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TIBETAN CENTRE FOR HUMAN RIGHTS AND DEMOCRACY

**TIBETAN
CENTRE FOR
HUMAN
RIGHTS AND
DEMOCRACY**

Attn: WGAD

Date: 28 November 2006

To: The Chairperson-Rapporteur :

Of: Working Group on Arbitrary Detention

Fax number: 41 22 917 9006

**From: Tibetan Centre for Human Rights
and Democracy**

Number of pages (incl. cover sheet): 10 pages

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Message:

To,

The Working Group on Arbitrary Detention
Office of the High Commissioner for Human Rights,
United Nations Office at Geneva,
8-14 avenue de la Paix, 1211 Geneva 10,
Switzerland

Dear Chairperson-Rapporteur of the WGAD,

With due respect, the Tibetan Centre for Human Rights and Democracy (TCHRD) based in India seeks urgent intervention by the WGAD on the imprisonment of a former Tibetan political prisoner, Mr. Sonam Gyalpo, 44, to 12 years prison term.

TCHRD first highlighted the case in September 2005 when he

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was arrested by the Chinese State Security Bureau(SSB) on 28 August 2005 few days ahead of the festivities marking the 40th anniversary of the Tibet Autonomous Region (TAR) which began on 1 September 2005. During a house ransack by the SSB officers, videotapes containing teachings of the Dalai Lama, political literatures and pictures of the Dalai Lama were discovered in his house. He has been initially detained at Sitru Detention Centre for few months and is currently known to be imprisoned in Chushul (Ch:Qushui) Prison to serve a 12 year imprisonment verdict passed by the Lhasa Intermediate People's Court.

Mr. Sonam was first arrested on 27 September 1987, with 21 monks from Drepung Monastery, during a peaceful demonstration in Lhasa. He was then charged of "Counter-revolutionary" activities and served three years term in the notorious Drapchi Prison in Lhasa. Upon the completion of his term on 20 September 1990, he was released, however, was detained for six months on two occasions on suspicion of political activities.

TCHRD deems the imprisonment of Mr. Sonam Gyalpo to be arbitrary in light of the evidences and charges levied against him. The Centre seeks the kind intervention of the WGAD on his case.

Please find attached a picture, press release by TCHRD on 24 Nov 2006, press release by TCHRD on 9 Sept 2005, a prisoner profile that appeared in the September 2005 issue of the Centre's Human Rights Update Newsletter and a completed questionnaire of the WGAD.

Thank you so much.

Sincerely,

Tenzin Norgay
Personnel for U.N Affairs

Tibetan Centre for Human Rights and Democracy (TCHRD)

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The following appeared in the Tibetan Centre for Human Rights and Democracy's Human Rights Update news letter in September 2005. At the time of publishing the following information, Sonam Gyalpo's whereabouts were unknown.

http://tchrd.org/publications/hr_updates/2005/hr200509.html#arrested

Tibetan arrested prior to the 40th founding anniversary of the "TAR", whereabouts unknown

Sonam Gyalpo, 43, a tailor by profession was arrested by officers from the Chinese secret service agency (Ch: Ang jang jue) on 28 August 2005. His arrest came about a few days prior to the celebration of the 40th anniversary of the founding of the so-called "Tibet Autonomous Region" ("TAR") on 1 September 2005.

The authorities in Tibet have intensified vigil on the Tibetans with political incidents background and have launched the summer 2005 "Strike Hard" campaign to round up all those suspected of disrupting the celebration.

Around 6 pm in the evening of 28 August 2005, when Sonam Gyalpo and his wife, Tsamchoe, returned home after closing the stall, 16 officials from the secret service were waiting for them. Sonam was asked to sign a document, however, when he tried to make inquiries about it, the official told him that they have received orders from the higher authorities to arrest him. Immediately after he signed the document, four officers took him away in a jeep and the 12 other officers began to ransack his house. After a massive search by overturning every item in the house including rice and flour containers, slicing butter slabs, the officers discovered "incriminating materials" in the house. Four videotapes containing teachings of the Dalai Lama, few political literatures and pictures of the Dalai Lama were found in his house. After being led away by the secret service officers, the whereabouts of Sonam Gyalpo remain unknown.

Background Information

Sonam took active participation in a popular demonstration initiated by 21 monks from Drepung Monastery in Lhasa on 27 September 1987. He was charged of "counter-revolutionary" activities and sentenced to three years imprisonment in Drapchi Prison.

After his release from prison on 20 September 1990, he made a visit to India. On 23 July 1993, Lhasa Public Security Bureau officials came to his home and led him away to Sitru Detention Centre where he was detained for a few days. The officials then secretly transferred him to Shigatse Nyari Detention Centre, about 260 kms away from Lhasa, for further interrogations. After six months of detention in Shigatse Detention Centre, he was brought back to Sangyip Prison ("TAR" PSB Detention Centre) in Lhasa where he was further detained for six months.

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TIBETAN CENTRE FOR HUMAN RIGHTS AND DEMOCRACY

Press Release

Contact person: Tenzin Norgay (English)
Jampa Monlam (Tibetan)

24 November 2006
TCHRD/Eng/PR/180/2006

Former Tibetan political prisoner served with 12 years prison term

Lhasa Intermediate People's Court sentenced Sonam Gyalpo, 44, to twelve years in jail on charges of "endangering state security", according to confirmed information received by the Tibetan Centre for Human Rights and Democracy (TCHRD). He is currently imprisoned at Chushul (Ch: Qushui) Prison located in the west of Lhasa City.

Prior to the sentencing, which reportedly took place around mid 2006, he was held in detention at Sitru Detention Centre ("TAR" PSB Detention Centre). Sonam's family appealed to the High Court to reconsider the sentence but to no avail.

In September last year, Chinese authorities in Tibet celebrated the 40th founding anniversary of the so-called "Tibet Autonomous Region" ("TAR") with much pomp and glamour. In the run up to the event, Tibetans with political incident backgrounds were rounded up for detention, investigation and expulsion from Lhasa to ensure a smooth celebration. Chinese secret service (Ch: Ang jang jue) officers ransacked houses of Tibetan suspects deemed to be carrying out political activities during the event. Reportedly the officers discovered "incriminating" evidence in Sonam's home in the form of four videotapes containing teachings of the Dalai Lama, few political literatures and pictures of the Dalai Lama. After being led away by the secret service officers on 28 August 2005, whereabouts of Sonam remained unknown until the latest information about him being imprisoned in Chushul Prison.

Being a fervent nationalist, he took active participation in a popular demonstration initiated by 21 Drepung Monastery monks on 27 September 1987 in Lhasa. He was then charged of "counter-revolutionary" activities and imprisoned for three years in the notorious Drapchi Prison. Thereafter, in 1993 he was detained for a period of one year in Shigatse Nyari Detention Centre and Sangyip Prison in Lhasa serving six months detention in both.

TCHRD urges the government of "TAR" to release Sonam Gyalpo immediately and to stop violating fundamental human rights of the Tibetans. The Centre calls upon the Chairperson-Rapporteur of the UN Working Group on Arbitrary Detention to intervene upon the unlawful imprisonment of Sonam Gyalpo.

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TIBETAN CENTRE FOR HUMAN RIGHTS AND DEMOCRACY

Following is the press release by the Tibetan Centre for Human Rights and Democracy on the arrest of Sonam Gyalpo on 28 August 2005, a few days ahead of the 40th Founding Anniversary of "Tibet Autonomous Region".
<http://tchrd.org/press/2005/pr20050909.html>

Press Release

Contact person: Tenzin Norgay (English)
Jampa Monlam (Tibetan)

9 September 2006

China intensifies control in Lhasa during the 40th Founding Anniversary of "Tibet Autonomous Region"

The authorities of the People's Republic of China (PRC) stepped up a close vigil and control in Lhasa, Tibet's capital city, and some other parts of Tibet prior to the 40th founding anniversary of the "Tibet Autonomous Region" ("TAR") on 1 September 2006. The celebration was marked by repressive crackdowns, increased vigil and preventive measures to ensure a smooth and hassle free event and also to propagate an image of a "happy, modern and prosperous Tibet". These measures have resulted in violation of fundamental human rights of Tibetans in Tibet.

On 28 August 2005, Chinese security officials arrested Sonam Gyalpo, a former political prisoner, from his home in Lhasa. There is no information available about his place of detention. The 43 year-old hails from Lhoka region in Tibet. He was one of the 21 monks from Drepung Monastery who participated in the peaceful pro-independence demonstration on 27 September 1987. Sonam served three years in Drapchi Prison then.

The PRC authorities have over riding paranoia about maintaining stability in the region. Hence, in order to avert upheavals by Tibetan people during major celebrations and events, Chinese authorities embark on various precautionary measures including heighten vigilance, closer supervision of suspected individuals and former political prisoners, even resorting to arbitrary arrest and detention. Tibetans with background in political activities are specially being taken away from Lhasa city and interrogated. The family members are made to stand as witness that the individual will not carry out any untoward political activities. All these have created an atmosphere of fear in different parts of Tibet.

On 22 July 2005, the "TAR" Anti-separatist Committee and the Security Bureau Committee launched the "Summer Strike Hard" Campaign to prevent any outbreak of political incident that might undermine the celebration of the 40th founding anniversary of "TAR". The individuals with political activism record and ex-political prisoners as well as criminal prisoners were the chief targets of the Campaign.

According to a report published in the Tibet Daily Newspaper of the China Tibet Information Centre says that the combined effort of the Tibet Affairs Bureau and Security Bureau Committee have enabled the "Strike Hard"

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TIBETAN CENTRE FOR HUMAN RIGHTS AND DEMOCRACY

Campaign to be carried out in the entire region of "TAR". The article also stressed need for a good discipline and conduct from the Tibetan people.

According to a report published in the Tibet Daily Newspaper of the China Tibet Information Centre says that the combined effort of the Tibet Affairs Bureau and Security Bureau Committee have enabled the "Strike Hard" Campaign to be carried out in the entire region of "TAR". The article also stressed need for a good discipline and conduct from the Tibetan people.

On 14 August 2005, a big Military Exercise drill code named "Task Force 05" started in Lhasa to deal with sudden outbreak of untoward incidents. The security wings that participated in the exercise were officers from Lhasa Security Bureau, People's Armed Police and National Security Departments. Important leaders such as Yang Chuangtang, Secretary of "TAR" and the Chairman of 'security and stability' committee made speeches calling for more efforts from the people in achieving a long period of 'Peace and Stability' in Tibet.

Again on 18 August 2005, the stationed security personnel of Lhasa Security Bureau conducted a 'Motivation' meeting and asked the security personnel to put extra effort to avert political incidents during the celebration. The senior officials directed security personnel to consider the celebration as an important political responsibility, not a mere maintenance of stability and security.

On 31 July 2005, the Lhasa City People's Municipality forcibly picked up beggars from Lhasa streets and returned them to their native hometowns in order to "clean up the environment of Lhasa city". Also tourist and visitors in Lhasa city have to report themselves to the Lhasa Security Bureau office along with their host starting from the first week of the July. The hosts are made to promise their accountability and responsibility for the guests. The regulation and control over monasteries in the surrounding areas of Lhasa city are intensified more than it had been in the past. Tibetans are also barred from going to Lhasa city for circumambulation during the morning, day and evening. In the Sera Monastery, from the first week of July extra number of Chinese Government officials arrived at the monastery and resumed "patriotic re-education" campaign in the monastery.

In Lhasa city, the Security Bureau personnel and People's Armed Police (PAP) have taken a round the clock vigilance of the streets. All the roads and check posts are checked and monitored 24 hours a day. The security police officers of the locality maintain a tight vigil and control of their region and barred Tibetans in the surrounding areas to go to Lhasa city on the day of celebration. There is an immense restriction on the freedom of movement.

The Chinese Government continues to deprive and violate the fundamental human rights of the Tibetan people. Under such circumstances, Tibetan people live under an atmosphere of fear, tension and deprivation of political freedom. The 40th founding anniversary of the so-called "Tibet Autonomous Region" is celebrated amidst restriction and control by authorities of People's Republic of China.

*****End Text*****

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TIBETAN CENTRE FOR HUMAN RIGHTS AND DEMOCRACY

**MODEL QUESTIONNAIRE TO BE COMPLETED BY PERSONS ALLEGING
ARBITRARY ARREST OR DETENTION ^{7/}**

I. IDENTITY

1. Family name:N.A.....
2. First name:**Sonam Gyalpo**.....
3. Sex: (**Male**)
4. Birth date or age (at the time of detention):**43 years old**.....
5. Nationality/Nationalities:.....**Tibetan**.....
6. (a) Identity document (if any): NA.....
(b) Issued by: NA.....
(c) On (date):NA.....
(d) No.: NA.....
7. Profession and/or activity (if believed to be relevant to the arrest/detention):
- **At the time of arrest, Sonam was a tailor by profession. (not relevant to arrest)**
8. Address of usual residence:
.....**Lhasa, "Tibet Autonomous Region", China**.....

II. Arrest ^{8/}

1. Date of arrest:.....**28 August 2005**.....

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TIBETAN CENTRE FOR HUMAN RIGHTS AND DEMOCRACY

2. Place of arrest (as detailed as possible):

.....Around 6 pm in the evening of 28 August 28 2005, when Sonam Gyalpo and his wife returned home after closing the stall, 16 officials from the secret service were waiting for them. Sonam was asked to sign a document, however, when he tried to make inquiries about it, the official told him that they have received orders from the higher authorities to arrest him. Immediately after he signed the document, four officers took him away in a jeep and the 12 other officers began to ransack his house. After a massive search by overturning every item in the house including rice and flour containers, slicing butter slabs, the officers discovered "incriminating materials" in the house. Four videotapes containing teachings of the Dalai Lama, few political literatures and pictures of the Dalai Lama were found in his house.....

3. Forces who carried out the arrest or are believed to have carried it out:

.....Chinese secret service (*Ch: Ang jang jue*) officers

4. Did they show a warrant or other decision by a public authority?

NA

5. Authority who issued the warrant or decision:

...Lhasa Intermediate People's Court sentenced Sonam to 12 years prison term...

6. Relevant legislation applied (if known):

.....Endangering State Security...(charges of "Espionage").....

III. Detention ^{8/}

1. Date of detention:28 August 2005.....

2. Duration of detention (if not known, probable duration): **Around Nine months**.....

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TIBETAN CENTRE FOR HUMAN RIGHTS AND DEMOCRACY

3. Forces holding the detainee under custody:

.....**Chushul prison (Chinese: Qushui prison) officers**.....

4. Places of detention (indicate any transfer and present place of detention):

.....**first detained at Seitru ("TAR" Public Security Bureau Detention Centre. Currently imprisoned at Chushul (Ch: Qushui) Prison to the west of Lhasa City, Tibet...**

5. Authorities that ordered the detention:

.....**Lhasa Intermediate People's Court**.....

6. Reasons for the detention imputed by the authorities:

.....**He was first detained as part of the "Summer Strike Hard" Campaign by the Chinese authorities to ensure smooth celebration of the 40th founding anniversary of the "TAR". The campaign was aimed at Tibetans with political incident backgrounds and were rounded up for interrogations and detention.**

7. Relevant legislation applied (if known):

.....**"Charged of "Espionage" under "Endangering State Security" for possessing videotapes containing teachings of the Dalai Lama, political literatures relating to Tibetan nationalism and still pictures of the Dalai Lama**.....

IV. Describe the circumstances of the arrest and/or the detention and indicate precise reasons why you consider the arrest or detention to be arbitrary ^{9/}

.....**Around 6 pm in the evening of 28 August 28 2005, when Sonam Gyalpo and his wife, Tsamchoe, returned home after closing their tailoring stall, 16 officials from the secret service were waiting for them. Sonam was asked to sign a document, however, when he tried to make inquiries about it, the official told him that they have received orders from the higher authorities to arrest him (not known who they were referring to). Immediately after he signed the document, four officers took him away in a jeep and the 12 other officers began to ransack his house. After a massive search by overturning every item in the house including rice and flour containers, slicing butter slabs, the officers discovered**

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"incriminating materials" in the house. Four video tapes containing teachings of the Dalai Lama, few political literatures and pictures of the Dalai Lama were found in his house. The discovered items were banned in Chinese occupied Tibet and hence anyone in possession of it faces official rebuke for colluding with the so-called "Dalai Clique" and engaging in "Separatist Movement". Every individual has the right to his or her opinion of belief and faith. The Dalai Lama is looked upon by the Tibetans as their temporal and spiritual leader. The Chinese authorities linking such a belief to be engaging in the so-called "separatist movement" and charging one of "Endangering State Security" is in violation of human rights of the Tibetan people.....

V. Indicate internal steps, including domestic remedies, taken especially with the legal and administrative authorities, particularly for the purpose of establishing the detention and, as appropriate, their results or the reasons why such steps or remedies were ineffective or why they were not taken

.....In the aftermath of arrest, Sonam's wife, Mrs. Tsamchoe, desperately searched for her husband. However, she was not able to meet him for months. She first met him at Seitru Detention Centre after months of search. On her second visit she was told that he has been transferred to Chushul (Ch:Qushui) Prison to serve 12 years prison term. Till date she has not been able to meet him in the aforementioned prison.....

VI. Full name and address of the person(s) submitting the information (telephone and fax number, if possible) ^{10/}

Mr. Tenzin Norgay

Personnel for U.N Affairs

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Date: ...27 September 2006.....Signature: 

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