authorities must notify a detainee’s family or work unit of his detention within 24 hours. However, in practice, timely notification remains a serious problem, especially in sensitive political cases. Under a sweeping exception, officials need not provide notification if it would “hinder the investigation” of a case. Police continue to hold individuals without granting access to family or a lawyer, and trials continue to be conducted in secret.

With respect to the independence of judiciary in China, there are major shortcomings and obstacles, which continue to undermine the legitimacy and credibility of the judiciary such as the long established practice of judges to apply the law in accordance with Communist Party policy. This is institutionalized through the Party’s Political and Legal Commissions, which have a leading role in judicial work at every administrative level and therefore, control the work of the courts.

Under the Chinese Constitution the Standing Committee of the National People’s Congress (NPC), not the courts, is responsible for interpreting the law, and the courts have no power to review decisions involving interpretation of the law by legislative or executive bodies. The lack of checks and balances, including those that could be exercised by independent civil society bodies and non-governmental organizations were severely restricted. The lack of judicial supervision in China hugely contributes to the practice



of torture and the lack of professional and truly independent judges has a catastrophic effect on all cases with a human rights dimension. It pushes human rights violators and others with political or financial influence to believe that they continue to break the laws, rules and violate human rights with impunity.

The Chinese courts needs to consider measures to increase transparency in the judicial process, which may act as a positive catalyst in improving the conduct of cases. The publication of court judgments and records of court proceedings will also make individual judges publicly accountable for their conduct of a case and finally instituting a program of independent court observers to consistently monitor all cases and report on judgments. In Tibet, the stipulated right of appeal is likewise purely nominal. *'No Tibetan is yet known to have mounted a successful defence against any political nuanced charge, nor is an appeal against conviction known to have been successful.'*<sup>139</sup>

The access to lawyers and legal representatives guarantees one of the strongest protection against torture for any detainee. Under China's Criminal Procedure Law, however, access to lawyer during the investigation stage of pre-trial detention is a guaranteed right to all suspects and remains firmly at the discretion of the investigating authorities. Special restriction on access to lawyers applies to cases "involving state secrets". In these cases, prior approval of the investigative organs is required for a suspect to appoint a lawyer or before any meeting between lawyer and client takes place. The ambiguous and potentially all encompassing definition of "state secrets" has meant that this provision has been heavily used to deny access to legal representation in these cases. The UN Special Rapporteur on Torture after a visit to China and Tibet this year noted serious shortcomings in combating torture such as lack of an independent monitoring mechanism of all places of detention and a inefficiency of complaint mechanisms in place. In Tibetan Autonomous Region, the Special Rapporteur was told that no compliant had been received since 2003.<sup>140</sup>

Although confessions that were extracted through torture have been banned as the sole basis for conviction by the Chinese Criminal Procedure Law and other laws, this practice still continues. The established practice of exercis-



ing “leniency to those who confess, severity to those who resist” (*Ch: tanbai congkuan, kangju congyan*) has intimidating effects on the detainees or prisoners. There should be full and firm exclusion of evidence extracted by torture and other illegal means. It is firmly believed that without this effort to eradicate, torture will have little hope of lasting success. While the China’s Criminal Procedure Law prohibits the use of torture to extract statements and “gathering of evidence by threats, enticement, deceit or other unlawful methods”<sup>141</sup> it does not specifically exclude the use as evidence in court of confessions or statement extracted through torture, as required under the UN Convention Against Torture<sup>142</sup>.

Article 46 of the CPL simply states “...In cases where there is only the statement of the defendant and there is no other evidence, the defendant cannot be found guilty and sentenced to criminal punishment.” Current stipulation in effect are inconsistent and perplexing as none of them exclude all types of statements extracted through all types of torture neither do they bar the use of all evidence derived from such statements. The Criminal Procedure Law should be revised as a matter of urgency to explicitly exclude the use of all evidence extracted through torture of any kind.

Respected religious leader from Kardze, Trulku Tenzin Delek, was given a suspended death sentence by the Kardze Intermediate People’s Court in Sichuan (later commuted to life imprisonment), on the basis of a ‘confession’ by his co-accused, Lobsang Dhondup. Dhondup later withdrew his confession, alleging torture, but his claim was never investigated by the courts and Lobsang Dhondup was executed on 26 January 2003. Trulku Tenzin Delek repeatedly proclaimed his innocence during his trial in December 2002, and also said that he was tortured.

Forced confession is common in China although ineffective measures were taken to tackle torture. The procurator-general of China’s Supreme People’s Procuratorate, Jia Chunwang, made a report to China’s top legislature, the Standing Committee of the National People’s Congress (NPC) that from January to August 2004, the prosecutor organ nationwide had probed and dealt with more than 700 cases related to illegal detention and interrogation by torture.<sup>143</sup> A law professor told *Xinhua* that, “Although strictly for-



bidden by law, forced confession is common\* in many places in China because the police are often under great pressure from above to solve criminal cases."<sup>144</sup>

Article 126 guarantees the independence of the judiciary: "The Peoples' court shall, in accordance with the law, exercise judicial power independently and are not subject to interference by administrative organs, public organization, or individuals" but this is not the case in practical term in China.

China lacks an independence judiciary, and the judiciary suffers from relatively low status in comparison to other State organs. Without a court system that judges cases fairly and independently according to law, thereby redressing grievances in a timely manner, the problem of torture cannot be brought under effective control, particularly in a context where police exercise wide discretion in matters of arrests and detention and are under pressure to solve cases.



## CHAPTER 14

### The consequences of torture

The aim of any form of torture is to break down the personality and to destroy the identity of the victims. Torture is always induced deliberately, it is always linked to both physical and psychological pain and the inflicted pain is acute and chronic. Torture always creates continuing after-effects in the victim, often scarring them physically and mentally for life.

Physical problems can be wide-ranging, e.g. musculo-skeletal problems, brain injury, joint pains, paralysis, fractures, damaged organs, deafness, blindness, post-traumatic epilepsy and dementia or chronic pain syndromes. These visible, external evidence of damage to bodily integrity are matched by the hidden systematic damages. Mental health problems are equally wide-ranging; common are Post Traumatic Stress Disorders (PTSD) this includes symptoms of sleep disturbance, flashbacks, depression anxiety disorder and over-reaction to events reminding one of the torture.

These after-effects are normal reactions by normal persons to a pervert, cruel, abnormal act. Importantly, the after effects can be treated and the victims rehabilitated, given the opportunity and resources to do so. In Tibet, the former political prisoners in particular were denied of such opportunities for rehabilitation due to their political 'crime' and also due to lack of financial resources to meet the medical expenses. The families also suffer much anguish, and fear will often spread to them and to the entire sector of community, or even the whole nation they belong to.

Physical and neurological signs of torture include soreness of wounds, painful scars, stiffness of limbs and muscles, atrophy and paralysis of muscles, hearing and vision loss, persistent headaches, etc. In addition to the physical wounds, torture victims suffer from psychological symptoms such as feelings of anxiety, guilt and shame, powerlessness in relation to the problems of everyday life, problems with concentration, poor sleep with frequent nightmares, impotence etc. Victims of torture even lose their income/live-



likelihood due to disability rendered by inhuman torture and treatment meted out in prison or in detention centers.

According to a study published in the open access journal *BMC International Health and Human Rights*, the researchers found that the reported incidence of torture and human rights violations were unacceptably high. They found that the human rights abuses levied on vulnerable population had a lasting mental health effects and are unacceptable under international law. Studies had been conducted on the combined analysis of 410 Tibetan refugees who had successfully escaped Tibet. Their study reveals that the incidence of Post-Traumatic Stress Disorder (PTSD), a disorder causing recurrent nightmares, crying, and numbness was as high as 23 percent of all refugees. Anxiety disorder ranged from 25-77 percent of the refugee population, and major depression was as high as 57 percent of all refugees.<sup>145</sup>

Physicians for Human Rights (PHR) conducted a large convenience sample survey using a validated checklist to assess the prevalence of torture and imprisonment among newly arrived Tibetan refugees in Dharamsala.<sup>146</sup> 55 individuals reported being tortured (21%). Those who were reportedly tortured tended to be young at their first episode of torture (mean age 19.5, range 13-28). Fifty-eight percent (32/55) were less than 21 years old, and 15% (8/55) were 16 years old or younger at the time of their torture.

The study found a numerous instance of torture. Sixty percent (33/55) of the torture victims in this study reported being subjected to three or more different forms of torture in addition to threats or verbal abuse. Torture by electric shock commonly employed the use of cattle prods, including applying the cattle prods to the genitals, mouth and eyes. One individual reported being immersed in a tub of water, before being forced to lay down on an electrified metal bed. Two forms of torture that PHR identified, which previously have been infrequently reported, included being forced to stare at the sun for prolonged periods of time, and having blood drawn against the individual's will. Seventy-eight percent of the torture survivors were suffering from significant symptoms of anxiety and/or depression. 88% of the torture survivors surveyed concerning Post Traumatic Stress Disor-



der (PTSD) symptoms reported recurrent, intrusive memories, including flashback and nightmares of their abuse.

In yet another cohort study done on group of Tibetans by Holtz in Dharamsala,<sup>147</sup> It was found that the incidence of torture were largely reported. The torture events took place during a mean of 21 months of captivity. The mean length of abuse was 38 days. Fifty-seven percent (20/35) reported solitary confinement, with a mean confinement period of 5.4 weeks. The survivors reported different forms of torture, ranging from 7-21 types. Only 43%(15/35) of those tortured were ever charged with a crime, and fewer (7%) actually brought to a trial. Forms of torture characteristic of Chinese prisons in Tibet include electrical shocks to the body (86%), forced standing (86%), exposure to bright sunshine (69%), and having blood extracted without consent (50%). The prevalence of anxiety symptoms, affective disturbances, somatic complaints and social impairment among the study subjects were evaluated and it found that 41.4% of the subjects had anxiety symptoms and 14.3% with depression symptoms. The results suggest that torture has long-term consequences on mental health over and above the effects of being uprooted, fleeing one's country, and living in exile.

The findings indicate that the prevalence of mental health illnesses within Tibetan population higher than those reported in most refugee population<sup>148</sup>, the study also highlights a particular concern of high prevalence of Post Traumatic Stress Disorder (PTSD) and depression among the children examine. The finding also demonstrate that torture is commonly reported amongst Tibetan refugees, and that those who have experienced torture often suffer significant psychological effects.



## Conclusion

The continued use of torture by law enforcement officials in China is a matter of great concern. The government has taken steps to minimize the use of torture, notably the creation of new police affairs supervisory departments within the Public security organs to investigate police officers who use torture to extract confessions and break the law in other ways<sup>149</sup> but China lacks the public institutions or an independent monitoring mechanism necessary to monitor and expose law enforcement abuses in all places of detention and lack a functional complaints mechanism. The abolition of torture must come through an improvement in the moral outlook of all those in the police, security and legal system. As Prof. Nowak recommends, there is need to “take measures to enhance the professionalism, efficiency, transparency, and fairness of legal proceedings; and raise the status and independence of judges and courts within the Chinese legal system”<sup>150</sup>. And the practice of torture still continues to be widespread despite government measures and the prohibition of torture by law.



### **Recommendations to check the practice of torture and ill treatments:**

- Enact a law defining the crime of torture in terms consistent with article 1 of the Convention Against Torture; or Grant legal representatives to all those detained, arrested or imprisoned as a matter of right and at the earliest stage of the process. Accommodate access to family and to medical personnel should also be accommodated.
- Outlaw the use of torture to extract confession from detainees.
- Respect the right not to be compelled to confess guilt (self incrimination) or testify against oneself and introduce the right to silence respecting the principle of presumption of innocence.
- Ensure that law enforcement official, medical personnel, interrogators, prison personnel in Tibet, are provided with appropriate training about the prohibition of torture and ill treatment and enforce laws protecting the rights of persons in detention.
- Institute an independent mechanism to hear complaints of torture and ill-treatment for prisoner to report incidences of torture, and protection of people who claim to have been tortured as well as witnesses.
- Conform to international standards and ratify the International Covenant on Civil and Political Rights (ICCPR).
- Ensure that China sign and ratify the Optional Protocol to the Convention Against Torture (OPCAT) which allows the UN Special Rapporteur on Torture the right to make unannounced visits to prisons, detention centers and labour camps.



- ❑ Amend its criminal procedure law to ensure that all suspects, particularly those accused of 'political' crimes, receive prompt and competent legal representation from the moment of their apprehension.
- ❑ Abolish imprecise and sweeping elements in the CPL definitions of crimes that leave large discretion to law enforcement and prosecution authorities such as "endangering national security", "disrupting social order", "subverting public order", etc.
- ❑ Take appropriate measures to ensure independent judiciary in China.
- ❑ An independent judiciary, as defined in international instruments, is so important for ensuring that the objectives of the Convention against Torture, that appropriate measures be taken to ensure the independence of the judiciary in China.
- ❑ Allow prison access to international organizations such as the International Red Cross, Amnesty International and Human Rights Watch to observe the condition of prisoners and detainees.
- ❑ Abolish "Re-Education through Labor" and forced re-education in prisons, pre-trial detention centers and psychiatric hospitals.
- ❑ Accept visits by UN thematic bodies to assess the actual situation and to redress the situation through recommendations and subsequent implementation by the China.



## Profile of known Tibetan Political Prisoners who died due to torture since 1987

Death from torture-related cases while in detention or prison has certain distinct characteristics. The victims of torture injured in detention centers and in prison are generally denied medical attention. In the case of person in near death condition, they are usually released to their families or hospital so as to shun responsibility. TCHRD has many confirmed reports of death from torture since 1987, which occurred inside prison or immediately after their release from prison, either in hospital or at the victim's home. There might be many unknown, unreported cases which might not have been reported to TCHRD.

### 1987

#### 1. Geshe Lobsang Wangchuk

Geshe Lobsang Wangchuk, 73, a monk of Sandue Dakar Monastery was originally from Amdo Shogchung. At the time of the 1959 uprising in Lhasa, he was considered one of the region's most important religious leaders. He was imprisoned in 1960 and served 10 years in prison. His health suffered as a result of numerous Thamzing or "struggle sessions" during the Cultural Revolution period (1966-1976). After completing his sentence, he was sent to a labor camp for another 10 years. On 3 December 1981, he was re-arrested for having written a book entitled "A History of Tibetan Independence" and sentenced to another three-and-a-half years. During his detention, he produced 16 points proving Tibet's independent status and was sentenced to death. Later his sentence was reduced to 18 years due to intervention from the late Panchen Lama. Early in 1987, he reportedly lost his sight as a result of innumerable beatings and he was not able to use his hands any longer. He died on 7 November 1987 in Drapchi Prison, Lhasa.





## **2. Gonpo Sonam**

Gonpo Sonam, 61, was born in Gyantse Labrang in Shigatse, 'TAR'. He was a scholar of Tibetan language and culture. Sonam was arrested many times for exercising his rights and expressing his thoughts in Tibet. In 1959, he fought against the Chinese and was arrested in 1960 and imprisoned for two years. In 1966, during the Cultural Revolution he was re-arrested and spent 16 years in prison and labor camp. He was arrested for the third time on 30 September 1983 and imprisoned in Drapchi Prison. He suffered badly from torture and gradually developed epilepsy. In 1985, he was released on medical parole. Despite treatment, his health deteriorated and he died on 23 December 1987.



## **3. Lobsang Dhonyoe**

Lobsang Dhonyoe was born in 1959 in Shigatse 'TAR'. He was ordained monk in his youth in Jokhang Temple in Lhasa. Lobsang was tortured for participating in the demonstration on 1 October 1987 in Lhasa and died several days later.

## **4. Dawa**

Dawa, a resident of Lhasa, participated in a peaceful pro-independence demonstration on 1 October 1987 in Barkhor, Lhasa. He was arrested by the People's Armed Police (PAP) and severely tortured at the detention centre. He died the same day following inhuman torture and beatings at the detention centre.

## **1988**

## **5. Lobsang Dolma**

Lobsang Dolma, 26, a nun of Shugseb Nunnery was originally from Chushul Nyethang, Lhasa Municipality, 'TAR'. On 17 May 1988 she was incarcerated for two months in Gutsa Detention Centre for protesting against the Chinese rule in Tibet and was severely tortured during interrogation sessions at the detention centre. Finding her in critical condition, she was released on 17 July the same year. Despite her ill health she attempted to flee Tibet at the end of July, but died on her way to India as a result of injuries sustained in prison.



### 6. Lhakpa Dhondup

Lhakpa Dhondup, 22, was from Metog Changse in Tsemonling, Lhasa. He joined a peaceful demonstration on 5 March 1988 in Lhasa and was arrested and detained at Gutsa Detention Centre where he was beaten and tortured to death. Lhakpa died in March 1988.

### 7. Lobsang Choephel

Lobsang Choephel was born in 1967 at Lhasa. He was arrested for taking part in the 5 March 1988 demonstration in Lhasa and died after being tortured and beaten by the police in the detention center.

### 8. Lobsang Sonam

Lobsang Sonam, 30, was a resident of Je-Bumgang in Lhasa. He was a factory worker at the Tibetan Shin Ha Publishing House. Lobsang was shot in the waist by Chinese authorities while taking part in a peaceful demonstration on 5 March 1988 in Lhasa. He was taken to Lhasa People's Hospital where he was denied proper medical attention due to his participation in the demonstration. As a result of inadequate treatment, he died on 5 April 1988.



### 9. Yeshe Lhundup

Yeshe Lhundup, 75, was originally from Lhoka, "TAR". He was arrested on 24 November 1987 for taking part in the political activities. He was released on 15 December 1988 after being detained for about a year. Yeshe died just three days after his release as a result of injuries sustained from torture and inhuman treatment meted out in the detention centre.

### 10. Tashi Tsering

Tashi Tsering was born in 1951 and was a monk of Nechung Monastery in Lhasa. He was arrested for his participation in the demonstration in Lhasa on 5 April 1988. While at the detention centre, he was savagely beaten by the police resulting in his death from brain injuries.

### 11. Tashi Yeshe

Tashi Yeshe was born in 1966 at Taktse County (*Ch: Dazi*), Lhasa Municipality, 'TAR'. He was a monk of Gaden Monastery. Tashi was arrested dur-



ing a “patriotic re-education session” at the monastery and was sentenced to two years in Trisam Prison. He was released on 6 May 1988 after being savagely beaten by a prison guard and died six days later at his home due to excessive torture undergone in prison.

### **12. Tenzin Sherab**

Tenzin Sherab was a young truck driver from Lhasa who participated in the demonstration on 5 March 1988. He was shot in the leg and then badly beaten by the PAP, including being pierced with an iron rod. On 23 March officials asked his relatives to come and collect his body and sources report that his face was badly maimed and battered with one eye hanging out of its socket. Later it was found that many of his bones were broken.

### **13. Yeshe Lhundrup**

Yeshe Lhundrup was a former official in the Tibetan Government in Exile based in Dharamsala, who returned to Tibet in 1987. He was arrested at Nya-nam in early 1988 on political grounds and was imprisoned in Sangyip Prison. He was reportedly tortured while in prison and then released after seven months in Prison. He died at Tsomoling two weeks after his release.

## **1989**

### **14. Choeze Tenpa Choephel**

Choeze Tenpa Choephel, 68, was a gardener at Norbulingka Palace (the Dalai Lama’s Summer Palace) in Lhasa. He was arrested on 15 December 1987 for having a photograph of the Dalai Lama in his possession and for his alleged involvement in political activities. He died while in Sangyip Prison on 25 August 1989, reportedly from severe beatings and torture in prison.



### **15. Lobsang Khedrup**

Lobsang Khedrup was detained in Gutsa prison on 6 March 1988 for his participation in the demonstration the day before in Lhasa. He died soon after his release on 10 October 1989. At the time of his funeral, it was discovered that his broken ribs had pierced into his lungs and heart.



### 16. Migmar

Migmar, 30, was from Kyi-Rae, Lhasa City. He was arrested after his participation in Lhasa demonstration on 5 March 1989 and was savagely beaten and tortured in Seitru Prison (Lhasa Prison) which left him chronically ill. He succumbed to his injuries in the prison.

### 17. Ngawang Zegan

Ngawang Zegan, 27, was born in Toelung Dechen, Lhasa Municipality, 'TAR'. Ngawang was a monk of Drepung Monastery. On 27 September 1988, he participated in a demonstration at Barkhor Street of Lhasa calling for Tibet's independence along with hundreds of other Tibetans. While being detained at Gutsa Detention Centre, he was reportedly tortured severely by the Chinese authorities. He was later released after four months of torturous detention, which resulted in his poor health. He died few days after his release from prison in January 1989.

### 18. Yeshi

Yeshi from Lhasa was arrested at five past midnight on 7 March 1989 and was detained for three months in Gutsa Detention Center. When he died on 22 August 1989, it was discovered at the funeral site that his liver and private parts were completely damaged due to torture. It was also alleged that he was poisoned.

## 1990

### 19. Lhakpa Tsering

Lhakpa Tsering, 20, was from Kyi-rae in Lhasa City and a student of Tibet Middle School. He along with his friends established the Gangseng Youth Organisation (or *SnowLion Youth Organization*) at the beginning of 1989 and distributed political documents. He was arrested on 4 November 1989 on the charge of founding a "counter revolutionary" group and sentenced to three years imprisonment in Drapchi Prison. He was continuously tortured, reportedly because he back answered to the Chinese officials, which re-





sulted in his death on 15 December 1990. He was refused medical attention on at least three occasions. Prisoners in adjoining cells to Lhakpa Tsering reported that when he was being beaten they could hear him crying out: "Mother, please save me, they are going to kill me." He died so young at the tender age of 20.

## **20. Nyima**

Nyima, 25, was a nun of Shungseb Nunnery was from Gongkar County, Lhoka Prefecture, "TAR". Nyima was one of the 16 nuns from Shungseb Nunnery who held a short demonstration on 2 March 1989 in Barkhor, Lhasa. She was held at Gutsa Detention Centre and then transferred to Chushul County PSB Detention Centre where she was severely tortured during the interrogation session. Following her conviction, Nyima was detained for a week and released following intervention by the Xth Panchen Rinpoche to release all the political prisoners. She underwent dreadful torture while in detention which left her with internal injury even after her release. She was known to have suffered a mental breakdown caused by her traumatic experience in the detention center and expulsion from her Nunnery. She died at her home in June 1990 due to the injuries sustained from the torture while in detention centre.

## **1991**

## **21. Jampa Gelek**

Jampa Gelek was born in Gyama Township, Meldro Gongkar County, Lhasa Municipality, "TAR". A monk of Gaden Monastery since 1983, he was one of the active participants in the pro-independence demonstration of 5 March 1988 in Lhasa. Jampa was arrested two days later and was subjected to constant beating and maltreatment. He was interrogated frequently for his role in the demonstration and was severely beaten which resulted in his poor physical health with sudden and abrupt headache and hearing difficulties. Jampa was released after five months of rigorous detention but as a result of the prolonged torture, his health deteriorated and he died in 1991 at the young age of 26.



## 22. Tsamla

Tsamla, 39, was a businesswoman from Gyalkalam, Lhasa. Armed Chinese security officials arrested her for taking part in 5 March 1988 demonstration. She died on 25 August 1991, six months prior to completion of her two years' sentence. The exact cause of her death is not known, but it is known that Tsamla sustained damage to her internal organs, probably from repeated and brutal prison beatings and assaults. She was sent to the hospital for exploratory surgery in May or June 1991, and it was found that she had a ruptured spleen. She spent about two months in hospital in Lhasa before she died.



## 1992

## 23. Rinzin Choeden

Rinzin Choeden (a.k.a Kunsang Choekyi), 24, was a nun at Shugseb Nunnery, Gongkar in Lhoka Region, 'TAR'. On 2 March 1989, about 16 nuns from Shugseb Nunnery held a short demonstration in Barkhor. After her arrest, she was held in Gutsa Detention Centre and later transferred to Chushul County Prison where she was tortured during the interrogation session. After only a week, she was released after intervention from the head Lama of Shugseb Nunnery, but was expelled from the nunnery within a month. She was admitted to hospital with kidney injuries due to torture in detention, possibly from being kicked and beaten. After being discharged from the hospital, she was completely bedridden at home. She passed away on 10 October 1992.

## 24. Dawa Dhondup

Dawa, 32 year-old was from Gyantse County, Shigatse Prefecture, 'TAR'. He was arrested on 7 March 1989 and sent to Sangyip Prison where he was frequently tortured. He was released on 7 March 1992 but continued to suffer the effects of prolonged torture. Dawa's health deteriorated and he went to Lhasa People's Hospital but did not receive proper





treatment. He didn't survive long and died on 2 November 1992 at home. During his funeral service, it was reported that Dawa's spinal cord was damaged and his arms and legs were totally broken due to harsh beatings.

## 1993

### 25. Lhadar

Lhadar, 33, was a monk of Lithang Monastery, Kardze Province, "TAP". He was arrested on 20 August 1993 with other monks from Lithang Monastery, for participating in a peaceful demonstration against Chinese rule. Lhadar was beaten and tortured to death while in police custody by prison officials. It was reported that he died in Lithang District Prison on 20 September 1993, one month later.

His arms and legs were manacled at the time of his death. Fellow inmates later informed his friends that he drew a picture of Guru Padmasambhava on the prison wall and left a message that read: "I am going to the realm of Padmasambhava. China cannot be trusted. Therefore all Tibetans should be united." These were the last words of Lhadar before his death.

Refugees from Lithang in 1994 had reportedly stated then, for two whole days, Tibetans refused to take custody of Lhadar's corpse from the prison because the Chinese authorities had refused to give satisfactory explanation for his sudden death. According to them, Chinese police were totally responsible for Lhadar's death. They would not buy Chinese police story that Lhadar "committed suicide" while in custody.

### 26. Tsenyi

Tsenyi was born in 1970 at Lhasa, Tibet. She worked for the newspaper, *Tibet Daily*. She escaped to India in February 1990 but returned to Tibet in 1993 to perform religious ceremonies for her father who passed away that year. On 24 May 1993, Tsenyi took part in a demonstration against increased taxes on merchandise that turned into an independence protest. She was arrested on 17 or 18 June 1993, and imprisoned in Seitru (Lhasa Prison) Prison where, despite being pregnant, she was beaten. She was temporarily released but





was constantly followed and harassed by the officials. Unable to bear the mental trauma that she had to bear, she committed suicide at the age of 23, leaving behind a child aged less than one year old.

## 1994

### 27. Phuntsok Yangkyi

Phuntsok Yangkyi (layname Mizang) 20, was born in Taktse, Lhasa Municipality, 'TAR'. She was a nun of Michungri Nunnery. Phuntsok was arrested for her participation in a pro-independence demonstration in Lhasa on 3 February 1992 and was first detained at Gutsa Detention Centre for six months. She was subjected to regular interrogation and numerous tortures in the detention centre. She was later sentenced to five-year imprisonment in Drapchi Prison where she was one of the several nuns beaten for singing nationalist songs in prison on 11 February 1994. She complained of severe pain in the groin area as a result of indiscriminate beating and kicking by the prison guards, but they even refused to pay any attention to her complaints. Her condition deteriorated immensely and in late May 1994, she went into a coma when doctors extracted a body fluid from her. Her nails, tongue and lips turned bluish black. Finally, at the insistence of her fellow prisoners, Phuntsok was taken to the hospital where she died six days later on 4 June 1994.



### 28. Dawa Tsering

Dawa Tsering a.k.a Kyema, 23, was born in Lhasa. He participated in one of the biggest demonstrations ever held in Lhasa on 5 March 1989 and was arrested on three days later. Dawa Tsering was taken to Sangyip Prison and detained in Outridu (Unit No.5) until March 1990. During his years in prison, he was repeatedly subjected to severe torture and his condition became so critical that he could hardly stand straight; his back was completely bent over. It was reported that extensive torture had damaged his kidneys. Dawa was admitted to the regional hospital by his family immediately after his release but he never recovered from his injuries. He died at home on 14 May 1994.





### **29. Lobsang Yonten**

Lobsang Yonten a.k.a Tsasur Shangla, 65, was born in Nharub Village, Gongkar County, Lhoka Prefecture, 'TAR'. He joined Drepung Monastery in Lhasa at an early age. He was first arrested in 1959 and served 23 years in prison and labor camp. In 1987, he started a school program teaching six children who had previously had no educational opportunities. By 1993, the school accommodated over 60 students and he was affectionately known by Tsasur Shangla (Uncle Tsasur). Lobsang Yonten was arrested in May 1993 for trying to contact a high level European delegation which visited Lhasa between 17 to 22 May 1993. He was held incommunicado by the Chinese police and subjected to constant physical torture, resulting in the breakdown of his health. He died on 30 October 1994.



### **1995**

### **30. Gyaltzen Kalsang**

Gyaltzen Kelsang (layname Kelsang Dolma), 24, was a nun of Garu Nunnery and originally from Nyandren near Lhasa. Gyaltzen was arrested on 13 June 1993 for participating in a pro-independence demonstration in Lhasa with 11 other nuns. She was sentenced to two years prison term. While at Gutsa Detention Centre and later in Drapchi Prison, she was subjected to such torture and beatings that she was subsequently confined to her bed for more than 20 days without medical treatment. In late November 1994, she was transferred to a hospital from Drapchi Prison for a medical treatment but her condition deteriorated gradually. She had already served three quarters of her prison sentence before she was allowed to return home on medical ground. She lost her mobility in the lower part of her body and her speech became impaired. Gyaltzen never recovered from her injuries and died on 20 February 1995.





### 31. Kalsang Dawa

Kalsang Dawa, 29, was a painter from Phenpo Lhundrup, Lhasa Municipality. He was arrested and imprisoned in Sangyip Prison in April /May 1993 for having painted and hoisted the forbidden Tibetan national flag on the top of Gephel-Uste-Mountain and for pasting independence wall posters. He endured two and a half years of prison torture, including torture with electric batons. It was reported that during his prison sentence, a drunken prison guard stormed into his prison cell and began to beat him indiscriminately for having breached the prison rule of not going to sleep on time. The prison guard reportedly tortured him until the next day. He suffered both mental and physical torture that he cried of severe headache and claustrophobia. On 14 October 1995, Kalsang was found dead in his cell, hanging from the ceiling.

### 32. Ngawang Nyidron

Ngawang Nyidron, 21, was a nun of Michungri Nunnery, Meldrogongkar County, 'TAR'. In June 1993 she along with two other monks were arrested for their peaceful demonstration at Lhasa. They were taken to Lhasa Detention Center where she suffered numerous tortures and later she was sent to a Labour camp for three years. While in custody she was mercilessly beaten for her political crime and her health condition deteriorated due to lack of medical treatment and savage beatings. She succumbed to her injury in May 1995.

### 33. Ngawang Yangchen

Ngawang Yangchen, 32, a nun of Tsamkhung Nunnery, Lhasa was originally from Toelung Dechen County, Lhasa, 'TAR'. She was arrested in 1991 for her participation in a peaceful demonstration in Lhasa and detained at Lhasa's PSB detention Centre where she was severely tortured. She was sent to three years 're-education through labour' camp and later transferred to Trisam Prison. While in prison, her health condition worsened due to intensive torture by the prison guards. She was released six months prior to her actual date of release. She never fully recovered from her injuries after her release and died in August 1995.



### **34. Sherab Ngawang**

Sherab Ngawang, 17, a nun of Michungri Nunnery, was from Drok Tashi Khang in Thangkya, Meldro Gongkar County, Lhasa Municipality. Sherab was only 15 years old when she joined pro independence demonstration with four other nuns of Michungri Nunnery<sup>151</sup> at Lhasa circumambulation route on 14 February 1992. They were subsequently arrested by the PSB officials and were detained at Lhasa Detention Centre. While in detention center, they were severely tortured by the officials during interrogation session.



Except for Sherab Ngawang and Lobsang Choedon who were below 15 years old, and kept at the PSB detention centre, others were sentenced between five to seven years prison term and were shifted to Drapchi Prison. In September 1993, two of them were sent to Trisam Labor camp and underwent Re-education through labor” where they were made to do farm work and other manual labor.

On the night of 10 August 1994, she joined in with other nuns singing freedom songs in Trisam prison. She was subsequently beaten and tortured with electric prods, tied with rope, handcuffed and put into solitary confinement for three days. She suffered so much that she suffered from amnesia. After her release, her family and relatives made every effort for her recovery but because of serious infection in the lung and kidney, she failed to recover fully from her internal injuries. On 2 February 1995, she completed her prison sentence and was put into a hospital. After three years of rigorous prison sentence and torture, she passed away on 17 April 1995 in County Hospital at the young age of 17. Sherab Ngawang was considered the youngest political prisoner ever to have died as a direct result of Chinese persecution.

### **35. Sonam Tashi**

Sonam Tashi, 53, a carpenter by profession was from Lhasa. He was arrested for his participation in a demonstration on 5 May 1993. Sonam was detained for a year and was badly beaten during interrogation. He was released a year later in 1994 but died in early 1995 at his home due to severe ill treatment in prison.



### 36. Tashi Tsering

Tashi Tsering, 58 year-old was from Yangmo Ngamring, Shigatse County, 'TAR'. He was a former monk of Drongtse Monastery and also worked in Shigatse secondary school and was also a member of Communist Party Consultative Conference (CPCC). He was arrested on the morning of 28 November 1989 after it was discovered that he had allegedly written letters in support of Tibetan independence and posted 73 of them on the walls of a bank, local CPCC office and office of the Shigatse City Communist Party in the local area. Tashi was arrested and detained at Shigatse PSB Detention Centre and later Shigatse Higher People's Court sentenced him to seven years' imprisonment on charges of 'counter revolutionary propaganda and incitement' and transferred him to Drapchi Prison in Lhasa. The Chinese authorities brought the matter during the 5th session of the Shigatse CPCC and publicized his 'crime' through press and media.



Tashi was reportedly admitted to the Prison clinic in April 1991 with heart problem. He was released in January 1993 on medical ground as his health condition deteriorated from years of maltreatments in the prison. Though he underwent medical treatment at his home but no improvement came in his health. Tashi Tsering died on 17 January 1995.

### 37. Choephel

Choephel, a monk in his early twenties from Lithang Monastery in Kardze County, Sichuan Province, 'TAP' was beaten to death by police on 6 February 1995 three days after his arrest. Choephel had distributed political leaflets proclaiming slogans such as "Free Tibet" 'China had forcefully invaded Tibet', and 'Chinese quit Tibet' in all the prominent areas in Lithang Township including police station and around the township administrative blocks. One eyewitness told TCHRD that he saw Choephel being thrown into and taken out from police van like a sack after his arrest. "He was beaten so severely that his swollen face and body were hardly recognizable. Later, relatives were asked to claim the body of the deceased. The police offered no explanation for his death and the family members dared not ask anything about it."<sup>152</sup>



1996

### 38. Dorjee Khanghsiri

Dorjee Khanghsiri, 66, was from Tse-Gor Thang, 124 km southwest of Chabcha County, Amdo (*Ch: Qinghai*) 'TAP'. At the end of 1997, on finding a portrait of the Dalai Lama from his home during a mass raid. Dorjee was threatened to either pay monetary fine of 8000 yuan (US \$750) or face confiscation of half of his land. When he challenged the authorities, he was so severely beaten by members of the PAP and PSB that he had to be hospitalized. He died twenty days later in August 1996.

### 39. Jamyang Thinley

Jamyang Thinley, 25, a monk of Thenthok Chamdo Monastery, was born in Dzogang County, Thenthok Township, Chamdo Prefecture, 'TAR'. PSB officials arrested Jamyang in July 1996 on alleged charges of having pasted Tibetan independence posters on the walls of the monastery and subsequently imprisoned him in the Chamdo Prison. During interrogation session in the prison, Jamyang was badly beaten by the officials that he suffered kidney damage.

In January 1997, the prison officials took Jamyang Thinley to Chamdo People's Hospital for treatment. However, he was beyond recovery by that time and died three days later at the young age of 25 years. The monks of the Chamdo Monastery on being handed over the dead body of Jamyang, found that he had suffered internal bleeding when they conducted traditional Tibetan funeral rites.

### 40. Kalsang Thutop

Kalsang Thutop layname Bhagdro a.k.a Jamphel Khedrup, 50, a monk of Drepung Monastery, was from Sangda in Toelung Dechen County, Lhasa Municipality, 'TAR'. Kalsang Thutop was arrested on 13 May 1989



at Dram- Nepal Tibet border town for his involvement in the 1989 Lhasa demonstrations. Kalsang was sentenced in a public rally on 30 November 1989 to 18 years' prison term. He was one of the four leaders of a secret pro-democracy group of Drepung Monastery, which had translated the



'Universal Declaration of Human Rights (UDHR)' into Tibetan and clandestinely produced booklet called 'The Precious Democratic Constitution of Tibet'.

On the morning of June 1996 he was taken for interrogation in Drapchi prison. When he returned two hours later he was not in a position to speak a word due to severe beatings. He was rushed to the hospital but died a few hours later around 4a.m. His death was sudden and unexpected that his friends reported that he was brutally tortured in the prison. While performing a traditional sky burial, it was observed that one of Kalsang Thutop's testicles was brutally crushed.

#### **41. Lhundrup Tendar**

Lhundup Tendar, 66, a monk of Ganden Choekor Monastery was from Namling County, Shigatse Prefecture, 'TAR'. On June 1996, when the Chinese "work team" visited the monastery to conduct "patriotic re-education" for the monk. Lhundup Tendar went through serious mental trauma following rigorous interrogation compulsion by the 'work team' to conform to their directives. Lhundup committed suicide by jumping into Namling River.

#### **42. Passang**

Pasang, 26, was a monk of Dechen Sangnak Monastery, Taktse Township, Lhasa. On 8 December 1994 he was arrested after he staged a solo pro-independence demonstration in Barkhor, Lhasa. He was sentenced to five years imprisonment in Drapchi Prison where he was beaten and tortured. Although he was permitted to go to hospital during the day time but had to come back to prison at night. His health condition deteriorated and he died on 17 December 1997 around 5.30 p.m. in 'TAR' Chide (Public Welfare) Hospital.

#### **43. Phurbu**

Phurbu, a monk of Drayab Ma-gon Monastery was from Drayab County, Chamdo Prefecture, 'TAR'. In May 1996, the local authorities launched a drive to confiscate the Dalai Lama's photographs and to conduct "patriotic re-education campaign" in Drayab Ma-gon Monastery. During a search operation, Phurbu was ordered to hand over the portrait of Dalai Lama. After five days of repeated demands and severe beatings by the PSB offi-



cials, Phurbu took the extreme step of committing suicide when enormous physical and mental torture were too much to bear. He committed suicide by plunging into a river and his dead body was seen floating in the water by some monks after few hours.

#### 44. Phurbu Tsering

Phurbu Tsering a.k.a Tingchue, 36, was from Banak Shol, Lhasa City. Phurbu was arrested for his participation in a pro-independence demonstration on 5 March 1989 in Lhasa. He was detained in the PSB office near Lhasa's Central Cathedral (Tsuglakhang) and was severely hit on the head by members of PSBB and PAP on the head with iron rods from which he suffered serious head injuries. He was hospitalized for four months. One side of Phurbu's body became partially paralyzed and he later suffered from convulsion. He was discharged from hospital in October 1989 but never fully recovered. Phurtse succumbed to his injuries on 7 February 1996.



#### 45. Sangye Tenphel

Sangye Tenphel, layname: Gonpo Dorjee, 19, a monk of Khangmar Monastery, Damshung near Lhasa, was originally from Uma Village. Sangye was arrested on 10 April 1995 for expressing Tibetan independence in his songs and posters. He was detained for four months in Gutsa Detention Centre and later transferred to Drapchi Prison. He died in custody on 6 May 1996 as a result of harsh treatment and beatings by prison guards and denial of timely medical treatment.



#### 46. Thinley Chodak

Thinley Chodak also known as Kardze Trulku, 19, was a monk from Kardze in Sichuan Province, 'TAP'. Thinley was arrested in 1994 and sentenced to three years imprisonment for his political activities. He died as a result of torture in 1996 at Drapchi Prison.



1997

**47. Rinzin**

On 11 February 1997, Rinzin, 61 year-old political prisoner died at home a month after he was released from prison. Rinzin was from Mugrum Trehte, Lhabrang County, Ngari Region, 'TAR'. He was arrested in August/September 1996 for possessing a photograph of the Dalai Lama after Chinese authorities imposed ban on the photographs. He was sentenced to three years in Ngari Prison. Due to innumerable torture he suffered while in the prison he became ill and was later hospitalized in the prison hospital for a month when his condition turned grave, he was released. However, he could barely speak and was completely bedridden. He was malnourished and had developed tuberculosis in prison.

**48. Jamyang Trinley**

Jamyang Trinley, 28, a monk of Chamdo Monastery was originally from Tsawa Phomda in Chamdo, 'TAR'. On 30 May 1996, Chinese officials came to Chamdo Monastery and raided room of every monk and confiscated all pictures of the Dalai Lama. During the search they discovered leaflets calling for "Free Tibet" in his room leading to the arrest of Jamyang and two other monks. After four months detention in Chamdo Prison where he underwent extensive torture and beatings. He was released on 13 September 1996 on medical ground. He died on 18 September 1996 only five days after his release.

**49. Tenchok Tenphel**

Tenchok Tenphel a.k.a Nang Pa Shar, 27, was a monk of Sakya Truphai Lhakang Monastery, near Shigatse, "TAR". At the end of 1996, a "work-team" came to the monastery and forced monks to compose essays denouncing the Dalai Lama. Tenchok was arrested on 1 September 1997 for writing an essay praising the Dalai Lama and subsequently detained him in Sakya County Prison in Shigatse Prefecture. At the detention centre, he was interrogated, threatened and tortured, but he still refused to denounce the Dalai Lama. In September 1997 after 15 days in detention he committed suicide by strangling himself with his waistband. The Chinese work-team announced that, "Tenchok committed suicide due to a financial



swindle while he was caretaker of the monastery.” His body was cremated on 17 September 1997 before his family could see him.

**1998**

### **50. Ven. Lobsang Tsondue**

Ven Lobsang Tsondue alias Hor Lagen, was born at Janag Nagchu in 1911. He became a monk at Shar-rong Monastery at the age of seven. Later he joined Hardong House of Drepung Gomang Monastery and studied Buddhist philosophy. He struggled hard to secure justice for the Tibetans and he was imprisoned four times and served 22 years in jail for his pro-independence activities.



In 1980, he was released after completing 15 years' prison sentence. In the first week of September 1987, when the younger Tibetan generations were actively involved in the pro-independence demonstration in Lhasa, he supported their activities whole-heartedly. Thus, in 1988, he was once again imprisoned for nine months, and in 1989, he was further sentenced to six years in Drapchi Prison.

On 15 December 1990, a young political prisoner Lhakpa Tsering died in the prison due to Chinese torture. Ven. Lobsang Tsondue paid homage to Lhakpa Tsering and protested against the poor prison conditions and demanded improvement in the conditions of prisoners in various prisons inside Tibet. For this, he was put in solitary confinement, where he suffered untold hardship and torture.

In 1996, he was released after completing his sentence and was sent back to his monastery. He was denied political rights after his release. Moreover, there was no one to look after him and he had to depend on others for food and money. He passed away in December 1998. The monastery committee arranged a grand funeral for him at Drikhung hill.



### 51. Dekyi Yangzom

Dekyi Yangzom, layname Drupkyi Pema, 21, was a nun of Nyemo Dowa Choeten Nunnery. She was arrested and sentenced to four years imprisonment in Drapchi Prison for her participation in the pro-independence demonstration in Lhasa in February 1995. She died in June 1998 as a result of ill treatment she suffered after the protests of May 1998 inside Drapchi Prison.



### 52. Geshe Choephel

Geshe Choephel, 71, was the head lama of Sungrabling Monastery, a branch of Drepung Loseling College Monastery located in Gongkar County, Lhoka region, South East of Lhasa, 'TAR'.

Sometime in July-August 1997, a "Patriotic Re-education Campaign" was launched by 20 members of the officials from Justice Department (*Ch: sai fa ting*) team, headed by an official called Khampa Chodrak in Sungrabling Monastery.

The head lama of the monastery, Geshe Choephel, was instructed to order his students to follow the re-education program, but he flatly refused to comply. After four-days of intimidation, he was taken back to his home in Kyimshe Village in Lhoka Region and was severely beaten by the police. After a search by the police in the residence of Geshe Choephel, a letter from Desi Rinpoche (who is currently residing in India) stamped with his personal seal was found in his room.

According to another source, he was actually taken back to the police station at Kyimshe and beaten there. He was detained in the police station for 15 days that he became very sick and died on 24 September 1998 as a result of injuries. People who attended the sky burial of Geshe Choephel reported that his finger bones were broken.

### 53. Khedrup

Khedrup, 26, a monk of Gaden Monastery was from Meldro Gongkar in Lhasa City. He was arrested in 1994, and is reported to have died after harsh beatings and tortures while in prison. An unconfirmed report to Tibet Information Network (TIN) said that Khedrub was





transferred to solitary confinement in Outridu after the May prison protest incident. Khedrup died on 23 May 1998. Details of his death are unknown, but his parents were called and forced to sign a document saying his son committed suicide although they never saw their son's body.

#### **54. Kundol Yonten**

Kundol Yonten, 28, was born in Nyemo Jogon, Nyemo County, Lhasa City. Later, Kundol joined Jiwa Nunnery in Nyemo. She was arrested in December 1994 for her participation in a peaceful demonstration in Lhasa. She was the fifth nun who died in June 1998.

#### **55. Lobsang Choephel**

Lobsang Choephel, layname Thinlay Phuntsok, 25, was a monk in Khangmar Monastery, and originally from Damshu County. On 10 April 1995, he along with four his friends from Khangmar Monastery staged a peaceful demonstration against the Chinese Government calling for 'independence for Tibet' in Lhasa and was arrested by the PSB officials. He was sentenced to four years' imprisonment and sent to Drapchi Prison. On 4 May 1998, he committed suicide in the prison bathroom because of the agonizing torture that he had to undergo from the prison officials. Prison officials concealed the dead body of Lobsang Choephel for more than a week before handling it over to their family.

#### **56. Lobsang Wangchuk**

Lobsang Wangchuk a.k.a. Ngawang Tenkyong, 28, originally from Meldrogungkar, Lhasa Municipality, "TAR" was a monk of Gaden Monastery. He was serving a 10-year sentence for participating in peaceful pro-independence demonstration in May 1996 in Lhasa. When Ngawang joined the famous Drapchi Prison protest of 1 and 4 May 1998, he suffered extensive beatings and torture. Lobsang died on 6 May 1998 in Drapchi Prison.



#### **57. Lobsang Wangmo**

Lobsang Wangmo a.k.a Tsamchoe Dolkar, 28, was from Dokdhe County in north Lhasa. She was ordained nun in Nekordo Nunnery in Lhasa Municipality. Lobsang was arrested in February 1995 for staging a peaceful pro-inde-





pendence protest in the Barkor and was subsequently sentenced to five years' in prison. Lobsang died in June 1998 after the Drapchi Prison protest on 1 and 4 May 1998.

### 58. Ngawang Dekyi

Ngawang Dekyi, 25, from Damshung was a nun of Poto Nunnery in Phenpo Lhundrup, Lhasa Municipality, 'TAR'. She was arrested and detained at Gutsa Detention Center after taking part in 1995 Lhasa demonstration and was later sentenced to six years prison term in Drapchi Prison. On 5 January 1998, she was hospitalized in the Regional Military Hospital in Lhasa in her near death condition due to untold hardship and tortures that she suffered in prison. It was not until her death on 21 January 1998 that her parents were finally told that she had been ill in the hospital. Her death was reportedly caused by severe beatings by prison guards.

### 59. Tashi Lhamo

Tashi Lhamo, 24, was a nun of Nyemo Jogo Nunnery in Nyemo County, one of the six nuns who reported to have died in June 1998 after demonstrating in 4 May 1998 at Drapchi Prison. She died at Military Hospital in June 1998 while her sentence was about to be completed.



### 60. Tenpa Phulchung

Tenpa Phulchung layname Thinley Topden, was born in Lhasa in 1935. He was a great scholar, a nationalist and a warrior who dedicated his life to securing justice for Tibetan people against the Chinese rule. When the Chinese first came to Tibet in 1949, Tenpa Phulchung helped his fellow Tibetans in letter-writing campaign to protest against the Chinese.



In 1959, he joined the "Tibetan Dharma Protection Movement" and was involved in political activities to fight against the Chinese. He was arrested at Norbulingka and was sent to Jang Tsala Karpo labour camp. After four years of grueling labour, he was released in 1963. He continued to work clandestinely against the Chinese for the welfare of the Tibetan community, putting his own life at risk. In a book he authored, he wrote of



the inaccuracy of the Chinese claim of having “liberated” a million underprivileged Tibetans, and he exposed the difficulties of the Tibetan people under the Chinese rule.

He sent a petition to the United Nations in the name of the “Committee of Struggle for Justice of Three Provinces of Tibet” in which he wrote about the critical situation of Tibetan people and their struggle for independence from Chinese rule. He sent letters to the Dalai Lama and the government-in-exile about the suffering of Tibetan people and their struggle, and their hopes and aspirations inside Tibet.

On 27 September 1987, he distributed pro-independence pamphlets to the masses. When his campaign became more active, he was re-arrested from his house on 16 December 1987. The police ransacked his house and found posters written in bold letters asserting Tibetan independence. He was sent to Sangyip Prison in Lhasa. In 1989 while in prison, he composed a poem based on the major peaceful pro-independence demonstration in Tibet entitled “The Song of Truth at the Dawn of the 21st Century”. For this, his sentence was extended by seven years.

On 29 April 1991, he and four other monks, Tenpa Wangdak, Gyadar, Penpa and Lobsang Tenzin, were transferred to Pawo Tramo Prison in Kōngpo district. There, he and other political prisoners were forced to do hard labour, in order to be “reformed”. He was released upon expiry of his sentence on 17 December 1994. He died four years later on 29 November 1998 and his death can be attributed to the severe treatment he suffered in prison.

### **61. Tenzin Yeshi**

Yeshe Samten, layname Yeshe Samten, 24, from Tsangthok Village, Taktse County, Lhasa. Yeshe was a monk of Gaden Monastery. Chinese “work-team” arrested him on 6 May 1996 with around 90 other monks from Gaden Monastery during the protest against Chinese “re-education” sessions and removal of all photographs of the Dalai Lama. He was sentenced to two years in Trisam Prison and was released on 6 May 1998 upon completion of his prison term. However due to numerous injuries sustained during torture in prison, he had to be hospitalized and died six days after his release on 12 May 1998.





## 62. Tsultrim Sangmo

Tsultrim Sangmo, lay name Choekyi Wangmo, 21, was a nun of Sharbumba Nunnery, Phenpo Lhundrup County, Lhasa Municipality, "TAR". In June 1994, she participated in a peaceful pro-independence demonstration in Barkhor area in Lhasa with four nuns. She was sentenced to five years in Drapchi Prison. While in Drapchi Prison, she participated in the protest of 4 May 1998 inside the prison and underwent harsh torture. She later succumbed to her injuries in June 1998. Authorities are reported to have said that she hanged herself.



## 1999

## 63. Sonam Wangdu

Sonam Wangdu a.k.a Shugden, was born to Paljor Rabten family, house # 45, courtyard 2, Trenkonchu, Medical Road, Lhasa in 1956. He was working as a carpenter in a construction group in Lhasa.

On 5 March 1988, he took part in a peaceful demonstration with thousands of other Tibetans in Lhasa where they demanded human rights and freedom for Tibetans. This demonstration turned into a big riot where the Tibetans attacked the Chinese army with stones and sticks and the Chinese used guns on them.

Sonam Wangdu was arrested on 17 March 1988 and sentenced to life imprisonment after he was accused of the killing a Chinese policeman during the demonstration. In Gutsa Detention Centre where he was first imprisoned, he was severely tortured resulting in permanent internal injury to his kidney and a broken back.

In order to extract information and to force him to confess over killing the Chinese policeman, the prison officials tortured him with electric prod and iron rods.

On 19 December 1988, he was taken to the People's Court at Lhasa for trial and sentencing. He was denied legal representation in the court. Even before the trial, he was severely beaten by policemen to ensure that he would confess to the Chinese accusations. Sonam was accused of inciting demonstration against the Chinese government, and also accused of killing





the policeman, Hon-re-ren. Hon-re-ren was thrown from a building and died on the spot.

After he was given life sentence in 1989, Sonam Wangdu was transferred to Drapchi Prison where he continued to suffer inhuman treatment, including being hit on his damaged kidneys. Consequently, he suffered urinary damage and the lower part of body turned paraplegic. He had to remain in a wheelchair and could no longer control his bladder and bowels and had to use rubber tubes to urinate. Before his arrest, Sonam was well-built and a strong man, but due to innumerable tortures and inhuman treatments in prison, he lost much of his body weight and so weak that he needed walking stick to stand.

Sonam Wangdu's life sentence was preceded by almost one full year of pre-trial detention at Gutsa Prison. During that time officers in order to extract confession of his involvement in the killing of the Chinese policeman constantly tortured him. In addition to other methods of torture, he was beaten with electric cattle prods and manacled by his legs and feet for a period of six months. He was kept suspended from a tree for five days, and put in solitary confinement for one week. He had his head forced into a bucketful of water and had blood forcibly extracted from him. According to another former political prisoner, Bhagdro, "On 17 January 1989, Sonam Wangdu was taken to the heavily guarded Armed Police Force headquarters, located below Chakpori Hill in Lhasa, for trial. During the trial, he and his fellow accused were asked to confess to the crime. Their constant plea of not guilty so enraged the Chinese police, that they started beating the men in full view of the court. They grabbed us and stopped us from talking. The court adjourned for the day and the five accused were led out by the back door, away from the view of the public. Hidden from the public view behind a barricade of army trucks, the accused were subjected to savage beatings. Sonam Wangdu started vomiting blood, and unable to endure the beatings, he tried to fight back. Then they put a gun to his temple and took him back to Gutsa, and by the end of the day, they were all semi-conscious. The following day, the prisoners were again produced before the court, along with 16 others who had taken part in demonstration, and sentenced immediately. Another round of beatings behind the courtroom followed the sentencing.

They were then taken to Drapchi Prison where the men were all put in separate cellblocks. Sonam Wangdu's condition was a constant cause for



concern for his inmates. According to Bhagdro, who escaped to exile sometime in mid-1991, when he last saw Sonam Wangdu he "looked like a lost person". After his release from prison he was permanently double-bent and unable to straighten his back. His ears were also badly damaged from beatings that fluid was running from both of his ears.

According to reports, prior to his death Sonam Wangdu's lung, head, kidneys, liver and intestine were seriously damaged. He suffered excruciating headaches, and his hearing and speech were impaired. He was said to be able to move only in a hunched position and with the aid of a wheelchair.

In 1993, Sonam was released on medical parole when his physical condition became worse and his death seemed imminent. From the prison beatings, he had permanent internal injuries which eventually led to his death. Paralyzed from the waist down, he died at his residence in Lhasa on 8 April 1999 at the age of 44, and is survived by his wife and three children, two of whom are currently living in exile.

A father of three, his only employment after release was to sell kites to children in the marketplace, and to mend lamps to earn a living. For attempting to secure legitimate rights and justice for Tibetan people he suffered untold atrocities for 11 years. Sonam Wangdu's death illustrates the extent of the atrocious and inhuman treatment that Tibetan political prisoners have suffered and continue to suffer in Tibet.

#### **64. Lekshe Tsoglam**

Lekshe Tsoglam, a monk of Nalanda Monastery was detained in Gutsa Detention Center in early April 1999 after refusing to cooperate with a "patriotic education" campaign in progress at the Monastery. He was reportedly beaten so severely by the Police at detention centre that he died on 12 April 1999, days after his release.

#### **65. Ngawang Jinpa**

Ngawang Jinpa, lay name Lobsang Dawa, was a farmer by occupation in Langthar Village, Phenpo County, 'TAR' and later ordained monk in Gaden Monastery in 1987. On 6 May 1996, during the Chinese "work team" visit to their monastery, monks were found violating the rule by keeping the portrait of the Dalai Lama. Ngawang and 43 other monks were arrested on 7 May 1996. They were tortured and maltreated in a local detention centre for eight months which later resulted in lung problems. In January 1997,



Lhasa Intermediate People's Court sentenced him to 12 years' imprisonment with deprivation of political rights for four years and transferred to Drapchi Prison after a month.

Despite his grave health condition, he had to do exercise along with other inmates. He was denied medical treatment until his death seemed imminent. In March 1999, he was released on medical parole. Since he didn't have any relatives in Lhasa, he was given treatment by a charity organization in Lhasa, however, without any improvement in his health. He was later handed to his family members at Phenpo Lhundup County. He suffered multiple ailments while in prison. On 20 April 1999, he breathed his last at his home at the age of 31.

### **66. Norbu**

Norbu, 21, was from Khong Drugya, Phenpo Lhundrup, Lhasa Municipality, 'TAR' and ordained monk at Nalanda Monastery at the age of 14. In February 1995, two monks: Nyima Kelsang and Gen Sonam Dhondup from Nalanda Monastery were arrested on charges of involvement in political activities. On 24 February 1995, some 20 police personnel arrived at the monastery tried to carry out intensive raid in Gen Sonam Dhondup's room. A fight erupted between the police and the monks after Norbu refused to give the keys of Gen Sonam Dhondup's room. The following day, three truckload of police arrived at the monastery carried out intense interrogation sessions and mass arrest. It was from one such interrogation sessions, that the police came to know that Norbu and some other monks had removed independence leaflets and wooden blocks from Gen Sonam Dhondup's room which eventually led to their arrests and detention in Gutsa. During that time some 32 monks were arrested and 60 monks were expelled from the monastery.

During his detention at Gutsa, Norbu was tortured and beaten severely by the prison officials. Norbu suffered serious injuries on his neck during an interrogation session when prison official stamped on him and kicked indiscriminately. He was not provided with any medical treatment. After a year of pain and suffering at Gutsa Detention Center, Norbu returned to his hometown after his release in February 1996. His health however deteriorated as a result of prolonged torture he endured. He passed away at his home in March 1999.



### 67. Phuntsok

Phuntsok, 60, was a native of Lhasa and joined Jhang Talung Monastery at a very young age. He didn't remain a monk for long before and worked as a motor mechanic and lived in Tsoma ling Township.

In 1993, he came with his second wife, Tsering Dolma, for a Kalachakra initiation and for religious pilgrimage to India. He returned to Lhasa taking with him many books, audio and videocassettes on Tibetan issues. The books included the biography of the Dalai Lama, some books related to human rights and others on the guidelines on the future polity of Tibet. He distributed these books and cassettes to Tibetans in his region.

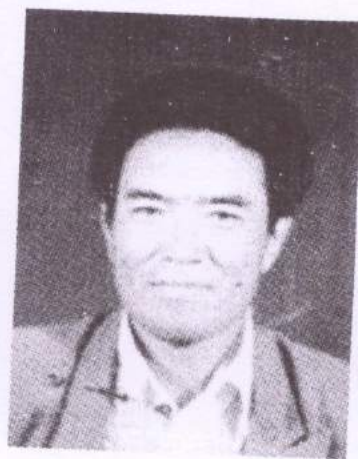
In 1994, with the help of two monks and three nuns, Mr. Phuntsok wrote letters about the suffering and true situation of Tibetan people, and their struggle against the Chinese. The letters were sent to the Tibetan government-in-exile in Dharamsala, India.

In 1995, during the 30th founding anniversary of "Tibet Autonomous Region", the Lhasa police came to search his house and arrested him when they found pro-independence documents from his house. He was detained at Sangyip prison for few months and later sentenced to two years imprisonment in Drapchi Prison. During the interrogation session in prison, he was severely beaten and tortured in order to extract information. His ribs and some vertebrae were broken resulting in lost of sensation. His health condition deteriorated and no medical treatment was provided for in prison. When his health condition turned grave, he was released from prison on medical parole. His family had to bear his medical expenses, which later put them in great financial debt. Phuntsok eventually died in an extremely poor condition in September 1999 in Lhasa.



### 68. Tashi Tsering

Tashi Tsering, 39, was a resident of Nyangre, Lhasa. He was arrested on 26 August 1999, during the sixth National Minority Games held in Lhasa when he attempted to lower the Chinese flag on a flagpole in the Potala Square and attempted to replace it with a Tibetan national flag.





Tashi Tsering, a building contractor, had attempted to commit suicide at the time of his protest by trying to ignite crude explosives strapped around his body. However, he failed to ignite as it was raining heavily that day. He was beaten severely by the security personnel that he was unable to walk by the time he was taken into custody. Tashi Tsering committed suicide in police custody on 10 February by slitting his throat with a razor blade. Many earlier reports indicate that Tashi Tsering had previously made a number of attempts at suicide while in detention due to countless torture and inhuman treatment suffered in the detention centre.

Tashi Tsering- who leaves behind two children, one of whom is handicapped- had earlier won an award from the local community for the work he did at his own expense, constructing up new buildings and providing furniture for a primary school near Sera Monastery. Had Tashi Tsering lived, it is likely that he would have faced a severe sentence due to the nature of his protest at a politically sensitive time.

## **2000**

### **69. Lobsang Sherab**

Lobsang Sherab, lay name Norbu, 30, a monk of Sera Monastery originally from Lhoka region, was detained for the second time for alleged involvement in political activities in early October 2000.

Lobsang Sherab had earlier spent three years in Trisam Prison. When "work team" members visited Sera Monastery 1996, they confiscated all the pictures of the Dalai Lama as part of the "patriotic re-education" campaign. Lobsang exhibited his vehement opposition to the campaign by closing the main prayer hall for three days. No immediate action was taken against him at that time for fear of antagonizing the entire Sera Monastery population.

However, on 7 August 1996, Lobsang was taken away by "work team" and PSB officials. He was detained in the "TAR" PSB Detention Centre for four months, after which he was transferred to Gutsa Detention Centre. When he was in the "TAR" Detention Centre, extensive torture meted out to him resulted in fractured leg and head injuries. He was sentenced to three years in the Trisam Prison and following the completion of his term, was released on 7 August 1999.



By the time he was released, Sherab had developed a permanent limp. Despite treatment at the Lhasa Tibetan Medical Institute, his condition deteriorated drastically. On 20 October 2000, Lobsang passed away in Lhasa. During the sky burial, it was discovered that he had suffered a brain hemorrhage.

### 70. Penpa

A former Lhasa Tsulakhang monk, Penpa was detained for a year in 1989 for his participation in the 5 March 1989 demonstration in Lhasa.

Penpa, 40, died one month after being released from prison on medical parole. Penpa's health began to deteriorate in prison following severe beatings. At that time, Penpa was reportedly singled out for harsh beatings due to his involvement in a protest against insufficient food at Outridu Prison (Lhasa Prison). Despite receiving medical treatment he died shortly after he had to return to his native place in Tsang Shalu, Gyatse Prefecture, 'TAR'. Penpa had been serving a 3-year prison sentence.

Penpa was severely tortured when he was initially apprehended by the National Security Bureau (*Ch: An Quan Ting*) for his alleged involvement in a flag-hoisting incident. A few months prior to his second arrest on 14 May 1997, the forbidden Tibetan national flag was hoisted on the top of the Jokhang Temple.



### 71. "Shol" Dawa

"Shol" Dawa, 60, was one of Tibet's most well-known and respected political activists, who died while serving his third prison term at Drapchi Prison. The circumstances leading to his death on 19 November 2000 are not known although he is said to suffer from a kidney ailment. He was in poor health and was subjected to maltreatment and beatings on several occasions in the last few years before his death. An elderly former political prisoner from Lhasa who is now in exile said: "Although he had many children, he continued to work for the cause despite being imprisoned three times. In the end, he gave up his life for the common cause





[of Tibetans]. Shol Dawa didn't show his regret or remorse, and he didn't change his political views even when in prison."

"Shol" Dawa, a Lhasa tailor who earned his nickname from the former village of Shol at the foot of the Potala Palace, was serving a nine-year prison sentence for trying to compile a list of names of political prisoners to send out of Tibet – an offence classified as "espionage" by the Chinese authorities. It was his third and longest prison term, and he was due for release in August 2004.

He was first imprisoned in 1981 and sentenced to two years for creating 260 cyclostyled copies of a pamphlet about Tibetan history called "Twenty years of tragic experience", written at his request by the renowned dissident scholar Geshe Lobsang Wangchug, who died in prison in 1987. The 1982 official court sentencing document stated that he had "also printed a picture of Tibet's national flag on top of the circular". In 1985 Dawa was detained again and later sentenced to four years for writing "with his own hand some ten copies of a circular denouncing the 'deteriorating living conditions' "of Tibetans in Tibet, according to a copy of the court document. The posters and circulars were reportedly displayed in the Barkor, the traditional Tibetan quarter of Lhasa, and a number of other locations including the Lukhang (the park behind the Potala), the office of the 'TAR' Performing Arts Department and the Number Two Government Guesthouse.

Shol Dawa is said to have been warned on his release from this second prison term that he would be executed if he was arrested again. Six years after his second prison sentence, he was arrested for the third time in 1995. Shol Dawa and another Tibetan, Topgyal, were detained in Lhasa and accused of compiling a list of Tibetan political prisoners that they intended to send to India. The court judgement stated that they prepared the list by asking two former prisoners, Dondrub Dorje, a former driver, and Ratoe Dawa, a former monk, to compile the list from memory. The official sentencing document stated "Lhasa City Peoples' Procuratorate accused that since 1993 and 1994 the defendants Xue Dawa [Chinese transliteration of Shol Dawa] and Duobujie [Topgyal] gathered together such items as a list of names of current and released political prisoners from our region, and hand-written reactionary letters, stamping them with an ox-head stamp of their own manufacture, to report abroad to the Dalai clique. The hearing proved that between 1993 and 1994 the defendant Xue Dawa caused



Dunzhu Duoje [Dondrub Dorje] and Reduo Dawa [Ratoe Dawa] to collate a list of names of current and released political prisoners from our region which they then handed over to the defendant Xue Dawa.” (Criminal Verdict of the Intermediate Peoples’ Court, Lhasa, TAR, 1996). The official sentencing document states that Shol Dawa was also accused of making contact with the “Dalai clique’s ‘Tibetan Women’s Federation’”, which appeared to be a reference to the Tibetan Women’s Association, a research and campaigning group based in Dharamsala. Shol Dawa and Topgyal were accused of “actively accepting a mission specially appointed by foreign enemies, actively gathering various kinds of intelligence about this country within our borders and engaging in criminal activities that endangered state security”.

Shol Dawa was said to have been in poor health following his release from prison after his second period in detention; he had lost a lot of weight and suffered from headaches and sickness. According to one report he could only eat *tsampa* and would vomit if he ate any other food. Following his third arrest in 1995, Shol Dawa was reportedly singled out on several occasions for severe beatings during his imprisonment in Drapchi. The beatings were due to continued political intransigence; the Chinese authorities reserved their most severe treatment for prisoners who failed to “reform”, and reports from Dawa’s friends indicate that his political stance never wavered. According to unofficial reports, medical treatment offered to Shol Dawa by the authorities was either delayed or inadequate.

Shol Dawa’s political views appear to have been formed when he was a young man living in Lhasa during the period of the Lhasa Uprising in March 1959, when the Dalai Lama escaped to India. In the late 1970s, during the Cultural Revolution, he was categorized as a “black hat”, a Communist term indicating someone who had earned the disapproval of the Party.

Shol Dawa is remembered with great affection by former political prisoners who appreciated his frequent visits to prisons in Lhasa by bringing food parcels, including tinned pork meat, butter, sugar and *tsampa* (roasted barley flour), to political prisoners in the 1980s when Dawa was not imprisoned himself.

Shol Dawa’s family were under constant surveillance due to his political activities. His son, Samdrub was reportedly detained temporarily and beaten on several occasions. Samdrub died in Tibet in 1998. Another of Dawa’s sons lost his job, his daughter was expelled from school following



his second arrest, and security police conducted several raids on the family home. Dawa's wife, Lhakpa Dolma, died in 1987 during her husband's second period of imprisonment.

## **72. Sonam Rinchen**

Sonam Rinchen, 27, a political prisoner died in mid-January 2000 in Drapchi Prison. Although the cause of his death is unknown, unconfirmed reports indicate that he had been sick since 1997 and was undergoing treatment. Born in 1973 into Khangsar family in Gyama Town, Meldrogungkar County, Rinchen became actively involved in pro-independence activities after the mass demonstration in Lhasa on 27 September 1987. Rinchen started his political activities in Meldro County, distributing and posting political leaflets. In 1990, during a community meeting in the village, his stepfather, Thupten Yeshe, protested against Chinese mining operations in Meldro County. He called for an immediate end to the mining.



On 30 June 1992, Sonam Rinchen along with Sonam Dorjee, Kunchok Lodoe and Lhundrup Dorjee disrupted a "patriotic re-education" meeting. They unfurled a Tibetan flag and shouted pro-independence slogans such as 'Free Tibet,' 'Long live His Holiness the Dalai Lama' and 'Chinese quit Tibet.' After the Meldro County PSB officials dragged the four away, whilst simultaneously beating them, approximately 100 people joined the protest. This led to several cases of arrests and detention.

A few weeks later on 6 July, Rinchen's stepfather, Thupten Yeshe, was arrested on charges of collaborating with the demonstrators. Both were detained in Gutsa Detention Centre where Rinchen and Yeshe were subjected to severe beatings. The fact that Rinchen's brother, Tamdin, was also serving a five-year term in Drapchi Prison for his involvement in political activities on 5 March 1988 resulted in especially harsh treatment for Rinchen and Yeshe. They were transferred to Gutsa Detention Centre where they were treated in equally severe manner.

## **73. Tsering Wangdrag**

Tsering Wandrag, 45-year-old Tibetan farmer died on 4 June 2000 following inhuman treatment and torture. He had served three years and eight months of his four years sentence after being arrested on 25 October 1999



for taking part in a demonstration in Kardze, Sichuan Province 'TAP'. The protest was against the arrest of respected Buddhist leader and Tibetan scholar, Geshe Sonam Phuntsog, who after the completion of his 5 years prison sentence continue to remain under house arrest.

## 2001

### 74. Tsultrim Topgyal

Tsultrim Topgyal was from Khimshe Township, Gongkar County, Lhoka Prefecture, 'TAR'. He had his elementary education at government school. In 1987, Tsultrim was ordained monk at Sungrabling Monastery at Lhokha Prefecture. In July 1997, Tsultrim and his five friends pasted pro-independence leaflets around the monastery and initiated peaceful demonstration. Consequently, the Chinese PSB officials and security officials came to arrest them but the mass protest by the local people prevented the arrests.

However, the next morning, the officials came to the monastery and arrested them. At doorsteps of every house, two security officials were stationed to avoid further hindrance from the people resulting in the arrest of few lay people. They were interrogated at Lhokha detention center for six months, during which time they were severely beaten and tortured. Thereafter, the Lhokha Higher People's court convicted them of 'endangering state security' and sentenced them with different imprisonment terms. Tsultrim Topgyal and Yeshe Jinpa were sentenced to five years imprisonment and later transferred to Drapchi prison.

Before the release of Tsultrim Topgyal, he was known to be in grave health condition due to severe torture and maltreatment he had undergone while at Drapchi Prison. He was even denied proper and timely medical attention. Topgyal was released after completion of his five-year prison sentence in June 2001. However, due to excessive torture in Prison, he passed away at his home in Lhoka two months after his release.

### 75. Namgyal Tashi

Namgyal Tashi, 66, former political prisoner was originally from Chideshol Township, Gongkar County, Lhoka Prefecture, "TAR". For his active pro-independence involvement in March 1959 Lhasa





Uprising and in the Cultural Revolution, Tashi was detained for many years in “reform through labour” camps.

Following a flag-raising incident at Samye Monastery, and suspected involvement in other pro-independence activities, Tashi and his son, along with four other relatives, were arrested in June 1991. Namgyal Tashi spent eight years in Drapchi Prison for alleged political activities, and was released at the end of 1998. Tashi’s health condition deteriorated following his release from the prison as he experienced numerous tortures during the interrogation sessions in detention centers, prison and in the labour camp. Namgyal Tashi, 66, father of Ngawang Sangdrol (one of famous Drapchi singing nuns) passed away at his home in Lhasa on 20 August 2001.

## **76. Ngawang Lochoe**

Ngawang Lochoe, 28, nun of Nyen Nunnery was from Toelung Dechen County, Lhasa Municipality, “TAR”. Ngawang died in Drapchi Prison on 5 February 2001, just one year prior to the completion of her 10-year prison sentence. Ngawang Lochoe was arrested along with five other nuns, all from Nyen Nunnery, for taking part in a peaceful demonstration in Lhasa on 14 May 1992. They were charged with “instigating counter-revolutionary activities and propaganda” and Lochoe was sentenced to five years’ imprisonment at the age of 19. For seven months before her sentencing, Lochoe and the nuns suffered brutal interrogations and inhumane treatment at the Gutsa Detention Centre.

While at Drapchi Prison, Lochoe and 13 other nuns were involved in recording nationalistic songs and messages to their families and friends on a smuggled tape recorder in June 1993. When prison authorities discovered their clandestine activity, the nuns were given additional prison sentences. Lochoe’s sentence was extended by five years, bringing her total sentence to 10 years. Two weeks prior to her death, prison officials prevented a family member from seeing Lochoe during a prison visit. Lochoe died immediately after prison officials transferred her to the police hospital near Drapchi Prison on 5 February. Lochoe’s relatives were informed the same day that she was not well and had been admitted to hospital. Upon reaching the hospital, the relatives were shown the dead body of Lochoe. They were not informed of the cause of death.

Fellow nun political prisoners, who made their journey to exile last year, said that, “Unless Lochoe met with some misfortune, it is not likely



that she would die a sudden death. She was a healthy woman with no history of prolonged illness while in prison.”

### 77. Saru Dawa

Saru Dawa, 27, was born in Saru Township, Dzoge County, Ngaba Prefecture, Sichuan Province ‘TAP’. At the age of 13 he joined Taktsang Lhamo Kirti Monastery in Tibet. In 1992, he escaped to India and joined Kirti Monastery in Dharamsala. After studying in the monastery for eight years, he started his return journey to Tibet in November 2000, after receiving news



of his mother’s ill health. Dawa was arrested at the Nepal Tibet border town of Dram on 20 November 2000. He was found to be carrying a photograph of himself with the Dalai Lama and several books published by the Tibetan exile community. Chinese officials claimed that the 27-year-old monk was unwell and that it was this, along with his crime that drove him to commit suicide. Saru Dawa died under mysterious circumstances on 9 January 2001.

Immediately upon receiving information regarding the arrest of Saru Dawa, his relatives made numerous enquiries at various places and police stations near the border. Since all those arrested at the border are detained in Nyari Detention Centre in Shigatse, the relatives approached the prison authorities there who initially denied holding any person by the name of Dawa. However, after obtaining money from the relatives, a prison official acknowledged that Dawa had been detained at this Detention Centre but had subsequently committed suicide.

On 15 February, the relatives were taken to the location near the prison complex where Dawa’s body was buried. The officials exhumed the body, without letting the relatives touch it. The corpse did not smell foul, and, by their request, it was cremated the same day in front of the relatives.

Dawa’s relatives were informed that he had committed a serious crime. They were shown a picture of Dawa with the Dalai Lama, and some books published in the exile community. One prison official was reportedly quoted as saying that Dawa was physically not well when he first came to the Detention Centre, and despite medical care his health failed to improve. His poor health, coupled with the serious crime he had committed, was sup-



posedly too much for Dawa to endure, and he finally committed suicide on 9 January 2001.

A fellow Kirti monk testified that Dawa had been carrying a bag full of books, but that they were all purely religious texts and none were of a political nature.

### **78. Tseta Marong**

Tseta Marong was beaten to death, and three others critically injured, after a myriad arrests of arbitrary nature took place in Thandong Township, Tengchen County, Chamdo Prefecture. The arrests came in the wake of a search operation following a bomb explosion incident in miners' residential area at Thandong Gold Mine on 11 July 2001. Four Chinese gold miners were reportedly injured.

The mining operation in the area started in the 1990s after a team of Research Scientists on mineral excavation visited Thandong Township where a mountain housed the gold ore. Since then, the local communities have shown concern towards the possible ecological disruption but were unable to voice their resentment over the project because of looming fear of harsh punishment.

The authorities suspected the bomb explosion to be an outcome of the public's opposition to the mining project. The investigation is being carried out vigorously to find the "culprits". The PSB officers subjected the local inhabitants and people from the nearby areas to frequent harassment and beatings. In the process, Tseta Marong died on 18 July 2001 and three others (names unknown) were reportedly in a critical condition after having endured severe beatings.

## **2002**

### **79. Lobsang Dhargyal**

Lobsang Dhargyal, 40, died on 19 November 2002 in a "reform through labour" camp in Siling Town, Machen County (*Ch*: Maqin xian), Qinghai Province,



Golog, 'TAP'. Lobsang Dhargyal was a former monk of Rabgya Monastery in Machen County in Golog, Qinghai Province, 'TAP'. Born to



Shergyam and Tsodon in 1962, Dhargyal engaged in nomadic works and studied Tibetan language when he was young.

He was serving 15 years' prison term on alleged charges of espionage and "splittist activities". He had earlier served two and half years' sentence for advocating Tibet's independence. The camp where Dhargyal was incarcerated is a Manufacturing Unit for Hydro-Electricity Power Plant.

In the post 1987 pro-independence campaign, Dhargyal, with monk friends Lobsang Palden and Yeshe Gyaltzen, printed approximately 40,000 pro-independence leaflets of slogans such as "Free Tibet" and "China, Quit Tibet" and distributed among the people in the locality.

On the eve of a grand enthronement ceremony for the then 13-year-old Shingsang Rinpoche on 15 November 1992, Dhargyal and his companions pasted and distributed the leaflets in strategic places such as public roads; street, malls and circumambulation route around Rabgya Monastery. A Tibetan national flag was hoisted on the rooftop of the monastery's chapel and a small paper flag was pasted at the corner.

The next evening, PSB officers from Machen County and Golog "TAP" interrogated all the monks. Ten days later on 25 November 1992, Dhargyal was arrested. Wooden block prints used in printing the leaflets were discovered from his room. However, his friends managed to escape.

After a year's detention in Golog Prison, Golog Intermediate People's Court sentenced Dhargyal to three years' imprisonment with deprivation of political rights for two years. During the entire period of his imprisonment, Dhargyal was handcuffed and his feet were manacled. He lost his two front teeth as a result of severe beatings. On 25 May 1995, Lobsang Dhargyal was released on medical grounds six months before his due date of release.

In early 1997, Rabgya Monastery had come under heavy restrictions and surveillance. Therefore, in April 1997, Dhargyal fled Tibet to escort Shingsang Rinpoche to Sera Monastery in South India.

In May 2001, while returning to Tibet to visit his ailing mother, Lobsang Dhargyal was arrested somewhere near Shigatse 'TAR'. He was subsequently handed over to Golog "TAP" authorities. In October of the same year, Golog Intermediate People's Court sentenced Lobsang Dhargyal to 15 years' prison term for allegedly engaging in espionage and splittist activities.

A recent escapee from Tibet, 29-year-old Lobsang Tsultrim, recalls, "In April 2001, I was returning to Tibet with Lobsang Dhargyal and Tashi



Gyatso via Solukhumbu, Nepal-Tibet border, when the Chinese border police detained us. When they began to hit us, we fought back and thus managed to escape. Unfamiliar with the routes, we ran to different directions.

Dhargyal was arrested near old Tingri County (Dingri xian) in Shigatse 'TAP'; I was arrested in new Tingri County and Tashi Gyatso in Golog after he had returned home. After five days' detention in Nyari Detention Centre, three police officers escorted Dhargyal to Amdo Golog. That was the last time I saw him. He looked healthy at the time," continued Tsultrim.

Lobsang Tsultrim, the former informant, is skeptical about the nature of Dhargyal's death. He told TCHRD, "I believe Dhargyal did not die naturally. I also think, since his arrest, his parents and relatives were not allowed to see him at all. It is inevitable that he suffered torture and maltreatment in the prison. Dhargyal was a very good man. He was sociable and got along with everyone. He was very well-educated and had a great sense of patriotism. I was shocked by the news of his untimely death. Every Tibetan should strive to live up to his role. His image comes to my mind even today."

## **80. Thupten Namdol**

Thupten Namdol, 71, was born in Dagpo Township, Gyatsa County, Lhoka Prefecture, 'TAR'. He was ordained monk in Dagpo Shedupling Monastery in Lhoka. During the 1959 Uprising, he liaised between Dagpo Shedupling Monastery and the Voluntary Freedom Fighters for his country.

He was arrested in 1960 on charges of counter-revolutionary and advocacy of Tibetan independence. He was sentenced to 20 years' prison term and incarcerated in Drapchi Prison. In 1964, he was transferred to the Powo Tramo Prison and was released in 1980. He once again worked for the Tibetan freedom movement. In the same year, he came to India to meet his relatives and friends and then returned to Tibet from where he sent abroad some of the independence articles written by his friend, Tenpa Phulchung through a tourist.

He along with Choezed Metok, printed and pasted hundreds of posters expressing their gratitude and sent greetings to all the demonstrators who participated in the peaceful independence demonstration held in Lhasa on 27 September and 1 October 1987.



He was arrested on 16 December 1987, on charges of possessing posters advocating Tibetan independence. He was incarcerated at the "TAR's Sangyip Prison. Due to number of years in prison and the beatings and torture he had endured, his health condition deteriorated but he was denied permission to consult the prison doctor. On 6 November 1994, he was conditionally released under amnesty. He suffered from both mental and physical illness because of the long period of imprisonment and inhuman treatment. He died on 17 May 2002 at his home in Lhasa, after a prolonged illness.

### 81. Yulo Dawa Tsering

Venerable Yulo Dawa Tsering was born in 1930 in Taktse County, Lhasa Municipality, "TAR". He was recognized as the reincarnation of Choney Yulo Rinpoche at a very young age and then was taken to Gaden Shartse Monastery. In 1950, he was awarded the prestigious degree of "Geshe" (Doctorate of Divinity). Later, he studied tantric Buddhism at Gyuto Tantric School.



In 1959, Tulku Dawa Tsering was arrested for his participation in the Lhasa Uprising and sentenced to life imprisonment. He spent his twenty years imprisonment in the 5th Unit Labor camp of Drapchi Prison and ultimately got released in 1979. After his release, Tulku Dawa Tsering taught Buddhist Philosophy at Lhasa University until 1982. In that same year, he was appointed as a member of the Political Consultative Committee and member of the Lhasa Buddhist Association.

On 26 December 1987, he was arrested along with his friend Venerable Thupten Tsering, a monk from Sera Monastery, for allowing two visitors to take video recordings. The two foreigners, an exiled Tibetan monk and an Italian tourist, Dr. Stefano Dallari, were filming a video interview in which Tulku Dawa Tsering commented on the prevailing human rights abuses and poverty in Tibet.

According to March 1988 Radio Lhasa broadcast, "on the afternoon of 26 July 1987, two monks, Yulo Dawa Tsering and Thupten Tsering, spread reactionary views, such as Tibetan Independence, to foreign reactionary elements who came to Tibet as tourists. The two monks also viciously vilified the policies adopted by the Chinese Communist Party and the People's government." Both the monks were charged under Article 102(2) of China's



Criminal Law for spreading “counter-revolutionary propaganda”. After their arrests on 26 December 1987, they were first detained in Seitru Detention Center for a year, seven months of which were spent in solitary confinement with regular nightly interrogations. On 19 January 1989, the Lhasa Intermediate People’s Court sentenced Yulo Dawa Tsering to 10 years and Venerable Thupten Tsering to six years imprisonment and subsequently incarcerated them in Drapchi Prison.

During a November 1990 visit to Tibet, diplomats from four Scandinavian countries met Tulku Dawa Tsering in Drapchi, and they reported that he was in fairly good condition. Yulo Dawa Tsering was then released conditionally three weeks before a UN team arrived in November 1994. He told them that there was a ban on religious activity in prison, and also a ban on re-admission to monasteries for monks and nuns. Both practices were later mentioned in the UN report following the visit. Even though he was released, he was under regular surveillance by the Chinese Army. He also suffered from both mental and physical illness because of the long period of imprisonment and inhumane treatment. He died on 16 January 2002 at 2.55 p.m. at his home in Lhasa.

## **82. Ngawang Donsel**

Ngawang Donsel, 28, was born in Dranang County, Lhoka Prefecture, “TAR”. She was ordained nun at Chutsang Nunnery at a very young age. In 1995, she along with three nuns from Lhasa initiated peaceful demonstration and were subsequently detained at Gutsa and later sentenced to four years’ in Drapchi Prison. She was subjected to brutal and inhuman torture while in prison which resulted in grave health condition. Upon release in January 1999, she worked in a private restaurant to earn her living and was unable to her meet medical expenses. She died in 2002 following numerous ailments as a result of countless torture she had endured.

## **2003**

## **83. Lobsang Damchoe**

Lobsang Damchoe was born in Changra Village, Gyantse County, Shigatse Prefecture, TAR’ in 1938. He later joined Gyantse Palkhor Monastery. In 1958, Lobsang joined the Dharma Protection Voluntary Army and went to Lhoka region and fought with the invading Chinese forces. In 1959, the



Chinese forces arrested him and was taken to Gutsa prison in Lhasa where he was subjected to beatings and other forms of torture. After the conclusion of his term in prison he was taken to a labour camp in Gyaltse where he worked under the most difficult conditions for 20 years.

In the 1980s, there was some leniency in Chinese policy vis-a-vis Tibetans. In 1987, Lobsang went back to his monastery after long years of absence. In 1995, Lobsang printed and published a prayer book for the young Panchen Lama and distributed it extensively to the public as a result of which he was arrested by the Chinese police on 18 December 1995. He was sentenced to a five-year jail term the same year.

After his release, Lobsang stayed with his relative. Despite his poor financial condition he was able to receive a little treatment with the financial support of his relative. Later he stayed with Kelsang, his disciple, which proved to be difficult because of his own poor financial condition. On 31 January 2003 Lobsang, one of the heroes of the Tibetan freedom struggle, breathed his last.

#### **84. Nyima Drakpa**

Nyima Drakpa, 29, a monk of Tawu Nyitso Monastery was born in Tawu County, Kardze "TAP", Sichuan Province. He went to a primary school for three years and spent one year in County Middle School. Until his admission in Tawu Nyitso Monastery in 1989, Drakpa engaged himself in farming. After a year's stay at the monastery, he fled to India in 1990 and stayed for three years in a monastery in South India. In 1994, Drakpa returned to his monastery in Tibet where he stayed until his escape to Lhasa in the wake of impending arrest for his pro-independence postings.



In late 1999, Drakpa pasted pro-independence posters on the gates of a Memorial Garden in Tawu County, Kardze "TAP", Sichuan Province. The posters contained slogans such as "Free Tibet", "Tibetans in Tibet have no freedom", "Tibet is not a part of China", and was signed at the end with his name. The County PSB officials started investigations the very next day and detained another person with the same name from Nyitso Monastery.

This incident led to the flight of Drakpa, while the one in police custody was released after 15 days' detention when the officers realized their mistake. Tawu County Police finally arrested Drakpa in May 2000 from a



village nearby Lhasa after having received information about his hideout. He was beaten severely during detention to extract confession for his alleged crime at Tawu County PSB Detention Centre, and his family members were denied visitation rights. The head of the police team, Yeshe, for nabbing Drakpa was rewarded with a car for his “exemplary deed”. A security post was set up within the vicinity of Tawu Monastery manned by about 15 staff and Yeshe was put in charge.

On 5 October 2000, the County Court held a closed trial and sentenced Drakpa to nine years’ imprisonment sentence on charges of “endangering state security” and “incitement against the masses”.

It was only in December of that year that his family members were allowed to pass him food although personal visits were still not permitted. Normally, a prisoner would be transferred to a prison after sentencing, but in Drakpa’s case, he was continued to be detained at Tawu County Detention Centre. It was reported that Drakpa was so severely tortured in prison that both his legs and hands were fractured. He could not stand on his own and required support from his fellow prisoners to go to bathroom.

Nyima Drakpa, who was serving nine years’ imprisonment sentence, was released in early September 2003 on medical parole. At the time of his release from the prison, Nyima was reportedly in severe health complications. Nyima Drakpa died in his home on 1 October 2003.

### **85. Tenzin Phuntsok**

Tenzin Phuntsok, 64, a former member of Khangmar People’s Political Consultative Conference passed away on 8 September 2003 at 10:15 AM at a hospital in Shigatse. It was reported that Tenzin Phuntsok died as a result of torture and beating suffered while he was detained at Nyari Prison in Shigatse.

According to Tibet.Net (Tibetan government-in-exile official website), Tenzin Phuntsok, a native of Khangmar area of Shigatse Prefecture, was arrested on 21 February 2003 by the Shigatse PSB on suspicion of involving in “political activities”. He was known to be in a good health at the time of his arrest. The sudden death of Tenzin Phuntsok is reportedly being explained by the people of Khangmar town as a direct result of prison abuse.

This was not the first time Tenzin Phuntsok was arrested and detained. It was known that he had already served 5 years in prison along with his father in 1959 during the Mao Zedong’s People’s Liberation Army (PLA)



invasion of Tibet. During that time his family had suffered immeasurably under the Chinese authorities.

As a respected person in his hometown, Tenzin Phuntsok had briefly served as a member of Khangmar "People's Political Consultative Conference". He had visited India frequently on pilgrimage and also to meet his relatives. He was also believed to have spent a considerable time in India in 2001. He is survived by his wife, his mother, and eleven Children.

### **86. Yeshi Gyatso**

Yeshi Gyatso, 65, died at his home after being released on medical parole from Lhasa Detention Center on 15 January 2004. It was due to innumerable tortures that he had undergone while at detention center that had led to his poor health, which ultimately took his life.

Yeshi Gyatso, a member of the Lhasa City's People's Political Consultative Conference, was arrested from his home in Lhasa on 16 June 2003 over suspected involvement in political activities and was subsequently sentenced to six years' imprisonment term by the Lhasa Intermediate People's Court. In August 2003, the Chinese authorities confirmed to foreign journalists visiting Tibet that they had detained Yeshi Gyatso and other Tibetans. In response to questions by a correspondent of the Associated Press, the Vice Mayor of Lhasa City, while confirming the detention of Yeshi Gyatso, alleged that Yeshi Gyatso had engaged in "separatist" activities violating the law of the People's Republic of China.

Yeshi Gyatso, earlier detained in 1959 for 10 years at Drapchi Prison, had spent another 10 years at Sangyip Prison's "labour through re-education" Unit Five. Yeshi Gyatso was a civil servant of pre-1959 Tibet, with the rank of "drung-khor". Popularly known as Kyamtoe Yeshi Gyatso, he was also known as Tingshar Yeshi Gyatso after his first marriage to Sonam from the Tingshar family who lived in Banak Shol area of Lhasa.

## **2004**

### **87. Rinzin Wangyal**

Rinzin Wangyal a.k.a Rinwang, 59, was serving a life imprisonment term in Pawo Tramo Prison, when died in prison at the end of 2004.





On 31 May 2004, TCHRD received an information that his health condition had gravely deteriorated due to constant torture over the years in prison.

Rinzin Wangyal was first arrested in 1966-67 for alleged pro-independence underground movement while working as a laborer in a cement factory. He spent 17 years in prison until his release in 1982. It was reported that while in prison he was regularly tortured and interrogated by the authorities in Drapchi prison.

He was rearrested by the PSB officials in August 1995 on charges of suspicion of being involved in a political movement aimed at disrupting the 30th founding anniversary of "TAR" on 1 September 1995. He was again sentenced to a 16-year prison term in October 1997 and while in prison his sentence was increased to life imprisonment.

Rinzin Wangyal's sentence was extended because of protests by prisoners in Drapchi prison during and after the visit of the UN Working Group on Arbitrary Detention to prison on 11 October 1997.

In the spring of 1996 Rinzin Wangyal was refused permission to see his wife Sonam when she became seriously ill and was admitted to the Lhasa People's Hospital. Sonam died later that year. During her prolonged illness, the PSB failed to respond to several letters of appeal by Rinzin Wangyal and his wife's relatives requesting for a last meeting between the couple.

Rinzin worked as a construction worker in the "Ngachen Lokhang" electricity unit. As he was educated in both Tibetan and Chinese, he was said to be working in the Geographical Department. However, when the Chinese leader Liu Shao Qi lost political power, there was a shift in the Chinese government's policy in Tibet. As a result, some Tibetans accused of holding "wrong political views" were demoted at the 'Shuini Chang' cement factory. Rinzin was among one of those demoted.

### **88. Tsemonling Dawa**

Tsemonling Dawa, 67, a former political prisoner died on 22 February 2004 at his home in Lhasa. Tsemonling Dawa was born in Lhasa in 1937. He joined Sera Monastery at a very young age but later led a layman's life. After China invaded





Tibet in 1959, Chinese branded his family as a “feudal lord and reactionary” and consequently confiscated their property. Dawa was imprisoned in various “reform-through-labour” camps.

Dawa was forced to work under extremely poor labour conditions at Nyachen Power Station during 1960-1964 and at Kongpo Gechik Power station between 1965-1966. During his imprisonment in these two Power Stations, Dawa did construction work under extremely dangerous and unsanitary conditions. The hard labour without any payment was a punishment for his being a ‘reactionary’.

After his return to Lhasa he was able to find work as a construction laborer and engaged in other petty jobs for the next 15 years and was able to support his family with the small income that he earned.

In 1980 when the first Tibetan Fact-Finding Delegation from exile visited Lhasa, Dawa made sure that he left a lasting impression to show that Tibetans in Tibet are suffering under the Chinese rule. He shouted slogans amongst the crowd calling for an ‘Independent Tibet’ and for ‘The long life of His Holiness the Dalai Lama’ under full knowledge that harsh punishments would befall him if he was caught. However, amidst the huge crowd he was able to escape arrest from the Chinese authorities.

However, during the 20th anniversary of the founding of the “TAR” in 1985, the authorities took precautionary measures to prevent any political activities and hence detained Dawa at Gutsa Detention Centre where he remained for four months.

On 10 December 1988, Dawa and a group of people in Barkhor Market raised pro-Tibet slogans. Dawa tied a Tibetan national flag onto his walking stick and waved it high in the air. He then led the peace protest with the younger Tibetans following him. The PSB officials immediately arrested and took him away to the nearest detention centre. He was later sentenced to three years in Gutsa Detention Center. However, he suffered serious medical problems as a result of the torture and beatings by Chinese guards and was released on medical parole by the end of his year in detention center. He was rearrested in 1997 by the PSB and sentenced to three years of reeducation-through-labour at Trisam re-education labour camp. Dawa was released in 2000 completion of his prison sentence and spent his final years in Lhasa before his death on 22 February 2004.



### **List of known Tibetans who were shot dead or committed suicide due to extreme torture**

- Ngawang Kunga, layname Gyalpo, a.k.a Ngawang Thardoe, 27, Phenpo Lhundrup, a monk of Drepung Monastery who was shot dead on 10 December 1988 during peaceful demonstration in Lhasa.
- Lobsang Legden, 21, Medro Takpu, a monk of Sera Monastery was shot dead on 1 October 1987 demonstration in Lhasa
- Phurbu, 34, from Gyalingsha, Lhasa died as a result of injuries sustained on 5 March 1989 demonstration in Lhasa.
- Karsel, 20, a monk of Nechung Monastery, shot dead on 1 October 1987 demonstration
- Gonpo Paljor from Kham, shot dead on 5 March 1988 during peaceful demonstration
- Anu, 32, from Lhasa, shot dead on 5 March 1989 during peaceful demonstration
- Nyima Drakpa, 26, from Lhasa, shot dead on 5 March 1989 demonstration
- Lobsang Phuntsok, 51, from Lhasa shot during the large demonstration on 5 March 1989 and died on 19 June 1989
- Paljor, 20 from Tsarong Kham, shot dead on 5 March 1989 during a peaceful demonstration
- Wangden, 30, from Toelung, shot dead on 5 March 1989 during peaceful demonstration
- Tashi Phuntsok, 37, from Lhasa, shot dead on 5 March 1989 demonstration
- Anu, 28, from Lhasa, shot dead on 5 March 1989 demonstration
- Kunchok Jamyang, 21, from Lhasa, shot dead on 5 March 1989 demonstration
- Lobsang Gelek, 48, Kardze, shot during demonstration on 5 March 1989 and succumbed to bullet injuries on 24 March 1989
- Pasang Tsering, 34, from Markham, stabbed to death on 6 July 1991 for illegal celebration of the Dalai Lama birthday.
- Dhondup Gyalpo, 19, Phenpo Lhundrup, a monk of Namar Monastery. Committed suicide in late July 1993 by drowning himself in the Kyichu River in Lhasa



- ❑ Wangdu, 26, from Shey Thokmon, Shigatse, a monk of Tashi Lhunpo Monastery, committed suicide on 24 July 1995 as he could no longer endure the pressure mounting on him to criticize and denounce the young Panchen Lama chosen by the Dalai Lama.
- ❑ Jampa Choeden, 21, a monk from Chamdo Tawateng, committed suicide
- ❑ Karma Dawa a.k.a. Kadar, shot during the Drapchi Prison protest on 1 May 1998
- ❑ Lobsang Gelek, 24, a monk of Khangmar Monastery, shot dead on 1 May 1998 during Drapchi Prison protest.
- ❑ Wangdu, 24, from Thongmon Shigatse and a monk of Tashi Lhunpo Monastery, committed suicide following “work team” visit to the monastery.
- ❑ Kalsang Tsering layname Lobsang Geykyong, 29, originally from Phenpo Lhundrup and a monk of Sera Monastery, injured by bullet shot during the demonstration on 10 December 1988, died a month later from the injuries at Lhasa People’s hospital.
- ❑ Ngawang Jangchup, 28, monk of Drepung Monastery committed suicide following the “patriotic re-education” campaign in October 2005



**Notes**

- 1 Cattle prod: A device commonly used on prisoners while at detention centre and in prison, which is approximately half a meter in length and flexible like a rubber truncheon. It delivers a high voltage electric shock.
- 2 Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, G.A. Res. 39/46, 39 U.N. GAOR, 39th Session, Supp. No. 51, at 197, U.N. Doc A/39/46(1984) (entered into force 26 June 1987) It specifically excludes the definition of torture as "pain or suffering arising only from, inherent in or incidental to lawful sanctions."
- 3 No one is safe, Political Repression and abuse of power in the 1990s, 1996, Amnesty International, AI Index ASA 17/01/96, pp.31 et seq
- 4 See the Committee against Torture in its consideration of China's second periodic report, UN Doc. CAT/C/SR.254, 10 May 1996, para.5
- 5 "Special Rapporteur on Torture highlights challenges at the end of visit to China," UN Press Release, 2 December 2005
- 6 "An exile returnee earns 10 years for poster pasting incident," *Human Rights Update*, TCHRD April 2002
- 7 Nyima, born on 15 April 1978, is a former political prisoner.
- 8 Phenpo Podo Nunnery is located in Phenpo County, Lhasa Municipality, "TAR"
- 9 Article 7 of ICCPR: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation."
- 10 As of 23 April 2004, 136 States had ratified the CAT. For a current list of States Parties, see <http://www.unhchr.ch/html/menu2/6/cat/treaties/conratification.htm>
- 11 Article 2 of CAT
- 12 Article 4 of CAT
- 13 Articles 2, 10, 11 and 16 of CAT
- 14 Article 20 outlines the procedure for investigation of human rights violations: Under what are considered to be reliable allegations of systematic practice of torture by a State Party, the Committee "shall invite that State Party to co-operate in the examination of the information" and submit their observations. In agreement with that State Party, an inquiry by the Committee Against Torture may include a visit to its territory. The Committee transmits its findings together with any comments or suggestions seen as appropriate.
- 15 UN Standard Minimum Rules for the Treatment of Prisoners, approved July 31, 1957, E.S.C. Res.663 ©, UN ESCOR, 24th Sess., Supp. No.1, at 11, U.N. Doc E/3048 (1957), amended May 13, 1977, E.S.C. Res.2076, UN ESCOR, 62nd Sess., Supp No. 1 at 35, U.N. Doc E/5988 (1977)
- 16 United Nations High Commissioner for Human Rights, Fact Sheet No.17. The Committee Against Torture, 2000. <http://www.unhchr.ch/html/menu6/2/fs17.htm>
- 17 See UN Doc. CAT/C/39/Add.2 (future)
- 18 The Initial report is contained in UN Doc.CAT/C/7/Add.5, 27 April 1990, Supplementary Report in UN Doc.CAT/C/7/Add.14, 18 January 1993, Second report in UN Doc.CAT/C/20/Add.5; 15 February 1996 and third report CAT/C/39/Add.2; 19 September 1999.



- 19 "Conclusion and Recommendations of the Committee Against Torture: China,"  
UN Doc. A/55/44, paras.106-145, 9 May 2000, para 116. Also see Conclusion  
20 and recommendation of the Committee Against Torture concerning the second  
country report contained in UN Doc.CAT/C/SR.254, 10 May 1996, D.1 and D.3  
21 UN Doc.E/CN.4/2001/73/Add.1; 13 February 2001 paras.15-21.  
22 See overview in Human Rights Watch, *World Report 2003*, China  
23 Ibid.
- 24 Ibid., In this case, the Committee Against Torture may not exercise the powers  
conferred upon it by Article 20 for so long as the state concerned maintains its  
reservations.
- 25 Civil and Political Rights, Including Question of Torture and Detention: Report of  
Special Rapporteur, Sir Nigel S. Rodley, Submitted pursuant to Commission on  
Human Rights Resolutions 1998/38, U.N. Commission on Human Rights, 55th  
26 Sess., Provisional Agenda Item 11 (a), UN Doc E/CN.4/1999/61(1999)
- 27 Ibid.
- 28 Prof. Manfred Nowak, an academic from Austria also active in human rights NGO  
activities. Director of the Ludwig Boltzmann Institute of Human Rights based in  
Vienna. His areas of particular interest and experience include human rights in  
China on which he reported in December 2005.
- 29 Special Rapporteur on Torture announces postponement of visit to China United  
Nations High Commissioner for Human Rights 16 June 2004
- 30 "Special Rapporteur on Torture announces postponement of visit to China," United  
Nations High Commissioner for Human Rights, 16 June 2004
- 31 UN High Commissioner for Human Rights 'Plan of Action: Protection and  
Empowerment', May 2005.
- 32 Article 38 states, "The personal dignity of citizens of the People's Republic of China  
is inviolable. Insult, libel, false charge, or frame-up directed against citizens by any  
means is prohibited."
- 33 See Article 38 of the PRC constitution: "The personal dignity of citizens of the  
People's Republic of China is inviolable, Insult, libel, false charge, or frame-up directed  
against citizens by any means is prohibited."
- 34 Third Periodic Report of the People's Republic of China on Implementation of the  
Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment  
or Punishment on 19 September 1999
- 35 Article 12 of CAT
- 36 For details see country reports submitted by China under CAT, *infra* 2.3. See also  
overview in statement by Mr. Quiao Zonghuai, in UN Doc. CAT/C/SR.416, 18  
May 2000, paras.3-8
- 37 NY Times, March 15, 2004
- 38 Article 247 of Criminal Law of the PRC
- 39 Article 14 (3) of the Prison Law of the PRC, promulgated by the NPC standing  
Committee on 29 December 1994
- 40 Ibid., Article 14(4)
- 41 Third Periodic Report, Paras.14b-d
- 42 Ibid. Para.47
- 43 Criminal Procedure Law of the PRC, promulgated by the NPC on 1 July 1979 and  
amended on 14 March 1997, Article 43 states that; "Adjudication personnel,  
procuratorial personnel and investigation personnel must, in accordance with legally  
prescribed procedures, gather various types of evidence that can prove the defendant's  
guilt or innocence and the gravity of the circumstances of the crime. The use of



- torture to coerce statements and the gathering of evidence by threat, enticement, deceit, or other unlawful methods are strictly prohibited.”
- 42 China’s revisions to its 1979 Criminal Procedure Law and Criminal Code entered into force on, respectively, 1 January 1997 and 1 October 1997. See *Hostile Elements: A Study of Political Imprisonment in Tibet 1987-1998*, Tibet Information Network, 1999, p.6
- 43 “Special Rapporteur on Torture highlights challenges at end of visit to China,” United Nations Press Release, 2 December 2005
- 44 Ibid., Also see “China cracks down on torture and forced confessions,” 17 May 2005, available at [http://english.people.com.cn/200505/17/eng20050517\\_185482.html](http://english.people.com.cn/200505/17/eng20050517_185482.html)
- 45 Special Rapporteur on Torture highlights challenges at end of visit to China, United Nations Press Release, 2 December 2005
- 46 Third Periodic Report of the People’s Republic of China on Implementation of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 19 September 1999, U.N. Doc. CAT/C/39/Add.2 (future), paras.59-64
- 47 In the revised Chinese Criminal Law, according to the China’s submission, introduces a new provision that bars ‘the use of torture against witnesses to extract testimony.’ Third Periodic Report, para.14a. But this does not alter the narrow definition of torture in China’s Criminal Code, which continues to define torture only in terms of acts used to elicit information; the Torture Convention’s definition contemplates a considerably broader variety of purposes for which the use of torture is proscribed.
- 48 Article 247 of the Criminal Law of the PRC
- 49 Torture in Tibet, TIN, Vol.9, No.1a, June 1999, p.6
- 50 Torture: A growing scourge in China- Time for Action, Amnesty International, PRC, February 2001, AI Index: ASA 17/004/2001, pp.3 et seq
- 51 Words Without Substance: The Implementation of the Convention Against Torture in the People’s Republic of China, 1996, Human Rights in China. It also fails to incriminate perpetrators of torture, who, while not being officially employed by the state, carry out official functions. NB:See Human Rights in China, Impunity for torturers continues despite changes in the Law, Report on the Implementation of the Convention Against Torture in the People’s Republic of China, April 2000, Article 4
- 52 China’s revised Criminal Procedure Law substitutes the crimes of ‘endangering state security,’ ‘subversion,’ and ‘attempts to overthrow the state’ for the prior crime of ‘counter-revolutionary’ activity. But in practice, ‘the underlying content of the law has remained intact and there is little evidence to suggestion that the move is anything more than an attempt to bring criminal definition in line with international norms.’ Id.at 6 (1999)
- 53 Ibid., at 7
- 54 Ibid., at 17
- 55 Human Right in Tibet, Asia Watch, February 1988, p.58
- 56 Ibid.
- 57 Amnesty International Report 1988, p.155
- 58 Ibid., p.169
- 59 *The Human Rights Situation in Tibet- An Overview*, Tibet Information Network (TIN), 27 May 1990
- 60 *TIN News Update*, 17 November 1989
- 61 *Cutting off the Serpent’s Head, Tightening Control in Tibet*, Tibet Information Network



- (TIN), Human Rights Watch Asia, p.9
- 62 Ibid.
- 63 "A Tibetan student arrested for posting leaflets containing freedom songs," *Human Rights Update*, TCHRD November 2000
- 64 Ibid.
- 65 *Human Rights and the Rule of Law*, International Commission of Jurists (ICJ), Tibet, 1997, p.248
- 66 Ibid.
- 67 "Special Rapporteur on Torture highlights challenges at end of visit to China," Press Release, 2 December 2005, available at <http://www.ohchr.org/English/issues/torture/rapporteur/index.htm>
- 68 "Ngawang Dolma: A voice behind bars," *Human Rights Update*, TCHRD, November 2000
- 69 Ven Palden Gyatso, a former political prisoner who spent 33 years in prison. He currently resides in Dharamsala, India. For further information refer to "The Autobiography of a Tibetan Monk" 1997 & "Fire Under the Snow" Harvill Press, February 2003
- 70 A monk from Gaden Monastery, Jampel Tsering served a five-year prison term in Drapchi Prison for leading a demonstration in Lhasa in 1989.
- 71 Elaine Scarry, *The Body in Pain: The Making and Unmaking of the World*, Oxford University Press, Oxford, 1985. According to Scarry, Pain cannot be shared nor can it be objectified and pain is difficult to verbalize and acute pain destroys language. This resistance to language is an essential attribute of pain. Not only is pain resistant to language, but also it destroys language itself.
- 72 Third Periodic Report, Para.63
- 73 Article 4 (1-2) of Convention Against Torture
- 74 Shar Bumpa Nunnery is popularly known as Shargon, located in Jangkar Township, Phenpo County, "TAR"
- 75 "Nunnery reconstruction leads to police confrontation: Dhamchoe Dolma testifies," *Human Rights Update*, TCHRD, March 2004
- 76 Drapchi 14 singing nuns: A group of fourteen singing nuns in Drapchi Prison clandestinely recorded songs expressing devotion to the Dalai Lama and messages to relatives, friends and Tibet supporters in a tape recorder smuggled into prison.
- 77 "Drapchi 14 Singing Nuns" testify torture in prison," *Human Rights Update*, TCHRD, November 2004
- 78 A senior teacher in Kardze County who was arrested on 25 October 1996 for conducting long life prayer for the Dalai Lama in Kardze, Sichuan Province.
- 79 "Horror account of a former political prisoner," *Human Rights Update*, TCHRD, February 2003
- 80 The Standard Minimum Rules for Treatment of Prisoners were adopted in 1955 by the First UN Congress on the Prevention of Crime and the Treatment of Offenders, and the UN Economic and Social Council. The Standards set out what is "generally accepted as being good principle and practice" in the treatment of prisoners. In 1971, the UN General Assembly called on member states to implement these rules and to incorporate them into national legislation.
- 81 "Relatives recover a corpse of a Tibetan Monk," *Human Rights Update*, TCHRD, February 2001
- 82 *Human Rights Update*, TCHRD, January 2002
- 83 "A Tibetan student arrested for posting leaflets containing freedom songs," *Human Rights Update*, TCHR, November 2000



- 84 "A nun driven to insanity under brutal and inhuman torture," *Human Rights Update*,  
TCHRD, July 2000
- 85 Jamyang Dhondup is from Yan Dzong Village, Cho Tsang Township, Lithang  
County, Kardze, "Tibetan Autonomous Prefecture" 'TAP'
- 86 "Persistent Political Prisoner," *Human Rights Update*, TCHRD, March 1999
- 87 Shungseb Nunnery is located in Chushul County, Lhasa Municipality, "TAR"
- 88 "Sentence increased for defying prison rules," *Human Rights Update*, TCHRD, March  
1999
- 89 Also known as Sangyip Prison, 3 km northeast of Jokhang Temple in Lhasa
- 90 "Testimony of a former political prisoner," *Human Rights Update*, TCHRD, February  
1999
- 91 Ngawang Dolma (layname Jampa) 28, was originally hailed from Phenpo Lhundup  
County, Melong Village, Jangkhari Township, Lhasa.
- 92 "Ngawang Dolma: A voice behind bars," *Human Rights Updates*, TCHRD,  
December 2000
- 93 Jigme Gyatso was originally from Gansu Province, "TAP"
- 94 "Jigme Gyatso and Lodro Gyatso tortured in Drapchi Prison," *Human Rights Update*,  
TCHRD, September 2000
- 95 Lhakpa Wangyal, was a native of Phayak Village, Drokey Township, Phenpo  
Lhundup County, Lhasa Municipality, "TAR"
- 96 "Imprisoned and tortured for voicing rights," *Human Rights Update*, TCHRD,  
February 1999
- 97 Lodroe Gyatso is from from Sog County in Nagchu Province, "TAR"
- 98 "Jigme Gyatso and Lodroe Gyatso tortured in Drapchi Prison," *Human Rights  
Update*, TCHRD, September 2000
- 99 "Profile of a current political prisoner," *Human Rights Update*, TCHRD, June 2003
- 100 Sonam Gonpo was originally from Uyak Township, Dzogang County, Chamdo  
Prefecture, "TAR" and he escaped to exile on 25 August 2000 after completing his  
two years prison sentence. He along with another monk named Soepa (ordained  
name Loden Thupten) were arrested for their involvement in having pasted political  
leaflets on the electric pole on the Chamdo Highways and later at the  
circumambulation road of Jampaling Monastery.
- 101 "Testimony of a political prisoner," *Human Rights Update*, TCHRD, August 2000
- 102 "Additional information on Drapchi Prison protest," *Human Rights Update*,  
TCHRD, May 2000
- 103 Gedun Gyatso was from born in Thonney Village, Chamdo County, Chamdo  
Prefecture, 'TAR'
- 104 "A former political prisoner on arrest, torture and maltreatment," *Human Rights  
Update*, TCHRD, November 2001
- 105 Ibid.
- 106 "Chilli fires and electric shocks force confession," *Human Rights Update*, TCHRD,  
February 2001
- 107 "A torture victim escapes after serving five year prison term," *Human Rights Update*,  
TCHRD, December 2002
- 108 "Three former political prisoners flee Tibet," *Human Rights Update*, TCHRD,  
October 2002
- 109 "Testimony of former political prisoner," *Human Rights Update*, TCHRD, December  
2003
- 110 "Torture and ill-treatment: Fear for safety," *Human Rights Update*, TCHRD, April  
2003



- 111 "Tibetans arrested at the Nepal-Tibet border serve imprisonment terms for possessing  
'incriminating' materials," *Human Rights Update*, TCHRD, July 2005
- 112 "Seven years term for pasting pro-independence posters," *Human Rights Update*,  
TCHRD, July 2005
- 113 "Former Political prisoner testifies torture and maltreatment in Drapchi Prison,"  
*Human Rights Update*, TCHRD, June 2005
- 114 "Testimony of Bhudruk the former political prisoner," *Human Rights Update*,  
TCHRD, April 2005
- 115 "China Free Ngawang Sangdrol," *Human Rights Update*, TCHRD, October 2002
- 116 "Testimony of a former political prisoner," *Human Rights Update*, TCHRD,  
December 2003
- 117 "Testimony of a juvenile political prisoner (Blood sucking)," *Human Rights Update*,  
TCHRD, February 2000
- 118 "Chilli fires and electric shocks force confession," *Human Rights Update*, TCHRD,  
February 2001
- 119 "Life in Prison," *Human Rights Update*, TCHRD, June 2000
- 120 "Former Political prisoner testifies torture and maltreatment in Drapchi Prison,"  
*Human Rights Update*, TCHRD, June 2005
- 121 A monk from Shershul County, Kardze Prefecture, Sichuan Province, "TAP" reached  
Nepal on 16 April 2005 after having served 15 years' prison sentence for participating  
in peaceful pro-independence demonstration in Lhasa
- 122 "Testimony of Bhudruk the former political prisoner," *Human Rights Update*,  
TCHRD, April 2005
- 123 "A nun driven to insanity under brutal and inhuman torture," *Human Rights Update*,  
TCHRD, July 2000
- 124 "Life in Drapchi Prison," *Human Rights Update*, TCHRD, June 2000
- 125 "Nun Confined in incommunicado detention for 22 months," *Human Rights Update*,  
TCHRD, January 2001
- 126 "Solitary confinement and imprisonment for posters," *Human Rights Update*,  
TCHRD, September 2000
- 127 "Choeying Kunsang Interview," *Human Rights Update*, TCHRD, 29 April 2000
- 128 Article 1 of CAT:  
1. For the purposes of this Convention, the term "torture" means any act by which  
severe pain or suffering, whether physical or mental, is intentionally inflicted on a  
person for such purposes as obtaining from him or a third person information or a  
confession, punishing him for an act he or a third person has committed or is  
suspected of having committed, or intimidating or coercing him or a third person,  
or for any reason based on discrimination of any kind, when such pain or suffering  
is inflicted by or at the instigation of or with the consent or acquiescence of a public  
official or other person acting in an official capacity. It does not include pain or  
suffering arising only from, inherent in or incidental to lawful sanctions.  
2. This article is without prejudice to any international instrument or national  
legislation which does or may contain provisions of wider application.
- 129 Article 247 of Criminal Law of PRC: "Judicial workers who extort a confession  
from criminal suspects or defendants by torture, or who use force to extract testimony  
from witnesses, are to be sentenced to three years or fewer in prison or put under  
criminal detention. Those causing injuries to others, physical disablement or death,  
are to be convicted and severely punished according to articles 234 and 232 of this  
law.



- 130 Article 248 of Criminal law of PRC: "supervisory and management personnel of prisons, detention centers, and other guard houses who beat or physically abuse their inmates, if the case is serious, are to be sentenced to three years or fewer in prison or put under criminal detention. If the case is especially serious, they are to be sentenced to three to 10 years in prison. Those causing injuries to injuries, physical disablement, or death, are to be convicted and severely punished according to article 234 and 232 of this law. Supervisory and management personnel who order inmates to beat or physically abuse other inmates are to be punished according to stipulations in the above paragraph."
- 131 Article 234 of Criminal Law of PRC: " whoever intentionally injures the person of another is to be sentenced to not more than three years of fixed term imprisonment, criminal detention, or control. Whoever commits the crime in the preceding paragraph and causes a person' serious injury is to be sentenced to not less than three years and not more than 10 years of fixed term imprisonment; if he causes a person's death or causes a person's serious deformity by badly injuring him with particularly ruthless means, he is to be sentenced to not less than 10 years of fixed term imprisonment, life imprisonment, or death. Where this law has other stipulations, matters are to be handled in accordance with such stipulations.
- 132 Article 238 of the Criminal Law of the PRC, "Whoever unlawfully detains another or deprives him of his freedom of the person by any other means is to be sentenced to not more than three years of fixed-term imprisonment, criminal detention, control, or deprivation of political rights. In circumstances where beating or humiliation are involved, a heavier punishment is to be given. Whoever commits one of the crimes in the preceding paragraph and causes a person's serious injury is to be sentenced to not less than three years and not more than 10 years of fixed term imprisonment; when he causes a person's death, he is to be sentenced to not less than 10 years of fixed-term imprisonment; when he causes a person disability or death by violent means, he is to be punished in according with the stipulations in Article 234 and Article 232 of this law. Whoever unlawfully detains or takes somebody into custody for the purpose of demanding the payment of a debt is to be given a punishment in accordance with the stipulations stated in the two preceding paragraphs. Where an employee of a state organ abuses his authority to commit any of the three aforementioned crimes, he is to receive a heavier punishment in accordance with the stipulations states in the three-proceeding paragraphs.
- 133 Article 232 of Criminal Law of the PRC: " Whoever intentionally kills another is to be sentenced to death, life imprisonment or not les than 10 years of fixed-term imprisonment; when the circumstances are relatively minor, he is to be sentenced to not less than three yeas and not more than 10 years of fixed-term imprisonment."
- 134 Administrative Supervision Law of the People's Republic of China, adopted and promulgated by the National People's Congress Standing Committee on 9 May 1997; Article 2 states' " Supervisory organs are organs of the People's government organs which exercise supervisory functions. In line with this law, they exercise supervision over state administrative organs, government functionaries, and other personnel appointed by state administrative organs.
- 135 Article 18 of Criminal Procedure Law (CPL)
- 136 "China cracks down on torture and forced confessions," *Xinhua*, 17 May 2005  
[http://english.people.com.cn/200505/17/eng20050517\\_185482.html](http://english.people.com.cn/200505/17/eng20050517_185482.html)
- 137 Third Periodic Report, para.7a
- 138 It include a Special Categories of suspects who may be detained without charge for up to 37 days (CPL Art.69); and b) those 'who do not tell their true name or address,



- whose status is unclear', for whom the time limits on detention start only from the time 'when their status is clarified' (CPL Art. 128 para.2)
- 139 *Hostile Elements: A Study of Political Imprisonment in Tibet* 1987-1998, Tibet Information Network, 1999, p.8
- 140 UN Special Rapporteur on Torture's Press Release after their visit to Tibet and China dated 2 December 2005 available at <http://www.ohchr.org/English/issues/torture/rapporteur/index.htm>
- 141 Article 43 of CPL
- 142 Article 15 of CAT; "Each State Party shall ensure that any statement which is established to have been made as a result of torture shall not be invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made."
- 143 "China cracks down on torture and forced confession," *People's Daily*, 17 May 2005, available at [http://english.people.com.cn/200505/17/eng20050517\\_185482.html](http://english.people.com.cn/200505/17/eng20050517_185482.html)
- 144 Ibid.
- 145 BMC International Health and Human Rights 2005, 9 November 2005. For further information contact Edward Mills on [millsej@mcmaster.ca](mailto:millsej@mcmaster.ca)
- 146 *Striking Hard: Torture in Tibet*, PHR, 1997, Boston. <http://www.phrusa.org/research/torture/tortib2.html>
- 147 "Refugee trauma versus torture trauma: a retrospective controlled cohort study of Tibetan refugees," Holtz TH. *J Nerv Ment Dis*, 1998;
- 148 Predisplacement and Post-displacement factors associated with mental health of refugees and internally displaced persons: a meta-analysis. Porter M and Haslam N. *Jama*, 2005; 294, pp.602-12. And prevalence of serious mental disorder in 7000 refugees resettled in western countries: a systematic review. Fazel M, Wheeler J, and Danesh J., *Lancet*, 2005;365: 1309-14.
- 149 "Top Chinese security official calls for tighter discipline of police," *Zhongguo Xinwen She News Agency*, Beijing, 19 June 2002, BBC Mon AS1 AsPol cdc, 20 June 2002.
- 150 "Special Rapporteur on Torture highlights challenges at the end of visit to China." UN Press Release, 2 December 2005.
- 151 Name of other nuns of Michungri Nunnery are Lobsang Dolma. Phuntsok Yankyi, Thinly Choezom and Lobsang Choedak, and a monk from Sera Monastery
- 152 Monk beaten to death for independence posters" Human Rights Update, TCHRD, December 2000



APPENDIX 1

## List of known prisons and detention centres in Tibet

“Tibet Autonomous Region” Prison or Drapchi Prison is the largest and the most notorious prison located in the north-east outskirts of Lhasa, Tibet’s capital. Believed to have been constructed in 1960, and directly administered by the “TAR” Law Enforcement Department, there are nine units in the prison. The 3rd and 5<sup>th</sup> units hold female and male political prisoners respectively while rests of the units house non-political prisoners. Due to overcrowding, the southern gate of Drapchi Prison was reportedly demolished and expansion work commenced in April 1998. Prisoners are mainly assigned to work at the vegetable farm, house constructions, tailoring, carpet weaving and mechanical repairs.



“TAR” Public Security Bureau (PSB) Detention Centre or Sangyip Prison is situated in the northern district of Lhasa City. It is believed to have been constructed in 1983. Sangyip has the capacity to hold approximately 70 inmates in its three cellblocks with 12 cells in each block. Those suspected of more serious political crimes, including organising protest or collecting politically sensitive information, are interrogated in this prison. Any prisoners from the “TAR” jurisdiction and with shorter prison terms are detained here, while long-term prisoners are transferred to other major prisons in “TAR”.





Lhasa City PSB Detention Centre or Gutsa Prison is located three km east of Lhasa, near the Kyichu River. Gutsa's main section holds prisoners who are "under investigation" or awaiting sentences. Most of its inmates have not been formally charged or given administrative sentences and many of them are reportedly forced to do manual labour such as breaking boulders. While Gutsa is predominantly for prisoners who are awaiting sentences, approximately one percent of prisoners are believed to be held here even after sentencing, generally for periods of up to one year.



"TAR re-education-through-labour camp" or Trisam Prison is under the jurisdiction of "TAR" Law Enforcement Department and situated 10 km west of Lhasa near the Toelung County Bridge. Trisam was opened in or around February 1992 and has since received many of the political prisoners from Sangyip, Outridu and Gutsa. Trisam has three units: the first for male political prisoners, the second for male criminals and the third for women prisoners, both political and criminal. At least eight cells at Trisam are reportedly used for solitary confinement. It acts as an "administrative detention centre" for juveniles and prisoners whose term does not exceed three years. Inmates at Trisam are known to perform hard labour.



Powo Tramo is formerly referred to as the "TAR" No.2 Prison. It is situated near the town of Tramo in Pome County, Nyingtri Prefecture (Ch. *Linzhi*), 500 km east of Lhasa. It is administered by the "TAR" authorities and is built for prisoners who have been sentenced to 10 years or more. It is one of the largest prisons





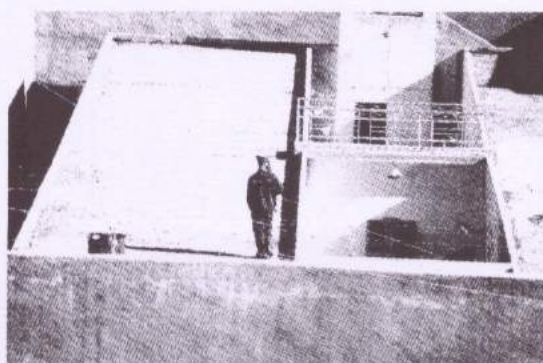
in the “TAR” with facilities for solitary confinement. Most prisoners here are subjected to hard labour such as felling trees and farm labour.

**Lhasa Prison (formerly known as Outridu)** may be the institution that the Chinese authorities described to the European Union’s Traoika as Lhasa Municipal Prison, during their visit in May 1998. It acts as a part of the “TAR” Law Enforcement Department. Solitary confinement cells used to punish prisoners have a space of six by three feet with no windows. Chinese authorities have already expanded the capacity of Lhasa Prison by building several new prison cells. There are currently four cellblocks. Lhasa Prison holds detainees who have been formally sentenced to less than five years. Most of them are subjected to hard labour such as breaking boulders and working on the prison’s vegetable farm.



**Tibetan Military Detention Centre** is administered by the PLA and has existed since 1959. Around 1992 it was moved to the Tsalgungthang area about 11 kilometres east of Lhasa. Some political prisoners are known to have been held there in 1999, but due to the expansion programme undertaken in other prisons it is uncertain whether more political detainees have subsequently been brought there. The centre now holds military prisoners.

**Prefecture Detention Centres (PDC)** are located at the administrative headquarters of each prefecture. There are six regions in the “TAR” besides Lhasa Municipality: Shigatse, Nagchu, Ngari, Lhoka, Kongpo-Nyingtri and Chamdo. These have “administrative detention” centres and *kanshuo suo* (detention centres for prisoners, who have not yet been sentenced). In addition, there are prisons at the county level, which are generally for prisoners who have not yet been sentenced. The Chinese authorities reported to









**Shigatse Nyari Detention Centre** is located about seven km north-west of Shigatse in the Nyari Valley, Shigatse County, "TAR". Both political and criminal prisoners are held here. Many of the political prisoners are Tibetans who have



visited India. They are detained for several months on their return to Tibet, accused of bringing political documents or tapes from India or Nepal. In 1997, Nyari Detention Centre consisted of five cellblocks, each of which held a different category of prisoners and had 10 cells. Prisoners are assigned to work in vegetable fields and to perform general farm labour. There are approximately 30 mu of fields and in addition there is a fruit farm on which the prisoners are made to work



## APPENDIX 2

## PRC's ratification of major international human rights laws

The PRC has ratified the following international treaties:

- Geneva Conventions (1956),
- Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (1981),
- International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) (1982),
- Genocide Convention (1983),
- Additional Protocol I and II to Geneva Conventions (1993),
- United Nations Convention on the Rights of the Child (CRC) (1992),
- International Covenant on Economic, Social and Cultural Rights (ICESCR) (2001)

The sincerity of Chinese authorities in the adoption of various international treaties has been frequently questioned, and the subsequent violation of the very treaties they purport to embrace and endorse, widely documented. The signing and/ or ratification of the numerous international instruments against torture was often felicitously timed to coincide with a heightened international concern with respect of Chinese human rights record.



## APPENDIX 3 KNOWN DEATHS AS A RESULT OF TORTURE FROM 1987-2004

NAME	AGE	SEX	ORIGIN	DATE OF DEATH	PROFESSION	SENTENCE TERM	PRISON	DIED IN CUSTODY OR AFTER RELEASE
1987								
Geshi Lobsang Wangchuk	73	M	Nagchu Prefecture	7/11/1987	Monk	10 +13 years	Drapchi	Died in custody
2 Gonpo Sonam	61	M	Gyantse County	23/12/1987	Lay	2+16 years	Drapchi	Died when released on medical treatment
3 Lobsang Dhonyoe	28	M	Shigatse County	00/10/1987	Monk			
4 Dawa	33	M	Lhasa	1/10/1987	Lay			
Lobsang Dolma	26	F	Shugseb Nunnery, Chusul County	17/5/1988	Nun	2 months	Gutsa Detention	Died after release
6 Lhakpa Dhondup	22	M	Lhasa	00/03/1988	Lay	7 months	Gutsa Detention	Died after release
7 Lobsang Choephel	21	M	Lhasa	5/3/1988	Lay		Detention Center	Died in custody
8 Lobsang Sonam	30	M	Lhasa	5/4/1988	Printing Press Staff			Died in hospital
9 Yeshi Lhundup	75	M	Lokha, Lokha Prefecture	18/12/1998	Lay	1 year		
10 Tashi Tsering	37	M	Nechung Monastery	00/00/1988	Monk			
11 Tashi Yeshi	22	M	Gaden Monastery, Taktse County	00/00/1988	Monk	2 years	Trisam Prison	Died after release
12 Tenzin Sherab	23	M	Lhasa	23/03/1988	Driver			
13 Yeshi Lhundrup		M	Lhasa	00/00/1988	Staff of TGIE		Sangyip Prison	Died after release
Chozed Tenpa Choephel	68	M	Lhasa	25/8/1989	Gardener		Sangyip Prison	Died in custody
15 Lobsang Khedrup		M	Lhasa	10/10/1989	Lay	1 year and 7 months	Gutsa Detention Center	Died after release
16 Migmar	30	M	Lhasa	00/00/1989	Lay		Setriu Prison	Died after release
17 Ngawang Zegan	27	M	Drepung Monastery, Lhasa	00/00/1989	Monk	Four months	Gutsa Detention Center	Died after release
18 Yeshi		M	Lhasa	22/08/1989	Lay	Three months	Gutsa Detention Center	Died after release



## Known deaths as a result of torture from 1987-2004

	NAME	AGE	SEX	ORIGIN	DATE OF DEATH	PROFESSION	SENTENCE TERM	PRISON	DIED IN CUSTODY OR AFTER RELEASE
	1990								
	Lhakpa Tsering	20	M	Lhasa, Kyi-Rae	15/12/1990	Student	3 years	Drapchi Prison	Died in custody
20	Nyima	25	F	Shugseb Nunnery, Gongkar County	00/06/1990	Nun	1 week	Lhasa PSB Detention Center	Died at home
	Jampa Gelek	26	M	Gaden Monastery, Meldrogungkar County	00/00/1991	Monk	Five months	Detention	Died after release
22	Tsamla	39	F	Lhasa	25/02/1991	Lay	2 years	Armed Chinese Soldier Office	Died in custody
	Rinzin Choeden a.k.a Kunsang Choekyi	24	F	Shugseb Nunnery, Chusul County	10/10/1992	Nun	1 week	Choshul County Prison	Died after release
24	Dawa Dhondup	32	M	Gyangtse County	00/00/1992	Lay	2 years	Sangyip Prison	Died after release
	Lhadar	25	M	Lithang Monastery	20/09/1993	Monk		Lithang District Prison	Died in custody
26	Tsenyi *	23	F	Lhasa	00/10/1993	News reporter		Seitru Prison	Suicide
	Phuntsok Yangkyi	20	F	Michungri Nunnery, Lhasa	4/6/1994	Nun	6 months + 5 years	Drapchi Prison	Died while released on medical treatment
28	Dawa Tsering a.k.a Kyema	28	M	Lhasa	14/05/1994	Lay	1 year	Sangyip Prison	Died after release
29	Lobsang Yonten a.k.a Tsasur shangla	65	M	Lhoka Gungkar	30/10/1994	Lay	23 year + 1year (rearrest)		Died in custody



Known deaths as a result of torture from 1987-2004

	NAME	AGE	SEX	ORIGIN	DATE OF DEATH	PROFESSION	SENTENCE TERM	PRISON	DIED IN CUSTODY OR AFTER RELEASE
	Gyaltsen Kalsang (lay name: Kalsang Dolma)	24	F	Garu Nunnery, Lhasa	20/02/1995	Nun	2 years	Gutsa Detention and Drapchi Prison	Died after release on medical parole
31	Kalsang Dawa *	29	M	Phenpo Lhundrup County	00/10/1995	Painter	2 and half years	Sangyip Prison	Died in custody
32	Ngawang Nyidron	21	F	Michungri Nunnery, Meldrogungkar	00/05/1995	Nun	3 years (labour camp)	Lhasa Detention Center	
33	Ngawang Yangchen	32	F	Tsamkhung Nunnery, Lhasa	00/08/1995	Nun	1 year + 3 years	PSB Detention/re-education through labour	Died after release
34	Sherab Ngawang	17	F	Michungri Nunnery, Lhasa	17/04/1995	Nun	3 years	Trisam Prison	Died after release
35	Sonam Tashi	53	F	Lhasa	00/00/1995	Carpenter	1 year		Died after release
36	Tashi Tsering	58	M	Shigatse County	17/01/1995	Lay	7 years	Drapchi Prison	Died after release
37	Choephel	20	M	Lithang Monastery, Kardze County	06/02/1995	Monk			Beaten to death in the detention centre
	Dorjee Khanghsiri	66	M	Chabcha (Qinghai)	00/08/1996	Lay			Died in hospital
39	Jamyang Thinley	25	M	Chamdo Monastery, Pomda County	00/00/1996	Monk	4 months	Chamdo Prison	Died after release
40	Kalsang Thutop (lay name: Bhagdro)	50	M	Drepung Monastery, Toelung Dechen County	00/06/1996	Monk	18 years	Drapchi Prison	Died in custody
41	Lhundrup Tendar *	66	M	Gaden Choeckhorling Monastery, Namling County	00/00/1996	Monk			Suicide
42	Passang	26	M	Dechen Sa Ngag Monastery, Takse County	17/12/1996	Monk	5 years	Drapchi Prison	Died in custody
43	Phurbu *		M	Dagyab Magon Monastery	00/00/1996	Monk			Suicide
44	Phurbu Tsering a.k.a Tingchue	36	M	Lhasa, Dranak Shol	7/2/1996	Lay		PSB Detention	Died after release
45	Sangye Tenphel	19	M	Khangmar Monastery, Damshung County	00/05/1996	Monk	4 years	Gutsa Detention	Died in custody
46	Thinlay Chodak	19	M	Kardze County	00/00/1996	Monk	3 years	Drapchi Prison	Died in custody



## Known deaths as a result of torture from 1987-2004

	NAME	AGE	SEX	ORIGIN	DATE OF DEATH	PROFESSION	SENTENCE TERM	PRISON	DIED IN CUSTODY OR AFTER RELEASE
	1997								
	Rigzin	61	M	Ngari Prefecture	11/2/1997	Lay	3 years	Ngari Prison	Died after release
48	Jamyang Thrinlay	28	M	Chamdo Moastery	00/01/1997	Monk		Chamdo Detention	Died in custody
49	Thekchok Tenphel *	27	M	Sakya Drupa Lhakhang, Sakya County	00/11/1997	Monk		Sakya County Prison	Died in custody (suicide in prison)
	Ven. Lobsang Tsundue a.k.a. Hor Largen	88	M	Drepung Monastery, Lhasa	00/12/1998	Monk			
51	Dickyi Yangzom (lay name: Druknyi Pema)	21	F	Nyenmo Dowa Choten Nunnery, Nyemo County	00/06/1998	Nun	4 years	Drapchi Prison	Died in custody
52	Geshe Choephel	71	M	Sungbraling Monastery,	24/09/1998	Monk	15 days Detained	Police Station	Died after release
53	Khedrup	26	M	Gaden Monastery, Meldrogungkar County	23/05/1998	Monk			Died in custody
54	Kundol Yonten	28	F	Jhagon Nunnery, Nyenmo County	00/06/1998	Nun			Died in custody
55	Lobsang Choephel* (lay name: Thinlay Phuntsok)	25	M	Khangmar Monastery, Damshung County	4/5/1998	Monk	4 years	Drapchi Prison	Died in custody
56	Ngawang Tenkyong (lay name: Lobsang Wangchuk)	26	M	Gaden Monastery, Taktse County	6/5/1998	Monk	10 years	Drapchi Prison	Died in custody (suicide in prison)
57	Lobsang Wangmo (lay name: Tsamchoe Dolkar)	31	F	Dokdhe Nyenga Nunnery, Phenpo County	00/06/1998	Nun	5 years	Drapchi Prison	Died in custody
58	Ngawang Dekyi	25	F	Potoe Nunnery, Phenpo County	21/08/1998	Nun	6 years	Gutsa Detention Center	Died in custody
59	Tashi Lhamo	24	F	Jhagon Nunnery,	00/06/1998	Nun	4 years	Drapchi Prison	Died in military hospital
60	Tenpa Phulchung	62	M	Lhasa	29/11/1998	Lay	4 years + 7 years	Sangyip Prison and Trimok Prison	Died after release
61	Tenzin Yeshi (lay name: Yeshi Samten)	24	M	Gaden Monastery, Taktse County	12/5/1998	Monk	2 years	Trisam Prison	Died after release
62	Tsultrim Sangmo (lay name: Choekyi)	25	F	Shar Bumpa Nunnery, Phenpo	00/06/1998	Nun	5 years	Drapchi Prison	Died in custody



KNOWN DEATHS AS A RESULT OF TORTURE FROM 1987-2004

	NAME	AGE	SEX	ORIGIN	DATE OF DEATH	PROFESSION	SENTENCE TERM	PRISON	DIED IN CUSTODY OR AFTER RELEASE
	1999								
	Sonam Wangdue a.k.a Shugden	44	M	Lhasa	8/4/1999	Lay	Life imprisonment	Drapchi Prison	Died after release on medical parole
64	Lekshe Tsoglam	21	M	Phenpo Nalanda Monastery	00/04/1999	Monk		Gutsa Dention Center	Died after release
65	Ngawang Jinpa (layname: Lobsang Dawa)	35	M	Gaden Monastery, Phenpo Lhundrup County	20/04/1999	Monk	12 years	Drapchi Prison	Died in custody
66	Norbu	21	M	Nalanda Monastery, Phenpo Lhundrup County	00/03/1999	Monk	1 year	Gutsa Dention Center	Died after release
67	Phuntsok	60	M	Lhasa	00/09/1999	Lay	2 years	Drapchi Prison	Died after release
68	Tashi Tsering *	39	M	Lhasa Nyangrae	00/02/1999	Lay	1 month in hospital		Died in hospital
	Lobsang Sherab (Lay name: Norbu)	30	M	Sera Monastery, Nakartse County, Lhoka "TAP"	20/10/2000	Monk	3 years +4 months	PSB Detention/ Gutsa Prison	Died after release
70	Penpa	40	M	Lhasa Tsukiakhang, Gyantse County	00/02/2000	Monk	3 years	Lhasa/Outridu Prison	Died after release on medical parole
71	"Shol" Dawa	60	M	Lhasa Shol	19/11/2000	Tailor	9 years + 2 years	Drapchi Prison	Died in custody
72	Sonam Rinchen	27	M	Medrolgungkar County	00/01/2000	Lay	15 years	Drapchi Prison	Died in custody
73	Tsering Wangdrak	45	M	Kardze County	4/6/2000	Lay	4 years		Died in custody
	Tsultrim Topgyal		M	Khimshi Township, Gongkar County, Lokhar	00/08/2001	Monk	5 years	Drapchi Prison	Died after release
75	Namgyal Tashi	66	M	Lhasa	20/08/2001	Lay	8 years	Drapchi Prison	Died at home
76	Ngawang Lochoe	28	M	Toelung Dechen County	5/2/2001	Nun	10 years	Drapchi Prison	Died in custody
77	Saru Dawa	27	M	Ngaba County	9/1/2001	Monk			Died in custody
78	Tseta Marong		M	Thandong Township, Tenchen County, Chamdo	18/07/2001	Lay			



## Known deaths as a result of torture from 1987-2004

NAME	AGE	SEX	ORIGIN	DATE OF DEATH	PROFESSION	SENTENCE TERM	PRISON	DIED IN CUSTODY OR AFTER RELEASE
2002								
Lobsang Dhargay	40	M	Rabgya Monastery, Machen County, Golog "TAP"	19/11/2002	Monk	16 years +2 and half years	Golhok Prison	Died in Reformed Labour Camp
80	65	M	Lhoka	17/05/2002	Monk	20 years	Pawo Trimok Prison	Died at home
81	72	M	Taktse County	16/01/2002	Monk	20 years + 10 years	Drapchi Prison	Died at home
82	28	F	Chutsang Nunnery, Dranang County, Lhoka Prefecture	00/00/2002	Nun	4 years	Drapchi Prison	Died at home
Lobsang Damchoe	62	M	Gyantse County	31/01/2003	Monk	20 years (labour camp) + 5 years	Gutsa Prison	Died after release
84	29	M	Tawu Nyitso Monastery, Tawu County	1/10/2003	Monk	9 years	Tawu County Prison	Died at home
85	74	M	Shigatse	8/9/2003	Lay		Nyari Prison	Died in custody
86	65	M	Lhasa	15/01/2003	Lay	10 years + 10 years	Drapchi Prison/Sangyip Prison	Died at home after being released on medical parole
Rinzin Wangyal	59	M	Lhasa	00/00/2004	Lay	Life imprisonment	Pawo Trimok Prison	Died in custody
88	67	M	Lhasa Tsemonling	22/02/2004	Lay	3 years and four month + 3 years	Gutsa Dentention Centor/Trisam Labour camp	Died at home

\* Tibetans who have committed suicide either in custody or after release due to intolerable torture or torture trauma



## APPENDIX 4

Glossary of Terms and Abbreviation

- “TAP” “Tibet Autonomous Prefecture” (Tib. *Bod rang skyong khul*); There are 10 of these administrative areas (below the level of a province or region) created outside “TAR” by the Chinese authorities, located in northern and eastern Tibet (in the Tibetan provinces of Kham and Amdo)
- “TAR” “Tibet Autonomous Region” (Tib. *Bod rang kyong lljongs*, Ch. *xizang Zizique*); Formally created by China in 1965, this area of central and western Tibet, covering the area of west of the Yangtse River and south of the Kunlun Mountains, is the only area recognized by China as being “Tibet”
- Barkhor (Tib) The old Tibetan quarter and market area around the Jokhang Temple in Lhasa. In Tibetan it literally means the “middle circuit” or central circumambulation
- Cadre (Tib. *le che pa*, Ch. *gan bu*) Technically applies to staff of the Chinese Government administration; also referred to those working on official projects or in state enterprises
- CAT United Nations Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
- CCP (Ch. *Zhon Guo Gong Chan Dang*) Chinese Communist Party; founded in July 1921
- CEDAW United Nations Convention on the Elimination of All Forms of Discrimination Against Women



- Circumambulation** A religious ritual circling clockwise around a holy place in order to accumulate merit
- County** (Tib. *dzong*, Ch. *xian*) The Middle level administrative unit equivalent to district
- CPL** Criminal Procedure Law; the revised CPL came into effect on 1 January 1997
- CPPCC** Chinese People's Political Consultative Congress
- Cultural Revolution** (Tib. *rigs-nas-gsar-brje*); The campaign initiated in 1966 by Mao Zedong in order to regain control of the Communist Party by ordering the youth to "bombard the headquarters" (purge opponents within the Party) and to eradicate the "four olds" (old ideas, old culture, old customs and old habits). The Chinese authorities no describe it as "Ten Bad Years", referring to the entire period of 1966 to 1979.
- Detention Centre** (Tib. *lta srung khang*, Ch. *kanshoushuo*) Place where prisoners are held without charge prior to sentencing
- DMC** (Tib. *u-yon lhan khang*, Ch. *we yuan hi*) Democratic Management Committee; Administrative organs established in 1962 in religious institutions in Tibet and reconstructed under the 1996 "patriotic re-education" campaign
- Drapchi prison** Officially known as "Tibet Autonomous Region" Prison
- Endangering State Security** Charge introduced in the revised CPL to replace "counter-revolutionary"
- Floating population** (Ch. *liudong renkou*) Term used to refer to Chinese migrants who are unregistered permanent and temporary residents in Tibet
- Geshe (Tib)** Spiritual title and doctorate; monk or lama who has completed the highest course in



	metaphysics and other academic monastic studies in the Gelugpa school
Guanxi (Ch)	Literally, "connection"; colloquially a connection to officialdom to acquire preferential treatment
Gyama (Tib)	Unit of measurement equivalent to 500 grams
Gyama (Tib)	Unit of measurement equivalent to 500 grams
Hukou (Ch)	Household Registration card
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
Khenpo (Tib)	Literally abbot. In Nyingma and Kagyu tradition of Tibetan Buddhism, Khenpo is analogous to the Geshe degree
Lama (Tib)	The Tibetan term for a respected religious teacher, equivalent to the Sanskrit term guru. A lama is not necessarily a monk, although monasticism is preferred for all lamas in the Gelugpa School. Chinese politicians use the term incorrectly to refer to any monk
Mu (Tib)	A measure of land equal to 67 square meters
NPC	National People's Congress
PAP	People's Armed Police
Patriotic re-education	Initiated in 1996 in Tibet's monasteries and nunneries, "patriotic re-education" campaign was designed to purge the influence of the Dalai Lama, to indoctrinate the monks and nuns with political ideology and to crack-down on dissent activities.
Potala Palace	Official winter residence of the Dalai Lama in Lhasa
PRC	People's Republic of China



- Prefecture** (Tib. *sa khul*, Ch. *diqu*) The administrative area below the level of province or region and above the level of a county
- Procuracy** (Tib. *zhib chu*, Ch. *jian chayan*) A Chinese judicial agency responsible for investigating and prosecuting criminal cases. It also handles complaints against police, prison officials and other branches of the administration
- Prostrate** Buddhist practice of lying face down before any sacred body
- PSB** (Tib. *schide chus*, Ch. *Gong An Ju*) Public Security Bureau, local level police force responsible for detaining and arresting suspects and for pre-trial custody
- Re-education** Indoctrination of Chinese Communist ideology and national unity; carried out extensively in religious institutions and labour camps in Tibet
- Rukhag (Tib)** One small unit within a prison, village, school, or military etc
- Saga Dawa (Tib)** The month of Buddha's birth, Enlightenment and Death
- Splittism** (Tib. *Khadral ringlugs*) Party term for the movement for Tibetan independence or any nationalist sentiments
- Strike Hard** (Tib. *dungdek tsanen*, Ch. *yanda*) A PRC campaign targeted at crushing corruption and crime. Within Tibet, Chinese authorities are aiming the campaign at "splittists"
- Tsampa (Tib)** Roasted barley flour
- Tsongkhul (Tib)** Detention Area
- Tsuglhakhang (Tib)** Central Cathedral in Lhasa
- UNWGAD** United Nations Working Group on Arbitrary Detention



**Work Team**

(Tib. *las don ru khag*, Ch. *gongzuo dui*) Specially formed units of government personnel sent to conduct "patriotic re-education" in an institution or locality

**Yartsa Gunbu (Tib)**

A Tibetan medicinal plant (Botanical name *cordyceps sinensis*)

**Yuan (Ch)**

Chinese currency (8 Yuan is equivalent to 1 dollar.)





**Tibetan Centre for  
Human Rights and Democracy**

Top Floor, Narthang Building  
Gangchen Kyishong  
Dharamsala, (H.P)  
176215, India

Telefax: +91 1892 223363 / 225874  
E-mail: [dsala@tchrd.org](mailto:dsala@tchrd.org)  
Web site: [www.tchrd.org](http://www.tchrd.org)



This special report evaluates torture in Chinese-occupied Tibet and elucidates various torture methods employed by the PRC on political prisoners and detainees at prisons, detention centers and labor camps across Tibet. It further provides a detailed list of known deaths of Tibetan political prisoners while in custody and after release since 1987. The report also assesses the PRC's compliance with the convention concerning torture and provides recommendation to check torture.

The UN Special Rapporteur on Torture, Dr. Manfred Nowak, after his visit to China, Tibet and Xinjiang Autonomous Region from November 20 to 2nd December 2005, highlighted "*that the practice of torture, though on the decline - particularly in urban areas - remains widespread in China.*" Dr. Nowak made a series of harsh observations about the lack of conformity of the PRC with the UN Convention against Torture, which the PRC was one of the first nations to sign in 1998.

The practice of torture, cruel, inhuman and degrading treatment continues on a wide scale in prisons, detention centers and labor camps throughout Tibet. A consistent and systematic pattern of torture used against political prisoners has been well established: most dissidents are beaten during arrest and initial detention and torture is incorporated with the intensive interrogation process in order to extract confessions. The prevalence of torture in many ways the result of a tyrannical system that aggressively crush any form of prevalence of a culture of impunity for the perpetrator of the torture at all levels of government and insufficient legal rights.