

TCHRD Request

I. Identity of the person arrested or detained

1. Family name: none
2. First name: **Jigme** Second name: **Gyatso**
3. Other name: none
4. Birth date or age (at the time of detention): 35 years old
5. Nationality/Nationalities: Tibetan
6. a) Identity document (if any): none
b) Issued by:
c) On (date):
d) No.:
7. Profession and / or activities: Monk
8. Sex: Male
9. Address of usual residence: Vartha Village, Kansu Tibetan Autonomous Prefecture, Kansu Province

II. Arrest

1. Date of Arrest: 30 March 1996
2. Place of arrest: Tsongla Yangzom restaurant, Lhasa
3. Forces who carried out the arrest or are believed to have carried it out: Public Security Bureau Officials of Lhasa city.
4. Did they show a warrant or other decisions by a public authority? Yes
5. Authority who issued the warrant or decision: Office of the Procurator, Lhasa.
6. Relevant legislation applied (if known): not known

III. Detention

1. Date of detention: 30 March 1996
2. Duration of detention: 15 year sentence
3. Forces holding the detainee under custody: For first day and a night by the anti-riot department, Lhasa, and for a year in Gutsa detention centre by the Public Security Bureau officials and thirdly in Drapchi prison, to serve out the rest of his term
4. Places of detention: Anti-riot department, Gutsa and Drapchi prison.
5. Authority that ordered the detention: Intermediate People's Court of Lhasa
6. Reasons for the detention imputed by the authorities: Charges of disseminating counter-revolutionary propaganda, incitement and having illegally formed the organisation called Association of Tibetan Freedom Movement
7. Relevant legislation applied (if known): not known

IV. Describe the circumstances of the arrest and / or the detention and indicate precise reason why you consider the arrest or detention to be arbitrary

Jigme Gyatso visited India to receive Kalachakra empowerment from His Holiness the Dalai Lama. He later joined Gaden Monastery in 1987. From that time, Jigme became

involved in pro-independence activities. He distributed independence leaflets and pasted wall posters around Gaden Monastery and nearby Lhasa city. Sometime in 1988-1989, Jigme Gyatso led a group of young friends who formed a secret youth organisation named the Association of Tibetan Freedom Movement. In 1992 Jigme led one of the major demonstrations that took place in Lhasa. Many of the demonstrators were arrested and detained by the Public Security Bureau and the officials of the anti-riot department. Jigme was not arrested at the time, although officials of the PSB suspected he was involved in the demonstration and kept him under strict vigilance. Jigme was then compelled to leave the monastery, as he was unable to bear the situation.

After the arrest of Samdup Tsering a fellow member of the Association of Tibetan Freedom Movement on 2nd July 1993, an arrest warrant was issued for Jigme Gyatso. The authorities continued to search for Jigme Gyatso until he was actually arrested on 30th March 1996 from Tsongla Yangzom restaurant in Lhasa by the People's Armed Police and Public Security Bureau officials. Jigme was immediately taken to the anti-riot department (Tib: Ngandon Nyentok Rukhag) in Lhasa for one day and night.

Throughout that time he was ill treated and tortured while being interrogated. The following day, Jigme was taken to Gutsa Detention Centre and detained for one year until March 1997. Jigme was formally tried in May 1997 and subsequently given a 15 year sentence on charges of disseminating counter-revolutionary propaganda, incitement and having illegally formed the organisation, Association of Tibetan Freedom Movement. Three months after sentencing, Jigme was transferred to Drapchi prison, where his visitation rights have been entirely denied. According to the source, who visited Drapchi, Jigme's head was covered with a bandage, and Jigme was heard to say he was slightly jaundiced. After the protest in Drapchi prison in May 1998, Jigme was placed in solitary confinement. His current health condition is a serious concern.

We believe this arrest and detention to be arbitrary because it was based on Jigme's exercise of his human rights as delineated in the Universal Declaration of Human Rights (UDHR). We also believe that the sentence he received is not in accordance with his so-called crimes. The arrest and detention of Jigme Gyatso is contrary to Art. 19 of the UDHR and Art. 19 of the International Covenant on Civil and Political Rights concerning the exercise of the freedom of opinion and expression. It also violates Art. 20 of the Universal Declaration of Human Rights and Art. 22 of the International Covenant on Civil and Political Rights concerning the exercise of the freedom of association, including trade unions.

V. The reasons given by the authorities for the arrest and / or the deprivation of liberty

Jigme was convicted on charges of disseminating counter-revolutionary propaganda, incitement and having illegally formed the organisation, the Association of Tibetan Freedom Movement.