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Sonam Tsering

Lhasa Court sentences one Tibetan to death and five to lengthy prison terms

Lhasa Intermediate People's Court sentenced a Tibetan, Sonam Tsering, to death with two years reprieve and five other Tibetans to lengthy imprisonment terms between 3 to 7 years in prison for secretly hiding him from the law enforcement agencies.

On 25 May 2010 the Lhasa Intermediate People's Court sentenced Sonam Tsering to death with two years reprieve under article 289 and 263 and the other five Tibetans (Tashi Choedon, Kelyon, Yeshe Tsomo, Tayang, Tsewang Gyurme) to imprisonment terms between 3 to 7 years under Article 310 of the Criminal Law of the People's Republic of China according to Lhasa Evening News (http://www.lasa-eveningnews.com.cn/epaper/uniflows/html/2010/05/25/02/02_41.htm). The official media reported that Sonam was charged of rioting and inciting the public to riot on 14 March 2008. He undertook leadership role in inciting hundreds of people in rioting by setting cars and shops on fire and overturning police vehicles. He wielded knife in the air and loudly shouted anti government slogans atop a police vehicle. A damage of around 40 million Yuan has been done due to the rioting. The other five Tibetans were charged of secretly hiding him by providing a hiding place to a wanted criminal and

providing him help in escaping overseas.

Sonam Tsering, 23 years old, was born to Tsering Samdup (father) and Yangkyi (mother) in a semi nomadic family in Rachap Township, Payul County, Kardze "Tibetan Autonomous Prefecture", Sichuan. In late 2007 Sonam arrived in Lhasa on pilgrimage and stayed back. When popular protest broke out in Lhasa in March 2008, he took active participation in it. Sonam was arrested in mid October 2009, 17 months after the Uprising in Lhasa.

With the passing of death sentence on Sonam Tsering, a total of seven Tibetans have been given the capital punishment and two actually executed. Around 450 Tibetans have been given various imprisonment terms for their participation in the pan-Tibet spring uprising against the government of People's Republic of China. The spontaneous protest by the Tibetans in venting out a built up resentment over decades of flawed policies by the government has been dealt with iron-fisted crackdown by the government and its various law enforcement and judicial agencies. The government and its propaganda department have been repeatedly painting the popular Tibetan uprising with an image of criminal activities to the international community.

China arrest six monks in early morning raids in Jomda

Four monks of Wara Monastery in Thangpu Township, Jomda County (Ch: Jiangda xian) in Chamdo Prefecture, “Tibet Autonomous Region” (“TAR”) were arrested on 15 May under suspicion of leading and instigating protest at the county headquarters in Spring 2008 and two other official monks of the same monastery were arrested on Sunday for their failure to ‘educate’ the monks under ‘Patriotic education’ campaign, according to

whom the PSB officials were looking for could not be traced in the monastery and was later arrested from his home. All the four monks were students of Buddhist philosophy at Wara Buddhist College that comes under Wara Monastery. The four monks are currently detained at Jomda County PSB Detention Centre.

On 16 May (Sunday) morning, the PSB officials came again to Wara Monastery and detained two senior monks: Sonam Gonpo a.k.a Soegon,

leader, the Dalai Lama”. According to sources, many of the Wara Monastery’s monks were in the forefront during the 2008 protests in Jomda County when they were blocked by the People’s Armed Police (PAP) from advancing towards the main county market to proceed with their protest.

At the beginning of this year, a novice monk, Jamyang Palden, 14, was detained twice and released after undergoing torture to extract confession for his role in 2008 protest at Jomda. He was detained for more than a week on both occasions at the Jomda County PSB Detention Centre. Similarly, Gyaltsen, 16, was also detained under suspicion of pasting and distributing by the late Panchen Lama to Tibetans during the 2008 protest. He was released after a week of interrogation at the PSB detention centre.

TCHRD condemns in strongest terms over the arbitrary detention of Wara monks. The Centre calls upon the Chinese authorities to immediately and unconditionally release the detained monks and guarantee in all circumstances the physical and psychological integrity of detained monks. The Chinese authorities should put an end to all acts of harassment against the monks so that they are able to carry out their religious studies without hindrances.



A partial panoramic view of Wara Monastery

confirmed information received by the Tibetan Centre for Human Rights and Democracy (TCHRD).

A total of six monks of Wara Monastery were arrested during early morning raids carried out by scores of Chinese Public Security Bureau (PSB) officials at the monks’ residence on Saturday and Sunday.

On 15 May (Saturday), Thinley, 25, and Nangsey, 27, were arrested from their room whereas Soegon, 26, was arrested for sounding alarm on the arrival of PSB into the monastery. Kelsang Gyurmey, 29,

40, and Tagyal, 29. The duos were known to have been arrested for their failure to “educate” the monks of the monastery under “Patriotic education” campaign launched at the beginning of April 2008. There is no information on where the two monks are currently held.

On 3 April 2008, monks of Wara Monastery in Jomda County confronted and challenged the “work team” from carrying out ‘patriotic education’ campaign by saying ‘even at the cost of our lives we will never defame and denounce our religious

Chinese police open fire on Tibetan protesters in Labrang

According to reliable information received by the Tibetan Centre for Human Rights and Democracy on 17 May 2010, Chinese police opened fire into a crowd unarmed protesters against a cement factory which local Tibetans accuse of polluting the local environment and obstructing their religious sentiment.



Cement Factory, Labrang, (photo: ICT)

Local Tibetans from 7 villages have jointly signed a petition stating their disappointment over the pollution caused by 'Amdo Cement Factory' in Madang Township, Xiahe County (Labrang) in the traditional Tibetan province of Amdo, Gannan "Tibet Autonomous Prefecture", Gansu Province. They have also claimed that location of the factory is built on a site of religious significance.

According to the reports, local Tibetans from village were rebuilding the road leading to Yarshul (Ch: Yaxiu) village which had been made inaccessible from a road blocked by the Chinese authorities to expand the factory. There for tension rose higher among local Tibetans and authorities after the road was built by the villagers.

The cadres from Madang Township and police officers warned them to cease the construction of road and also the head of the County asked them to withdraw from the site threatening to take action if they didn't allow the factory's vehicles to pass.

Although villagers started to withdraw from the site according to the 15 minutes warning, but the police opened fire, according to source.

China renews mining operation in Markham County

On 15 May 2010, China renews mining operations on a mountain called Ser Ngul Lo in Markham County, Chamdo Prefecture, Tibet Autonomous Region (TAR), where Chinese mining operation was halted last year due to strong opposition by the local Tibetans according to the confirmed information received by Tibetan Centre for Human Rights and Democracy (TCHRD).

More than a thousand of villagers in Markham County have renewed protests against mining operation on mountain, despite heavy military presence in the area.

According to sources, at least five protesters, including two women, were injured during the demonstration as Chinese military forces beat up and used tear gas to disperse the large crowd. One of the protesters among five, attempted to kill himself with a broken bottle, a source said.

According to the same sources, it will be very difficult to prevent the mining as there are already about five thousand troops deployed in Tsongshen and more reinforcements are expected.

In May 2010, Four Tibetan businessmen and a monk from Markham were kept in a detention Centre in Lhasa, and eight others were detained in the Sichuan provincial capital, Chengdu, during their journey to petition according to sources.

"All of those detained were Tibetan businessmen and leading figures who successfully blocked the Chinese mining company in 2009," source said.



The view of Ser Ngul Lo, Markham County (photo: RFA)

At least 13 Tibetans were reportedly detained on the same day when the TAR ordered the mining company to resume its activities in the three major sites in Markham, according the sources.

China introduced a new rule to prevent printing and photocopying services in Lhasa

Authorities in the Tibet capital Lhasa have introduced new rule to restrict access to printing and photocopying services which was announced at the meeting of the management of the city's reprography sector held on 10 May 2010, according to the Lhasa Evening News report.

The new rules laid down by the Chinese government are as follows:

- 1 The operators of printing and photocopying businesses must be checked by the police and relevant authorities, and each and every computer users must have permanent residence in the city or they should have acquired temporary residence.
- 2 The operators are required to have real-name registration system.
- 3 Those who use the services to reproduce printed or written materials will have to show their ID cards and their names, address and ID numbers which are registered.
- 4 The number of copies made should be taken down.
- 5 Police is required to check out the qualification of operators and regularly examine the effectiveness of the new measures being implemented. In case such operators are found to be involved in illegal

activities will shut down their business and he must take responsibilities their business will be shut down and they must take responsibility in accordance with the law, according to the China Daily reported.

According to the deputy police chief of the Lhasa police bureau as per his statement at the press conference after the March 14 uprising in Lhasa in 2008, Tibetan separatists constantly printed and photo copied banners and pamphlets with illegal content which were used during the demonstrations in Lhasa.

Chinese authorities arrested Paljor Norbu, an 81-year-old Tibetan traditional printer under the allegation of printing "prohibited materials," including the banned Tibetan National flag and other things after the six month long major anti-government unrest in the Tibetan capital, Lhasa, in March 2008.

In November that same year, Paljor was sentenced to seven years in prison without public announcement and his current whereabouts are unknown to his family and relatives.

Two Tibetans arrested in Sertha for protest

On 16 May 2010, Chinese police arrested two Tibetans in Sertha County, Kardze Tibet Autonomous Prefecture, Sichuan Province after protests in the County, according to confirmed information received by the Tibetan Centre for Human Rights and Democracy (TCHRD).

Kalden and Sonam of Khekor Village, Sertha County were arrested by the police after protests took place calling for "Human Rights in Tibet" and the swift return of the exile Tibetan leader Dalai Lama to Tibet. On the same day, they pasted leaflets on walls in the street with written demands and also threw leaflets in the air.

The two Tibetan arrestees are currently kept in the County detention Center.

Their family members and relatives attempted to visit them but failed to do so as authorities refused their requests.

A Tibetan teacher sentenced to 15 years in Nagchu

According to the report on site of Department of Information and International Relation (DIIR), Central Tibetan Administration (CTA), in May 2010 a Tibetan woman teacher was arrested from her room in the staff quarters where she was teaching voluntarily in a School in the nomad areas she was take from her residence in the middle of the night by the Chinese secret service after her face was covered with a red cloth. Chinese secret service secretly took her to Samye Detention Centre, Lhasa, after ransacking her entire house and they didn't explain the reason of her sudden arrest to her relatives.

Mrs. Lhamo Kyab was sentenced to 15 year imprisonment with accusation of actively involving in the unrest in Tibet in 2008, by Lhasa People's Intermediate Court where she was denied her right to a fair trial.

Mrs. Lhamo Kyab was born to Mr. Dhondup, in a family of Nyenpa Tsang. She was educated at the Nagchu Primary and Middle School. She finished her Teacher Training course in Nagchu Teacher Training Centre. She was a senior teacher in Nagchu Primary School and taught Tibetan and Chinese language and Mathematics for more than 25 years in the School from 1982. She retired from her job in 2007. The local people respected her dedication in life to preserve Tibetan culture and identity. She was very popular among Tibetans in Nagchu County because of her enthusiasm and dedication in preserving Tibetan culture.

China bans evidence from torture in the Detention Centre

China has stated that evidence obtained through torture or duress is illegal and inadmissible in court after a convicted murderer was set free because his victim turned out to be alive.

Chinese government issued two set of procedures - the first covers evidence in cases subject to the death penalty, and the second rules on evidence obtained under duress in all criminal cases.

The new regulations posted on the central government's website, made it clear that evidence with unclear origins, confessions obtained through torture, and testimony acquired through violence and threats are invalid.

"Since the system was not perfect, the standards on reinforcing the law were not unified and the law executors were not equally competent. Problems occurred in the handling of cases and they should not be ignored," according to a statement on the website.

The regulation was released jointly by the Supreme People's Court, Supreme People's Procuratorate, the Ministry of Public Security, the Ministry of State Security and the Ministry of Justice.

The new regulation includes how death penalty cases should be reviewed including a rule that illegally obtained should be invalid.

Second rule pertains to guidelines on how evidences should be obtained in criminal cases, which explicitly bans the use of force or intimidation on defendants and witness.

The rulings are very important for death penalty cases where a flawed system has led to the death of several criminal suspects by torture in detention centres.

Chinese officials were so embarrassed in the case of Zhao Zuohai, 57, who was put in jail for 11 years for murder of a man who was not even dead. He says, he was beaten until he confessed.

Chinese authorities arrested three police officer, who accused of torturing Zhao and the chief justice who presided over the case was suspended until further investigation.

Legal expert Zhao Bingzhi told the state-run China Daily that it was the first time a "systematic and clear regulation" had been given on the issue.

"Previously we could only infer from abstract laws that illegal evidence is not allowed. But in reality, in many cases, such evidence was considered valid," he said.

"This is big progress, both for the legal system and for better protection of human rights. It will help reduce the number of executions."

"The issue of illegally obtained evidence has long been a controversial one in China and now they made a big step forward in this respect," said Fan Yu, a law professor at Renmin University Law School who specializes in the judicial system.



TCHRD ACTIVITIES

Bulletin

Talk series on the 2011 elections

The Tibetan community in exile braces two important elections in 2011. The Tibetan people will elect its new Kalon Tripa (Prime Minister)

Parliamentarians. Additionally three separate educational posters themed on the elections were

produced to maximise the outreach in the illiterate population.

The Executive Director, Mr. Urgen Tenzin, and the Assistant Director, Mr. Jampa Monlam, kick started the talk series in Mcleod Ganj, Dharamsala, on 21 March 2010. On 24 March 2010, the Tibetans in Darjeeling, West India, were given a talk at the Tibetan Self Help Handicraft Centre. On 28 and 29 March, talks were delivered to the Tibetan residents in Kalimpong and Gangtok. The central India Tibetan settlements in Orissa, Bandara and Mainpat were covered on 3rd, 8th and 11th April 2010. Tibetan settlements in South India namely Kollegal, Hunsur, Bylakuppe and Mundgod were visited on 16th, 18th, 20th and 26th April 2010 respectively.



Local people reading centre's poster

and parliamentarians to the 15th Tibetan-Parliament-in-Exile (TPIE). In light of this important landmark in Tibetan democracy, the Tibetan Centre for Human Right and Democracy (TCHRD) conducted a talk series in eleven major Tibetan settlements in India between 21 March – 26 April 2010.

In order to reach maximum audience with a clear-cut message of significance of the impending elections, the Centre produced separate educational booklets in Tibetan language about the election of Kalon Tripa and the 15th TPIE



Bylakuppe, South India



An audience ask question during the talk serie



Gangtok



Mundgod

Around 2000 Tibetans attended the talks in the various settlements. The residents in these far flung settlements also got the opportunity to learn firsthand about the human rights situation in Tibet through the visiting TCHRD executives. The audience in the settlements raised many pertinent questions on the elections especially technical questions surrounding the elections. The Centre wishes to thank all the people who offered their generous help in organisation and logistics in making the talk series a success.

Talk at Orientation Program

On 7 May 2010, Mr. Jampa Monlam, Assistant Director was invited by Higher Tibetan Scholarship Committee to give a talk on current human rights situation in Tibet to a group of Tibetan students who have been selected for further study in Universities of the U.S. under the guidance of Department of Education (CTA), at Lhapka Tsering Hall Department of Information and International Relations (DIIR).

Later he answered all the pertinent questions raised by the Tibetan students.

15 years Incommunicado detention of Panchen Lama

On 17 May 2010, Mr. Jampa Monlam, gave detail account on current human rights situation in Tibet in front of a large crowd of Tibetans gathered during for 15 years incommunicado detention of 11th Panchen Lama Gendun Choekyi Nyima at the main Temple (Tsulakhang). The event was organized by the Tibetan Youth Congress based in Dharamsala.

VOT Panel Descussion

On 25 May 2010, Mr. Jampa Monlam, Assistant Director, was invited as a speaker during panel discussion on current human rights situation in Tibet, organized by the Voice of Tibet (VOT) at Hall of Library of Tibetan Work and Archive (LTWA), Gangchen Kyishong, Dharamsala.

Centre address on workshop

Mr. Jampa Monlam, Assistant Director, was invited to speak on current human rights situation in Tibet to a group of Tibetan college students who attended the workshop at staff mess Hall, Gangchen Kyishong, Dharamsala on 27 May 2010, organized by Tibetan Parliament and Policy Search Centre.

Talk at Leadership Training Programme

Mr. Tenzin Norgay, Personnel for UN Affairs, delivered a talk on the UN human rights mechanisms and the quest of Tibet in the United Nations to a group of Tibetan college students on 25 May 2010. The students who numbered around 60 had come from various universities in India to attend a leadership training programme in Dharamsala organized by the Delhi based Tibetan Parliamentary and Policy Research Centre. Mr. Norgay presented the United Nations and its charter and treaty based human rights protection system to the students. He also talked in depth about Tibet's quest at the UN presenting a historical account as well as the current strategies. At the end of the session he fielded numerous questions from the students who were interested to learn the status of Panchen Lama's case in the UN, philosophical debate between importance of civil and political rights as compared to economic, social and cultural rights, China's role in the UN etc.

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The Tibetan Centre for Human Rights and Democracy (TCHRD) is an independent centre which aims to promote and protect human rights and a democratic polity for Tibet. It attempts to educate Tibetans on human rights principles and to work with other human rights and democracy groups as part of a worldwide movement towards these ends. TCHRD is registered under the Indian Societies Registration Act 21 of 1860 in 1996.

If you would like to subscribe to TCHRD's monthly Human Rights update or to order one of our publications, please send your name and postal details (including e-mail) to our office.

Partial list of TCHRD publications:

•The Next Generation: *The State of Education in Tibet Today* (1997) • Behind Bars: *Prison Conditions in Tibet* (1998) • Closing the Doors: *Religious Repression in Tibet* (1998) • *Convention on the Rights of the Child* (Tibetan Translation) (1998) • *Democracy: An Education Booklet* (1998) • Fearless Voices: *Accounts of Tibetan Former Political Prisoners* (1998) • *Human Rights: An Education Booklet* (1998) • *A Guide to Human Rights* (1999) • *A guide to Democracy* (1999) • *Tales of Terror: Torture in Tibet* (1999) • *Briefing paper for travellers to Tibet* (1999) • *Torture and Ill-Treatment in Tibet* (2000) • *Racial Discrimination in Tibet* (2000) • *Impoverishing Tibetans: China's flawed economic policy* (2000) • *Destruction of Serthar Institute: A Special Report (2002)* • *Dispossessed: Land and Housing Rights in Tibet* (2002) • *Strike hard Campaign: China's crackdown on political dissidence* (2004) • *State of education in Tibet: A human rights perspective* (2004) • *Kuxing: Torture in Tibet* (2005) • *Death Penalty in China* (2005) • *International Bill of Human Rights* (2005) • *TCHRD 1996-2006: A Decade of Human Rights Research* • *Railway and China's Development Strategy in Tibet: A Tale of Two Economies* • *Prisoners of Tibet* • *Annual Report: Human Rights Situation in Tibet (1996 - 2008)* • *Uprising in Tibetan 2008* • *Briefing paper for travellers to Tibet*

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Human Rights begin with you. Your concern and participation make a difference. Your support could instill faith and hope in those who have been stripped of their human dignity.

Join hands with TCHRD BECOME A MEMBER

Your benefits and responsibilities

✓ You'll receive free of cost our Human Rights update

- ✓ All our publications will be sent for free upon request
- ✓ You'll receive a membership card
- ✓ You can join our campaigns
- ✓ Annual membership fee:
Rs. 100/- for members within India
US\$ 20/- for student members outside India
US\$ 40/- for non-student members outside India

Please e-mail us at office@tchrd.org or write to us on our postal address for further information.