HUMAN RIGHTS update

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TIBETAN CENTRE FOR HUMAN RIGHTS AND DEMOCRACY

JANUARY 2004 VOLUME IX NUMBER1

Executive Summary of Annual Report 2003: Human Rights Situation in Tibet

Foreword

The year 2003 opened on a note of great promise for Tibet. A new generation of Chinese leaders – largely technocrats with business backgrounds - formally took over the country's helm in March 2003, with Hu Jintao as the new President. This, coupled with the Dalai Lama's envoys' visit to China for a second time in less than a year, and China's growing participation in international affairs - necessitating obligations to international codes of conduct, especially on human rights - raised hopes among the international community, and Tibetans that a softer China policy on Tibet would bring about and a new beginning for the people of Tibet.

However, this was not to be. Throughout 2003, measures aimed at strengthening the rule of law and judicial institutions continued to be undermined by political campaigns against those suspected of opposing the Beijing government. Serious restrictions and repressions of the rights to freedom of expression, association and religion occurred. Arbitrary detention and imprisonment, unfair trials, torture and ill-treatment and execution saw no let up. Threats to nationalism, state security and social stability were used to justify crackdowns on the Tibetan people.

The execution of a Tibetan, Lobsang Dhondup, on 26 January and the sentencing to death of Trulku Tenzin Delek, a highly respected lama, saw the re-emergence of China's hardline approach towards Tibet. The extension of the 2001 "strike hard" campaign in July for a third consecutive year gave continued legitimacy for the authorities to crackdown on activities deemed "splittist" or "endangering state security". Tibetans continued to be at the receiving end of these broad and ambiguous reasons for detentions that China refuses to interpret.

For the Tibetans in Tibet, the closed-door trial, the death sentences and the immediate execution came as a frightening message reminding them of China's potential for brutality. The nature of the trial and its proceedings left monitors in doubt over the fairness of the judicial process. This cast a shadow over progress in other areas that China claimed to be making. The sudden manner in which the execution was carried out by the Chinese authorities despite its assurances to the US, EU, and the international community for a lengthy judicial process, indicates that China will always follow its own agenda.

The Tibetan Centre for Human Rights and Democracy (TCHRD) strongly condemns China's use of the term "state secrets" in its revised 1996 Criminal Procedure Law (CPL). The term is used as justification for denying suspects access to lawyers during the investigation stage. The CPL also grants enormous power to the police to detain suspected persons. A glaring example of the CPL failing to protect critical procedural rights for criminal suspects and defendants was the blatant denial in of independent legal counsel to Trulku Tenzin Delek by Sichuan Province People's Court on the grounds that the case involved "state secrets". It also explained the discrimination against "politically disadvantaged" defendants.

"The Chinese authorities have failed to explain publicly why the case is considered to be connected to state secrets, and the evidence used to convict him remains unclear". Amnesty International Report : People's Republic of China: Miscarriage of Justice? The trial of Tenzin Deleg Rinpoche and related arrests, October 2003.

China is paranoid about the influence of Tibetan Buddhism. The Dalai Lama's continuing charisma is seen as a uniting force for Tibetans and a potential threat to the unity of the motherland. This fear is apparent in the control measures taken by the authorities to totally undermine religious studies and activities. Examples of some of the control measures are, the prohibition of display of the Dalai Lama's portrait, closure of schools that are suspected to be teaching "splittist ideologies", constant interference by the authorities in the religious and administrative affairs of monasteries and nunneries and the "patriotic re-education" of monks and nuns that teaches loyalty to the state above religion. These restrictions are in total contradiction to China's own national constitution that guarantees freedom of religion and its practice.

Promises made by China during the year at bilateral and multilateral meetings on human rights simply ended in disappointment. In effect, these promises were simply tactics by China to buy time to deflect criticism. In August, the Bush administration accused China of

backsliding on its commitments on human rights that were made in December 2002, which persuaded the US not to pursue a resolution condemning Beijing at the United Nations Commission on Human Rights forum in Geneva in March/April 2003.

"there were definitely promises made and they have not kept them. It's not just abouthuman rights at this point. The question being raised now is, "How much can we trust commitments that are made by the Chinese?", said John Kamm, a human rights activist in San Francisco, who monitors the PRC.

Beijing's preference for bi-lateral discussions is simply aimed to halt public condemnation of its human rights record at multilateral forums when bilateral diplomacy necessitates a commitment on the part of those negotiating to set up measures of accountability, transparency, and repercussions for noncompliance.

"Until now the EU has been held hostage to China's insistence on mutual respect and non-confrontation on human rights issues, locked in a formal 'human rights dialogue' that has produced no relief for the victims of human rights abuse in China, but in a mature relationship all parties recognize that the relationship has to achieve results", according to Dick Oosting, Director of Amnesty International, EU Office, Brussels.

China boasts of its huge investments and mammoth development projects in Tibet. It is customary that any development project must advocate the people's right to self-determination including control over use of their land and natural resources. However, in Tibet, the Tibetans are excluded from consultation or effective participation. The urban development projects in Tibet are meant to consolidate China's economic and political control over Tibet. The resultant influx of tens of thousands of Chinese settlers have further denied the Tibetan people their livelihood. TCHRD views the current development projects in Tibet to be assimilationist in nature. The acceleration of these projects will finally complete the cultural genocide of the Tibetan people.

In March 2003, China released a new policy document on Tibet entitled *Ecological Improvement and Environmental Protection of Tibet.* The paper defends the PRC's development plans for Tibet stating that it attaches great importance to the environmental protection of the land. However critics, including the Tibetan people, are skeptical over the ambitious projects and dismiss the report as propaganda, saying that in reality the economic development of Tibet is damaging the environment. Beijing dismissed the critics by saying that environmental concerns should not check economic development.

"Although public statements single out environmental priorities, in reality they come way behind strategic and economic concerns." Kate Saunders, Tibet Specialist.

Beijing's paper on *National Minorities Policy and Its Practices in China,* 2002, strongly opposes ethnic discrimination or oppression of any form and purports to respect and protect the freedom of religious belief of ethnic minorities and the use and development of spoken and written languages of ethnic minorities. Tibetans are labelled an "ethnic minority" by China.

Despite the policy, Tibetans continue to be discriminated against. Beijing's intolerance towards the Tibetans' practice of religion, and the closure of Tibetan schools which promote indigenous religion, culture, and written and spoken language, breaches its own policies as well as the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) which China signed in 31 March 1996, and ratified in 29 December 1981.

In May 2003, 18 fleeing Tibetan refugees were forcefully deported back to Tibet by Nepal at China's behest. Amnesty International in its press release on 2 June, 2003 called the forcible return of Tibetans to China unacceptable and states

"This operation was carried out in blatant disregard for international human rights and refugee law standards", and *"We fear that these people could be at risk of torture or other serious human rights violations and are calling on the Chinese authorities to provide immediate guarantees for their safety."*

In November the Chinese Ambassador to Nepal, Sun Heping, announced that his country will stop the future inflow of Tibetan refugees, calling them "illegal immigrants". These measures will seriously hinder the freedom of movement of the Tibetan people in the future. With stepping up of restrictions over the borders it is feared that more Tibetans will be caught and arrested.

TCHRD views steps taken by the Chinese government to control the right of freedom of movement of the Tibetan people beyond their borders as also being a direct attempt to curtail the free flow of information to the outside world.

China's Minister of Information, Wang Xudong, presenting a speech at The World Summit on the Information Society in Geneva on 10 December 2003, did not make a single mention of his country's lack of - or the need to improve- - the right to freedom of information, freedom of speech and or expression. Instead he spoke on development as the basis for building an information society. A clear demonstration of China deflecting attention from real issues.

Receiving and imparting information, exchanging ideas and opinions and discussing them are vital for change and improvement in any society. Conversely, in China several laws and regulations have been introduced since, 1993 that seek to curb the use of information technology. Amnesty International report : "The PRC: State Control of the Internet in Chin 2002, states that as many as 33 people have been detained for using the internet to circulate or download information.

In Tibet the use of internet by Tibetans remains low compared to their Mainland Chinese counterparts; this could be partially attributed to the low education and literacy rate in Tibet. Nonetheless, control of other avenues of information, such as jamming of radio and television, remain in place. During the year many Tibetans received lengthy sentences for providing information to the outside world.

profile **POLITICAL PRISONERS**

This is a regular section profiling political prisoners currently imprisoned in Tibet

A Tibetan teacher sentenced to five years' imprisonment term

Nyima Tsering, 65, was born in Gyantse County, Shigatse Prefecture, Tibet Autonomous Region ("TAR").

Early in life, Nyima became a monk at Shinae (zhi gnes) Monastery in the county. Apart from Buddhist spiritual teachings, he learnt Tibetan grammar and poetry. He became well versed at Tibetan language due to his sheer enthusiasm and hard work.

In the 1970s, Nyima began to teach at a goverment school in Dunshang Township. The students loved and respected him immensely.

During the time Nyima met his wife and they had two sons and a daughter. In 1985, Nyima's wife died and the whole household responsibilities fell on his shoulder. Yet, he taught the students whole heartedly and never compromised on his students enthusiasm for wisdom.

Nyima was later transfered to a school in the county. He continued to teach Tibetan language and imparted moral education and Buddhist ethics to his students. Nyima became a respected teacher in the county and his students were good at studies and well mannered.

In 2001, after twenty years of service as a teacher Nyima reached retirement age. But his retirement was postponed and he continued to teach.

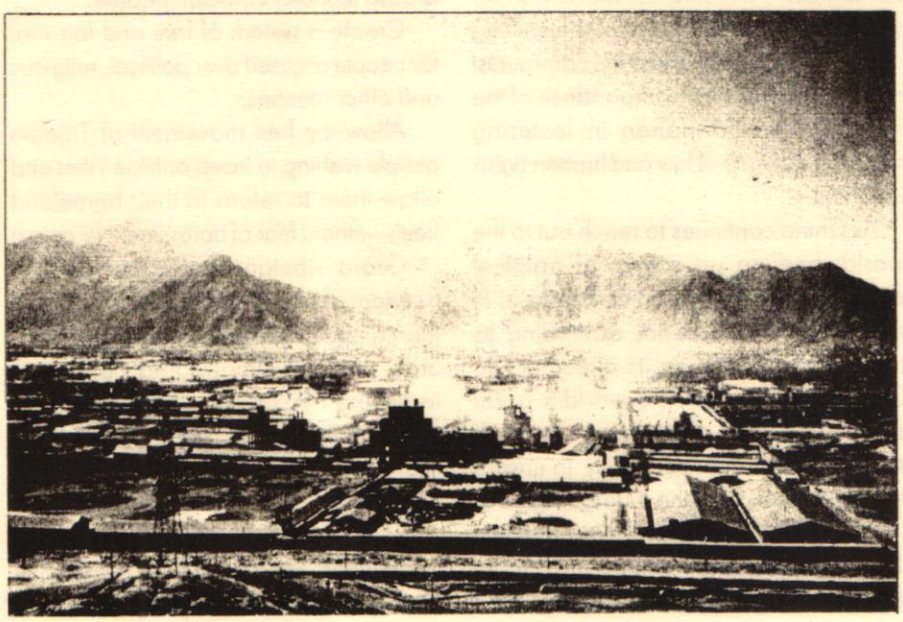
In December 2002, Nyima was arrested from his home by Gyantse county Public Security Bureau ("PSB") officials on alleged charges of distributing pro-independence literature.

The PSB officials ransacked Nyima's house to find any incriminating materials and he was led away to Gyantse County Detention Centre for interrogations.

After six months' detention, in June 2003 Gyantse County People's Court sentenced him to five years' imprisonment term on alleged charges of "endangering state security".

He was then transfered to Shigatse Prefecture Nyari Detention Centre. Later he was transfered to the Tibet Autonomous Region prison no 1, Drapchi prison, to serve his sentence.

Nyima Tsering continues to be incarcerated in Drapch prison. ♦



Drapchi Prison

Conclusion

TCHRD considers the overall pattern of China's human rights diplomacy by signing more and more human rights treaties, while continuing to repress the human rights of its people, as part of a coherent strategy. Beijing's invitations to heads of state and international monitors, and its new openness to hosting international conferences from business to beauty pageants, remain just "indications" of openness and greater transparency. In reality, these "indications" did not result in visible signs of progress in China's implementation of human rights.

TCHRD condemns this policy of deceit that China engages in to hide the brutal reality of the human rights situation of its people.

Despite changes and slow reforms, China is still an authoritarian regime that has done very little to initiate any real process of democracy or improve the civil and political rights of its people. China knows the key to improving human rights is democracy, but it is not making fundamental concessions towards democracy.

The SARS cover-up early in the year is a stark reminder that China is still a repressive regime that has been compulsively deceitful for more than 50 years. It also reminds one of the chilling reality of censorship under the communist regime - as well as the importance of the freedom of information in fostering transparency, rule of law and human rights in China.

As China continues to reach out to the world, beefing up scores of political contacts, emerging as an active player in the international arena, expanding its influence and refining its diplomacy to become as one of the world's great powers, the free world must remind itself that it also has a responsibility to ensure that China respects the human rights of its own people, the Tibetans, and others within its territory. China may have become smarter and more sophisticated – but not necessarily kinder or gentler.

The Tibetan Centre for Human Rights and Democracy (TCHRD) believes that, so long as democracy, rule of law, and respect for human rights are lacking, the PRC cannot claim genuine development.

Recommendations

To the government of the People's Republic of China.

Civil and Political Rights

·Ratify the International Covenant on Civil and Political Rights signed on 5 October 1998;

·Invite all Thematic Special Rapporteurs of the UN Commission on Human Rights, government monitoring teams, journalists and NGOs and allow free access to visit persons and places without government control;

·Release Trulku Tenzin Delek immediately and unconditionally;

·Release Gedhun Choekyi Nyima, the XIth Panchen Lama of Tibet; whose whereabouts have been unknown since May 1995, and let him live as a free child;

·Release all prisoners of onscience held in prisons and detention centers in Tibet;

·Improve the legal system. Clarify the scope and extend of the term "state secrets" in the Criminal Procedural Law (CPL) that is used to indict innocent people;

·Create a system of free and fair trial for people accused over political, religious and other reasons;

·Allow the free movement of Tibetan people wishing to travel outside Tibet and allow them to return to their homeland freely, without fear of harassment or arrest;

·Grant Tibetan people the right to freedom of religion and its practice. Stop the campaign imposing atheism in Tibet; Stop the anti-Dalai Lama campaign targetting Tibetan people; Stop limiting the number of monks and nuns and and their admission to monasteries and nunneries,

·Stop limiting the right to freedom of information, expression and opinion and allow free unlimited access to radio, TV broadcasts and the use of Internet;

Economic, Social and Cultural Rights

Submit its initial report to the UN Committee on Economic, Social and Cultural Rights which was due on 30 June 2002;

·Having ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR), respect the Right to Self-Determination to preserve their culture and identity;

·Involve and allow direct participation of the Tibetan people in the development projects in Tibet. China must ultimately respect the will of the Tibetan people in all development projects that are being carried out in Tibet;

·Implement the recommendations of the UN Special Rapporteur on Education, Ms. Katarina Tomasevski, i.e; full integration of human and minority rights in education policy, law and practice as well as a unified legal framework based on every child's right to free and compulsory education.

To International Agencies and Governments

·Put the issue of human rights as a necessary pre-condition for all future talks with the Chinese government;

·Demand concrete results from China on its implementation of human rights treaties and obligations to the United Nations and the WTO;

·Urge the Chinese government to unconditionally release: Trulku Tenzin Delek, Gedhun Choekyi Nyima, the XIth Panchen Lama of Tibet and All prisoners of conscience from prisons and detention centres in Tibet.

·Urge China to implement its obligations to all United Nations Treaties signed by China (see annexure), as well as its commitments to the WTO;

·Demand that China allow freedom of movement to Tibetan people within or outside Tibet and allow free return to their homeland without fear of persecution or arrest;

Demand China to stop the use of extreme torture of prisoners and detainees to extract confessions;

·Urge China to engage in a meaningful dialogue with the representatives of the Tibetan people.

To Multinational Businesses and Companies

·Engage seriously with the Tibetan people and ensure their participation at all stages of development projects;

Demonstrate support to the local Tibetan people in all activities;

·Undertake comprehensive social and environmental studies and impact assessments;

·Ensure the achievement of sound environmental safeguards;

·Provide sustainable development initiatives that bring desired community benefits.

·Lastly, any project must respect the sentiments of the Tibetan people.

Executive Summary

Civil Liberties

China signed the International Covenant on Civil and Political Rights (ICCPR) in October 1998. However, it is still to ratify the treaty.

The Preamble of the ICCPR states:

Recognizing that, in accordance with the Universal Declaration of Human rights, the ideal of free human beings enjoying civil and political freedom and freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his civil and political rights, as well as his economic, social and cultural rights.

Considering the obligation of States under the Charter of the United nations to promote universal respect for, and observance of, human rights and freedoms.

Tibetan people continued to face hardships in the exercize of their fundamental rights and freedoms. The drop in the number of arrests are no indication of improved conditions. Targeting of religious institutions and figures on charges of inciting "splittist activities" were carried out. Several people were detained for alleged crimes for which there was no evidence. Secret trials and sentencing of suspected persons were rampant. The last few years have witnessed a slight but noticeable shift in the number of incidents and arrests from the usually restive "TAR" region to eastern Tibetan areas outside the "TAR" such as Sichuan and Qinghai provinces, the traditional areas of Amdo and Kham.

In 2003, China's sentencing of two Tibetans to death, followed by the swift execution of one of them indicated that the rule of law is not prevalent under the country's new leadership.

Reports of arbitrary detention, ill-treatment and torture were reported to TCHRD during the year. Similarly, restrictions over the enjoyment of religious and cultural festivals remained high. This situation remained tensed on special days of the Tibetan calendar, including religious and cultural festivals. Reports of Tibetans being detained and sentenced to long prison terms for exercizing freedom of speech and expression were reported to TCHRD. China ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR) in March 2001.

Religion

Article 36 of China's Constitution with regard to Religious Freedom states

Citizens of the People's Republic of China enjoy freedom of religious belief.

No state organ, public organization or individual may compel citizens to believe in, or not believe in, any religion; nor may they discriminate against citizens who believe in, or do not believe in, any religion.

The state protects normal religious activities. No one may make use of religion to engage in activities that disrupt public order, impair the health of citizens or interfere with the educational system of the state.

Religious bodies and religious affairs are not subject to any foreign domination.

Restrictions on the right to freedom and practice of religion in Tibet violates the fundamental rights guaranteed by China's own Constitution and international laws.

In 2003 there was intensification of the drive against the display of the Dalai Lama's portraits in certain parts of Tibet. Tibetans were threatened with severe consequences such as land confiscation if the orders were not obeyed. Interference by the Democratic Management Committees in the administrative and religious affairs of monasteries and nunneries in an effort to mould religious studies and practices to fit the framework of Communist ideology remained. Schools imparting religious education, such as the Ngaba Kirti Monastic School in Ngaba Prefecture, Sichuan Province, were orderd closed.

Beijing's attempts to promote atheism in Tibet with political drives such as the "patriotic re-education" campaign and the anti-Dalai Lama campaign have led to the degenaration of Tibetan Buddhism in terms of debating, meditating, writing, thinking and listening.

Gendhun Choekyi Nyima, the XIth Panchen Lama recognized by the Dalai Lama in May 1995, continues to be detained by the Chinese authorities for the eighth consecutive year. China claims the boy and his family are in "protective custody" and has refused to free them despite appeals and pressures from the international community.

Development

The Preamble to the ICESCR states:

Recognizing that, in accordance with the Universal Declaration of Human Rights, the ideal of the human beings enjoying freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his economic, social and cultural rights, as well as his civil and political rights,

Considering the obligation of States under the Charter of the United Nations to promote universal respect for, and observance of, human rights and freedoms

The United Nations Resolutions of 1961 and 1965 called upon the People's Republic of China (PRC) to respect the self-determination of the Tibetan people. China's ambitious development projects

in Tibet - which include the Qinghai-Tibet railway project, the South-North Water Diversion Project (SNWDP), numerous dams and hydro-electric power plans in eastern Tibet and plans to modernize Tibet - are devoid of Tibetans' participation thereby denying the "right to self-determination" of the Tibetan people. These economic developments do not respect the sentiments of the Tibetans with regard to their land, culture and religious identity. Serious concerns raised by Tibetans, and critiques on some of the development projects that could have disastrous impact on the environment and ecological balance of the region, have been ignored. The much-vaunted Western Development Program will facilitate extraction of Tibet's natural resources to the benefit of China. The influx of hundreds of thousands of ethnic Chinese workers into Tibet create huge livelihood problems for the indigenous Tibetans. The direct beneficiaries of these development projects are largely Han Chinese in the PRC's industrialized regions.

Subsistence

Article 1. 1 and 2 of the ICESCR states:

All peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.

Chinese official statements lay claim to having achieved high living standards for the Tibetan people since the People's Liberation Army (PLA) took over the country in 1959. However, studies by the United Nations Development Program (UNDP) and the World Bank indicate otherwise. According to their studies, Tibet remains one of the poorest regions in the world. Many of the government's plans to urbanize and develop Tibet in effect end up marginalizing the Tibetan people. This has created wide disparities between the rich and poor and the rural and urban areas. The economic growth in rural areas remains unchanged and Tibetans continue to live in abject poverty. Tibetans arriving from Tibet can best tell the story of their lives. Every year, an average of 2500 Tibetan refugees flee Tibet in search of freedom and better living conditions.

Beijing's development projects in Tibet have caused serious problems and anxieties among local Tibetans. In the name of environmental protection under the Western Development Program, many local Tibetans are forcefully evicted and resettled against their will. Rampant corruption, discrimination and added political sensitivities drive Tibetans further away from enjoying the benefits of development projects in Tibet.

The SARS crisis in China early in the year exposed the lack of effective community education on health care in Tibet. Coupled with this, and high medical costs, Tibetans are dying from illnesses and conditions that could be easily treated, such as diarrhea or pneumonia. Tibet has a very high rate of tuberculosis. The general unreliability of statistics on health in Tibetan areas often reflects an unwillingness or fear at a local level of being held accountable for poor conditions of health such as malnutrition or an outbreak of disease. Officials in Tibet are often unwilling to report on health issues of particular concern in their local area – as they may prefer to convey the impression that the situation in the area under their authority is under control.

Education

Article 13.3 of the ICESCR states:

The State Parties to the present Covenant undertake to have respect for liberty of parents, and, when applicable, legal guardians to choose for their children schools, other than those established by the public authorities, which conform to such minimum educational standards as may be laid down by the State and to ensure the religious and moral education of their children in conformity with their own convictions.

Chinese authorities control the system of school education and school curricula that is in total contradiction to official statements that Tibetans control their own education system. Preference given to Chinese language as the medium of instruction has resulted in Tibetan children being unable to read or write in their mother tongue. Parents are forced to send their children to Chinese schools as knowledge of Chinese language is an essential criteria for higher education and future employment. Recently, the authorities in Tibet forced the closure of two Tibetan schools that imparted education based on Tibetan culture and Buddhist philosophy. Tsang-Sul School in Lhasa was ordered closed in August 2002 and in July 2003, Kirti Monastic School was closed down and its patron, Soepa Nagur, disappeared.

The UN Special Rapporteur on the Right to Education, Katarina Tomasevski, upon her return from a two-week official visit to China in September, 2003 expressed dismay at Tibet's literacy which was only 39.5 percent contradicting China's claims to achieving high standards of education for children in Tibet. The Special Rapporteur recommended full integration of human and minority rights in education policy, law and practice.

This year, TCHRD's *Annual Report 2003: Human Rights Situation in Tibet* focusses closly on some of the major issues of human rights violations in Tibet against the backdrop China's own national laws and the international treaties it has signed - that require certain fundamental obligations by Beijing with regard to human rights, based upon information and cases received by TCHRD during 2003.

Despite the difficulties and challenges faced by the Centre in its attempts to document accurate information, we have collated enough evidence to convince the world of the existence of gross human rights violations in Tibet today. ♦

TCHRD ACTIVITIES Bulletin

TCHRD attends World Social Forum in Mumbai, India

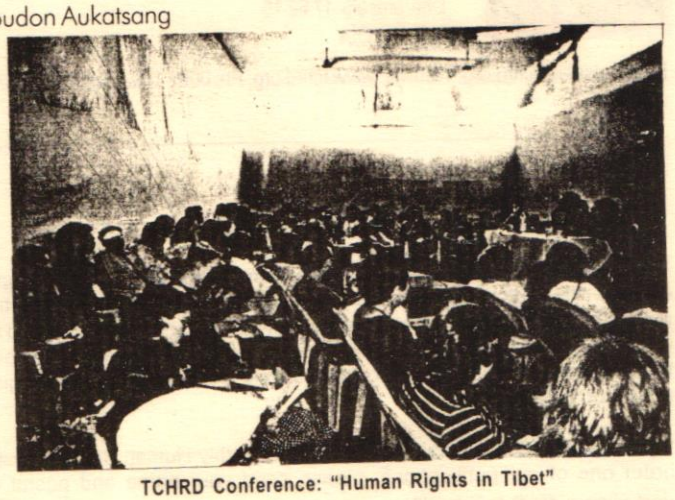
A five-member delegate from the Tibetan Centre for Human Rights and Democracy (TCHRD) attended the global civil society movement, World Social Forum (WSF), in Mumbai, India, from 16 January to 21 January 2004.

Ms. Norzin Dolma, Mr. Jampa Monlam, Mr. Tenzin Norgay, Ms. Youdon Aukatsang and Mr. Surya Pratim Roy successfully participated in the WSF to highlight the human rights situation in Tibet.

TCHRD organised a conference "Human Rights in Tibet" on 20 January 2004. Mr. Ajarn Sulak Sivaraksa, eminent Buddhist thinker and sustainable development practitioner, was invited as the guest speaker during the conference. Mr. Sulak officially released *TCHRD Annual Report 2003: Human Rights Situation in Tibet* during the conference and expressed that the global civil society show its concerns and urged to improve the human rights situation in Tibet. Ms. Norzin Dolma and Ms. Youdon Aukatsang spoke on the freedom of religion and deprivation of political rights in Tibet respectively. Mr. Jampa Monlam, ex-political prisoner, gave an account of his life as a political prisoner in Tibet and Ven. Lobsang Yonten, student of Trulku Tenzin Delek, testified for his teacher who is currently on death sentence with a two-year reprieve.

The fourth World Social Forum turned out to be hugely successful to the Tibetans who came in hundreds to highlight the Tibet issue infront of the global civil society. ♦

Sulak Sivaraksa releasing TCHRD annual report 2003



TCHRD Conference: "Human Rights in Tibet"

Announcement

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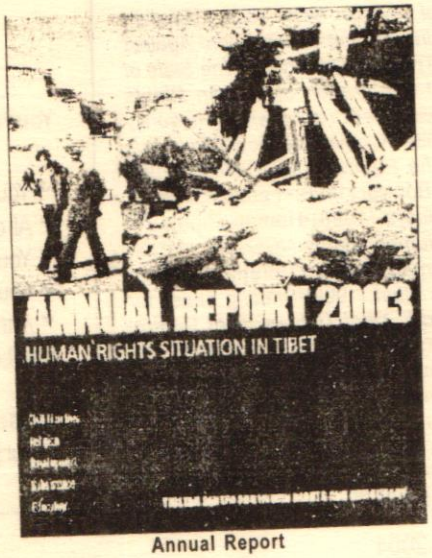

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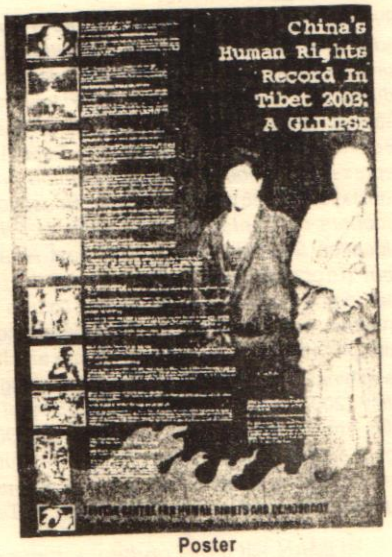

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The Tibetan Centre for Human Rights and Democracy (TCHRD) is an independent centre which aims to promote and protect human rights and a democratic polity for Tibet. It attempts to educate Tibetans on human rights principles and to work with other human 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.

TCHRD's publications:

1996 Annual Report:*Tibet:One More Year of Political Repression* (English and Tibetan editions)•1997 Annual Report:*China in Tibet:Striking Hard Against Human Rights* (English and Tibetan editions)•The Next Generation:*The State of Education in Tibet Today* (1997)•*Universal Declaration of Human Rights* (Tibetan Translation) (1998)•1998 Annual Report:*Tibet:Crackdown on Humanity* • 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)•South East Asia:*Human Rights NGO Seminar on Tibet* (Proceedings) (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)•1999 Annual Report: *Tibet:Tightening of Control* (2000)•TCHRD *Review* (2000)•Torture and Ill-Treatment in Tibet (2000)• Racial Discrimination in TIbet (2000)• Impoverishing Tibetans:*China's flawed economic policy* (2000)• Prisoners of Tibet:*Profiles of current political prisoners* (2000)• 2000 Annual Report:*Enforcing Loyalty (2001)* • *Annual Report 2001:Human Rights Situation inside Tibet (2002)* • *Destruction of Serthar Insitute : A Special Report (2002)* Dispossessed: *Land and Housing Rights in Tibet* (2002)•*Annual Report 2002: Human Rights Situation in Tibet (2003)*

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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
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Obituary to Tsemonling Dawa

Tsemonling Daw,a former politcal prisoner died on 22 February 2004 at his home in Lhasa. He was 67 years old.

TCHRD pays its deepest condolences to Dawa for his staunch belief for human rights of the Tibetan people.

Background information

Tsemonling Dawa was born in Lhasa in 1937. He joined Sera Monastery at a very young age but later led a lay man's life. His elder brother, Gyaltsen, was an official in the pre-1959 Tibetan Government and fled to India when China occupied Tibet. 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 vaious "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 that he was forced to work was all done without pay as punishment for his being a 'reactionary'.

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

In 1980 when the First Tibetan Fact-Finding Delegation visited Lhasa, Dawa made sure that he left a lasting impression to show that Tibetans in Tibet are sufferring 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 to be 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 "Tibet Autonomous Region" ("TAR") in 1985, the autorities took precautionary measures to prevent any political acitivities and hence detained Dawa at Gutsa Detention Centre. He remained in detention for four months.

On 10 December1988, 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 after him. Dawa advised the youngsters to follow him as he did not want them to spent their best years behind bars. Dawa said that he was not afraid to die and would take the responsibility of being the "ring leader" of the protest. The PSB officials immediately arrested and took him away to the nearest detention centre. He was later sentenced to three years in Gusta Detention Center. However, following his first year sentence he suffered serious medical problems as a result of the torture and beatings he endured at the hands of Chinese guards and was released on medical parole by the end of his first year. He was rearrested in 1997 by the Public Security Bureau and sentenced to three years of reeducation- through- labour at Trisam re-education labour camp. Dawa was then released in 2000 at the end of his sentence and spent his remaining years in Lhasa. ◆

PSB officials grabbing Dawa

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"Patriotic Re-education Campaign" in Rabten Monastery

Rabten Monastery is a small monastery located in Tsachu Village, Driru County , Tibet Autonomous Region ("TAR"). The monastery is small with a population of fifty monks. In 1996 when the Chinese authorities implemented the "patriotic re-education campaign" in Tibet, Although remote Rabten monastery also came under the campaign. Village and County level government officials visited the monastery and called numerous meetings.

The monks of the monastery were forced to condemn the Dalai Lama and the "splittist group", accept that Tibet is an inalienable part of China and accept the Beijing selected Panchen Lama, Gyaltsen Norbu, as the real Panchen Lama of Tibet. Such a campaign led to desperation amongst the monks.

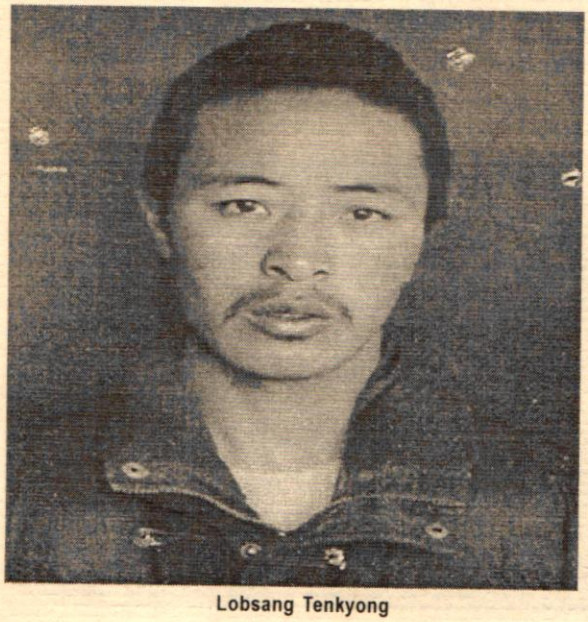
Lobsang Tharchin, Lobsang Tenkyong and Lobsang Choejor, all monks in their mid twenties couldn't take the repeated indoctrination and decided to protest against it. They secretly wrote bills in their rooms with the slogans calling for "freedom in Tibet", "Tibet belongs to Tibetans" and "Long live His Holiness the Dalai Lama." The bills were later pasted on the gate of the village government office in the dead of the night. Public Security Bureau ("PSB") officials immediately started to investigate into the matter the next morning.

On 3 March 1996, PSB officials came to Rabten Monastery and rounded up all the three monks and also arrested another monk called Lobsang Damchoe. All of them were taken to Driru County Dentention Centre. However, Lobsang Damchoe was released the following day when the officials realised that he was not involved. The rest were continued to be detained and tortured during interrogation sessions. The officials repeatedly beated the monks with stones and sticks on their limbs to extract confession. The monks were later handed over to Nagchu Prefecture PSB who tied their hands on the back and hung wooden planks around their neck mentioning their name and offence . The monks were then taken for a street parade in a van to the market. They were repeatedly tortured in Nagchu PSB Detention Centre also.

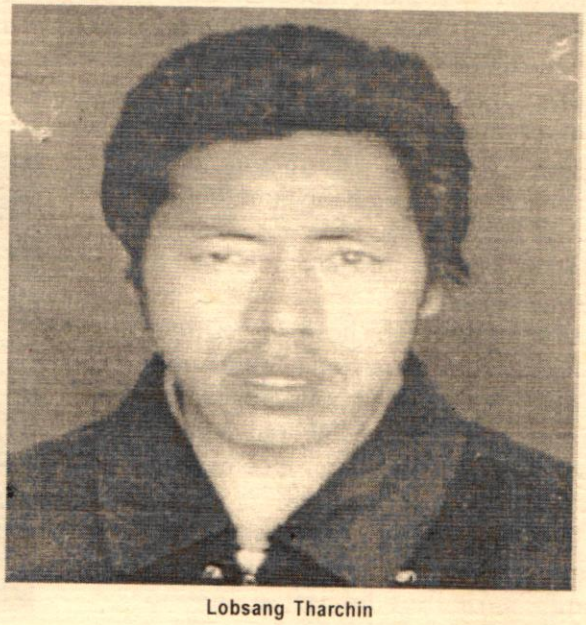
In July 1996, Nagchu Intermediate People's Court sentenced the three monks to various imprisonment terms. Lobsang Tenkyong was sentenced to five years term whereas Lobsang Tharchin and Lobsang Choejor were sentenced to four years term. Lobsang Tenkyong was continued to be imprisoned in Nagchu PSB Dentention Centre whereas Lobsang Tharchin and Lobsang Choejor were transferred to Drapchi Prison in Lhasa, Tibet Autonomous Region.

Upon completion of their respective sentences, Lobsang Tharchin and Lobsang Choejor were released from Drapchi Prison in March 2000. Whereas Lobsang Tenkyong was released in March 2001 from Nagchu Prison.

Inorder to escape from the local Public Security Bureau officials who kept a very strict vigilance on the monks, both Lobsang Tharchin and Lobsang Tenkyong fled Tibet. They are now in a monastery in Dharamsala, the north Indian town where the Tibetans refugees are settled. ◆



Lobsang Tenkyong



Lobsang Tharchin

profile **POLITICAL PRISONERS**

This is a regular section profiling political prisoners currently imprisoned in Tibet

Lengthy imprisonment term for conducting prayer ceremony

Khangmar Monastery in Sangkar Township, Marthang County, Ngaba Tibet Autonomous Prefecture ("TAP") is a small monastery with 120 monks enrolment. The monastery had been relatively free of Chinese authorities interference except for few routine visits. However, a long life prayer ceremony for the Dalai Lama in mid January 2003 led to the arrest of five monks and a thangka painter from the monastery.

Ten monks in the monastery held a long life prayer ceremony for the Dalai Lama and for the successful completion of the Kalachakra teachings going on at Bodh Gaya, India. The monks conducted the said prayer as the previous year the Dalai Lama became ill and had to stop the teachings inbetween.

The County Public Security Bureau (PSB) officials came to know of the prayer ceremony at Khangmar Monastery and immediately reached the spot to arrest the monks. The officials arrested the monks and ransacked their quarters. A large collection of the Dalai Lama and Panchen Lama portraits were discovered in their rooms. The monks were then whisked away to the Ngaba Tibet Autonomous Prefecture "TAP" PSB Detention Centre. The arrestees were Sherthar, Tsogphel, Soepa, Woeser and Tsogphel, 28 (another monk with the same name) and a thangka painter. But Tsogphel, 28, was released from prison after two months' detention.

Ngaba "TAP" People's Intermediate Court formally sentenced the five monks and the thangka painter to imprisonment terms on 29 August 2003. Sherthar, 35, Soepa, 33, Tsogphel, 31, were sentenced to twelve years' imprisonment term and Woeser, 30, to eight years' imprisonment term. Whereas another monk called Mingyur, 29, and the thangka painter were sentenced to one-year imprisonment term.

All the sentenced monks are from nomadic families and had joined the monastery at different ages. Sherthar is the chant master of the monastery. It is learnt that Tsogphel is handicap in his right arm. The thangka painter is originally from Barkham County but constantly travels to paint thangkas in different monasteries and houses.

The monks who received lengthy terms might have been transferred to Maowan Prison (Ch: Aba Jlan yu), located in Maowan Qiang Autonomous County in Ngaba "TAP". This prison accomodate prisoner who are sentenced to lengthy terms from Ngaba and Kardze regions. ◆

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TCHRD welcomes Judge Luoise Arbour as the new UN High Commissioner for Human Rights

Judge Louise Arbour (CP File Photo)

The Tibetan Centre for Human Rights and Democracy welcomes the appointment of Candian Supreme Court Justice Louise Arbour as the new United Nations High Commissioner for Human Rights (UNHCHR).

The General Assembly confirmed UN Secretary General Kofi Annan's appointment of Judge Arbour as the next High Commissioner for Human Rights on 25 February 2004.

Judge Louise Arbour will assume her new post as the new High Commissioner in Summer of 2004. Ms. Arbour succeeds Mr. Sergio De Mello who was killed in a terrorist bomb attack on the UN headquarters in Baghdad on 19 August 2003.

Ms. Arbour has served in Canada's Supreme Court since 1999 and has distinguished herself as the chief prosecutor of the International Criminal Tribunals for the former Yugoslavia and Rwanda from 1996 to 1999 in the Hague.

Ms. Arbour gained widespread recognition in Canada for her work as the head of an investigation into the operation of correctional service, based on allegations by female inmates at a women's prison in Kingston, Ontario. ♦

Trulku Tenzin Delek in Chuandong Prison

The Chinese Foreign Ministry informed the German Foreign Ministry in regard to an official EU demarche that Trulku Tenzin Delek is being held in Chuangdong Prison in Dazu district, Sichuan Province, according to a report released by the Berlin branch of International Campaign for Tibet on 5 February 2004. The Chinese Foreign Ministry also indicated that Trulku's death sentence will be calculated from the date the judegment became final and could be commuted to a lesser sentence.

The Chinese Foreign Ministry response also referred to Article 50 of the Chinese Criminal Law, which says that a death sentence can be commuted to life in prison if "no intentional crime during the period of suspension" is undertaken by the prisoner and that if "major meritorious service is truly performed, punishment shall be commuted to fixed-term imprisonment of not less than 15 years but not more than 20 years."

Article 50 also provides that "if it is verified that [he] has committed an intentional crime, the death penalty shall be executed upon verification and approval of the Supreme People's Court."

Article 51 of the Criminal Law of the People's Republic of China states that the term for suspending execution commences on the date the judgement becomes final. In the case of Tenzin Delek Rinpoche, this was on January 26, 2003, when the Provincial Higher People's Court affirmed the verdict and rejected his appeal.

Tenzin Delek Rinpoche was arrested on April 7, 2002 on alleged charges of causing "bomb explosion". On 2 December 2003, Kardze Intermediate People's Court in a closed door trail sentenced Trulku to death with a two-year reprieve on charges of "conspiring to cause a series of explosions" and "incitement to separatism," whereas his student Lobsang Dhondup was sentenced to immediate death penalty.

The Sichuan Higher People's Court upheld the verdict passed by the lower court and accordingly executed Lobsang Dhondup on 26 January 2004 despite huge international outcry appealing to stop the execution and for a free and fair re-trail.

Chuangdong Prison is a high security prison in Sichuan Province that had housed high profile prisoners over the years. Chadrel Rinpoche, the leader of the search committee for the reincarnation of the XIth Panchen Lama, was imprisoned in Chuangdong Prison. Geshe Sonam Phuntsok, a popular teacher in Kardze County, is currently serving his sentence in this prison. ♦

U.S. State Department critical of China's Human Rights Record in Tibet

The U.S. State Department released its annual Country Reports on Human Rights Practices on 25 February 2004. Unlike previous years, one remarkable feature about the latest annual country report is the reporting format in which Tibet Autonomous Region (TAR) and Tibetan areas incorporated into Chinese provinces of Qinghai, Yunnan, Gansu and Sichuan have been reported in a unified Tibet section.

The report stated China's human rights record in Tibet continued to remain "poor" and "authorities continued to commit serious human rights abuses, including execution without due process, torture, arbitrary arrest, detention without public trail and lengthy detention of Tibetans for peacefully expressing their political or religious views."

Some specific violations as worded in the seven pages dedicated to Tibet in the report:

-On January 26, Tibetan Lobsang Dondrub was executed for alleged involvement in a series of bombings in Sichuan Province in 2002. The death sentence of Buddhist teacher Tenzin Deleg on the same charges was deferred for two years. The trials of the two men were closed to the public on "state secrets" grounds, and they were denied due process, including access to adequate representation. Lobsang Dondrub's execution the same day he lost his appeal to the Sichuan Provincial Higher People's Court, as well as the failure of the national-level Supreme People's Court to review the case as promised to foreign officials, raised serious concerns in the international community. In March, two Tibetans were reportedly arrested for providing information to foreign individuals about the investigation of the 2002 bombings in Sichuan Province for which Lobsang Dondrub and Tenzin Deleg received death sentences. In April, four individuals arrested with Tenzin Deleg were reportedly released. In July, two more individuals, Tsering Dondrub and Tashi Phuntsog, were reported by nongovernmental organizations (NGOs) to have been released, but officials denied that such a release took place. Their whereabouts remained uncertain at year's end.

-On April 11, Kunchok Choephel Labrang and Jigme Jamtruk, two monks from Labrang Tashikyil Monastery in Kanlho Prefecture, Gansu Province, were arrested for possessing booklets containing speeches of the Dalai Lama, according to the Tibetan Center for Human Rights and Democracy. Jigme Jamtruk was reportedly released on bail after 13 days' detention; the whereabouts of Kunchok Choephel Labrang remained unknown at year's end.

-On August 29, five monks and an unidentified lay artist received sentences of 1 to 12 years' imprisonment for alleged separatist activities, including painting a Tibetan national flag, possessing pictures of the Dalai Lama, and distributing materials calling for Tibetan independence. The monks were Zoepa, Tsogphel, Sherab Dargye (Sherdar), Oezer, and Migyur, all from Khangmar Monastery in Ngaba Prefecture, Sichuan Province.

-On October 2, Nyima Dragpa, a monk from Nyatso Monastery, died in custody, allegedly from injuries sustained during severe beatings.

-Chadrel Rinpoche, released in January 2002 after six years and six months in prison for leaking information about the selection of the Panchen Lama, was reportedly still under house arrest near Lhasa.

-The lack of independent access to prisoners and prisons made it difficult to ascertain the number of Tibetan political prisoners or to assess the extent and severity of abuses. The Tibet Information Network (TIN) estimated that approximately 150 Tibetans were imprisoned on political grounds, 75 percent of whom were monks or nuns. Approximately 60 political prisoners, most serving sentences for the now-repealed crime of counterrevolution, remained in TAR Prison in Lhasa. TIN's analysis indicated that the majority of Tibetan political prisoners were incarcerated in Lhasa and western Sichuan Province. While political imprisonment has declined in the TAR since its peak in 1996, since 1999 there has been an upsurge of detentions in certain areas of Sichuan Province, particularly in Kardze Prefecture.

-There were credible reports that prisoners continued to be mistreated. For example, Tibetans repatriated to China from Nepal in May reportedly suffered torture, including electric shocks, exposure to cold, and severe beatings, and were forced to perform heavy physical labor. Their family members also were pressured for bribes to secure their release. Prisoners were subjected routinely to "political investigation" sessions and were punished if deemed to be insufficiently loyal to the state. Unrepentant political prisoners at the TAR Prison were sent to "isolation cells" for 6 months to 1 year to "break their spirit."

-On May 31, the Government successfully pressured the

continued next page

Government of Nepal to repatriate to China 18 Tibetans, including several minors, who had crossed into Nepal from China apparently hoping to transit Nepal to India. Contrary to established practice, the office of the U.N. High Commissioner for Refugees (UNHCR) in Kathmandu was denied access to the group. The 18 Tibetans were forced onto a bus and driven back across the border into China, where they were detained, first at a border post and later at a prison in Shigatse. NGO reports indicated that up to seven individuals remained in detention until at least November. The detainees reportedly suffered severe torture, and the monks in the group were subjected to more beatings than the others. Most of the detainees also were pressured for bribes. Chinese officials maintained that 14 individuals were released shortly after their return to China. While two remained at the border post for medical reasons and two were detained for a time on suspicion of criminal behavior, officials stated that no criminal charges were filed and all of the individuals were released by year's end. According to NGO reports, approximately 400-500 Tibetans apprehended at border crossings reportedly were held at the "Tibet's New Reception Center" prison in Shigatse at year's end. ◆

China releases Phuntsok Nyidron, Tibet's longest serving female political prisoner after 15 years

China released Phuntsok Nyidron, the last of the "Drapchi 14 singing nuns" on 26 February 2004. According to John Kamm, President of the San Francisco based Duihua Foundation, she is now with her family in Lhasa.

Phuntsok had already served 15 years' term out of her 16 years' imprisonment sentence and was due for release in 2005. Associated Press (AP) reported that John Kamm believed the early release of Phuntsok as linked to recent American pressure, including a resolution (H.Res.157) passed by the House of Representatives calling on the Chinese Government to release all Tibetan political prisoners. Phuntsok Nyidron's case received particular mention in the resolution.

Background Information

Phuntsok Nyidron, 35 years of age, was born in Phenpo County in the east of Lhasa City. She joined Michungri Nunnery when she was 18 years old. On 14 October 1989, Phuntsok was first arrested for taking part in a peaceful pro-independence demonstration in Lhasa. She was sentenced to nine years' imprisonment on charges of "counter-revolutionary propaganda and incitement against the masses" and for being a "ring leader" of the demonstration.

In 1993, Phuntsok along with 13 other nuns recorded songs of freedom in Drapchi Prison which was later smuggled abroad and became very popular. This song recording led to extension of her imprisonment

sentence by another eight years making her total prison term to 17 years. In April 2001, her sentence was reduced by a year on grounds of "good conduct" and she was due for release in 2005.

In 1995, Phuntsok Nyidron was awarded the prestigious Reebok Human Rights Award. The award honours people around the world who have made a significant contribution to the cause of human rights against great odds. She was also honoured for her courageous sacrifice in the field of human rights by *The June 4th Anniversay Committee* and *The China Peace.*

The Tibetan Centre for Human Rights and Democracy (TCHRD) is happy to learn the release of Phuntsok Nyidron though it maintains that China's release of high profile political prisoners before the United Nations High Commission on Human Rights (UNHCHR) is not uncommon. TCHRD believes Phuntsok's release few weeks before the 60th UNHCHR in Geneva is well timed by China under the possibility of U.S. sponsored resolution that could slam China's human rights record.

TCHRD does not recognize release of high profile Tibetan political prisoners as a mark of improvement in human rights situation in Tibet. In 2003 TCHRD documented 157 known Tibetan political prisoners languishing in a network of prisons in Tibet. China must release all prisoners of conscience if it is sincere about improving its human rights record.◆

TCHRD ACTIVITIES Bulletin 15

VIIth TCHRD Annual Workshop on Human Rights and Democracy in Darjelling

The Tibetan Centre for Human Rights and Democracy organised its seventh annual workshop at the Planters Club in Darjeeling, West Bengal, from 29 January-4 January 2004.Sixty nine Tibetan students from various colleges in India participated in the workshop.

The topics covered during the workshop and the respective resource persons were Concepts of *Human Rights: Indivisibility, Universality and Cultural Relativism and History* and *Development of Human Rights Norms and Introduction to Human Rights System* by Suhas Chakma and Saji Thomas, *Similarities between Buddhism and Human Rights Concept* by Khenpo Lobsang Dhonyoe, *Tibet Historical Background and Current Scenario* by Professor Jampa Samten, *Tibet in context of United Nations* by Ngawang. C. Drakmargyapon and Suhas Chakma, *Introduction to ICCPR and ICESCR* by Saji Thomas and Suhas Chakma, *China's Tibet Policy: an overview of China's Right Diplomacy* by N.C. Drakmargyapon, *Trade, Globalisation, World Trade Organisation, Development and Human Rights* by Suhas Chakma, *Tibetan Democratic transition and Tibetan Democracy Set-up* by Tsering Wangchuk, *Current Political and Religious Violations in Tibet* by Tsering Topgyal, *Socio-economic and environment conditions in Tibet* by Namgyal, *Monitoring and Fact Finding Human Rights Violation* by Saji Thomas, *Organising for change I and II (looking within/creative expression; non violence communication; understanding conflict/ power; non-violent direct action; acquiring campaign skills and tools)* by Manu Gopalan, *Discussion on future strategies for integrating and promoting human rights of Tibetans* by Tsering Topgyal and Ugyen Tsewang.

The Tibetan Centre for Human Rights and Democracy would like to extend its heartiest thanks to the Darjeeling Tibetan Settlement Welfare Officer for his invaluable help without which this workshop would not have been such a success. ◆

Group photo of the workshop participants

The participants showing deep interest during a session

Media briefing about Human Rights in Tibet 2003

TCHRD staff Ms. Norzin Dolma, Senior Programme Officer, Mr. Jampa Monlam, Researcher and Mr. Tenzin Norgay, Field Officer briefed the local journalist about the human rights situation in Tibet in 2003.

Mr. Jampa talked to both the printed and the radio Tibetan media whereas Ms. Norzin and Mr. Norgay briefed the journalist from various newspapers and agencies at the Coffee House in downtown Kacheri, Dharamsala. ◆

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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.

TCHRD's publications:
1996 Annual Report:*Tibet:One More Year of Political Repression* (English and Tibetan editions)•1997 Annual Report:*China in Tibet:Striking Hard Against Human Rights* (English and Tibetan editions)•The Next Generation:*The State of Education in Tibet Today* (1997)•*Universal Declaration of Human Rights* (Tibetan Translation) (1998)•1998 Annual Report:*Tibet:Crackdown on Humanity* • 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)•South East Asia:*Human Rights NGO Seminar on Tibet* (Proceedings) (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)•1999 Annual Report: *Tibet:Tightening of Control* (2000)•TCHRD *Review* (2000)•Torture and Ill-Treatment in Tibet (2000)• Racial Discrimination in TIbet (2000)• Impoverishing Tibetans:*China's flawed economic policy* (2000)• Prisoners of Tibet:*Profiles of current political prisoners* (2000)• 2000 Annual Report:*Enforcing Loyalty (2001) • Annual Report 2001:Human Rights Situation inside Tibet (2002) • Destruction of Serthar Insitute : A Special Report (2002)* Dispossessed: *Land and Housing Rights in Tibet* (2002)•*Annual Report 2002: Human Rights Situation in Tibet (2003)*

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China's White Paper on Human Rights: A Whitewash

The Tibetan Centre for Human Rights and Democracy (TCHRD) considers 2003 as the year of grave human rights violations in Tibet committed by authorities of People's Republic of China (PRC). The information gathered by TCHRD gives clear picture of systematic and continued violation of Tibetan people's right to civil liberties, religious freedom, and socio-economic rights.

On 30 March 2004, the Chinese State Council Information Office released a white paper titled "Progress in China's Human Rights Cause in 2003". The White Paper contained eight chapters: The people's right to subsistence and development, civil and political rights, judicial guarantee for human rights, economic, social and cultural rights, the rights and interests of women and children, equal rights and special protection for ethnic minorities, the rights and interest of the disabled and international exchanges and co-operation in human rights.

The White Paper has hailed the inclusion of "the state respects and safeguards human rights" in the Chinese Constitution at the 10th National People's Congress (NPC) as "the first time ever". TCHRD welcomes this amendment, as this is an indication of China attaching importance to human rights principles. Chinese Constitution has guaranteed its citizens of right to exercise freedom of expression, association and religion. But this constitutional guarantee has failed to avert human rights violations from occurring in Tibet as evidenced by refugee testimonies. If similar policies and patterns are to be followed, then this new amendment will remain a mere stipulation and does not act as legal safeguard on the practical ground. Therefore, TCHRD strongly urges the Chinese Government to strictly adhere to its constitutional guarantee and to respect human rights of its citizens.

The White Paper is a study in contradiction with China claiming "progress in human rights" as well as conceding to the fact that "there is still much room for improvements of the human rights condition.... Chinese Government will continue to take active and effective measures to steadily improve China's human rights conditions and earnestly raise the level of human rights enjoyed by the Chinese people." TCHRD finds Tibet rarely cited in the white paper although it has been one of the worst affected regions from the perspective of human rights record.

China has claimed "significant progress in judicial guarantee for human rights" and further stated "Public Security Organs have practised strict enforcement of the law and emphasised law enforcement in the interest of the public..firmly dealt with violations of human rights involving the extortion of confessions by torture, the abuse of guns and police instruments and other coercive measures".

In Tibet, torture and other forms of ill treatment is endemic in every stage of the incarceration process: upon arrest, during transport to detention facilities, in detention centres and in prisons. Various forms of torture are commonly used to extract confessions and force prisoners to reveal the names of "accomplices". The Chinese Government privately sanctions these actions and has inadequate safeguards to protect the rights of Tibetans accused of crimes. Tibetans continue to die from torture and continue to be denied adequate medical care.

China accepts the prevalence of extended detention when it mentions in the White Paper "In 2003, cases of extended detention involving 25,736 people were corrected". TCHRD has received information that Champa Chungla, Secretary of the Search Committee for the reincarnate XIth Panchen Lama, is still being held in detention though he should have been freed by 16 May 2003. Unofficial reports in April 2003 suggested that Chadrel Rinpoche, Chairman of the Search Committee for the reincarnation of the XIth Panchen Lama, is still being held under house arrest beyond his prison term of six years.. Extended detention of Tibetan prisoners is applied against those whose position and personality stands to draw more attention from the international media and rights group.

Another highlight feature in the White Paper is the government's guarantee of citizens' right to receive legal aid with administrative statute "Regulations on Legal Aid" which was formulated and promulgated in 2003. The year 2003 saw the summary execution of Lobsang Dhondup and upholding of death sentence with two-year reprieve for Trulku Tenzin Delek on alleged charges of involvement in a string of bomb explosions in eastern Tibet. While Lobsang Dhondup's execution revealed China's

new strategy to internationalise non-violent freedom struggle of six million Tibetans as an "act of terrorism", the court's decision has also highlighted shortcomings on the Chinese judicial system. Both men were denied fair and adequate judicial representation. A close analysis of the events after their arrest shows reveals how China fails to implement the new judicial guarantee enshrined in the amended Criminal Procedure Law.

The Civil and Political Rights of the White Paper mentions that China "follows the principles of putting people above all else" which if true is a landmark change. Over the years, the official rhetoric has emphasised on "national stability and unification of motherland" as overriding condition in China. China's concern over national stability in Tibet is evidently clear from "endangering state security" charges in its Criminal Procedure Law. The term's ambiguity is used to suppress multiple legitimate rights including the right to freedom of expression, opinion, speech and religion.

TCHRD documented 27 known arrests in 2003 due to political incidents. A significant portion of the arrests happened in Kardze Tibet Autonomous Prefecture ("TAP") indicating that the Chinese leaders are determined to heighten surveillance and suppressing Tibetans outside the Tibet Autonomous Region ("TAR"). The execution of Lobsang Dhondup and death sentence on Trulku Tenzin Delek indicates that China suppresses peaceful pro-independence activities as "endangering state security" and "splitting the motherland".

In one brief paragraph under the Civil and Political Rights of the White Paper, the Chinese Government has affirmed that its "citizens enjoy freedom of religious belief in accordance with the law and normal religious activities are protected". Nevertheless, TCHRD has found that in 2003 Chinese authorities have intensified the anti-Dalai Lama campaign in Tibet and have imposed restrictive measures on observance of traditional religious practices and belief resulting in violation of religious rights of the Tibetans.

Beijing's attempts to promote atheism in Tibet with political drives such as the "patriotic education" campaigns and the anti-Dalai Lama campaign have led to degeneration of Tibetan Buddhism in terms of debating, meditating, writing, thinking and listening. Four monks from Khangmar Monastery were sentenced to lengthy imprisonment terms ranging from eight to twelve years for conducting prayer ceremonies for the Dalai Lama. The residents of Kardze and Lithang counties were threatened with land confiscation if they fail to hand over portraits of the Dalai Lama to the local authorities within a month. Gedhun Choekyi Nyima, the XIth Panchen Lama recognized by the Dalai Lama in May 1995, continues to be detained by the Chinese authorities for the eighth consecutive year.

China has reiterated that "economy in ethnic minority areas has been developing rapidly, and the local people's living standard has improved greatly. Of these regions, the gross output value of Tibet and Ningxia exceeded 11.5 per cent..." In reality, Tibet remains one of the poorest regions in the world. The much-hyped Beijing's subsidy into Tibet is channelled in the tertiary sector of occupation. Tibetans dominate the primary sector where government subsidy is minimal therefore Tibetans continue to live in abject poverty. Tibetans in Tibet have very limited or no access to healthcare facilities because of which they are dying from illnesses that could be easily treated. This is contradiction to China's claim of "improvement in people's right to subsistence and development."

In addition, China's development plans to modernize Tibet are devoid of Tibetan participation thereby denying the "right to self-determination" of the Tibetan people. These economic and development projects do not respect the sentiments of the Tibetans with regard to their land, culture and religious identity. In the name of 'environmental protection' under the Western Developmental Program, many local Tibetans are forcibly evicted and resettled against their will. Serious concerns raised by Tibetans, and critiques on development projects that could have disastrous impact on the environment and ecological balance of the region, have been ignored. The influx of ethnic Chinese settlers into Tibet creates huge livelihood problems for the indigenous Tibetans.

The White Paper has claimed to have "enhanced the educational level of citizens of ethnic minority origin". Nevertheless, the UN Special Rapporteur on Education, Katarina Tomasevski, described education in Tibet as "horrendous" at the plenary session of the ongoing 60th UNHCHR. Earlier in 2003, after her official visit to China, Ms. Tomasevski gave a harsh critique of the country's education policies, blasting the government's ban on religious schooling and a system of arbitrary school fees that force many families into debt. She was very critical of the role of "minority education" in Tibet, stating that education imposed upon minorities violates their human rights when it denies their religious and linguistic identity.

The Chinese authorities fear religious schooling and as a result ordered the closure of Ngaba Kirti Monastic School which imparts monastic education to 800 novice-monk students. Education policies in Tibet are used as a means to indoctrinate communist ideologies. Students are forced to denounce the Dalai Lama, taught Chinese version of history, and the medium of instruction in most schools are Chinese.

TCRD considers the release of China's White Paper as another feature of its diplomacy tactics to avert public condemnation of its human rights record at multilateral forums such as ongoing 60th United Nations High Commission on Human Rights (UNHCHR) in Geneva.

The United States has decided to table a Resolution on China's Human Rights Record at the Commission where the member states will either criticise, condemn or condone China's human rights abuses if the Resolution passes

profile **POLITICAL PRISONERS**

19

This is a regular section profiling political prisoners currently imprisoned in Tibet

Freedom smothered by sentence extension

Chokdrub Dolma was born in Nyendong Township, Dhamshung County, Lhasa City. Her family was a nomad. Early in childhood, Chokdrub was admitted in Phenpo Gyara Nunnery in Phenpo County in Lhasa.

On 14 February 1995, Chokdrub and thirteen nuns from Phenpo Gyara Nunnery staged a demonstration in Lhasa calling for freedom in Tibet. The local Public Security Bureau ("PSB") immediately arrested the nuns and detained them in Gutsa Detention Centre in the north of Lhasa City. The PSB officials subjected the nuns to severe beatings during interrogation sessions.

After six months' detention, the nuns were produced before Lhasa City Intermediate People's Court. Chokdrub Dolma was sentenced to six years' imprisonment term and transferred to Drapchi Prison.

On 1 May 1998, the prison authorities of Drapchi commemorated Labour Day. During flag hoisting ceremony on the day, sixty female political prisoners, sixty male political prisoners and six hundred criminal prisoners were gathered at the prison courtyard. The prisoners were lined up and a March Past competition was held. The prisoners were further made to raise slogans pledging "to work hard to reform" and "to become a new man".

The prison authorities and the prisoners while facing the flag post, started to sing Chinese national anthem. No sooner did the flag was hoisted, a criminal prisoner from the sixth unit all of a sudden shouted "free Tibet". The prisoner shouted slogans loudly and began to throw pamphlets in the air. Thereafter, the female and the male political prisoners also started to shout slogans along with him.

The prison authorities ordered the armed police to shoot at the prisoners. The protest was brutally suppressed. Many of the prisoners received sentence extensions.

Chokdrub Dolma along with Ngawang Choezom, Dhamchoe Dolma, Yeshi Choedon, Sangay Choedon, Monlam Choenyid, Rinchen Pema, Jangchub Dolma and twenty other nuns were brutally beaten. Many of them were left unconscious due to beatings and developed health complications thereafter. They were all then put in solitary confinement cells for the next three months.

After three months, Lhasa People's Intermediate Court ordered sentence extensions for all the prisoners who participated in the protest. Chokdrub Dolma received a five years' sentence extension to her original six years' imprisonment term resulting in a total of eleven years.

Chokdrub Dolma is currently serving her eleven years term in Drapchi Prison. She will be freed in 2006.

A nun demonstrates torture in prison at TCHRD office

through with the required majority. Between the period of 1990 and 2002, ten Resolutions on China were tabled at the UNHCHR and all were defeated by China's No-Action Motion, which necessitates member states from voting either in favour or in against. The year 1995 saw China's No-Action Motion resulting in a tie and later the Resolution was defeated by one vote — 20 in favour, 21 against and 12 abstentions.

TCHRD has found hardening of State policy with continued restrictions and repressions of right to freedom of expression, association and religion. Arbitrary detention and imprisonment, unfair trials, torture and ill treatment and execution saw no let up. Threats to nationalism, state security and social stability were used to justify crackdowns on the Tibetan people. China's development projects in Tibet are termed assimilationist in nature since Tibetans are excluded from consultation or effective participation. Despite official claims of high living standards of its citizens, the United Nations Development Program (UNDP) maintains that Tibet remains one of the poorest regions in the world. The mode and medium of education is sinicised and Tibetan education is effectively sidelined.

With evidences of gross human rights violations in Tibet, the Chinese Government cannot make claims of progress in human rights cause in 2003. As China continues to reach out to the world, beefing up scores of political contacts, emerging as an active player in the international arena, expanding its influence and refining it diplomacy to become as one of world's great powers, the free world must remind itself that it also has a responsibility to ensure that China respects human rights of its own people, the Tibetans and others within its territory. TCHRD believes that so long as democracy, rule of law and respect for human rights are lacking, China cannot claim genuine development.

Nunnery reconstruction leads to police confrontation: Dhamchoe Dolma testifies

Dhamchoe Dolma, 29, served six years' imprisonment term at Drapchi Prison in Tibet Autonomous Region ("TAR"). Upon her escape to India, she testified TCHRD about her activism in Tibet and prison atrocities suffered in Drapchi.

Dhamchoe recounts, "My birth name is Dhadhon, however, I was renamed and ordained as Dhamchoe Dolma when I became a nun. I was born in Changra Village, Changra Township, Lhundup County, Lhasa City. I attended the local government school for two years. However, I left school there after in order to help my parents in their fieldwork. Our family's main source of income is through farming."

"At the age of seventeen, I was ordained as a nun at Shar Bumpa, popularly known as Shargon, Nunnery located in Jangkar Township, Phenpo County. When I joined the nunnery, there were approximately sixty nuns. There were only a few elderly nuns; the majority of the nuns were young."

"During the Chinese Cultural Revolution (1966-1976), the nunnery was destroyed. The locals wanted to rebuild the nunnery and gathered reconstruction expenses through donations within the town. We the nuns oversaw ourselves the reconstruction of the nunnery. We laboured hard by carrying construction materials such as cement and boulders to the nunnery. While our main work consisted of conducting the manual labour, during the fall season we would also go around to the neighbouring towns seeking donations. We had completed rebuilding majority of the stupas that were destroyed except for a few."

"In March of 1993 with majority of the work completed, a team of Lhundup County officials came to the construction site. They forbade us from continuing the reconstruction works. They also introduced a new rule limiting the number of nuns admitted to the nunnery. It caused us a lot of disturbance, and we were anguished."

"As a result of such directive, five nuns: Seldon, Choeying Gyaltsen, Choekyi, Choekyi Wangmo and Gyaltsen Sherab went to Lhasa and shouted slogans demanding Tibet's Freedom. They were caught during the demonstration and imprisoned by the Chinese police. Three PSB officers from Phenpo County came to our nunnery and questioned us about the five nuns."

" Because we were still suffering from the heartache caused by the termination of the reconstruction and now the added pain of our fellow nuns being imprisoned, instead of answering their questions we demanded the release of the five nuns. The officers ordered the nuns to gather in the nunnery's assembly room. However, none of us attended the meeting. Instead, some of us locked the policemen inside the room. We then called other nuns who were still in their rooms to come outside the nunnery. At this point all the nuns gathered outside the nunnery and we started to stone the police jeep that was parked there. The driver of the jeep escaped and went directly to report to the authorities at the People's Armed Police ("PAP") headquarters to relate the events that took place at the nunnery. Offficials from the PSB, PAP and County 'workteams' arrived at the nunnery. Our family

members were also called to the nunnery. By the time the police cars arrived, the nuns had created a human blockade, blocking the cars' way. The police warned us that if we did not give way, we would be shot at. We did not listen to their threats. However, fearing the worst, our family members and the local people who the police had brought with them, pleaded with us to give way. Listening to their pleas we finally gave way. The police then drove in and surrounded the nunnery. They forced their way into the nunnery and freed the three policemen that we had locked in."

"The officials then called all the nuns to a meeting where we were condemned for our actions. They told us we had committed a big crime, and violated the law by locking in the policemen and stoning government jeep. The authorities then demanded the name of the nun who was primarily responsible for the offence and asked us to hand her over. However, we didn't reveal any names or hand over any of the nuns responsible. Our family members were told by the police to intervene. They pleaded with us for the names of the nuns responsible. However, this time we stood our ground and did not reveal any of the names. If the police had arrested the nuns at that time, the family members and local elders of the town had already planned to create a human blockade by lying on road, making it impossible for the police to drive out. The authorities foresaw what a huge incident this could turn into. They instead called all the nuns individually and made us sign a contract promising that such acts of defiance would not be committed in the future. Not only did we had to sign this guarantee paper but also our family members and family friends vouching that we would not create problems in the future. That whole night, PAP officials kept vigil around the nunnery to avert further mishaps. At dawn, the officials left the nunnery."

"Later 'workteam' officials from Lhasa City and Lhundup County arrived in the nunnery to conduct political education classes as well as to teach us about the laws of the Chinese Government. This group of officials remained at the nunnery for a month."

" In March 1995, with plans of demonstrating in Lhasa for Tibet's freedom, I along with seven nuns, Choeying Kunsang, Namdrol Wangmo, Phuntsok Khachoe, Lobsang Tsomo, Penpa Choekyi, Choekyi and Tenzin Dolma, went to Lhasa. We arrived very early in the morning but were unable to enter Lhasa due to high level of security check that was going on. We spent the day in the outskirts of the town. At about six that evening we were able to get to the Barkhor, central market in Lhasa. While circumambulating it, we shouted: Tibet belongs to Tibetans, Chinese leave Tibet and Long Live His Holiness the Dalai Lama."

" In a short time, Barkhor PSB arrived at the scene and arrested us and subsequently imprisoned us in a room at the local detention centre. We were kicked and beaten. We were then put on a bus to be taken to Lhasa PSB headquarters. While in the bus we shouted slogans. The police gagged our mouth and sat on us, forcing us to crouch in our seats so that passerby could not see or hear us. This is how we arrived at the PSB Detention Centre where we were detained for six months. We were regularly interrogated and beaten, kept in seclusion and denied visits by our family and friends. After six months, we were brought before the Lhasa People's Intermediate Court and were all pronounced guilty of "counter revolutionary propaganda" and given lengthy imprisonment terms. Namdrol Wangmo and I were sentenced to six years' imprisonment term while the rest were sentenced to four years' term."

"On 29 July 1995, sixty nuns including me and three other women political prisoners were transferred to Drapchi Prison. In the past, Drapchi Prison consisted of three units. The first two were for male prisoners and the third for female prisoners. However, a third unit had to be added due to large influx of female prisoners that arrived on the 29th of July. As a part of the daily routine we were all called to gather and form straight lines and we were taught how to march, as we often see the soldiers do. Those who oversaw this routine were soldiers. If we committed a small mistake, we were beaten with their belts and sometime we were also made to stand still under the scorching sun. We were often given punishments since the instructions were in Chinese and we understand only a little bit of Chinese."

"On 1 and 4 May 1998, the political prisoners of Drapchi Prison refused to sing the Chinese National Anthem during the Chinese flag hoisting ceremony. With unleashed fury, the police assaulted the political prisoners. Many of us were seriously injured; some prisoners were beaten until they were unconscious. Five nuns and three male prisoners were killed due to random firing on the protesting prisoners. Many prisoners were given sentence extension in the aftermath of the protest."

"In the June of 1998 the policemen gathered all the nuns to teach them a song that had to be performed for the local leaders during their prison visit. However all of us refused to learn the song. We were told that we would be punished if we refused to learn the song. We still refused. 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, some soldiers came into my room and took me to a room where I was interrogated. There were five of them. They kept asking me 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 fell unconscious. When I regained my consciousness, I was again asked if I was now willing to learn the song and sing. When I replied negatively, they took the electric prod again and started to beat on my heel, the shock of which again caused me to lose consciousness. When I regained consciousness I found myself thrown onto my cell bathroom floor. I had wetted and excreted in my pants. I was unable to speak because of the swollen condition of my mouth. I found 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 with only one meal a day. The food was barely enough to keep me alive. The soldiers were careful to give me enough so that I wouldn't die. I was given a little rice for my meal along with a bowl of water. I

stayed there for six months at the end of which I was sent back to my unit. However, the unit I returned to was an extremely different before my solitary confinement. Security was rigorously tightened. Since the 1 and 4 May incidents, the prisoners were no longer allowed to go outside in the unit courtyard; they remained confined in their prison cells. They were subjected to political education classes. In addition they were made to knit sweaters. If the wool was thick, we were required to knit five sweaters, if the wool was thin, only three were required per month. If we did not meet the required quota, we had to work throughout the night and if we still failed to meet this quota we were denied our family visitation day, which takesplaceonceamonth.On24February 2001, upon the completion of my six years' sentence, I was released from the prison. At the time of my release six other nuns from my nunnery were still incarcerated at the Drapchi prison."

Dhamchoed Dolma arrived in Dharamsala in March 2004.

Two Tibetan singers arrested

Two Tibetan singers were arrested by Tongde County Public Security Bureau ("PSB") on charges of their songs carrying political message, reports Radio Free Asia on 3 April 2004.

On 10 March 2004, Namkha and Bagocha from Tongde County, Qinghai Province, were arrested by the local PSB on allegations that their musical albums titled "Amdo Phagod" (Tib translit: Amdo'i phogod) and "Tsenpoe Phonya" (Tib translit: btsenpo'i phonya) contain strong political message despite no obvious lyrics. The Tibetans in the region loved the CDs and the songs became hugely popular.

The PSB officials visited the local monastery and ordered the monks to handover the CDs willingly. They further warned that possessing the CDs could lead them into rigorous punishment.

Namkha is from a nomadic family whereas Bagocha is a monk at Bashangtri (Tib translit: 'ba' shang khr'i) Monastery.

Monk arrested for Dalai Lama portrait and Tibetan national flag

TCHRD received confirmed information that the Public Security Bureau ("PSB") arrested Choeden Rigzin, 25, a monk at Gaden Monastery on 12 February 2004 during a secret raid at the monastery. The PSB officials found a portrait of the Dalai Lama on ransacking Choeden's quarter and further discovered a Tibetan national flag in his room. The PSB officials immediately took him away. It is unknown where he is detained at the moment. It is probable that he might have been imprisoned in Gutsa Detention Centre.

In the following days after Choeden's arrest, PSB detained two of Choeden's friends, Tsuchung and Dhargay, on grounds of suspicion for being involved in the "crime". However, the two monks were later released and returned to the monastery.

Five days after Choeden's arrest, six PSB officials arrived at the monastery and summoned the monks for a meeting. About 500 monks gathered in the hall. The officials declared that Choeden Rigzin has committed crimes violating the national law and would be meted with imprisonment sentence. The officials warned the monks not to involve in activities to "split the motherland" and forbade them against possessing photos of the Dalai Lama.

Choeden Rigzin, 25, was born in Moshang Village, Meldrogongkar County, Lhasa City.

In 1992, Choeden Rigzin joined the Gaden Monastery. When the Chinese authorities instructed all the government staff to withdraw their wards from monasteries, Choeden's parents also pulled him off the monastery for two months.

China ban book on socio-economic and religious freedom in Tibet

A Tibetan authored book titled "Notes on Tibet" (Ch: Xizang Biji) written in chinese was banned by the authorities of the Tibet Autonomous Region ("TAR") in September 2003, reports London based Tibet Information Network (TIN).

The book containing a collection of 38 essays describes the author's encounter with different people and places in Tibet.Some of the essays describe the Tibetans in Tibet of their reverence to the Dalai Lama, political dilemmas and restrictions faced by a Tibetan monk sent abroad on an official visit, and expulsion of Chinese nuns from the Serthar Buddhist Institute.

Oser, was born in 1966 in Lhasa but later returned to her family in Derge. She joined the Chinese department of the South-West Nationalities Institute in Chengdu and graduated in 1988.

Besides "Notes on Tibet", Oser has earlier written a book tittled "For Tibet" which was a collection of poems published in 1999 by the Qinghai People's Publishing House.

TIN reports that the author is currently residing in Beijing. Oser's work unit, the "TAR" Literature and Arts Association (Ch: Xizang zizhi qu wenlian) has urged her to return on the condition that she acknowledges her political mistakes. Oser is currently known to be unwilling to accept the condition laid to her.

TCHRD ACTIVITIES Bulletin

TCHRD extends warm welcome to Takna Jigme Sangpo

On 16 March 2004, Takna Jigme Sangpo, a prominent former political prisoner arrived in Dharamsala.

TCHRD staff Ms. Tsewang Lhadon, Executive Director, Mr. Jampa Monlam, Reseacher, Mr. Tenzin Norgay, Field Officer, and Mr. Palden Tsering, driver, went to Pathankot Railway Station near Dharamsala to receive Takna Jigme Sangpo. Officials from the Security Department of the Tibetan Government-in-Exile and the vice-president of Gu-Chu-Sum Organisation also arrived at Pathankot to extend their reception.

Takna Jigme Sangpo, 78, who was sentenced to a cumulative sentence of 41 years' imprisonment term was released on 31 March 2002 by China. After release, Takna Jigme was flown to the United States and currently resides in a Tibetan monastery in Switzerland. Takna Jigme will stay in Dharamsala for a few months.

Briefing to Indian media delegation and RTYC hunger strikers

Mr. Tenzin Norgay, Field Officer, gave briefing to a 12 member Indian media delegation on visit to Dharamsala during their intereaction with Tibetan NGOs on 15 March 2004.

Apart from pertinent questions on human rights situation in Tibet, Mr. Norgay also fielded questions regarding Tibetan democracy in exile and contemporary issues surrounding Tibet.

The visit was coordinated by India-Tibet Coordination Office (ITCO) based in Delhi and attended by Dharamsala based Tibetan non-governmental organisations : National Democractic Party of Tibet (NDPT), Tibetan Women's Association (TWA), Gu-Chu-Sum Movement of Tibet.

On 10 March 2004, Mr. Jampa Monlam, Researcher, was invited by the Dharamsala chapter of Regional Tibetan Youth Congress (RTYC) to talk to a group of hunger strikers at the bus station in Mcleod Ganj, Dharamsala.

Mr. Jampa gave an overview of gross human rights violations taking place in Tibet to the hunger strikers.

The hunger strike was organised to mark the 45th Tibetan Uprising day called for the release of Trulku Tenzin Delek, Gedun Choekyi Nyima and other prisoners of conscience in Tibet. Many western and Tibetan supporters also participated in the blood signature campaign calling for the same.

TCHRD participates in ICT seminar

Washington based International Campaign for Tibet (ICT) organised a seminar "Key Issues in Contemporary Tibet" at Norbulingka Institute in Dharamsala from 11-13 March 2004.

The seminar was formated to talk and debate on the Political context: Tibet-China Interface on the first day, Tibet and 'Modernization': Challenges of Economic Development and Exploring Possibilities for Cultural Revival on the second and third days respectively.

Ms. Tsewang Lhadon, Executive Director, Ms. Norzin Dolma, Senior Programme Officer, Mr. Jampa Monlam, Researcher, and Mr. Tenzin Norgay, Field Officer participated in the seminar.

During the discussion on Prospects and New Avenues in Outreach, Mr. Jampa Monlam talked about the human rights situation in Tibet and recent developments in Chinese Constitution regarding human rights. Mr. Jampa spoke about the 10th National Peoples Congress adopting human rights principles in the Chinese law.

Friedrich Naumann Stiftung members visit TCHRD

Members from Germany based Friedrich Nauman Stiftung (FNS) visited TCHRD office.

Mr. Ugyen Tsewang, Information Officer, and Mr. Tenzin Norgay, Field Officer gave a briefing about the plight of Tibetan refugee exodus to India and current human rights violations in Tibet.

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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.

TCHRD's publications:

1996 Annual Report:*Tibet:One More Year of Political Repression* (English and Tibetan editions)•1997 Annual Report:*China in Tibet:Striking Hard Against Human Rights* (English and Tibetan editions)•The Next Generation:*The State of Education in Tibet Today* (1997)•*Universal Declaration of Human Rights* (Tibetan Translation) (1998)•1998 Annual Report:*Tibet:Crackdown on Humanity* • 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)•South East Asia:*Human Rights NGO Seminar on Tibet* (Proceedings) (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)•1999 Annual Report: *Tibet:Tightening of Control* (2000)•TCHRD *Review* (2000)•Torture and Ill-Treatment in Tibet (2000)• Racial Discrimination in TIbet (2000)• Impoverishing Tibetans:*China's flawed economic policy* (2000)• Prisoners of Tibet:*Profiles of current political prisoners* (2000)• 2000 Annual Report:*Enforcing Loyalty (2001)* • *Annual Report 2001:Human Rights Situation inside Tibet (2002)* • *Destruction of Serthar Insitute : A Special Report (2002)* Dispossessed: *Land and Housing Rights in Tibet* (2002)•*Annual Report 2002: Human Rights Situation in Tibet (2003)*

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Five students from Tibet University detained, one expelled

In June 2003 a Tibetan student was reported to have been arrested from the Tibet University in Lhasa. The arrestee, Dawa Tashi, reached Dharamsala, India, and testified to the Tibetan Centre for Human Rights and Democracy (TCHRD) his personel accounts of the events that took place during the time.

According to Dawa Tashi, on 9 June 2003 civil clothed Lhasa Public Security Bureau (PSB) officials came to the University campus and ransacked the students living quarters and found a letter addressed to the United Nations and other political literary writings. Five students including Dawa were immediately arrested and subsequently detained in Tibet Autonomous Region ("TAR") PSB Detention Centre.

The five had clandestinely written political essays and formed a secret group called "Tibetan Democractic Youth Group" (Tib translit: gangs ljongs gzhonu'I dmangs tso tshogspa).

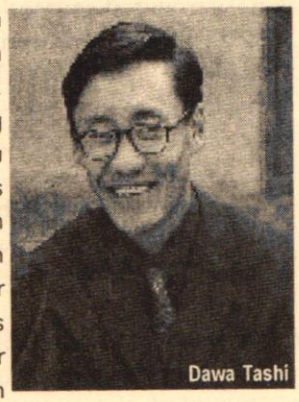
Since the group was only involved in preparation for a political activity and had not actually carried out any activity in public, Pema Lodhen, Tashi Topjor, Choenyi Penpa, and Tsering Ngodup were released after a month's detention and allowed to return to Tibet University. However, Dawa Tashi was suspected as the ringleader and was held in detention for one more month.

Dawa was released and returned to Tibet University on 25 August 2003. Upon his return to the University, the Principal and head of the Tibetan Department accused Dawa of damaging the University's reputation and inciting other students against the Government. They threatened to expel him from the University without granting his certificates. A meeting was called in the University consisting of three thousand students and faculty members where Dawa was declared as a "Dalai clique". The assembly was called to condemn Dawa for his "splittist activities". The condemnation was made public through the University loud speakers and literary journals. Department meetings were held and criticism essays on Dawa's activities were written.

Dawa who had only one examination left to graduate lamented, "I was very depressed when they expelled me. My life has been ended. After all these years of studies, it's very disheartening to be expelled at a stage when I was just a step away from my graduation. My future looks bleak."

In August 2003, Agence France Presse (AFP) news agency reported that Vice Mayor of Lhasa City admitted to having arrested two Tibetans on "splittist charges" to a media group on official trip to the "TAR". The Vice Mayor, Dhargyal, told the reporters that Dawa Tashi, a Tibet University student, and Yeshi Gyatso, member of the Chinese People's Political Consultative Conference (CPPCC), were arrested in June 2003 on suspicion of 'separatist offences'. The Vice Mayor said that the two had been accused of 'splitting the motherland, undermining unity of nationalities and violating the constitution'. He further told the reporters that Dawa Tashi was released after he confessed to the charges.

Tibet University is the biggest University in "TAR" with an enrollment of three thousand Tibetan and Chinese students. Tibetans form the majority with approximately two thousand in number. The University has a history of political activities. In 1988, the students of the University staged a demonstration calling for promotion of Tibetan language. Lobsang Tenzin, a student was arrested on 5 March 1988 for activities calling for freedom in Tibet. Lobsang Tenzin is currently imprisoned in Pawo Tramo Prison serving 18 years' imprisonment term. In 1989, Ganglha, a female student at the University was sentenced to three years' imprisonment term for her activities concerning freedom for Tibet.


Dawa Tashi

Dawa Tashi, 23, was born in Nagartse County, Lhoka Prefecture, "TAR". Dawa studied in a village Elementary School from 1988 to 1991 and in Nagartse Government Primary School from 1991 to 1994. Later he did his Junior Secondary School from 1994 to 1997. In 2000, Dawa passed his Senior Secondary School. Since September 2000 till his expulsion, Dawa was a student in the Tibetan Department at Tibet University.

The details on the other detainees are as follow; Pema Lodhen, 24, Nagartse County, Lhoka Prefecture, "TAR", Commerce Department, Tashi Topjor, 24, Chusum County, Lhoka Prefecture, "TAR", Biology Department, Choenyi Penpa, 24, Nagartse County, Lhoka Prefecture, "TAR", Tibetan Medicine Department, Tsering Ngodup, 23, Lhodak County, Lhoka Prefecture, "TAR", Tibetan Medicine Department.

China blocks US Resolution on Human Rights at 60th UNHCHR

The Tibetan Centre for Human Rights and Democracy (TCHRD) expresses its dismay over the rejection of a resolution on human rights situation in China at the 60th session of the United Nations High Commission on Human Rights (UNHCHR) in Geneva.

A resolution (E/CN.4/2004/L.37) proposed by the United States of America was dismissed at the 60th UNHCHR when China called for "No-Action Motion". The motion warranted voting by all the 53 member states of UN on the resolution. The voting on China's No-Action Motion which took place at 18.00 hours on 15 April resulted in 28 votes in favour, 16 against and 9 abstentions.

Between the period of 1990 and 2004, 11 such resolutions on China were tabled at the annual meetings of the UNHCHR and all have been defeated by China's No-Action Motion. However, the year 1995 saw China's No-Action Motion against resolution on China's human rights records resulting in a tie but the resolution itself was later defeated by one vote. This year, out of total 53 UN member states that participated in the voting, TCHRD found 28 member states to be new.

The voting result of the past decade (1990 – 2004) illustrates wave of favour over resolutions from the North American States and European States, and only few supports from Asia Pacific Regions and African States, and neutral stand taken by majority of the Latin American and Carribean States through abstention.

The US draft resolution presented at the Commission reiterates the "obligation on the part of Member States to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations and the Universal Declaration of Human Rights" (UDHR) and further noted "the transformation of Chinese Society". The Resolution additionally took note of "some steps taken by China over the past two decades to enhance the enjoyment of human rights". However, the Resolution expresses concern about "continuing reports of severe restrictions on freedom of assembly, association, expression, conscience and religion"; lack of adequate legal process and transparency, and "arrest and severe sentences" for those exercising their fundamental rights. The Resolution "encourages China to permit visits by UN Mechanisms" and to take "additional steps to cooperate with the international community in the human rights area".

TCHRD considers the year 2003 as the year of gravest human rights violations in Tibet as evidenced by Lobsang Dhondup's execution, upholding of death sentence for Trulku Tenzin Delek, and reports of 27 new arrests of Tibetans, closure of a monastic school, and forceful eviction of Tibetan nomads and herders from their traditional landholdings under the pretext of "development". The much hyped development projects in Tibet are devoid of Tibetan participation and consultation from decision-making to its actual implementation.

Many human rights watchdog including Amnesty International, Human Rights Watch, Tibet Information Network and International Campaign for Tibet have continued to highlight cases of China's human rights abuses and furthermore, several government delegates at the UN Commission have urged the Chinese Government to respect the international human rights treaties to which they are a signatory.

On 14 April 2004, the day before the No-Action Motion took place, a three fact-finding experts of the United Nations Commission namely Mr.Ambeyi Ligabo, Special Rapporteur on the Right of Freedom of Opinion and Expression, Mr. Leandro Despony, Independence of Judge and Lawyers and Ms. Hina Jilani, Special Representative of the Secretary General on Human Rights, released a statement on Human Rights. The statement expressed "deep concern" over situation of Tenzin Delek Rinpoche as he "might be executed at any time upon expiration of the suspension of his death sentence on 3 December 2004". The experts also shared concerns over "alleged lapses in trial proceedings" of Trulku Tenzin Delek and urges the authorities in China to "grant him [Tenzin Delek] a new trial ensuring respect for international norms and standard of due process".

The dismal voting record on China Resolution reflects the failure of UN member states in taking a principled stand on the propounded ideals of fundamental freedoms and human rights as enshrined in the UDHR. It is also indicative of China's success and sophistication in pursuance of its aggressive lobby tactics and diplomatic pressures by using both economic and political leverage. The second factor is evident from the support that China has managed to garner over the years from developing countries such as African States and countries from Asia Pacific Region.

TCHRD condemns China's continued use of No-Action Motion, as a permanent member of the U.N Security Council, as it curtails the stated missions and principles of the United Nations. It brings into question the legitimacy and effectiveness of the United Nations and its committee on human rights. TCHRD urges the UN member countries to effectively and unfailingly address human rights concerns at such multilateral platform thereby

profile **POLITICAL PRISONERS**

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This is a regular section profiling political prisoners currently imprisoned in Tibet

Eleven years' imprisonment term for Jangchub Dolma, the resolute nun

Jangchub Dolma, 29, was born in a nomadic family in Damshung County. As a child she never had the opportunity to attend school since she was always engaged in family nomadic chores. She was later able to join and take her nun ordination vow at Yangpachen Ghalo Nunnery, the local nunnery of the town where her family had settled.

On 20 February 1995, Jangchub Dolma along with another nun, Rinchen Pema, from her nunnery went to the center of Lhasa city and staged a demonstration, shouting slogans of independence and praying for the Dalai Lama's long life. Within minutes the local Public Security Bureau (PSB) arrested them and detained them in the Detention Centre for several days. During the time, they were subjected to severe abuse and relentless interrogation sessions, questioning them about their motives for the demonstration. From there, the two nuns were taken east of Lhasa to Gutsa Detention Center or more popularly known by Gutsa only. Gutsa is Lhasa City's PSB Detention Centre and is notorious for it's inhumane methods of interrogation. During their time in detention, the nuns were victims of Gutsa prison officials' constant brutal verbal and physical abuse. After five months at Gutsa, Lhasa People's Intermediate Court pronounced the two nuns as guilty on charges of "spliting the motherland" and spreading "counterrevolutionary propaganda" to the public. Jangchub Dolma was sentenced to five years and Richen Pema to six years' imprisonment term. On 29th July 1995, Jangchub Dolma was amongst the sixty political prisoners who were shifted to the infamous Drapchi Prison.

Jangchub Dolma was also amongst the many prisoners at Drapchi Prison who participated in the 1 and 4 May 1998 prisoner demonstration that took place inside Drapchi prison. The prison officials had organized a ceremony on 1 May to commemorate International Labour Day. A flag raising ceremony was planned, where the prisoners would be made to sing songs praising Socialism as well as the Chinese national anthem. However, the prisoners refused and instead staged a demonstration calling for independence. The authorities were only able to regain control after several hours of ruthless beating towards the prisoners. With much heavier security the failed program was again planned to be performed on 4 May to mark International Youth Day. Once again the prisoners did not comply. As the Chinese flag was being raised, a demonstration once again broke out. Even the prisoners in units who were being held inside the prison joined in the demonstration by shouting through windows and cell bars, when they heard the cries of prisoners who were assembled outside.

Jangchub Dolma was accused of being one of the key culprits of the events that took place. She was mercilessly beaten and subjected to solitary confinement for several months, as a result of which her health became extremely weak. The officials of prison also petitioned to increase her sentence by six years making her total imprisonment term to 11 years. She is now due to be released in 2006, if her sentence isn't increased a second time. Since1987 to the present day, there has been 47 cases of political prisoners whose sentences were increased for various reasons at Drapchi prison.

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ensuring that all its members respect the fundamental human rights and freedom as enshrined in international laws and domestic laws. TCHRD calls upon the Chinese Government to stop human rights violations in Tibet.

Commission on Human Rights	Total	Yes	No	Absentation	Absent
46th Commission, 1990	43	17	15	11	
47th Commission, 1991					
48th Commission, 1992	51	26	15	10	
49th Commission, 1993	51	22	17	12	
50th Commission, 1994	53	20	16	17	
51th Commission, 1995	53	22	22	9	
52th Commission, 1996	53	27	20	6	
53th Commission, 1997	53	27	17	9	
54th Commission, 1998					
55th Commission, 1999	53	22	17	14	
56th Commission, 2000	53	22	18	12	1
57th Commission, 2001	53	23	17	12	1
58th Commission, 2002					
59th Commission, 2003					
60th Commission, 2004	53	28	16	9	

Testimony of a former political prisoner, Jigme Gyalpo

Jigme Gyalpo, 29, a former political prisoner arrived in Nepal in April 2004. Jigme was incarcerated for six years in Drapchi Prison for posters calling for Tibetan freedom.

Jigme told TCHRD, " I was born in a farming family in Tsashol Township, Meldrogungkar County. I attended a local school for eight years. Later when I grew up, I encouraged other youngsters in Tibetan nationalism and to learn Tibetan language alongwith other studies to strive for freedom in Tibet."

"On 20 April 1995, I and my friend Bukhog pasted posters calling for freedom in Tibet on the gate of Tsashol Township. We also pasted Tibetan national flags on the gate and administrative buildings. The County Public Security Bureau ("PSB") officials arrested both of us and detained us in Meldrogungkar County PSB Detention Centre. During one and a half month's detention, Bukhog and I were subjected to torture while interrogation. The officials threw boiling water on our face and hit on the heels with electric batons while our hands were tied tightly behind our back. We were later shifted to Lhasa PSB Detention Centre a.k.a Gutsa Detention Centre for further interrogations. Lhasa People's Intermediate Court sentenced both of us to six years' imprisonment term and we were transfered to Drapchi Prison to serve the sentence."

"On 19 April 2001, I was released and I stayed in Lhasa and Meldrogungkar doing petty businesses. On 3 April 2004, I fled Tibet and reached safely in Kathmandu Tibetan Refugee Reception Centre."

Permission regulation deny monks to meditate

Jigme Namgyal, 37, was born in Sarshar Village, Sershul County. At an early age Jigme became a monk at Amdo Phuntsokling Monastery. When he became 29 years old, he went to Lhoka Samye Drakmar Monastery to practice meditation. However, the Chinese authorities stationed in the monastery denied him to meditate saying that he would need permission documents to allow him to meditate. Jigme went to the Hrichi County Religion Bureau to seek permission for meditation and after eight days of visits, the authorities granted him permission to meditate for three months. Most of the monks who wishes to stay on meditation are given permission for a maximum period of one year and the monks are required to pay 25 Yuan annualy as land tax. On the expiry of his three months meditation permit, Jigme continued to meditate for three years. However, in 1998 Chinese work teams visited the monastery as well as a nunnery nearby to conduct "Patriotic Re-education Campaign". The monks were required to sign documents denouncing the Dalai Lama and condemning the "separatist activities". However, the monks didnot put their signature thus provoking the "Work Team" officials to threatening to destroy the monastery. The senior monks incharge of administration of the monastery were anxious that the Chinese officials may destroy the monastery according to their threat. So inorder to protect the monastery, the monks were asked to put fake signatures and the document was submitted to the authorities.

The monastic population decreases every year due to such strict regualtions and political indoctrination. "I have strong concern that Samye Drakmar Monastery will perish in the near future as there is no religious freedom in the monastery", said Jigme Namgyal.

TCHRD commemorates 15th birthday of the XIth Panchen Lama

Gedhun Choekyi Nyima, the XIth Panchen Lama of Tibet, turned 15 on 25 April 2004. It is his ninth year in Chinese custody at an undisclosed location after he and his parents disappeared in 1995.

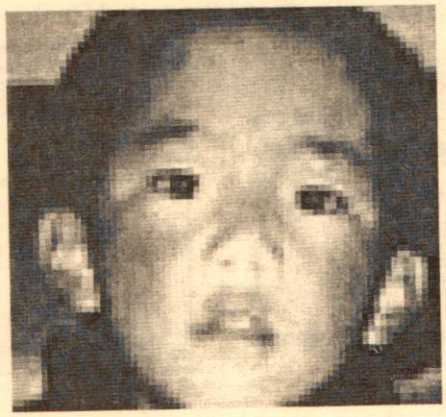
On 14 May 1995, His Holiness the Dalai Lama recognised Gedhun Choekyi Nyima as the reincarnation of the Xth Panchen Lama. The government of the People's Republic of China (PRC) declared the announcement invalid and illegal. Three days later, the six-year-old boy and his parents disappeared and have never been seen again.

A few months after the disappearance, the PRC government appointed its own Panchen Lama, a boy named Gyaltsen Norbu. A year later, in May 1996, the PRC admitted to holding Gedhun Choekyi Nyima "at the request of his parents" for "he was at the risk of being kidnapped by separatists and his security had been threatened". It is strange that the Chinese authorities would go to such lengths to provide "security" for someone they considered just an ordinary boy.

In the years following this announcement, the PRC ordered that only the Chinese-appointed Panchen Lama was to be recognised in Tibet, while monks, nuns and ordinary Tibetans were ordered to denounce Gedhun Choekyi Nyima. There were many cases of arrests, detentions, sentencing and expulsions from religious institutions of monks and nuns who failed to denounce the real Panchen Lama. Reports from refugees fleeing Tibet, and from western travellers, are that pictures of the Chinese-appointed Panchen Lama are displayed prominently in the main monasteries and tourist hotels of Tibet. On the other hand, pictures of His Holiness the Dalai Lama and Gedhun Choekyi Nyima are banned in most parts of Tibet.

Many UN representatives and government delegations around the world have expressed concern over the Panchen Lama's continued detention, and called for the Chinese authorities to allow access to the boy by an independent figure acceptable to the Chinese Government and Tibetans to verify his health and living conditions. However the PRC continues to deny any outside access to the child and his parents.

In October 2000 a British delegation was told by Chinese authorities that the boy was well and attending school. They said that his parents did not want international figures and the media intruding into his life. Two photographs claimed to be of the Panchen Lama were shown to the British delegation showing a boy of approximately the same age. However it was impossible to determine the boy's identity or location, and the British officials were not given the photos



to take with them.

In August 2001, a Polish Parliamentary delegation visiting Lhasa was told in response to repeated questions that Gedhun Choekyi Nyima was healthy; the delegation was promised photos of the boy within six weeks but never received them. Later, the Polish Government received a letter from the Chinese embassy in Warsaw stating that Gedhun Choekyi Nyima and his parents did not want their peaceful life disturbed by strangers, and that the Chinese government "respects freedom of choice for its citizens and hopes that the Polish people would understand that too."

In March 2002, a government delegation from the Tibetan Autonomous Region (TAR) met with a European Parliament delegation and once again said that Gedhun Choekyi Nyima did not wish to be disturbed. The TAR delegation refused to answer questions about photographs promised to the Polish delegation. In the light of a refusal to provide photographs which positively identify Gedhun Choekyi Nyima, or to allow independent access to the boy and his family, the Tibetan people can only fear the worst.

The continued disappearance of the second highest lama in the Tibetan hierarchy completely contradicts China's claim to respect religious freedom in Tibet. It is highly concerning that such prominent religious figure is denied and bereft of any traditional religious studies and training even if he is alive.

Chinese authorities have continued to crackdown on religious figures in Tibet in the belief that Buddhism breeds political instability in volatile regions of Tibet. Trulku Tenzin Delek, the respected religious leader from Sichuan Province, is currently under death sentence more for his social and religious activism than for his alleged political activities. Geshe Sonam Phuntsok, another prominent religious figure is serving five years' detention for his expressed allegiance to the Dalai Lama.

The Tibetan Centre for Human Rights and Democracy is appalled at the Chinese government's continued detention of a 15-year-old boy. TCHRD calls upon the PRC to allow an independent figure to visit Gedhun Choekyi Nyima and verify his health and living conditions. TCHRD urges the international community to be stronger in their condemnation of China's human rights record in general and to pressurize the Chinese Government to release the young Panchen Lama and to provide him with proper access to religious studies and training. TCHRD appeals the United Nations and its various thematic bodies to intervene on the matter and to maintain constant pressure on the Chinese Government to secure release of the young Panchen Lama.

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Chinese authorities step up internet surveillance

Chinese authorities have imposed a new internet surveillance system whereby internet users in Lhasa City are required to use an individual registration number and a password to browse the internet, reported Washington based International Campaign for Tibet on 30 April 2004.

This unprecedented internet monitoring step allows the authorities to easily track every individual's e-mail exchange to the outside world and the websites visited. Internet Security of the Lhasa Public Security Bureau, the main branch office of the Office of Public Information, located on Duodi South Avenue, opposite the Prefectural Cultural Relics Department is the monitoring headquarter where Tibetans have earlier been interrogated for visiting banned websites or political sensitive mails.

The new system requires the net savvy Lhasa residents to acquire an "Internet Browsing Registration Card" from the cyber café and fill a form providing passport or citizen identification information (Ch: shen fen zheng) before browsing the World Wide Web. The cards are issued to the cyber cafés by the Internet Security Headquarter.

Earlier PSB officers would install tracking softwares in cyber cafés and visit regularly to collect information on the websites visited but that practice disallowed them to know the exact individual who might have visited government listed sensitive sites. With the new system in place every bit of information exchanged can be traced to the concerned individual.

Chinese authorities have in the past used filtering systems with firewalls containing politically sensitive vocabularies relating to "Tibetan Independence", "the Dalai Lama", "Tibetan Government-in-Exile", "Taiwan", "Falun Gong", "June 4", "Human Rights" etc. to list a few. A survey by Harvard Law School Reseachers between the period of May 2002 to Novermber 2002 revealed that the Chinese government prevented users from viewing both sexually and non-sexually explicit websites. Thousands of websites including the popular Google search engine were found banned besides political sensitive websites relating to Tibetan freedom struggle.

The government purchased approximately USD 1 Million in software "to carry out comprehensive long-term monitoring" and repress illegal activities in Internet cafés, according to Xinhua News Agency on April 21 2004.

Front side of the card

Back side of the card

Translation of the Individual Internet Browsing Card (Courtesy: ICT)

(Front side of the card, above the Potal Palace)
Lhasa City Internet Browsing Service Regional Network (letters written in red)
Individual Internet Browsing Card (Letters written in blue)

(Back side of the card written in white orange)
Internet Browsing Registration Card (Small text to the right, black on orange, top)
Telephone number for contacting authorities (Small text to the right, black on orange, bottom)
Email address for contacting authorities
Attention
1. The user must adhere to the laws and regualtions of the country.
2. The user must possess the user ID card, if it is lost the user should report loss immediately to the concerned office.
3. Internet browsing card cannot be rented or lent to others to use.
4. This card should be well preserved, should not be bend or written over or should avoid high temperature as well as strong magnetic fields.

Registration number: (Personal identification number matched with passport or citizen card)

The head office from where this card issued:
(Letter written on green, last sentence):
Issued by the Office of Public Information, Internet Security, Lhasa City Public Security Bureau of the Tibet Autonomous Region

TCHRD ACTIVITIES Bulletin

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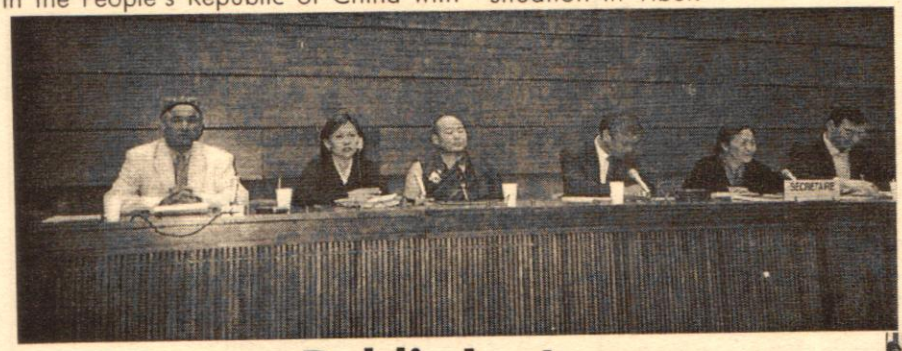
Executive Director attends the 60th UNHCHR

Ms. Tsewang Lhadon, Executive Director, attended the 60th session of the United Nations High Commission on Human Rights (UNHCHR) in Geneva, Switzerland.

The UN Special Rapporteur on Education, Ms. Catarina Tomasevski's report on education in China made a huge impact in the 60th UNHCR. Numerous briefings were held in this regard. On 1 April 2004, International Fellowship of Reconciliation (IFOR) organised a briefing "Education in China and Tibet". During the briefing, Ms. Catarina Tomasevski spoke on the "Human Rights in China's Education". Other speakers included Mr. Nicolas Becquellin, Research Director of Human Rights in China, spoke on "The Education System for Minorities in China" and Ms. Tsewang Lhadon, Executive Director of TCHRD spoke on the "Lack of Mother Tongue: How China's Policy Affects Tibetan Language". The briefing was moderated by Mr. Ravi Nair, Director of South Asian Human Rights Documentation Centre.

On 31 March, the Society for Threatened Peoples organised a briefing Human Rights in the People's Republic of China with special reference to Tibet and Xinjiang. Mr. Nicholas Becquellin gave "An Overview of the Human Rights Situation in China". Mr. Chime R Choekyappa, Representative of H.H. the Dalai Lama in Switzerland spoke on "Human Rights and Tibet's Non-violent Struggle", *Mr. Enver Can, President of East Turkestan National Congress, spoke on "Human Rights and the Uyghur People", Ven. Yeshi Togden, President, Gu-Chu-Sum Movement, spoke on "The Suppression of Religious Freedom in Tibet" which was interpreted by Ms. Tsewang Lhadon.

On 1 April, Ms. Tsewang met with the Tibetans residing in Switzerland who had gathered in large numbers outside the UN complex. Ms. Tsewang introduced the Tibetan Centre for Human Rights and Democracy and its effort in the UNHCHR. She also briefed the gathering of the human rights situation in Tibet.



Public Lectures

Ms. Tsewang Lhadon, Executive Director, and Mr. Ugyen Tsewang, Information officer, were invited as resource persons for workhops on human rights and democracy at Clementown from 19-21 April and at Manali from 17-18 April respectively. The topics covered in the two workshops were Concept of Human Rights, Universal Declaration of Human Rights and Overview of Human Rights Situation in Tibet.

On 7 April 2004, Mr. Jampa Monlam, Researcher, spoke about Trulku Tenzin Delek to the Tibetan Women's Association organised demonstration commemorating two years since Trulku was arrested and later sentenced to death with a suspension of two years.

TCHRD commemorates Panchen Lama's 15th Birthday

On 25 April 2004, the Tibetan Centre for Human Rights and Democracy (TCHRD) commemorated the 15th birth anniversary of the XIth Panchen Lama, Gendun Choekyi Nyima. Gendhun Choekyi Nyima then only six years old dissappeared on 17 May 1995 after the Dalai Lama recognized the boy as the reincarnation of the Xth Panchen Lama, Erdini Choekyi Gyaltsen.

TCHRD conducted painting competition, paintings display, giant banner painting, and a panel discussion at the main temple (Tsuglakhang) in Mcleod Ganj, Dharamsala to commemorate the day.

As a symbolic gesture TCHRD invited 15-year-old children from Upper TCV, Lower TCV, Gopalpur TCV, Kirti Monastery, and Dolmaling Nunnery to participate in the painting competition themed "Child Rights Issues in Tibet". The best painting done by a lower TCV student got the first cash prize whereas two students from TCV Gopalpur received the cash prize for second and third best paintings. A novice monk from Kirti Monastery also received a third best painting prize.

The day followed with a panel discussion on the dissappeared Panchen Lama in the evening. The panelist included Takna Jigme Sangpo,former longest-serving Tibetan political prisoner, Mr. Tenpa Soepa, a staff at the Private Office of H.H. the Dalai Lama, Ms. Tsewang Lhadon, Director, TCHRD; and Mr. Ugyen Tsewang, Information Officer, TCHRD.

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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.

TCHRD's publications:
1996 Annual Report:*Tibet:One More Year of Political Repression* (English and Tibetan editions)•1997 Annual Report:*China in Tibet:Striking Hard Against Human Rights* (English and Tibetan editions)•The Next Generation:*The State of Education in Tibet Today* (1997)•*Universal Declaration of Human Rights* (Tibetan Translation) (1998)•1998 Annual Report:*Tibet:Crackdown on Humanity* • 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)•South East Asia:*Human Rights NGO Seminar on Tibet* (Proceedings) (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)•1999 Annual Report: *Tibet:Tightening of Control* (2000)•TCHRD *Review* (2000)•Torture and Ill-Treatment in Tibet (2000)• Racial Discrimination in TIbet (2000)• Impoverishing Tibetans:*China's flawed economic policy* (2000)• Prisoners of Tibet:*Profiles of current political prisoners* (2000)• 2000 Annual Report:*Enforcing Loyalty (2001) • Annual Report 2001:Human Rights Situation inside Tibet (2002) • Destruction of Serthar Insitute : A Special Report (2002)* Dispossessed: *Land and Housing Rights in Tibet* (2002)•*Annual Report 2002: Human Rights Situation in Tibet (2003)*

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TIBETAN CENTRE FOR HUMAN RIGHTS AND DEMOCRACY

MAY 2004 VOLUME IX NUMBER 5

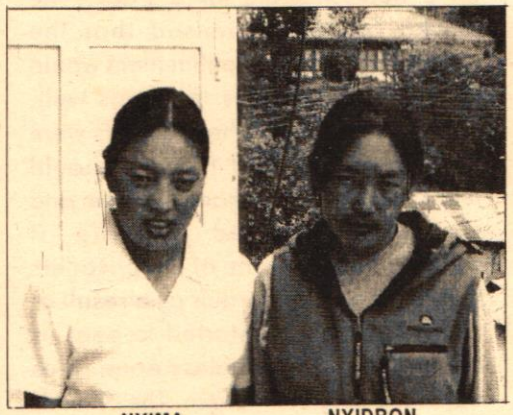
Nuns undergo tremendous hardship for protesting against curtailment of religious rights

Phenpo Podo Nunnery is a small nunnery in Phenpo Lhundup County, Lhasa Municipality, Tibet Autonomous Region ("TAR"), established by Geshe Podowa before the Chinese invasion of Tibet in 1959. In its initial years, the nunnery housed around 200 nuns. In the aftermath of the People's Liberation Armies' occupation of Tibet, and the Cultural Revolution thereafter, the nunnery was totally destroyed. In 1992, through the generous donation of Lobsang Tsundue and with funds collected by the nuns through begging, the nunnery was reconstructed.

Nyima and Nyidron joined the nunnery in 1992 when there were 130 nuns. However, they couldn't stay for long in the nunnery as both were arrested by Public Security Bureau officials for protesting against the Chinese government and were subsequently sentenced to five years imprisonment.

After their release from prison and escape to India, the Tibetan Centre for Human Rights and Democracy met the nuns.

Nyima recounts, "In September 1993, the nuns at Podo Nunnery were called for a meeting at Sumpang Township by the local authorities. During the meeting, the authorities issued a directive whereby nuns below the age of eighteen were banned from attending the nunnery and an enrolment ceiling of sixty nuns in the nunnery was imposed. Failing to follow the directive, the nunnery was threatened with imposition of heavy fines. Most of the nuns, out of the total 130 nuns in the nunnery, failed to meet the age regulation. A week later, an official notice was sent to the village head and accordingly Nyidron and I and other nuns below eighteen years of age were dismissed from the nunnery. Many elderly nuns were also expelled to meet the enrolment ceiling of sixty nuns."



NYIMA NYIDRON

"The nuns were depressed and anxious about their fate. In order to protest the curtailment of religious rights, Nyidron and I, along with another nun, Nyichung, secretly crossed the hill separating Lhasa from Phenpo County on foot and reached Lhasa on the morning of 22 March 1999. Three of us straight away proceeded to the busy Barkhor market and shouted slogans calling for "Freedom in Tibet", " Chinese out of Tibet" and "Human Rights in Tibet". Barkhor Public Security Bureau ("PSB") officials immediately took us into custody and detained us for about fifteen minutes in the local Detention Centre, we were then were shifted to Lhasa City PSB Detention Centre in the east of Lhasa. We were separated in different cells for interrogation. A team of PSB officials was sent to the nunnery in Phenpo County to search for any incriminating evidence. The officers, on ransacking our quarters and other nuns quarters, found a pamphlet calling for Tibetan Independence in a neighbouring nun's quarter. Suspecting a huge undercover protest, the three of us were beaten, had boiling water splashed on our bodies, were lashed with belts and our bodies were pricked with cigarette butts. In September, Lhasa People's Intermediate Court sentenced us to five years' imprisonment term on the alleged charges of "counter revolutionary" activities. We continued to be detained in Gutsa Detention Centre for one year and five months. In August 1995, we were transferred to Drapchi Prison where a new unit for female political prisoners had been built which housed around sixty inmates. On reaching Drapchi Prison, we were made to perform exercise drills and study prison rules and regulations."

-continued on the next page

One year and eight months in solitary confinement cell for singing in praise of the Dalai Lama

"On the third day of Tibetan New Year in 1997, the female inmates from both the old and new units were allowed to gather together. To the disturbance of the political prisoners, a female criminal prisoner began to sing a song in praise of Mao Zedong and the Communist Party. I and Jamdron of Phenpo Gyara Nunnery stood up and began to sing loudly in praise of the Dalai Lama. The prison guards immediately got hold of us and dragged us towards the prison office. However, we continued to sing defiantly. Once we reached the office, the officers beat us mercilessly while the other prisoners shouted for our release from the outside and threatened the officers that they would not get up from the floor until we were released. A team of People's Armed Police ("PAP") was called to the spot to quell the prisoner protest. The PAP officers began to beat the prisoners when all of a sudden a PAP officer fell down on the ground due to the commotion. Chel Chel, a female prisoner, was accused of tripping the officer and she received severe beating and was made to kneel before the officer and apologise. Later she was put in solitary confinement for a month because of the incident. During that time, Nyidron, Sangmo, Choekyi and others were beaten severely. Pema Bhuti, the female prisoner warden arrived and started to interrogate the prisoners while beating them. Jamdron and I were knocked down with an electric baton. We gained consciousness when the officers splashed water on us, and the beatings continued until our body became numb. We were then placed in solitary confinement cells. A small dumpling and a bowl of hot water was all that was fed to us for the next one year and eight months while in the solitary confinement cell."

Noncompliance in singing the Chinese national anthem lands Nyidron in a solitary confinement cell for eleven months with broken teeth

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

Nyidron recounts, "In the aftermath of 1 and 4 May 1998 prisoner protests in Drapchi, I was called to the prison office and asked about the key man who led the protests. I didn't give any answer. 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 to 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 stayed 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 a few days, all the prisoners were assembled and told that we should learn the Chinese national anthem and we were required to sing it simultaneously. 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 agreed to sing the anthem. The officials then called the PAP crack commandos to teach us a lesson. The PAP officers 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' imprisonment term expired, I was taken out of the solitary confinement cell and led to the prison office. The prison officials intimidated 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 talk of the consequences if I failed to comply with their instructions. Around noon, two PSB officers from Phenpo County came to fetch me. They 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 had been instructed that I couldn't rejoin 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 incidents in their background."

Not able to withstand the state agencies constant monitoring and harassment, Nyima and Nyidron left Lhasa on 9 March 2004 and trekked past the Solukhumbu frontier village to reach Kathmandu Tibetan Refugee Reception Centre. They subsequently reached Dharamsala, India, on 20 April 2004. ♦

Note:

Due to major computer technical problems, the May issue of Human Rights Update was delayed for a month. TCHRD apologises for the delay.

profile **POLITICAL PRISONERS**

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This is a regular section profiling political prisoners currently imprisoned in Tibet

An elderly Tibetan sentenced to six years' imprisonment term

Tamdin, 67, was born in Palbar County, Chamdo Prefecture, Tibet Autonomous Region "TAR".

Tamdin joined the Palbar Monastery early in his childhood. His father was the head of Palbar and Powo Yihong Counties. After Chinese invasion of Tibet in 1959, their family was branded as " bourgeois reactionary" and thus their family wealth, land, and livestock, were confiscate. His brother was arrested in a political incident and was sentenced to eleven years in prison. Tamdin's family underwent many sufferings and humiliations.

Around 1958, Tamdin's family shifted to Lhasa. In 1966, when the Cultural Revolution started, Tamdin was labeled as the leader of "reactionaries". He was sentenced to 13 years' imprisonment. In 1976, he was released.

On 9 March 2001, Tamdin pasted posters calling for "freedom in Tibet" in the circumambulation route of Chamdo Monastery. He also wrote the slogans on "Mani" stones and raised slogans in public. The local Public Security Bureau ("PSB") on knowing the activities arrested Tamdin and held him in detention at Chamdo Prefecture Detention Centre for six months.

In June 2001, Tamdin was allegedly charged with "endangering state security" by engaging in "anti-government propaganda" activities. Chamdo Prefecture People's Intermediate Court sentenced Tamdin to six years' imprisonment term and was subsequently imprisoned in Tibet Autonomous Region Prison or popularly known as "Drapchi Prison".

Drapchi Prison houses maximum number of Tibetan prisoners of conscience and is notorious for torturing them. Tamdin is among the elder prisoners and his health very poor. Tamdin's term expires in 2006 and at the time of his release, he will be 69 years' old. ◆

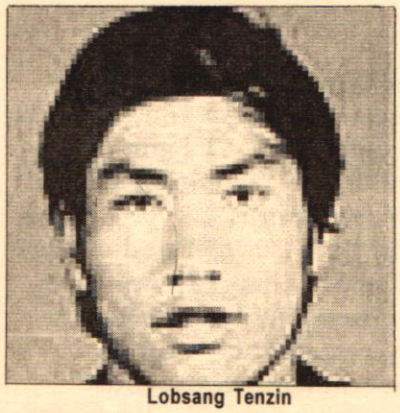
Lobsang Tenzin and Rinzin Wangyal in critical condition

TCHRD has received confirmed information that two Tibetan political prisoners, Rinzin Wangyal and Lobsang Tenzin, who are currently serving life sentences, are in critical condition.

Rinzin Wangyal was arrested in 1995 and sentenced to life imprisonment in 1997. Although Rinzin was sent to Drapchi Prison to serve his sentence, the prison authorities declined to take responsibility for him as he suffers from arthritis. He was then sent to Pawo Tramo Prison in Pawo County, Nyingtri Prefecture, Tibet Autonomous Region ("TAR"). Due to constant torture over the years, his health deteriorated and is now critical. Rinzin cannot walk and eat properly. He earlier spent around ten years' in prison, in the 1970s, due to political activities.

Rinzin Wangyal

Lobsang Tenzin, a Tibet University student, was arrested in the 1988 peaceful pro-independence protest. He was sentenced to death on alleged charges of killing a People's Armed Police officer, although there was no evidence to prove him guilty of the crime. Under pressure from international protests, Lobsang's death sentence was commuted to 18 years' imprisonment term in 1994. While in Drapchi, he underwent severe beatings which caused his health to gradually start to deteriorate. He was later transferred to Pawo Tramo Prison to serve his sentence where remains imprisoned today. Lobsang developed kidney malfunction and psychological disorders while in prison, as well as other minor diseases. ◆



Lobsang Tenzin

Tibetetan singer and lyricist released after two months' detention

Two Tibetans, Namkha and Bagocha, who were taken into custody on 10 March 2004 by Tongde County Public Security Bureau officials have now been released, according to reports on 17 May 2004 from Radio Free Asia. The two had been detained for their music album which irked local authorities because of songs titled "Amdo Phagod" (Courageous Amdo Man) and " Tsenpoe Phonya" (King's Messenger). These songs were deemed to contain strong political messages despite their innocuous lyrics. The authorities subsequently confiscated all the CDs bought by the locals and arrested Namkha and Bagocha.

RFA reported that the two Tibetans have not been mistreated in custody, although Namkha appeared to have an injured shoulder when he returned from prison. It also reported that Namkha's relatives declined to speak about his health conditions and that locals were cautious in speaking about them.

Namkha is a singer while Bagocha composed the lyrics for the music album. Both men come from nomadic families. Bagocha is a monk at Bashangtri Monastery. ◆

"China retains tight control over Tibetan Religion", reports USCIRF

The United States Commission on International Religious Freedom (USCIRF) released its annual report on worldwide religious freedom on 12 May 2004. The report states that China retains tight control over Tibetan religious activity and places of worship in Tibet.

The report further states, " In 2002-2003, several prominent Tibetan Buddhists were released from imprisonment. However, neither those actions nor renewed contact between China and the Dalai Lama's representatives have brought any significant changes to the government's overall policy of control over religion."

Prominently highlighted in the report were the continued detention of Panchen Lama, arbitrary trial for Trulku Tenzin Delek, execution of Lobsang Dhondup and death due to torture of the Tibetan monk Nyima Drakpa.

USCIRF is a federal government commission to monitor religious persecution worldwide and advises the President, the Secretary of State, and the Congress. ◆

To view the report in detail, visit http://www.uscirf.gov/reports/12may04/finalreport.php3

Tashi Topgyal resurfaces having been sentenced to six years' imprisonment in Drapchi Prison

TCHRD has learned that Tashi Topgyal is currently languishing in Drapchi Prison serving a six years' imprisonment term. Tashi pasted pro-independence posters in Ngamring County in August 2002 and was subsequently arrested in a joint operation by Ngamring County and Shigatse Prefecture Public Security Bureau ("PSB"). Tashi was arrested at his home on 22 October 2002 where, on ransacking his home, PSB officials discovered an autobiography of the Dalai Lama and two copies of "Guideline for Future Tibet Polity". The PSB officials also searched the homes of families who knew Tashi's family. In subsequent days, Ngodup Dorjee, a bank staff member was also arrested on suspicion of having connections with Tashi. After being taken from his home, Tashi's whereabouts remained unknown until fresh information reached TCHRD. Tashi was detained in Shigatse Prefecture Detention Centre. In 2003, Shigatse People's Intermediate Court sentenced him to a term of six years' imprisonment and later in the year he was transferred to Drapchi Prison to serve the term.

Tashi Topgyal is 50 years old. He was born in Thong Village, Yamo Township, Ngamring County, Shigatse Prefecture. He is a carpenter by profession and has three children.

Although it is mandatory by the Chinese Constitution for the police to inform a detainee's whereabouts, the police often fail to follow the law. Tibetans are arbitrarily taken into custody without anyone's knowledge. It is only after months and years of search that the relatives of a detainee gets to know where their loved ones are located. ◆

Third time lucky for a deportee

Tenzin Nyima,15, was born in Totse Village, Meling Township, Nyingtri County. He had his early education from Lhasa primary school.

Nyima was among the 18 Tibetans who were arrested and imprisoned at Dilli bazaar jail in Kathmandu by Nepalese police and later deported to Tibet on 31 May 2003.

He attempted to escape into exile twice but proved unlucky on both occasions. On his first attempt the Chinese People's Arm Police arrested him and arrested by Nepalese police on his second attempt.Nyima managed to cross the border and reached into exile safely on his third attempt.

He recounts to TCHRD, "My first attempt to escape into Nepal started on January 15, 2002 with twelve other Tibetans. On January 16 we planed to travel from Shigatse to Dingri by road on a hired vehicle but the driver of the vehicle while checking a bag of an Amdo monk found a photograph of His Holiness the Dalai Lama and immediately informed Shigatse local police. Five local police dressed in civilian clothes arrested and jailed all of us in the old Shigatse prison. We were threatened by pointing gun on our heads and asked about our destination and the group leader. We were even interrogated thoroughly about whether Panchen Rinpoche is in exile or not.We were slapped and beaten with electric baton. I felt unconsciousness for more than one and half hour when the police struck electric baton on my back."

"Initially the elder members of the group stood firm and refused to name the group leader but upon seeing the pain inflicted on children by the local police, they disclosed the group leader's name."

"Tenzin Nyima was later tied completely naked with a rope and put upside down and poured ice-cold water on my body. I was jailed for five months in Shigatse prison. My relatives secured my release after paying 3000 Chinese yuan to the prison authorities."

"Other members of the group were detained and tortured for about two months during the coldest months of the year. Four monks from Amdo were later released and sent to their respective place and ordered expulsion from their monastery."

"On my second attempt, there were 28 Tibetans in the group. On reaching Solukumbu, a person name Atoe was arrested when he failed to catch up with the group and one youth died of food poisoning. A woman from Kardze had to amputate her leg and her daughter lost eye vision. A foreign tourist helped us at Solukumbu. One of the youth in our group had a severe injury on his leg and had to amputate his leg. The foreign tourist took him in a helicopter. Finally there were only 21 left in the group when the Nepalese Police near the capital arrested us. We were detained in Dilli Bazaar prison for two months. But when we came to know that we were going to be deported, we stood back by lying down on the ground. The Nepalese jail officials severely beat us and dragged us into the vehicle waiting outside. We were deported back to Tibet on 1 June 2003 despite numerous appeals from the United Nations High Commission for Refugees (UNHCR) and the Tibetan Refugee Reception Center."

"We were later detained in a small cell at Dram (Nepal-Tibet border town) where five of us suffered severe nose bleeding and kept without any medical attention for three weeks. After numerous appeals to Chinese officials on giving medical attention to my constant deteriorating state, I was finally given an injection. The local police later shifted me to Shigatse prison where treatment of prisoners was slightly better and my parents were even able to bribe the prison officials for my release. One youth called Yeshi and a monk were also released probably by paying bribe. I don't have any information on the other deportees as they were kept in separate cells."

Tenzin Nyima reached Tibetan Refugee Reception Center safely along with his brother Tenzin Norbu,11, on his third attempt. ◆

Poor education and discriminatory practices in Tibet make children go into exile

Biased curriculum and new language policy makes students withdraw from school

Chakjam Gyal, a 20 years old student from Bokor Village, Jhado Township, Kunnan County, reached into exile in search of a better education.

Chakjam told TCHRD, " I completed my primary education from Tsolho Tibetan Medium School of Tsonyon province. The school accommodated around 700 students with almost eighty percent comprising Tibetan students. It has around twenty Tibetan teachers from the total strength of around hundred teachers. Chinese students who were enrolled in th e school were mostly brought up by parents who lived in big towns. They communicate usually in mixed language of Tibetan and Chinese, which has very negative influence on the growing Tibetan student's psyche. On Saturday and Sunday holidays most students sings Chinese songs and it is rare to witness students singing in Tibetan."

"The school provides education from primary to higher secondary education. On my first year in the higher secondary school, we were introduced to a book titled "Chinese language". There was a chapter on the Potala Palace in the book. It was written that the Potala Palace was built to foster an everlasting friendship between Tibet and China."

" I along with some of his friends questioned our Chinese lady teacher about the wrong information given in the book on Potala palace. We countered that the Potala palace was built in the seventh century by Songtsen Gampo, the 33rd king of Tibet. And we said that both Tibet and China are two separate nations."

"The Chinese lady teacher turned very furious after this incident. Basically the teacher and students should share a good rapport, but after that incident there had been constant degeneration of teaching and it became a matter of great concern for everyone. Even the funding of the annual school magazine titled 'Dok dra' meaning "United voice" was eventually stopped and students were informed to finance the magazine by collecting 50 yuan from every students. I edited the magazine."

"Additionally the school administrators made it mandatory for every middle school students to secure more than 90 marks in Tibetan language inorder to get admitted in the high school, failing to secure the mandatory grade will result in no admission to the high school.

"However, students who have secured below ninety marks in Tibetan language were able to get their 'academic record' from the school administration showing double standard on the part of Chinese school administration. Further studies in the university cost 7000 Chinese yuan as the annual education fee is beyond the reach of many Tibetan students. Therefore, high education fees compelled many Tibetan students to cut short their academic career and lead an idle life without a job in their villages whereas Chinese students were able to meet the education fee and were able to pursue higher education."

" At the beginning of school session on August 28 2002, authorities announced a compulsory requirement to achieve proficiency in the bi-lingual studies and subsequently set up two new bi-lingual classes. Unable to meet the demand we wrote an application to the school authorities and in response we were told that we can join any other school."

" A few students representing the students from two different classes went to share their opinion to the school authorities' new demand. Their concerns were rejected and instead the student representatives's were threatened of challenging the school authorities. Ten studens withdrew from the school citing failure to follow the new directive. Out of that three students have managed to reach Nepal. They are Tsedor,17, from Gartse village, Hobey township, Thunde county. Chotpa, 20 , and Tamdin from Bokor village, Hobey township, Thunde county."

The students will soon join a school in Tibetan school in India that are set up to impart broad based education and preserve traditional values and customs.

Monetary fines for sending children to Tibetan Schools in India.

Passang Dolma, a 50 year old mother brought her three children into exile to provide them good education. Passang told TCHRD, "In June 2003, Shigatse Prefecture Public Security Bureau officials made an official announcement in 29 villages of Dingri County (Ch:Tingri) preventing families from sending their children to study in Tibetan schools in India and instead made it compulsory for families to send their children in Chinese run schools. It was also dictated that those parents who failed to send their children to study in the Chinese school would face the hard punishment."

"In Yuljong village, around 20 families were fined 1,500 yuan each for their inability to send their children to Chinese school and severe punishment from sending their children to schools in India is very apparent from such threat."

Pasang learnt from her family in Tibet through telephone conversation that her family has been fined 6000 yuan for taking her three children to school in India.

China's insensitive attitude towards the welfare of Tibetans and charging high school fee for students is violation of the basic fundamental human rights. ◆

TCHRD ACTIVITIES Bulletin

TCHRD Nominations for Human Rights Awards

Rebook Human Rights Award 2004

TCHRD nominated Mr. Phuntsok Wangchuk for Reebok Human Rights Award 2004. The award recognises human rights works carried out by young activitist throughout the world.

TCHRD has nominated Mr. Phuntsok for the prestigious award for his unflinching advocacy of the highest principles of human rights even under the most trying prison conditions in Tibet. Being only 30 years old, Mr. Phuntsok is a role model for the Tibetan younger generation. He's spent five years in the notorious Drapchi Prison for his belief in human rights for the Tibetan people.

Robert F Kenedy Award 2004

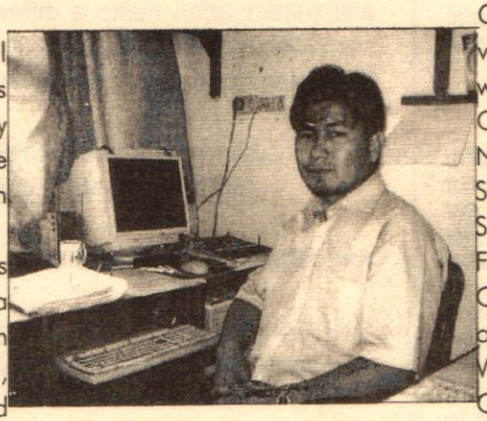
TCHRD nominated Mr. Jampa Monlam for the Robert F Kennedy Award 2004.

Mr. Jampa was among the 21 Tibetans who initiated the first political protest against the Chinese authorities on 27 September 1987. His continued struggle for the human rights for the Tibetan people led to his arrest for the second time in 1989 and was sentenced to five years' imprisonment term in Drapchi Prison.

Mr. Jampa is currently a researcher at TCHRD. He's joined the centre in 1998. ◆

TCHRD Welcomes New Researcher

The Tibetan Centre for Human Rights and Democracy welcomes Mr. Tashi Choephel as its new English Researcher. Mr. Tashi was selected following a written test in English and Tibetan and an oral interview.



On 26 April 2004, he was formally appointed as the English Researcher.

Mr. Tashi is from Pokhara Tibetan Settlement, Nepal, and did his schooling at Tibetan Children's Village School, Patlikuhl. He later passed his senior school exams at Upper T.C.V, Dharamsala. He completed his Bachelor's degree in Economics at St. Xavier's College, Ahmedabad and has a Master's in Economics from MS University of Baroda, Gujarat. Mr. Tashi was an active executive member of the Gujarat Regional Tibetan Youth Congress.

After finishing his degree, Mr. Tashi served in the Kashag of the Tibetan-Government-in-Exile in various capacities. He was the Assistant Coordinator from November 1999 to September 2000 of the Smithsonian Folklife Festival Project "Tibetan Cultural Beyond the Land of Snows" held in Washington D.C. From October 2000 to April 2002, he was the Personal Secretary to the Political Secretary in the Kashag. He also served as the Assistant Personal Secretary to Chief Kalon, Professor Samdhong Rinpoche, until 1 January 2003. ◆

Lecture on Human Rights and Democracy

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In May, TCHRD gave extensive training on Human Rights and Democracy to Tibetan settlements in different regions in India. The workshops were organised by local grassroot level organisations and were funded by the National Endowment for Democracy (NED) through the Social and Resource Development Fund of the Department of Finance of the Tibetan-Government-in-Exile. The series of workshop aimed to educate the far-flung Tibetan population in India on the principles of human rights and democracy. The staff of TCHRD covered topics such as human rights principles, democratic concepts, UN human rights mechanisms and the human rights situation in Tibet.

Ms. Tsewang Lhadon, Executive Director, visited Clementown Tibetan Settlement as a resource person for the Regional Tibetan Women's Association (RTWA) organised workshop from 18-21 April, Ms. Norzin Dolma was invited as a resource person on 29 and 30 May to Mainpat Tibetan Settlement. Mr. Jampa Monlam, Researcher, and Mr. Dawa Tsering, Field Officer, spoke on human rights concepts and human rights situation in Tibet at Palkar School in Dharamsala on 22 May and Mr. Tenzin Norgay, Field Officer, was invited as a resource person to the RTYC Mussorie organised workshop for the twelfth standard students of Tibetan Homes Foundation and Central School for Tibetans, Mussoorie, from 23-25 May 2004. ◆

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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.

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TCHRD's publications:
1996 Annual Report:*Tibet:One More Year of Political Repression* (English and Tibetan editions)•1997 Annual Report:*China in Tibet:Striking Hard Against Human Rights* (English and Tibetan editions)•The Next Generation:*The State of Education in Tibet Today* (1997)•*Universal Declaration of Human Rights* (Tibetan Translation) (1998)•1998 Annual Report:*Tibet:Crackdown on Humanity* • 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)•South East Asia:*Human Rights NGO Seminar on Tibet* (Proceedings) (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)•1999 Annual Report: *Tibet:Tightening of Control* (2000)•TCHRD *Review* (2000)•Torture and Ill-Treatment in Tibet (2000)• Racial Discrimination in TIbet (2000)• Impoverishing Tibetans:*China's flawed economic policy* (2000)• Prisoners of Tibet:*Profiles of current political prisoners* (2000)• 2000 Annual Report:*Enforcing Loyalty (2001)* • *Annual Report 2001:Human Rights Situation inside Tibet (2002)* • *Destruction of Serthar Insitute : A Special Report (2002)* Dispossessed: *Land and Housing Rights in Tibet* (2002)•*Annual Report 2002: Human Rights Situation in Tibet (2003)*

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JUNE 2004

VOLUME IX NUMBER 6

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Four Exile Returnees Arrested and Sentenced

Chinese authorities in Tibet have arrested four Tibetans who returned to Tibet from India. All four Tibetans were formerly monks of Ragya Monastery and have been charged of having connection with a secret pro-indepence organisation and for distributing pictures of the disappeared Panchen Lama to the local populace. They have been given heavy imprisonment terms with sentences ranging from five to six years.

The four monks returned to their native homeland in 2001 and were reported to be arrested at that time but no detailed information was available at the time. According to fresh information received by the Tibetan Centre for Human Rights and Democracy (TCHRD), the monks-Kunchok Dhargay, Mathok Damchoe, Sonam Gyatso and Tsultrim Phuntsok-have been sentenced to five to six year imprisonment terms.

The four have been charged with having contact with the secret "Freedom in Tibet" organisation (tib translit: 'od rangdwang sder tsok) and with the late Lobsang Thargay and for distributing pictures of the Panchen Lama.

Lobsang Dhargay (a political prisoner who died in Chinese custody on 19 November 2002) secretly assisted Alak Shingsa Rinpoche escape into exile in India. Dhargay hd earlier served two years in Chinese prison. In mid 2001, he returned to Tibet and was arrested by Chinese authorities. He was imprisoned in a "Labour Camp" in Xiling Village, Machen County (Ch:Maqin xian), Golog "Tibet Autonomous Prefecture", Qinghai Province where he succumbed to torture.

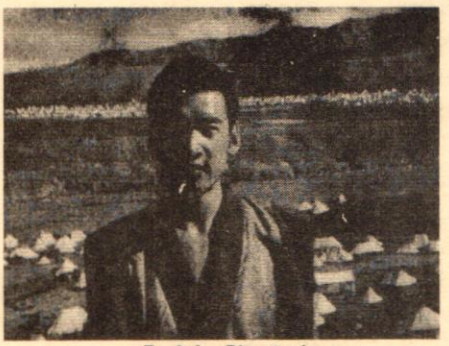
Shortly after Lobsang Dhargay's arrest, Chinese authorities arrested Kunchok Dhargay, Mathok Damchoe, Sonam Gyatso and Tsultrim Phuntsok.

Kunchok Dhargay

Kunchok Dhargay was born in 1971 in Ragya Chuwa Village, Machen County, Golok "Tibet Autonomous Prefecture" ("TAP"), Qinghai Province. He became a monk at Ragya Monastery early in his childhood. In 1993, he visited India for pilgrimage and returned to Tibet in the same year. In mid 2001, Kunchok was arrested, sentenced to six years imprisonment, and is currently serving his term in a brick factory "Reform-through-Labour" Camp in Xiling.

Mathok Damchoe

Mathok Damchoe was born in Machen County. He is 28 years old. Tsultrim became a monk at Ragya Monastery at an early age. In 1997, he visited India for pilgrimage. In mid 2001, Tsultrim was arrested and subsequently sentenced to a five year imprisonment.



Tsultrim Phuntsok

Tsultrim Phuntsok, 28, was born in Machen County and joined Ragya Monastery at an early age. In 1990, he joined Sera Monastery in Lhasa and visited India for pilgrimage. After his return to Tibet, Tsultrim was arrested and subsequently sentenced to six years imprisonment. He is currently serving his sentence in Thangkarmo Prison in Qinghai Province.

Sonam Gyatso

Sonam Gyatso, 36, was born in Machen County and became a monk at Ragya Monastery at an early age. In 1993, he visited India for pilgrimage and thereafter returned to Tibet. He was arrested in mid 2001 and sentenced to six years imprisonment. ◆

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A monk incarcerated for Dalai Lama's portraits and video cassettes

Samten,38, (lay name: Ngawang Lobsang) was born in Ghechoe Village in Kardze Prefecture Tibetan Autonomous Region ('TAR'). Samten attended a village primary school for a year. At 17 he was ordained as a monk and admitted in Kardze Monastery.

Samten served three years' term in Trisam "Reform-through-Labour" Camp in Lhasa for pro-independence activities. He escaped into exile on completion of his prison term.

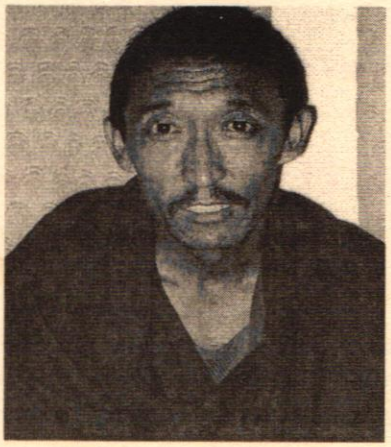
Samten recounted to TCHRD, "In 1992, few Chinese officials visited Kardze Monastery. The monks were called for meetings thrice every month and were instructed to denounce the "Dalai Clique". The officials imposed a ceiling of 300 monks in the monastery."

"Unable to tolerate political indoctrination classes, two monks, Tsetop and Lobsang Tashi, along with a lay youth went to the main square-where Tibetans usually gather in large number- and hoisted a huge Tibetan national flag. The incident provoked the local Public Security Bureau (PSB) and subsequently the officials imposed strict restriction around the area. The PSB arrested the youth from Lhasa."

"Afterwards the PSB officials were able to identify Tsetop and Lobsang Tashi and subsequently both were arrested. The youth was sentenced to 14 years' prison term by the Kardze Intermediate People's Court. Tsetop was sentenced to five years' and Lobsang Tashi to four years' in prison."

"The constant surveillance by the Chinese security forces during annual *Monlam* (Prayer festival) ceremony at the monastery, it caused uneasiness among the monks, who eventually became intolerant towards the existing situation. This inturn resulted in the flight of many monks into exile."

In 1992, Samten escaped into exile through Lhasa. He continued with his studies at Drepung Loseling Monastery in South India for eight years until 20



November 2000. He return to Tibet to meet his relatives after procuring a year's leave from the monastery.

"For my journey back to Tibet, I took along 18 Tibet related video cassettes and 150 portraits of His Holiness the Dalai Lama for distribution in my native town. I undertook my journey to Tibet with another person called Damchoe from Kardze region. We went via Solukumbu (Nepal-Tibet border) and reached Lhasa in December 2000".

"While in Lhasa, I stayed with Damchoe. Although Damchoe is originally from Kham region, he usually stays at Karma Kunsang area in Lhasa Municipality. After few days' stay, at quarter to one on 11 December, 2000, there was constant barking of dogs inside the courtyard. An old lady next door cautioned me about the presence of Chinese police outside the courtyard and at the same time assured that they wouldn't do anything to me. I casually laid down on my bed without any anticipation but all of a sudden around eleven policemen in civilian dress barged into my room. They caught me from my shoulder, handcuffed and covered my head with a black cloth and later took me to the PSB office situated near Potala Palace in Lhasa. "

"After a thorough search by the security officials, I was hit on the joints of my body while interrogating for possessing videocassettes and portraits. I was even electrocuted with live wire attached on my thumbs until I lost my consciousness. Later I found myself landed in a hospital where I needed a week long medical attention to recuperate my frail health condition."

"I was then moved to "TAR"Public Security Bureau (PSB) Detention Centre, despite initial reluctance to accept me owing to my poor health condition. However, they accepted after four days."

A month after his detention, a notice was handed to Samten by a security official and two-lady officials about a need for reform-through-labor for him. He was later shifted to Trisam labour camp located 10 Kms west of Lhasa near Toelung County.

"There were four units inside the labour camp holding around 700 prisoners serving various sentences. There were only 14 political prisoners at that time. Political prisoners were more strictly scrutinized and had to get up early in the morning to follow the daily routine. We were all called to gather and form straight lines in the mornings and taught how to march. We were provided with Chinese newspapers to read. Although we have to subsist on a poor diet and were denied proper medical healthcare, yet daily routine included hard labour such as carrying soil and rock in the labor camp."

On 11 December 2003, Samten was released after completing his three year prison term.

" I left to my native town in Kham immediately after securing release as the prison officials handed me a notice with instruction for me to leave Lhasa within fifteen days. Upon reaching my native town, I was instructed to report to the local PSB every week and had to put a signature on the surety letter declaring that I would refrain from taking part in any political activities. I was disallowed from joining any monastery."

In February 2004, Samten made a trip to Lhasa and paid 3,000 yuan to a guide to help him escape into exile again.Samten reached Dharamsala safely in May 2004. ♦

profile **POLITICAL PRISONERS**

This is a regular section profiling political prisoners currently imprisoned in Tibet

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Two brothers given lengthy sentences for pro-independence pamphlets

Dawa Gyaltsen, 35, and Nyima, 22, are two brothers born in Nagchu County in "TAR". Dawa passed his elementary and middle school education and later in 1990 began a job in a bank. In the same year, Dawa's younger brother, Nyima, was admitted to Nagchu Shabten Monastery to pursue Buddhist studies.

In 1994 and 1995, Chinese 'work team' officials visited the monastery to conduct "patriotic education" classes. The forty monks in the monastery were required to write pledges of loyalty to the motherland, condemn the "splittist" groups, and make derogatory statements about the Dalai Lama. The "work team" officials further ordered the monks to bring down the "Mani" cairns set up on the circumambulation route of the monastery . The monks were then made to carry the stones to the top of the hill at the back of the monastery for disposal. The monks in the monastery became desperate to protest against the Chinese enforcement of political classes and curtailment of their religious rights.

Nyima approached his elder brother and gave detailed explanation of what was happening in the monastery. The two brothers agreed to lead a protest. Dawa agreed to make the neccessary pro-independence pamphlets while Nyima was to gather a few more men to carry out the activity. Dawa wrote a brief history of Tibet as an independent nation and at the end wrote the slogans "Freedom in Tibet", "Chinese Go Home", and "Tibet belongs to Tibetans". Nyima asked some of his trusted friends to join in the activity. A-Gya, Marzong, Gyedok and Chadrel agreed to participate in the protest and were each given a responsibility during a secret meeting one night.

One night in April 1995, the monks secretly pasted the pamphlets all over the county. Upon discovering the pamphlets, the PSB started investigation. Dawa Gyaltsen and A-Gya surfaced as the prime suspects. Both the men immediately fled to Lhasa. However, in November 1995 they were captured in Lhasa. Both were detained in Gutsa Detention Centre for interrogation. Unable to endure the torture sessions during the interrogation, they had to divulge the names of the other participants. Nagchu Prefecture PSB arrested Nyima, Marzong, Gedok and Chadrel from the monastery and detained them in the Nagchu Prefecture Detention Centre for interrogation.

In May 1996, Nagchu Prefecture Intermediate People's Court sentenced the arrestees to different imprisonment terms on the alleged charges of carrying out "counter - revolutionary Propaganda". Dawa Gyaltsen and Nyima surfaced as the prime activist and were sentenced to 18 years and 13 years imprisonment terms respectively. The Court sentenced Marzong to six years term, A Gya to five and half years, Chadrel to four years and Gedok to two years imprisonment.

In January 1997, they were transfered to Drapchi Prison to serve their sentences. Except for Dawa Gyaltsen and Nyima, the others have been released over the years on completion of their sentences. ♦

TCHRD receives list of new names of political prisoners

The following Tibetans are identified to be imprisoned in Drapchi according to interviews with former political prisoners.

1)Tenpa Dargay, 25, born in Amdo Golok was sentenced to five years term by the Shigatse Intermediate People's Court. He was in possession of a Tibetan national flag when he was arrested at Shigatse in 2000 on his return from Tibet.

2)Migmar Tsering, 25, born in Lhasa Luguk, was arrested in 2001 under suspicion of involvment in political activities. Migmar was sentenced to three years of imprisonment.

3)Kelsang Tendar, 28, born in Shigatse Namling, was a monk at Sera Monastery. Kelsang was arrested in July 2001 for writing pro-independence posting and subsequently sentenced to one year prisonent term.

4)Tringa, born in Sog County, was given a five year sentence extension to his original tem when he informed a delegation visiting Drapchi Prison that the real political prisoners were inside and not the ones shown to them.

5)Bagdro, 30, and Lobsang Tashi, 25, both born in Lhoka Tsona, were originally criminal prisoners. Due to involvement in political activity while in prison in 1999, both were given sentence extensions by five and six years respectively.

6)Kunchok and Lobsang Namgyal, both in 30s and a woman in her 30s were arrested in 2000 for distributing pro-independence pamphlets in Lhasa. All are known to be sentenced between four and five years prison terms for the activity.

7) Lobsang, 29, Drukgyal, 24, and Yeshi Drakpa,30, were sentenced to four to five years' imprisonment when they were arrested in 2000 for planning to screen videos on Tibet.

8)Tsewang, 30, and Yeshi Dorjee, 25, were sentenced to six years sentence for possessing political literatures on their way to Tibet in 2000 and 2001 respectively.

9)Tsewang Jigme,30, was sentenced to five years term for singing nationalistic song in 2000 in a bar in Lhasa. ◆

TCHRD Commemorates UN International Day in Support of Victims of Torture

The Tibetan Centre for Human Rights and Democracy (TCHRD) commemorates the seventh United Nations international day in support of victims of torture on 26 June 2004. The UN proclaimed day is in support and solidarity with those who have suffered from torture and have undergone physical pain and mental trauma. The day also calls for the end of torture throughout the world.

Torture is a regular feature in the People's Republic of China (PRC) despite the fact that the PRC ratified the UN Convention Against Torture (CAT) and Other Cruel, Inhuman or Degrading Treatment in October 1988 and outlawed certain forms of torture in the revised Chinese Criminal Procedure Law, that came into effect in 1997. Systematic torture is still endemic in the Chinese administered prisons in Tibet. Torture is still being used for purposes of extracting confessions, to defeat Tibetan prisoners' nationalist spirit, to intimidate prisoners and to cause humiliation and mental trauma that affect the prisoners for the rest of their lives.

Since 1987, TCHRD has documented 87 known deaths of Tibetan prisoners of conscience as a direct result of torture in Tibet. All of these Tibetans died either in Chinese custody or after release from prisons in near death conditions due to torture.

Torture techniques include electric shocks, extinguishing cigarettes on the face, hand and thumb cuffs, foot manacles, suspension from ceiling, exposure to extreme temperature, long period of solitary confinement, deprivation of food, water and sleep, forced labour and forced exercise drills.

In 2003, according to TCHRD records, three known Tibetan prisoners of conscience died due to torture. On 1 October 2003, Nyima Drakpa, 29, a monk sentenced to nine years of imprisonment, died in his home after being released on medical parole from the prison. Drakpa's limbs were fractured due to torture while in prison. On 8 September 2003, Tenzin Phuntsok died. Phuntsok, 74, who was a member of the Chinese People's Political Consultative Conference (CPPCC) was arrested on 21 February 2003 under alleged charges of carrying out political activities and was extensively tortured during interrogation sessions in Nyari Detention Centre. On 15 January 2004, Yeshi Gyatso, 65, died in his home after being released on medical parole from Lhasa Detention Centre. Yeshi was arrested in June 2003 on alleged charges of political activities and was subsequently sentenced to a six year imprisonment term by the Lhasa Intermediate People's Court.

China yet again blocked the visit of the UN Special Rapporteur on Torture, Mr. Theo Van Boven at the last minute by requesting for more time to coordinate his visit. The visit was to have taken place at the end of June 2004. It is clear that Beijing is not serious about its invitations to UN representatives. The Centre strongly supports and attaches great importance to the Special Rapporteur's visit to China in order to ascertain a true picture of the torture situation in China and Tibet.

In commemorating International Day in Support of Victims of Torture, TCHRD urges the UN Special Rapporteur on Torture to push for his visit to China without further delay. The PRC must adhere to its domestic laws as well as its obligations with regard to UN human rights treaties particularly CAT. TCHRD also calls upon China to ratify the "Optional Protocol on UN Convention Against Torture", "to allow independent international and national agencies to visit places where persons are deprived of liberty" and are subjected to inhuman torture and maltreament. ◆

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List of Known Tibetans who died due to torture since 1987

Name	Age	Year of death
Geshe Lobsang Wangchuk		7 Nov 1987
Dawa		1987
Lobsang Dhonyoe	28	Oct 1987
Gonpo Sonam	61	23 Dec1987
Karsel	21	1 Oct 1987
Lobsang Legden	21	1 Oct 1987
Lobsang Dolma	26	17 May 1988
Lobsang Sonam	39	5 April 1988
Yeshi Lhundup		1988
Lobsang Choephel	21	1988
Tenzin Sherab		23 March 1988
Ngawang Zegan		1989
Kalsang Tsering	29	1989
Lhakpa Dhondup		1989
Migmar		5 March1989
Chozed Tenpa Choephel	66	25 August 1989
Lobsang Khedrup		10 October 1989
Yeshi 23		1989
Lhakpa Tsering	19	15 Dec 1990
Tsamla	39	25 Aug 1991
Jampa Gelek	26	1999
Rinzin Choeden	26	10 Oct 1992
Jampa Tenzin	40	1992
Lhadar	33	20 August 1993
Tsenyi	23	June 1993
Phuntsok Yangkyi	20	4 June 1994
Lobsang Yonden	65	30 Oct 1994
Dawa Tsering	28	14 May 1994
Sherab Ngawang	15	17 April 1995
Tashi Tsering	15	7 May 1995
Gyaltsen Kalsang	24	20 Feb 1995
Ngawang Yangchen	32	August 1995
Kalsang Dolma	24	20 Feb 1995
Dorjee Dradul		1995
Sonam Tashi	44	1995
Ngawang Nyidron	21	May 1995
Kalsang Thutop	49	5 July 1996
Sangye Tenphel		6 May 1996
Dorjee	66	1996
Phurbu Tsering	36	7 Feb 1996
Passang	24	17 Dec 1997
Tenpa Phulchung	62	29 Nov 1997
Rinzin	61	Feb 1997
Thekchog Tenphel	27	Sept 1997

Name	Age	Year of death
Jamyang Thrinlay	25	18 Sept 1996
Lobsang Tsundue	65	1998
Tenzin Yeshi	22	12 May 1998
Ngawang Dekyi	25	1998
Tashi Lhamo	24	7 June 1998
Kundol Yonten		1998
Lobsang Wangmo	25	1998
Tsultrim Sangmo	25	15 May 1998
Dekyi Yanzom	21	7 June 1998
Khedrup	26	1998
Lobsang Choephel	20	12 May 1998
Ngawang Tenkyong	28	May 1998
Ngawang Tenzin		7 June 1998
Geshi Choephel	71	24 Sept 1998
Lobsang Wangchuk	28	May 1998
Sonam Wangdue	44	8 April 1999
Ngawang Jinpa		20 April 1999
Norbu	21	March 1999
Tashi Tsering		10 Feb 2000
Legshe Tsoglam		12 April 1999
Phuntsok	60	2 Sept 1999
Sonam Rinchen	27	April 1999
Sholpa Dawa	64	19 Nov 2000
Ngawang Lochoe	28	5 Feb 2001
Saru Dawa	27	9 Jan 2001
Lobsang Sherab		20 Oct 2000
Penpa	40	2000
Tsering Wangdrak		4June 2000
Namgyal Tashi	66	20 Aug 2001
Marong Tseta		2001
Lobsang Dhargay	40	16 Jan 2002
Thupten Namdrol	71	26 Jan 2003
Lobsang Damchoe		31 Jan 2003
Tenzin Phuntsok	74	8 Sept 2003
Nyima Dakpa	29	1 Oct 2003
Yeshi Gyatso	65	15 Jan 2004

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Special Rapporteur on Torture postpones visit to China

The UN Expert on torture postponed his visit to China until later this year, reported United Nations High Commissioner for Human Rights in a press release dated 16 June 2004.

The UN Special Rapporteur on the Convention Against Torture (CAT) and other Cruel, Inhuman or Degrading Treatment or Punishment, Mr. Theo Van Boven, was scheduled to visit People's Republic of China (PRC) in the end of June. PRC sought more time in a request made by the Government citing the reason of needing "additional time to prepare for the two week visit, especially given the different authorities, departments, and provinces involved".

UN Special Rapporteur's country visits aim "to assess firsthand the situation in the country concerning torture, including institutional and legislative factors that contribute to such practices, and to make relevant recommendations." ◆

European Commission Issues Statement on Tibet

The European Commission in a statement issued on 21 June 2004 expressed its concern regarding human rights in Tibet and welcomed the two visits to China by the Dalai Lama's special envoys in 2002 and 2003. In the statement, the EU reaffirmed that it will continue to press for strengthening and deepening of the dialogue process.

The Commission also reiterated its commitment to address human rights concerns with China at the "highest political level", such as bilateral summits.

The statement prominently cited the case of Trulku Tenzin Delek in regularly bringing to the Chinese authorities' attention the cases of persons who have been sentenced for having expressed their opinion or belief.

Xinhuanet.com on 1 July 2004 reported China's commitment that "Human Rights Cooperation is important to China-EU ties" during the EU-China seminar on ratification of the International Covenant on Civil and Political Rights (ICCPR).

Li Jinzhang, assistant to the Chinese Foreign Minister, said that China attaches importance to the ICCPR, and said that work for its ratification is under way. ◆

Austrialian Ambassador to China Visits Tibet

Dr. Allan Thomas, Austrialia's ambassador to China, led a delegation of aid officials to Tibet. The delegation will start a number of Australian-funded health projects in Tibet according to reports by The Age on 30 June 2004.

The Austrialia Tibet Council (ATC) raised its concern regarding the nature of the delegation's mission. While "supporting aid that benefits Tibetans, especially in areas like primary health care", Mr. Paul Bourke, President of ATC said that ATC's "concern is the problem of Tibet". He hoped the Australian ambassador to urge for dialogue between the Dalai Lama and the Chinese Government for a solution which should be advantageous to China. ◆

TCHRD staff briefings about human rights situation in Tibet

Briefing to Tibetan fullbright scholars

Ms. Tsewang Lhadon, Executive Director, briefed Tibetan fullbright scholars about the human rights situation in Tibet during the orientation programme for Tibetans who will leave to the United States to pursue their studies as part of the Tibetan fullbright scholarship programme.

Briefing to American Law Students

Mr. Jampa Monlam, Tibetan Researcher, and Mr. Tenzin Norgay, Field Officer, gave a talk about the human rights situation in Tibet to a group of 24 American law students at Chonor Hotel, Dharamsala, on 22 June 2004. The group consisting of students from different universities in the United States are on an educational tour to learn about Tibetan refugees and the issues surrounding Tibet.

Mr. Norgay gave an overview of the human rights situation in Tibet with particular emphasis on political and religious rights while Mr. Jampa gave his personal testimony as a former Tibetan political prisoner, which was interpreted into English by Mr. Norgay.

At the end of the talk, the students asked some pertinent questions especially on the right to information in Tibet and prison conditions in Tibet. Mr. Norgay fielded the questions.

Human Rights talk at Bir T.C.V School

Mr. Jampa Monlam, Mr. Tashi Choephel and Mr. Tenzin Norgay, visited the Tibetan Children's Village School in Suja, Bir, on 19 June 2004. The language class of the school comprising of 35 students who came into exile from Tibet were given a talk about human rights concepts by Mr. Norgay. Mr. Jampa talked about the human rights situation in Tibet to the group. ◆

TCHRD ACTIVITIES Bulletin

"Jampa Project" launched to assist former Tibetan political prisoners

Six recipients of Jampa project

Jampa Project recipients with the staff of TCHRD

The Tibetan Centre for Human Rights and Democracy in collaboration with the Global Peace Foundation based in the United States of America have started a new humanitarian aid fund project for former Tibetan political prisoners.

"Jampa Project" as the project is titled will assist and support Tibetan ex-political prisoners and torture survivors in meeting their basic needs while attempting to re-establish their lives in exile.

The Global Peace Foundation will provide a monthly allowance of USD 20 to the Tibetan prisoners. The project also enables the former Tibetan political prisoners to seek medical funding in case of a serious health crisis.

"Jampa Project" currently sponsors ten former Tibetan political prisoners and looks forward to helping as many as possible. ◆

Annual Report 2003 in Tibetan Language

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The Tibetan Centre for Human Rights and Democracy releases its Annual Report 2003 in Tibetan Language for the Tibetan readers.

To avail a copy, mail us at dsala@tchrd.org or write to us at our postal address. ◆

Kalon Prof. Samdhong Rinpoche Resigns as Chairperson of the TCHRD Board of Directors.

The Tibetan Centre for Human Rights and Democracy Board of Directors met for its Annual General Meeting on 12 June, 2004.

At its meeting the members of the Board discussed the status of TCHRD as an NGO. In an effort to clear misconceptions on its status, it was decided that the Centre will shift its office outside of the exile government complex.

Kalon Prof. S.Rinpoche also announced to the members of the Board that he has tendered his resignation as Chairperson of the TCHRD Board of Directors to the Patron of TCHRD, His Holiness the Dalai Lama. Prof. Rinpoche hoped that his resignation would help improve the image of TCHRD as a true non governmental organisation.

Prof. S. Rinpoche was appointed by His Holiness as the Chairperson of TCHRD Board of Directors after Kasur T.C. Tethong la in October 2001. Prof. Rinpoche thanked the members of the Board for their support to him during his tenure as the Chairperson of TCHRD and wished well for the Centre in its future endeavors.

TCHRD remains grateful to Prof. Rinpoche for his leadership and valuable time during his tenure as Chairperson of the Centre and wishes him good health and success in his endeavors as head of the exile Tibetan government. ◆

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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.

TCHRD's publications:
1996 Annual Report:*Tibet:One More Year of Political Repression* (English and Tibetan editions)•1997 Annual Report:*China in Tibet:Striking Hard Against Human Rights* (English and Tibetan editions)•The Next Generation:*The State of Education in Tibet Today* (1997)•*Universal Declaration of Human Rights* (Tibetan Translation) (1998)•1998 Annual Report:*Tibet:Crackdown on Humanity* • 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)•South East Asia:*Human Rights NGO Seminar on Tibet* (Proceedings) (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)•1999 Annual Report: *Tibet:Tightening of Control* (2000)•TCHRD *Review* (2000)•Torture and Ill-Treatment in Tibet (2000)• Racial Discrimination in TIbet (2000)• Impoverishing Tibetans:*China's flawed economic policy* (2000)• Prisoners of Tibet:*Profiles of current political prisoners* (2000)• 2000 Annual Report:*Enforcing Loyalty (2001) • Annual Report 2001:Human Rights Situation inside Tibet (2002) • Destruction of Serthar Insitute : A Special Report (2002)* Dispossessed: *Land and Housing Rights in Tibet* (2002)•*Annual Report 2002: Human Rights Situation in Tibet (2003)*

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HUMAN RIGHTS update

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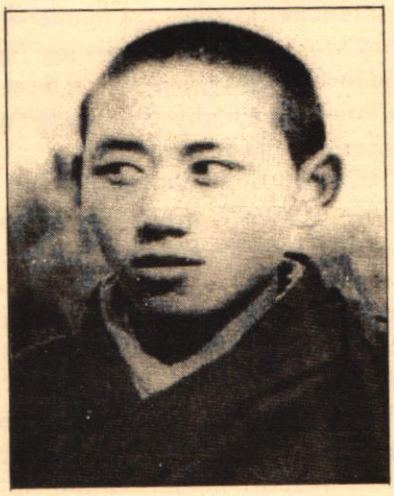
Ngawang Woeser released after fifteen years in jail



Ngawang Woeser, one of the key leaders of the famous peaceful pro-independence demonstration of 27 September, 1987, in Lhasa, was released from Drapchi Prison on 18 April 2004.

According to confirmed information received by the Tibetan Centre for Human Rights and Democracy (TCHRD), Ngawang was released upon completion of a 15 year prison term. His physical condition is said to have deteriorated over the years due to torture and inhuman treatments he suffered in the prison.

Brief Biography

Ngawang Woeser, along with 20 Drepung monks, initiated a peaceful pro-independence demonstration in Lhasa on 27 September 1987. The demonstration lasted only a few minutes and the monks were quickly arrested by the Public Security Bureau officers.

Ngawang Woeser along with the others were held in Gutsa Detention Centre. Due to the efforts of the late Panchen Lama and the resident Tibetans' appeal, the group was released after four months detention .

After release, he and some of his close friends formed a secret political organisation 'Group of Ten' in Drepung Monastery. The group distributed pro-independence leaflets and the Universal Declaration of Human Rights in Tibetan.

On 19 April 1989, Ngawang Woeser along with the other members of the 'Group of Ten' were arrested from their monastery by the "Tibet Autonomous Region" ("TAR") Intelligence Bureau. They were detained at the "TAR" Public Security Bureau Detention Center on charges of distributing the documents

On 28 November 1989, Lhasa People's Intermediate Court held a group trial for the ten members. Ngawang Woeser was sentenced to a 17 year imprisonment term. The other nine monks received different prison terms between 5 and 19 years for forming the group and for allegedly engaging in 'counter revolutionary' activities, incitement of pro-independence activities and leaking state secrets, along with other charges.

The members of the "Group of Ten" were: Ngawang Woeser, Ngawang Phulchung, Jamphel Jangchup, Ngawang Gyaltsen, Jamphel Losel, Jamphel Monlam, Ngawang Rinchen, Kalsang Thutop (died in prison in July 1996), Jamphel Tsering and Ngawang Kunga.

After his sentence was pronounced, Ngawang Woeser was transferred to Drapchi Prison on 15 January 1990. He received severe beatings from the prison guards which resulted in bruises and marks on his face. During his 15 year ordeal at Drapchi Prison, Ngawang Woeser suffered various physical hardships and was forced to undergo 'reform-through-labour' and 're-education'. He spent the most productive part of his life behind the bars. Although he was released, his miserable prison life all these years has severely affected his health condition.

Ngawang Woeser, 35 year of age, (lay name: Jamyang), was born at Dranang County in Lhoka Region. He was brought up by one of his relatives. He joined Drepung Monastery in Lhasa city in 1981.

Although most of the members of the "Group of Ten" were released over different periods of time, the prime leaders, Ngawang Phulchung, Ngawang Gyaltsen and Jamphel Jangchup still continue to serve their prison terms in Drapchi Prison.

Amnesty International, the UN Human Rights Commission and many concerned individuals have strived hard over the years to secure an early release of Ngawang Woeser. Ngawang Woeser was anointed by International PEN Scottish Center as its honorary member on 15 April 1999. ♦

Campaigning for Ngawang Woeser's release

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A new "Re-education through Labour" camp established in Tibet

A new "re-education through labour" (Ch:*laojiao*) camp has been established in Senge Township, Ngari County, "TAR". The camp which is said to accommodate about two hundred inmates became functional in July 2004.

The Tibet Daily on 21 July 2004 reported that the 're-education through labour' camp is located on the Fren Xin Highway on the 4300 Meter high Senge Township in Ngari County. It was established after the Development Department sanctioned eight million Yuan for teh camp. The camp can hold two hundred inmates and is 40 thousand square feet in size, reported Tibet Daily.

TCHRD believes the new "re-education through labour" will facilitate the implemention of the government's hard-line policy of cracking down on fleeing Tibetan refugees and suppressing political activity in the region. Ngari region falls in the route of Tibetans fleeing Tibet and those returning from India. The newly established facility will enable authorities to crack down on Tibetans on a massive scale.

There are two fully functional "re-education through labour" camps in the "TAR". Trisam re-education through labour camp was established in January 1992 in the west of Lhasa. The Tibetans who participated in the late 1980s demonstrations were imprisoned in Trisam. It held seventy Tibetan inmates in its initial years. In January 1998, another "re-education through labour" camp was established in Zithang near Chamdo County, Chamdo Prefecture, "TAR". Ngawang Senge, Chime Lobsang, Gonpo, and Tashi Nyima from Drakyab Monastery were the first to be imprisoned in the camp for their poster pasting activity.

In accordance with Chinese Administrative Punishment Law, an imprisonment term in the "re-education through labour" camp ranges from six months to three years with a further one year extension upon failing to reform. A person can be convicted by a local Public Security Bureau ("PSB") or by the Re-education through Labour Management Committee without any legal proceedings or right to appeal.

"Re-education through labour" was introduced under a decision adopted by the government in 1957. The camps conflict with China's criminal legislation. Many legal cholars and judicial officials have challenged the legality of the camp arguing that it empowers the authorities to arbitrarily jail dissidents and others without having to justify their imprisonment through the judicial process.

Although the labour camps fall in prison category according to international law, the Chinese authorities do not consider the labour camps as prisons.

In recent years, there has been an increase in the use of such labour camps to imprison fleeing Tibetan refugees and others with difference of political opinion. ♦

Farmers anxious over highway project

Lama Dorjee, 38, a farmer from Bugod Village, Gonjo County, Chamdo Prefecture told TCHRD about a highway construction in his native area.

Lama Dorjee says, "In April 2004, the Chinese authorities started to broaden the road into a highway, approximately 120 Kilometres in length. The highway project has put the farmers into anxiety as it requires to cover the farmland of many farmers. Many farmers lost their land to the highway project. Yet most of the farmers are frightened to raise their concerns to the authorities."

"The 400 odd farming families in Gonjo County have sustained themselves on the farmfields for many generations. They grew grain, mustard, beans, potatoes etc in their fields. On a good harvest, the farmers collected about 150 Kgs of grain."

According to Lama Dorjee, the objective behind building the highway is to transport timber. Dorjee told TCHRD, "There are lots of trees in Sa-ngan Med area in Gonjo County. In building the highway, the Chinese can easily transport the timber. The Chinese have already cut thirty percent of the trees in the past and when the highway becomes functional, they can easily transport the rest."

Lama Dorjee further told about the Tibetans who were displaced from Gonjo County in the past. He says, "The Chinese authorities in the past had ordered the resettlement of about 2400 families from Jangsum, Langmed, Khori, Shiri, Motsa and Jamsam Villages in Gonjo County to Kongpo. Upon eviction from their ancestral land, the authorities cut the trees and the timber were transported in trucks. The authorities on the contrary said that the Tibetans in Gonjo County were being resettled as many of the villages fall on the banks of Drichu River." ♦

profile **POLITICAL PRISONERS**

This is a regular section profiling political prisoners currently imprisoned in Tibet

S1

Five years jail sentence for playing a song of tribute for Tibetan matyr in exile

Tsewang Jigme was born in Kardze County, Sichuan Province. He is in his 30s.

In 2000, Tsewang visited a Nangma bar *(Nangma bars play traditional Tibetan songs and are popular in Lhasa)* in Lhasa to enjoy an evening outing. In the midst of a performance, Tsewang walked on the stage and stopped the music player. He instead inserted an audio cassette made in India by the exile Tibetans and the music volume was turned up. The cassette contained the song "Victory to Matyr Thupten Ngodup" which was composed as a tribute to Thupten Ngodup, who self immolated when the Tibetan Youth Congress organised "Hunger Strike Unto Death" in Delhi was disrupted in April 1998.

When the song was played, all the people including the performers became anxious and retreated to the chairs and listened to the song silently. Out of panic the owner of the bar asked Tsewang to stop the music.

Tsewang continued to play the song despite the bar owner's request. The local Public Security Bureau ("PSB") on hearing about the incident rushed to the bar. All the people began to run around on seeing a large number of PSB officers.

Tsewang was, however, caught amidst the commotion. The PSB officers took out the cassette and led Tsewang to the PSB station. The officers interrogated Tsewang at the station.

Tsewang was then led to Lhasa Detention Centre located in the east of Lhasa City. During his several months detention, Tsewang was frequently interrogated regarding the song and the people behind motivating him to play the cassette in the bar.

In mid 2001, Lhasa Intermediate People's Court sentenced Tsewang to five years imprisonment term for "endangering state security" by "inciting against masses" and "anti-government propaganda". In December 2001, Tsewang was transferred to Drapchi Prison.

Due to severe beatings in the prison, Tsewang has become frail and limps when he walks. Tsewang is known to be in a weak condition. Apart from some medication that he received from the prison dispensary, he didn't get any proper medical attention.

Nangma bars have become popular in Lhasa since 1998. Tibetans own majority of the Nangma bars and they play traditional Tibetan songs. Since most of the Tibetans enjoy traditional music, the bars became popular amongst the Tibetans. The bars form the nightlife in the city. Chinese authorities in Lhasa view Nangma bars as places of propagating Tibetan nationalist feelings by playing songs with embedded political messages. Some of the Nangma bars have been closed under such contempt. ♦

A typical *Nangma* bar in Lhasa
Photo courtesy: Tashi Wangdu

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Aids in Tibet

The XV International Aids Conference was held in Bangkok from 11-16 July 2004. The conference debated on the urgency of the situation of Aids epidemic in the world.

Tibet is so far not in the grip of the epidemic but a future possibilty cannot be ruled out.

Although there is not a single authoritative report about the situation of AIDS in Tibet, the global epidemic may devastate the plateau due to reasons that suits for it to take an epidemic proportion on the roof of the world.

Aids affect the poorest regions of the world and Tibet is an impoverished land under the occupation of People's Republic of China. The rural Tibetans are ignorant about the disease and many young Tibetan girls are lured into the sex trade in the urban areas for economical reasons.

There is lack of Aids awareness educational programmes in Tibet in addition to lack of HIV testing sites.

Yunnan Province is known to be the worst affected province in the whole of China followed by Sichuan Province. In both the provinces there is a large Tibetan population as the traditional Tibetan province of Kham has been incorporated in these two provinces. Tibetans outside the Tibet Autonomous Region ("TAR") are more likely to be affected due to geographical proximity to the two provinces.

With a large influx of Chinese settlers into Tibet, the single settlers and Chinese prostitutes (Chinese dominate the sex trade in Tibet, Tibetans are marginal although it is on the rise) in urban Tibetan areas form a potential threat in spreading Aids in urban areas.

According to reports by Tibet Daily on 7 June 2004, the first Aids case in "TAR" was identified in 1994. Since then eleven cases have been recorded. ♦

Third attempt to freedom proves lucky

Samten Gyatso, 23, is from Rolo Village, Trenchuemoda Township, Chamdo County, Chamdo Prefecture, Tibet Autonomous Region ("TAR"). Samten reached Nepal on 20 July 2004 on his third attempt. Samten is on pilgrimage to India and is hoping to seek an audience with the Dalai Lama.

Samten recounts to TCHRD, " I came from Tibet to visit India for pilgrimage of the holy buddhist sites and to get blessings from the Dalai Lama. I am able to cross the border on my third attempt. I was unfortunate on my earlier attempts and landed in prisons."

"On 7 August 2003, I made my first attempt from Lhasa. There were thirteen people in the group, nine monks and three women. Each of us paid 2500 Yuan to the guide to take us across the border. However, in the night of 9 August when we reached a place on the border between Lhatse County and Dingri Count, ten PSB officers appeared before us. The officers cuffed us on our back and said that we were followers of the "Dalai Clique" fleeing to India. Some of the officers shot unloaded pistols on our head to scare us while the others beat us severely on the head and stomach. We were led to Lhatse PSB Detention Centre and imprisoned us in pair in a cell. For a day they didn't do anything to us. On the next day, we were called to the office and seven PSB officers interrogated us. They asked us to show travel permits and *Shen fren zhang* (Citizen identification number). We told the officer that we were on our way to Mount Kailash for pilgrimage. The officers knew that we were lying. Two officers singled out Kunga and held him by his hands stretched, another officer took off his belt and started to lash Kunga on his back. His back turned blue due to repeated lashings. We were detained for fifteen days during which we were called for five interrogation sessions. During the interrogations, the officers hit us on our head, slapped and kicked us severely."

"After fifteen days detention, the officers put us into a truck and collected 30 Yuan from each of us. The truck driver was instructed to take us to Shigatse and we were ordered to leave to our native places. We were dropped in Shigatse and we went back to Lhasa. "

"After staying for four months in Lhasa, on 13 November 2003, I made my second attempt, this time with a smaller group of five people. On reaching Shigatse, we stayed in a hotel run by a Chinese muslim for the night. At 10 PM, the local PSB officers came to our room and demanded to show our *shen fren zhang*. None of us had our document on us."

"The officers on searching our bags discovered a bag of *tsampa* (roasted barley), a pair of shoes and a big plastic sheet as evidences to show that we were fleeing to Nepal. But we lied to them saying we are on our way to Tashi Lhunpo Monastery and Gyantse. However, the officers took us to Shigatse PSB Detention Centre where we were detained for ten days. All of us were separated in different cells with two in a cell. The following days, the officers interrogated all of us calling two at a time. All of us were badly beaten during interrogation sessions. A boy in our group called Ngawang Gyaltsen received severe beatings from four PSB officers. The officers poked electric baton on his stomach and they booted him when he fell on the ground. He was badly bruised when we returned to the cell. Ngawang didn't receive any medication although he was very sick that night."

"We were released after ten days. The PSB officers told us that we must return to Lhasa after our pilgrimage to Tashi Lhunpo Monastery and Gyantse Stupa."

"On 23 May 2004, I made my third attempt along with a mother and her son. Each of us paid 3000 Yuan to a trader who was on a business visit to Lhasa. The trader brought us across the Dram (Nepal -Tibet border town) Friendship Bridge. We then proceeded to the Tibetan Refugee Reception Centre in Kathmandu." ♦

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Dalai Lama's audio teachings earns a monk two year jail sentence

Jampel Gyatso, 35, was born in Phu Village, Mangbu Township, Lhatse County in Tibet Autonomous Region ("TAR"). He received a very brief formal education for six months in the village elementary school. Later on, Jampel herded livestocks until he reached 16 years of age. He was then admitted to the local Mangkar Dharling Monastery where he studied Tibetan Buddhist scriptures for nine years. When he reached 25 years of age, on the recommendations of Mangkar Dharling Monastery administration and the village administration, Jampel got admission in the Sera Monastery, one of the three great monasteries in Tibet.

In 1996, Chinese work teams started to visit Mangkar Dharling Monastery to conduct "Patriotic Education Campaign". The work team officials sent a letter to Jampel in Lhasa asking him to return to the monastery. However, Jampel did not respond to the call letter and continued to stay in Sera Monastery. The authorities then intimidated Jampel's family with severe consequences if they fail to call him back.

When Jampel still did not return to Mangkar Monastery, the authorities cancelled Jampel's affiliation with the monastery. When the "Patriotic Education" classes ended, the monks were each isued a red card stating "Monks' Rights".

In 1998, "Love Your Country, Love Your Religion" campaign was started in Sera Monastery. During the classes, monks were taught that Tibet is an inseparable part of China. The monks were required to say derogatory remarks about the Dalai Lama and specific orders banning portraits of the Dalai Lama were issued. The monks were depressed at the developments in their monastery.

As a sign of protest, Jampel on the eve of the Tibetan Uprising Day, Jampel hoisted a Tibetan National flag on top of the monastery water reservoir at three in the morning. The Chinese policemen stationed in the monastery investigated the incident but they never came to know about Jampel behind the activity.

In the midnight of 9 September 2001,

Jampel secretly listened to audio teachings of the Dalai Lama in his room. Suddenly, a person kicked the door and shouted to open it. Jampel immediately opened the door and found five plain clothed policemen stationed in the monastery standing infront of him. The officers ransacked his room and took into possession the audio tape along with others. The officers then led Jampel to the monastery PSB office where he was interrogated about the possession of the audio tapes. He was then taken to Lhasa Public Security Bureau ("PSB") where he was severely interrogated. After the interrogations, Jampel was transferred to Gutsa Detention Centre in the north of Lhasa. During three month's detention at Gutsa, Jampel was severely beaten during interrogation sessions.

Lhasa Intermediate People's Court charged Jampel of "Anti Government Propaganda" and accordingly sentenced him to two years' imprisonment and deprivation of political rights for one year.

Jampel along with a person called Migmar from Lhasa were transferred to Drapchi Prison to serve the sentence. In Drapchi, Jampel and the other prisoners had to undergo political education classes followed by question-answer sessions. Failing to give satisfactory answer, the prisoners were meted with beatings. The prisoners would be tied with rope behind their back and booted.

Jampel Gyatso was released on 8 August 2003 on completion of his term. Upon return to his native town, the local PSB required him to contact frequently.

Later Jampel went to Lhasa under the pretext of seeking medication. He stayed in Lhasa for few months and then secretly escaped into exile in April 2004. Jampel Gyatso now resides in Dharamsala where the Tibetan exiles are based. ♦

Internet firms bow to Chinese government censorship policy

Major US internet firms Yahoo! and Google censors information as demanded by the Chinese Government, reported Reporter Without Borders on 27 July 2004. The report stated the "irresponsible" policies of the two firms as "deplorable" and called for the firms to "drop their irresponsible policies and pledge to respect freedom of information".

Online searches in the two search engines are censored. Vocabularies like "Free Tibet" do not yield any result. For some other combined words, only official sites appear. Cisco Systems, a US firm has sold several thousand routers-more than sixteen thousand Euros each-to enable the regime to build an online spying system and the firm's engineers have helped set it to spot "subversive" key words in messages. The system also enables the police to know who has looked at banned sites or sent "dangerous" e-mails, said Reporters Without Borders.

The popular Google search engine was blocked for a week in September 2002 for its refusal to censor its search engine. However, with a huge market at stake Google seems to have reversed its policy and bowed to the government directives. ♦

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Monks expelled for visiting India

Phuntsok Gyatso, a former monk at Mokunde Monastery was expelled from his monastery because he had visited India. Along with Phuntsok, nine other monks were also expelled from the monastery.

Phuntsok told TCHRD, " I became a monk at Mokunde Monastery at the age of seventeen. After staying in the monastery for some years, I wished to pursue my monastic studies in a monastery in south India. On 20 December 1994, I arrived in south India and joined Gaden Monastery. For the next five years, I stayed in Gaden Monastery and studied the Buddhist scriptures. On 15 January 1999, I returned to Tibet."

"Upon return to my old monastery, I told the other monks about the freedom struggle being led by the exile Tibetans. I also introduced to them the setup of Tibetan Government-in-Exile."

"On 14 October 1999, an official letter was sent to the monastery demanding the expulsion of monk exile returnees. The letter also intimidated the monastery administration of severe punishment if they fail to comply with the order. It was a collective official letter sent by the Religious Bureau, Public Security Bureau, United Work Front Department and Trinshin Department. In accordance with the order, ten monks were expelled. The name of the monks expelled were: Khenrap Gyatso,30, Lobsang Dhondup,32, Gedun Rabgay,31, Sonam Gyatso,32, Lobsang Anyen, 28, Lobsang Wangchuk, 25, Chokden,26, Sherab,27, Sangay,21, and I. The authorities issued a stern instruction to the monastic administration not to accept us back."

"In 2002, I again fled to India and stayed for a year. However, I returned to Tibet in 2003 and stayed in Lhasa for a while. On 19 July 2003, at around 5 pm two PSB officers arrested me on suspicion. I was detained in Gutsa Detention Centre for five months. In the first week of detention, the officers interrogated me. The officers hit me with electic baton and lashed me with wire. It was extremely painful."

"On 15 December 2003, I was released from the Detention Centre. After staying in Lhasa for five months, I fled from Tibet and arrived in Kathmandu on 27 April 2004."

Phuntsok Gyatso, 33, was born in Tso chang Village in Tsojang Tibet Autonomous Prefecture, Qinghai Province. ♦

Authorities make nomadic life miserable

Dhondup, a nomad from Golog County in Qinghai Province told TCHRD about the livelihood problems for nomads in his region.

Dhondup said, "Nomadic life has been prominent way of life and people have sustained on the nomad life over the past many generations in Golog. At present there is nomads in Golog are facing a lot of hardship on their livelihood."

"The Chinese government ruling on the distribution of nomadic land among each family was based not on the basis of number of animals each family owns but on the basis of number of family members."

"The government allow each member of a family to rear five livestock but the rule is totally unjustified. A family with a large herd might have a small family members and vice versa. Those having a large livestock faces scarce grazing and water problem and has to endure the death of 6 to 7 livestock every year. Many families suffer due to such problems. In addition the Chinese government impose a minimum tax of 1500 yuan inclusive of grass, land and water tax from each family. The agriculture head would issue a warning to those failing to pay the aforementioned tax. Failing to pay the tax after this warning, the person would be held in the local people's court and would double the fine amount every month. Almost all the families are facing severe livelihood problem and sell off their livestock to clear the tax burden."

"Recently in the year 2003, the Chinese authorities set up a new Supervision Division in Golog region. The responsibility of this division was to supervise the grassland of the nomadic region. The Supervision Division has constituted two new rules and announced them across various counties in the region."

"In the first rule, it was mentioned that each member of the family is entitled to own only five livestock and those having more than five will be fined 500 yuan each for every additional livestock.

The second rule emphasized that it is compulsory for every family to fence the land allocated to them."

"The new policy affects the poor families alot as they cannot afford to fence the entire land due to high cost. Every 1000 meter length of fence cost 7400 Chinese Yuan."

"Golog these days is reeling under heavy water and fodder scarcity to feed their livestock. Families grazing their livestock in other farm's land were charged 10 Chinese Yuan for a horse, 5 Yuan for a cattle and 3 yuan for a sheep on a daily basis".

"In order to meet the family daily expenses due to continued problem faced by the nomadic families, I started collecting *Yartsa Gunbhu* (a medicinal plant) as others to earn an additional income for the family during summer season. But we were told to pay tax amounting to 1500 Yuan to the Township and County authorities from our hard earn income.Unable to bear the constant repression and negative policies to uproot the very existence of nomadic culture and subsistence, he escaped into exile. ♦

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Ms. Gyari Dolma appointed Chairperson of TCHRD Board of Directors

The Tibetan Centre for Human Rights and Democracy (TCHRD) welcomes the appointment of Ms. Gyari Dolma as the new Chairperson of the TCHRD Board of Directors. Ms. Gyari Dolma's appointment comes from the Patron of the Centre, His Holiness the Dalai Lama.

Ms. Gyari Dolma succeeds Prof. S. Samdhong Rinpoche as the Chairperson who resigned from the post in June 2004. She has been a member of the Board of Directors of TCHRD since June 2003.

Ms. Gyari Dolma is currently the Vice-Chairperson of the Assembly of the Tibetan People's Deputies (ATPD) and the first Tibetan woman to be elected to such a high post. She has been elected to the ATPD since 1991 and is one of the few Tibetan woman of younger generation whose leadership has been inspiring to many. An active member since her college days, her association with the Tibetan struggles is well known. She has been in the forefront of many demonstration against Chinese occupation of Tibet, calling for respect for the human rights of the Tibetan people in Tibet. Ms. Gyari's contribution in the area of social work for the Tibetan people is well known.

TCHRD looks forward to work under her leadership in the months to come and wishes her the very best.

TCHRD Releases Prisoner Biography

On 26 July 2004, TCHRD released deceased political prisoner, Lobsang Dhargay's biography in Tibetan language titled "la rgya dang tse srog gi brgyud rim". TCHRD publishes a biography of a Tibetan political prisoner as part of its annual publication series. Lobsang Dhargay's biography is third in the series started in 2000.

Book release press conference

A Brief Biography

Lobsang Dhargyal, born in 1962, was a former monk of Ragya Monastery in Machen County in Golog Tibetan Autonomous Prefecture, Qinghai Province. In the aftermath of 1987 pro-independence protest, Dhargyal along with some Tibetans printed and distributed around forty thousand pro-independence leaflets in his hometown. On 25 November 1992, Machen County Public Security Bureau ("PSB") arrested him on discovering wooden block prints from his room. After detaining him for one year in Golog Prison, Golog Intermediate People's Court sentenced Dhargyal to two and half years' imprisonment and deprivation of political rights for two years. Dhargyal was released on 25 May 1995 on completion of his sentence.

Lobsang Dhargyal later secretly assisted Alak Shingsa Rinpoche escape into exile in India.

In mid 2001, while returning to Tibet to visit his ailing mother, Dhargyal got arrested near Shigatse in "Tibet Autonomous Region". He was subsequently handed over to Golog "TAP" authorities. In October of the same year, Golog Intermediate People's Court sentenced Lobsang Dhargyal to 16 years' imprisonment on grounds of suspicion of being involved in "espionage" and "splittist" activities. and was arrested by Chinese authorities. He was imprisoned in a Manufacturing Unit for Hydro-Electricity Power Plant, a "reform through labour" camp located in Xiling Village, Machen County (Ch:Maqin xian), Golog "Tibet Autonomous Prefecture", Qinghai Province.

Lobsang Dhargyal suddenly died Monday morning on 19 November 2002 due to torture and maltreatment in the forced labour camp. He is believed to have suffered brain haemorrhage at the time of death.

Please contact us at dsala@tchrd.org or write to us at our postal address to receive free copies of the publication. ♦

Briefing to candle light vigil participants

Mr. Jampa Monlam, Researcher, spoke on the "Human Rights Situation in Tibet" to a group of people gathered for a candle light vigil on 10 July 2004.

The Regional Tibetan Youth Congress, Dharamsala chapter, organised the vigil. ♦

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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.

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Rise in arbitrary detention and fines for exile returnees

Large numbers of Tibetan returnees from exile in India are being arbitrarily detained and fined without formal political charges, according to arrest documentation by the Tibetan Centre for Human Rights and Democracy, (TCHRD).

In February 2004, Gedun Tsundue, a monk from Ragya Monastery in Golog '"Tibet Autonomous Prefecture" ("TAP"), Qinghai Province, returned to Tibet after completing his studies in exile at Kirti Monastery in Dharamsala. According to confirmed information received by TCHRD, he and another monk, Jamphel Gyatso from Sera Jhe Monastery in South India were arbitrarily detained for 4 months upon their return, before being handed over to the Golog regional authorities and fined 4,500 Yuan each.

(continued on pg 6)

Cross border calls to be monitored

The Tibetan Centre for Human Rights and Democracy (TCHRD) has received reliable information that Chinese authorities have intensified their scrutiny of telephone calls made between Tibetans inside Tibet and relatives in India.

TCHRD sources have revealed that in July of this year, a directive was sent from Chinese authorities in Beijing to Tibet Autonomous Region (TAR) government departments asking them to monitor calls made by monasteries in Tibet and India particularly closely. Tibetans living in Tibet have advised their relatives and friends in exile not to discuss any political matters during telephone conversations.

(continued on pg 6)

Loyalty to the State now pre-requisite for attaining highest religious degree in Tibet

The twice baaned highest academic degree in the *Gelugpa* (Yellow hat school) school of Tibetan Buddhism, the *Geshe Lharampa* Degree has been reintroduced for the second time with an objectionable amendment, according to a report on 28 July by Xinhua.net.

In addition to the traditional test of the five major texts *(Tib: Shung Chen Kabod Nga)*, candidates for the degree must now study six books on political thought under the "Love your country, love your religion" (Tib translit: *rgayl khches ring lugs bsam bloi slob gso)* campaign being propagated in the monasteries and nunneries of Tibet.

A 77 member Committee for the Conferment of Degree for higher Buddhist Studies was formed on 20 August 2004 to scrutinise the test and confer the degree.

The Chinese government banned the *Geshe Lharampa* Degree in 1959 calling it a "superstitious and feudal practice".

(continued on pg 6)

Committee for the conferment of degree

Freedom is 24-hour surveillance for "singing nun"

"Singing nun" Phuntsok Nyidron, remains under constant supervision in her own home, despite being freed four months ago after nearly 15 years in Drapchi Prison, according to Human Rights Watch.

Tibet's longest serving political prisoner, Nyidron, was originally imprisoned for 9 years on charges of "counterrevolutionary propaganda and incitement" following her involvement in a Free Tibet march which lasted only a few minutes. In 1993, a further 8 years were added to her sentence when Chinese officials allege she led a group of 14 Tibetan women in successfully smuggling out a tape of personalised Tibetan freedom songs.

Nyidron was finally released in March of this year and although she has been permitted to return to her home village, she remains under constant supervision. At least two security officials are with her 24 hours a day, visitors to her home must sign in, and though she is permitted to go out occasionally, she is accompanied by an escort at all times. Those watching her are under strict orders to contact Lhasa authorities if they notice any hint of political leanings or "change of thinking" by her.

Like many monks and nuns who have served time in prison for political crimes, Nyidron is prohibited from returning to her original nunnery. Concerns about her health have also been raised - she is reported to have sustained kidney damage and memory problems, following the years of beatings she received whilst in Drapchi Prison. ◆

High fees make education beyond reach of ordinary Tibetans

Dorjee Dolma, 20, is from Toelung County, Tibet Autonomous Region ("TAR"). In an interview with the Tibetan Centre for Human rights and Democracy (TCHRD) Dolma explained how poor facilities and exorbitant fees led her to seek education in India.

"When I was eight years old, I attended a local government elementary school, where unfortunately, the teachers and facilities were very bad. Although we didn't have to pay our school fees in cash, we had to give potatoes, wheat, firewood and roasted barley. The school authorities collected two sacks from each student per semester.

After finishing my elementary school, I was admitted to Lhasa Middle School no 8. It is a big school with 150 teachers, 50 of whom were Tibetan teachers, the rest being ethnic Chinese. I remember that the Chinese students' classrooms were much better equipped and smarter than the Tibetan students' ones. There were three grades in the middle school with ten classes in the first year, eight in the second year and nine in the third year.

Each student had to hand over 250 Yuan when they enrolled to pay for their uniform in addition to tuition fees which came to 400-500 Yuan per semester. There are other costs too - we were charged an additional 25 Yuan for the cycle parking stand and 15 Yuan to keep the classrooms clean. And when a student reached the third year, he or she had to pay examination fees, as well as medical fees etc.

Upon finishing middle school, I was enrolled in Lhasa Beijing High School for three years. In the first year there were 10 classes and 12 in the second and third years. In every standard, there were two classes "for Chinese only" with around 70 students in each. In addition to the semester fee, which was 500-600 Yuan, students had to pay 250 Yuan for a new school uniform and 15 Yuan to keep the classrooms clean. Only 20 of the 200 teachers at the school were Tibetan.

Even if they can afford the high school fees, very few Tibetan students go on to university after finishing high school. It's true that the marks required for admission to Tibet University are lower than those for other universities in China. But many Chinese students whose marks aren't sufficiently high enough to get in to universities in their native provinces come to Tibet and submit fake house registrations to gain admission to Tibet University. Most of the seats available at Tibet University end up being taken by Chinese students". ◆

UNICEF Executive Director critical of education system in Tibet

The Executive Director of UNICEF has criticised the level of access Tibetan children have to the primary school education. In a UNICEF press statement prior to her visit to Tibet at the end of August, Ms. Carol Bellamy stated that "only 31% of children in Tibet have access to the compulsory 9 years of education", and expressed her concern that "although conditions in Western China, and in Tibet, have dramatically improved in recent years, growth has occurred at a significantly slower pace than in the East, creating fears of a widening poverty gap."

Her statement echoed the opinion expressed by the UN Special Rapporteur on Education, Ms. Catarina Tomasevsky at the end of last year, who called the state of China's education system for Tibetan people "deplorable". According the press statement on 30 August 2004, Ms. Bellamy, Executive Director of the UNICEF, had a brief stopover in Chengdu, capital of Sichuan Province, to discuss cooperation for children with local government UNICEF partners in Sichuan.

Ms. Bellamy visited Lhoka Prefecture (Ch: Shannan Prefecture) on 29 August 2004 "to get a first hand look at the situation in Western China". Whilst there, she met with prefecture-level health and education officials headed by the Vice Governor of the Prefecture, Chang Zhen. Dr. Christian Voumard, UNICEF China Representative was also present at the meeting, which focussed on safe motherhood, basic education and enhancing teachers and educators. ◆

profile **POLITICAL PRISONERS**

This is a regular section profiling political prisoners currently imprisoned in Tibet

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Five years in a labour camp for taking photographs

Sherab, 42 years old, is from Arik Village, Haiyan County, Qinghai Province. As a child he attended the local elementary school for a few years and then started to help his family make a living as namads.

In 1981, Sherab was ordained as a monk at Tsang Monastery and began studying Buddhist philosophy. During his stay at the monastery, he often spoke to inspire his monk friends about the need for preserving a strong Tibetan identity and expanding their Tibetan education.

In 1986 Sherab escaped to India to seek blessings from the Dalai Lama and stayed on to learn English. A few years later, he returned to his monastery in Tibet.

Upon return to his monastery, he completed his studies in Buddhist philosophy and pursued an interest in Tibetan medicine and astrology.

He became the in-house doctor for his monastic community, offering his services to lay people in his spare time.

Sherab also carried out research on the the history of the monastery including its artifacts. During visits by tourists and interested Tibetans, he often acted as a guide. He became a prominent figure in the monastery.

In 1992, he undertook a pilgrimage to India and also to seek donation to build a school in his hometown. Unfortunately, he was unsuccessful in his donation work and returned to his monastery.

At the begining of 2002, the Chinese authorities began to mine gold on Gashar hill, close to Sherab's monastery. Seeing the threat posed to the local environment by mining, Sherab secretly took photographs and wrote a detailed account of the authorities' action and its impact. He wanted to tell the outside world about the environmenal damage happening in his hometown. Unfortunately, in November 2002, Public Security Bureau ("PSB") officials from Xilling County arrested Sherab because they were suspicious of his two visits to India and had been keeping him under surveillance.

Sherab was detained without any legal procedure, and subjected to torture through out his interrogation. His family had no idea of his whereabouts for a long time.

After repeated attempts to locate him, an official working in Thunde County informed the family that Sherab was at a brick manufacturing labour camp in the outskirts of Xilling County.

During a visit by the family, Sherab told them that after his detention he was brutally tortured during interrogations by the officials.

In the beginning of 2003, Xilling City People's Intermediate Court charged Sherab with "endangering state security" and sentenced him to 5 years' imprisonment.

Sherab is currently serving his sentence in the brick manufacturing labour camp. His health condition is known to have deteriorated during his incarceration and the hard labour in the camp. ♦

Monks expelled for failure to denounce Dalai Lama

Jampel Rinchen (lay name Sonam Choegyal) is a 20 year-old monk who was expelled from Gongkar Choede Monastery by Chinese authorities for his refusal to denounce the Dalai Lama. He fled Tibet earlier this year to further his monastic education in India, and reached Nepal on August 5th.

Jampel told TCHRD: "We were poor farmers with eight people in our family. When the authorities distributed land, there were only three members of the family and accordingly three *Mu* (Approx 67 sq mts) of land was given to us. Our family grew over the years but we still had to get by on the three Mu land given to us as our share. It was very difficult and we lived hand to mouth."

"When I was 11 years old, I was admitted to Gongkar Choede Monastery, where I remained for about 10 years.

In mid 1997, a Chinese work team comprised of 10 officials from Gongkar County and Lhatse County came to our monastery, and called a meeting for all the newly admitted monks. There were 40 of them. The monks were made to sit a test which required them to write essays criticising the Dalai Lama and accusing the Dalai-Clique of separating Tibet from China. The test also required us to accept the sovereignty of the People's Republic of China and Tibet as an inseparable part of China since time immemorial. I, along with eight other monks (names withheld on request by the interviewee) failed to write what the authorities required of us. As a result we were expelled from the monastery."

"We returned to our villages but two years later, we decided to rejoin our monastery two years later, despite the Chinese authorities' instructions. However, at the beginning of August 2004, we came to know that work team officials were soon going to come to our monastery to conduct political education classes. Fearing arrest, we fled the monastery and travelled to India, where I now plan to continue my monastic education." ◆

Chinese official denies ban on Dalai Lama pictures

Wu Jilie, Deputy Chairman of the Tibetan Autonomous Region (TAR)'s government, has denied any ban on pictures of the Dalai Lama exists in Tibet today according to an interview in Reuters on 18 August 2004.

Over the years, the Tibetan Centre for Human Rights and Democracy (TCHRD) has documented numerous arrest in Tibet related to possession of pictures and audio-video materials of the Dalai Lama.

Wu Jilie said , "Not to have the Dalai Lama's photo I think is the voluntary choice of the vast majority of peasants and herdsmen. There is no government stipulation".

The Dalai Lama fled into exile forty five years ago, however, the Tibetans still revere him as their spiritual and temporal leader. At the Third Tibet Work Forum held in Beijing in 1994, the Dalai Lama was denounced as a "splittist", *"a serpent's head that must be chopped off"*. In 1996, anti -Dalai Lama campaigns were initially implemented in the monasteries and nunneries under the aegis of the "Patriotic Education Campaign". The campaign required the monastic community to denounce the Dalai Lama as part of their political indoctrination. Hundreds of monks and nuns and the lay populace have been expelled and sentenced to lengty terms in jail for failing to comply with the official political line.

In November 2003, authorities in Kardze and Lithang County threatened the local populace with confiscation of their land if they fail to hand over portraits of the Dalai Lama displayed in their homes. Popular relgious figures like Trulku Tenzin Delek (sentenced to death), Geshe Sonam Phuntsok (sentenced to five years) and late Khenpo Jigme Phuntsok(his institute destroyed and he was detained incommunicado for a year) have all been targetted by the Chinese authorities for their allegiance to the Dalai Lama. ◆

China steps up campaign to woo foreign journalists

China has stepped up its campaign to win over the world's media by inviting foreign journalists to see the situation on the ground in Tibet 'for themselves'. The International Press Center of the Ministry of Foreign Affairs, People's Republic of China, organised a tour of 32 foreign correspondents representing 22 foreign news agencies to Lhasa and Nyingtri, Tibet, between 12 and 19 August 2004.

A particular focus of the Chinese media campaign has been to legitimise Beijing approved Panchen Lama, Gyaltsen Norbu, by inviting foreign correspondents to report on Norbu's third visit to Tibet.

In 1995, undeterred by their own atheism, Chinese authorities took it upon themselves to enthrone Norbu as the Panchen Lama after rejecting the Dalai Lama's choice of 6 year-old Gedhun Choekyi Nyima. The little boy identified by the spiritual leader of Tibetan Buddhism as the true Panchen Lama disappeared shortly after this along with his family. Chinese authorities have steadfastly refused to reveal his whereabouts ever since, citing the need to "avoid disrupting his family life". ◆

Carlsberg to brew beer in Tibet

Carlsberg has signed a multi-million dollar deal with a Chinese company to make beer in Tibet. China Securities Journal reported that the new company, Tibet Lhasa Brewery, is a 50-50 partnership between Carlsberg International and Tibet Galaxy Science Technology Development.

Beer is by far the popular alcoholic drink across Tibet. Overall consumption has risen dramatically in recent years with a 40 percent jump to 16.5 litres per head between 1997 and 2002. Foreign beer makers have begun aggressively pursuing the Tibetan market as barriers to trade the region have fallen. ◆

Nomads in Qinghai Province reel under heavy taxation

Heavy taxation, fencing and sedentarisation of nomads enforced in the nomadic regions under Qinghai Province has put many families in debt. Nomads are increasingly leading a hard life due to the implementation of misleading official policies.

In three separate interviews with new arrivals from Qinghai Province in Tibet, the Tibetans showed deep grievances over the official policies.

Sonam Tsering is a 25 year old nomad from Qinghai Province. Unable to live a hard nomadic life due to heavy taxation, he fled Tibet.

Sonam said, " We are six in the family and I am the youngest with three brothers and one sister all elder to me. We have 30 yaks and 100 sheep for our sustainance. Prior to 2003, we had to give two to three sheep annually as meat tax to the local authorities. Additionally we also have to pay 1500 Yuan in cash. All the nomadic families make sure to pay their tax on time as it is doubled the next year failing to do so. "

"In 2003, the authorities distributed grassland to all the nomadic families. We were alloted five Mu(approx 67 sq mts) of land for our livestock. The authorities instructed us to fence our grassland and my family borrowed 2000 Yuan from others to buy the barbed wire. The grassland alloted to us is cleared very fast by our livestock and our animals were getting weaker. Often two or three sheep die due to lack of food. To make the matter worse, we also have to pay 2000-3000 Yuan as tax to the local authorities. This tax is inclusive of meat, wealth and grassland taxes."

"Because of the hard nomadic live, I fled Tibet to get some education in India."

Ngawang Palden, a 19 year old nomad from Qinghai Province told TCHRD, " I am from Marong Village, Rusho Township, Jyekundo County, Qinghai Province. Livelihood of families in the nomadic region of Marong Village is based on leading a happy life of rearing livestock. However, last year around August, County officials received a message from the Central Government regarding a new policy limiting number of livestock per family. But the recent introduction of number of livestock that each members of the family can own has put us in a difficult situation and was a matter of great concern to the nomadic families."

"Before the introduction of this new rule, my family own more than 80 domestic animals and the new rule restricted each member of the family to own only three animals and as a result my family could keep only 18 animals."

" In the morning of August 13 2003 , a total of 22 people including seven county officials and two township officials along with 13 police officers came to our house and transported the remaining 62 animals for sale in different Chinese slaughterhouses."

"Nomadic families of Chushon, Chachok, Dora, Sa-nye, Thola and Morong under Jyekundo County were compelled to purchase fence produced by government owned industries by paying at least 8,000 Chinese yuan for boundary fencing along with transportation cost of 1500 Chinese Yuan. Residents were told that failing to purchase the fence would result in heavy penalty up to 10,000 Chinese yuan or face imprisonment for two months. Many families have no choice but have to purchase it anyway."

Ngawang Palden also mentioned about Chinese government imposition of various annual taxes for nomadic families on basis of different animals for grazing land. Such as 700 Chinese yuan tax for Horses, 500 yuan for goats, 700 for Sheep, 1500 for cattle along with annual personal tax of 200 Chinese yuan and 700 for water and 1000 Chinese yuan for fodder(grass). This has resulted in extreme hardship for an individual family. For example Ngawang Palden has to pay a total sum of 6200 Chinese yuan as tax to the Chinese government ."

Dhondup, a 25 year old from Golog Tibet Autonomous Prefecture, Qinghai Province, told TCHRD, "the Chinese government ruling on the distribution of nomadic lands among families was not based on the basis of number of animals each family owns but on the basis of number of family members."

"Fundamentally each member of the family has the right to rear five animals but the new rule is not acceptable. Because a family with a large herd might have a small family members and vice versa. Those having a large cattle herd faces scarce grazing and water problem and has to endure the death of six to seven cattles every year. Many families suffered due to these problems. In addition, the Chinese government imposes a minimum tax of 1500 yuan inclusive of grass, land and water tax from each family. The agriculture head would issue a warning to those failing to pay the aforementioned tax. Failing to pay the tax after this warning, the person would be held in the local people's court and would double the fine amount every month. Almost all the families are facing severe livelihood problem and selling off their cattle to clear the tax burden."

"Recently in the year 2003, the Chinese authorities set up a new Supervision Division in Golog region. The responsibility of this division was to supervise the grassland of that nomadic region. This Supervision Division has constituted two new rules and announced them across various counties in the region."

"In the first rule, it was mentioned that each member of the family is entitled to own only five cattle and those having more than five will be fined 500 yuan each for every additional cattle."

"The second rule emphasized that it is compulsory for every family to fence the land allocated to them." ◆

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Rise in Arbitrary Detention and Fines for Exile Returnees

Information received by TCHRD suggests that Gedun's is no isolated case. Two other exile returnees also from Sera Jhe monastery, were detained for four months when they returned to Tibet, along with other monks and four lay persons. They were later handed over to their local authorities and fined 4000 Yuan each. Another monk returning from exile, Sherab, who also studied at Sera Jhe monstery, was detained at Dram on the Tibet-Nepal border in June of this year whilst attempting to return to Tibet. There is currently no further information on his whereabouts or well-being.

Arbitrary detention and fines contravene Article 9 and 13 (2) of the Universal Declaration of Human Rights which state respectively:

"No one shall be subjected to arbitrary arrest, detention or exile";

and *"Everyone has the right to leave any country, including his own, and to return to his country".*

As a permanent member of the United Nations, China is obligated to respect the rights of all Tibetans to travel freely between countries and not to be subjected to arbitrary arrest and detention.

Ragya Monastery: a target of the Chinese authorities

Ragya Monastery in Golog "Tibetan Autonomous Prefecture" (TAP), Qinghai Province, has long been at the epicentre of peaceful political activities - Gedun Tsundue is just the latest in a long line of monks from the monastery who have been arrested and are currently serving long prison sentences.

In 2001, the Chinese authorities arrested four Ragya monks who were returning home from India - Kunchok Dhargay, Mathok Damchoe, Tsultrim Phuntsok and Sonam. The four were charged with being in contact with the demised political prisoner Lobsang Dargyal and the secret organisation, "Freedom in Tibet, as well as with distributing pictures of Gendhun Choekyi Nyima, the Panchen Lama chosen by the Dalai Lama. They were sentenced to five to six years' imprisonment.

Exile returnees unable to find job

And it is not just exile returnees from monasteries in India that are viewed with suspicion. The year 2000 saw mass withdrawals of Tibetan exile students from schools across India, following the intensification of the 1994 ban on the children of cadres and government employees going to schools administered by the Tibetan Government in Exile. Parents were threatened with punitive measures including sanctions, expulsion from jobs and the party, freezes in promotion and salary increase and forfeiting the residential permit of their children. As a result, 37 children and their parents returned to Tibet, where many tried to find jobs as tourist guides. Unfortunately, employment opportunities were strictly denied to exile returnees, who are invariably seen as 'splittist', from the 'Dalai clique' and politically suspect - and 29 of the returnees were unable to find jobs in Tibet.

Monasteries targeted by authorities

Beijing authorities continue to link Tibetan Buddhism with Tibetan nationalism. Monasteries are seen as "hotbeds of political dissent" and the Dalai Lama as the root cause of instability in Tibet. Since the Third Tibet Work Forum in 1994, the anti-Dalai Lama campaign has been vigorously stepped up, with bans on his portraits and the celebration of his birthday, and severe punishments for expressing faith in or support for him. Tibetan exile returnees are viewed with suspicion for having affinities with the political ideologies of the Dalai Lama or for possible involvement in political activities which China considers as "Endangering State Security". For Beijing, national stability is of paramount importance and it is in the course of attempting to maintain that stability that violations of fundamental human rights and freedoms of Tibetan occur. ♦

(continued from pg 1)

Loyalty to the State Now Pre-requisite for Highest Religious Degree

In 1986, the degree was revived after repeated appeals from the 10th Panchen Lama.

However, it was banned again in 1988 in the wake of a series of pro-independence demonstration in Lhasa.

The inclusion of a test of loyalty to the state as a pre-requisite for acquiring a *Geshe* Degree is an extraordinary interference in the religious affairs of the Tibetan people. Reliable sources reported that the seven (two from Sera, Drepung, Gaden each and one from Ratoed Monastery)) candidates for this year's *Geshe Lharampa* degree have been instructed by the monastery authorities to take part in the test. It is the latest in a long line of such measures introduced under the Patriotic Re-education Campaign launched in the Tibetan Autonomous Region (TAR) in May 1996 and later extended to include monasteries and nunneries in other areas. ♦

(continued from pg 1)

Cross Border Calls to be Monitored

Monitoring of private conversations and information flow by any government is in direct contravention of Article 12 of the Universal Declaration of Human Rights (UDHR), which states:

"No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks".

China is in clear violation of this basic human right of the Tibetan people, and as a permanent member of the UN Security Council, should be called to account for its actions by the international community. TCHRD deplores such highhanded restrictions on the fundamental freedoms of the people living within China's jurisdiction, which contravene many of China's own domestic laws and policies. ♦

TCHRD ACTIVITIES Bulletin 63

11th Tibet human rights workshop in Bangalore

The Tibetan Centre for Human Rights and Democracy (TCHRD) organised its 11th workshop on human rights at the Ecumenical Christian Centre in Bangalore from 3-9 August 2004. It is the fourth workshop that TCHRD has organised in collaboration with the Asian Human Rights Commission (AHRC) based in Hong Kong). Forty five Tibetans from Regional Youth Congresses, Women's Association, school teachers and local Tibetan Justice Commission members participated in the programme.

During the week long programme, the participants were introduced to *Concepts of Human Rights, UN Mechanisms, History and Development of Human Rights Norms, Human Rights Situation in Tibet, Women, Child, and Refugee Rights, State of Education in Tibet, Introduction to Liberal Democracy, Tibetan Charter, Democratisation of Tibet's exiled Government, Socio-economic Conditions in Tibet, Status of Tibet in the International Context Today, Right to Self Determination.*

TCHRD would like to thank all the resource persons: ATPD Chairman Pema Jungney, Kasur Tenzin N Tethong, Kasur Tempa Tsering, Chitue Karma Choephel, Dr. Lobsang Sangay,Mr. Sanjeeva Liyanage, Mr. Gabriel Lafitte, Mr. Tashi Gyamtso, Dr. Narendra Pani, Mr.Saji Thomas, Ms.Siobhan Cummisky, for their expertise and invaluable insights. ◆

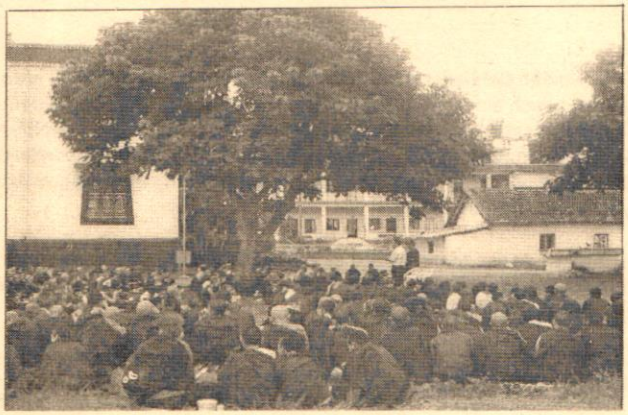
TCHRD tours southern India Tibetan settlements

Mr. Jampa Monlam, Researcher, and Mr. Tenzin Norgay, Field Officer, toured Tibetan settlements in southern India from 7-25 August 2004. The staff gave lectures on the concept of human rights and democracy, and informed resident Tibetans about the activities of the Tibetan Centre for Human Rights and Democracy and its mission.

During the tour, the staff went to three Tibetan settlements, viz Bylakuppe, Mungod and Hunsur settlements, and spoke with the monastic, school children and resident Tibetans.

While in Bylakuppe settlement, Mr.Jampa and Mr. Norgay visited 22 camps and gave brief talks to the resident Tibetans in their respective camp community halls. Apart from the camps, the staff also went to Sera University, Namdroling Monastery, Ngagyur Nunnery and Tashi Lhunpo Monastery to address monks and nuns studying there. A short talk about human rights and democracy was also given to the Tibetan Children's Village School and Central School for Tibetans students.

In Mungod settlement, public lectures were given in two sessions for the Tibetans residents. The nine camps in the settlement were grouped into two and a separate talk was given to each group. They also went to the Gaden and Drepung Monastery to inform the monastic community about human rights and the situation in Tibet.



Mr. Jampa speaking to nuns of Ngagyur Nunnery, Bylakuppe

In Hunsur settlement, TCHRD staff gave a short talk to the students of Central School for Tibetans. They also went to Gyumed Tantric Monastery and distributed TCHRD's publications.

The tour was very successful and TCHRD looks forward to visiting further Tibetan settlements in other parts of India. ◆

Mr. Norgay speaking to students of CST Hunsur

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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:

1996 Annual Report:*Tibet:One More Year of Political Repression* (English and Tibetan editions)•1997 Annual Report:*China in Tibet:Striking Hard Against Human Rights* (English and Tibetan editions)•The Next Generation:*The State of Education in Tibet Today* (1997)•*Universal Declaration of Human Rights* (Tibetan Translation) (1998)•1998 Annual Report:*Tibet:Crackdown on Humanity* • 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)•South East Asia:*Human Rights NGO Seminar on Tibet* (Proceedings) (1998)•*A Guide to Human Rights* (1999)•*A guide to Democracy* (1999)•Tales of Terror:*Torture in Tibet* (1999)•1999 Annual Report: *Tibet:Tightening of Control* (2000)•TCHRD *Review* (2000)•Torture and Ill-Treatment in Tibet (2000)• Racial Discrimination in TIbet (2000)• Impoverishing Tibetans:*China's flawed economic policy* (2000)• Prisoners of Tibet:*Profiles of current political prisoners* (2000)• 2000 Annual Report:*Enforcing Loyalty (2001)* • *Annual Report 2001:Human Rights Situation inside Tibet (2002)* • *Destruction of Serthar Insitute : A Special Report (2002)* Dispossessed: *Land and Housing Rights in Tibet* (2002)•*Briefing paper for travellers to Tibet* (2003)•*Annual Report 2002: Human Rights Situation in Tibet (2003)*

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Tibetans arrested for protesting against mining activity

Three Tibetans from Sog County (Ch: Suo Xian) were arrested by local Public Security Bureau ("PSB") officers for protesting against mining activity in the area, according to confirmed reports received by the Tibetan Centre for Human Rights and Democracy (TCHRD).

The three Tibetans, Dejor, 40, Tsering Dawa, 40, and Thartsok, 33, were arrested on 4 September 2004 in Sari Village, Yongnak Township, Sog County, Tibet Autonomous Region ("TAR"). All of them are currently reported to be in Nagchu (Ch: Naqu) Prefecture Detention Centre.

In July 2004, workers from Nagchu Mining Department visited Sari Village to mine the area. However, the resident Tibetans protested against the mining and managed to halt the work. It has been reported that there were heated exchanges between the Tibetans and the officials over the mining issue. Subsequently the officials from the Mining Department reported the incident to the authorities of Sog County. At the end of August, officials from Sog County Administration accompanied by PSB officers arrived at the village to investigate the incident. Dejor, Tsering Dawa and Thartsok identified as key leaders of the protests were subsequently arrested from their home on 4 September 2004.

In the aftermath of the arrest, a group of local Tibetans appealed to the authorities to release the three Tibetans citing their protest solely as a concern for the environment. However, the authorities dismissed the appeal on the grounds that they suspected political motivations behind the protest.

The family members of the three arrestees are reported to be anxious for they might

(Continued on pg 6)

Obituary to Jampa Phuntsok

Jampa protesting defiantly

Former political prisoner, Jampa Phuntsok, passed away on the morning of 17 September 2004. He was 75 years old. The Tibetan Centre for Human Rights and Democracy (TCHRD) pays its tribute to him

Jampa Phuntsok was born in 1927 in Phenpo Lhundup County near Lhasa. At an early age of eight, he was admitted in Hardong Khangtsen, Sera Jhe Monastery. After four years in Sera Monastery, he shifted to Namgyal Monastery and studied Tibetan Buddhist scriptures for the next 22 years. In 1959 when China invaded Tibet, Jampa took arms and fought battles in Phenpo and Namtso region to resist the invasion. The Chinese army took Jampa's family as hostage calling him to quit the resistance. Seeing his family in danger, Jampa surrendered to the Chinese army in March 1960.

Jampa was imprisoned for a total of 18 years in various prisons like Phenpo Lhundrup Prison, Phenpo Galtok Prison, Powo Sumdo Prison and Nyingtri Prison.

In 1979, when the first fact finding delegation visited Tibet, Jampa was in Nyingtri Prison. Jampa got an opportunity to brief a member of the delegation, Mr. Lobsang Samten, about actual situation in Tibet. Jampa went to him in his prison

(Continued on next page)

dress with a few apples in his hands. The two also took a photograph together. On knowing about the incident, the Chinese authorities labeled him a "black hat". Jampa's sentence was extended by six years and he was transferred to Powo Tramo Prison.

In 1984, Jampa sought permission to visit his aunt in Lhasa who was bed ridden due to serious ill health. When Jampa was in Lhasa, a change was introduced whereby prisoners were made labourers. Therefore, he did not have to return to prison. He went into meditation retreat on the hill in the south of Sera Monastery.

On 3 March 1988, during *Monlam Chenmo* prayer festival, Jampa Phuntsok stood up amongst a gathering of over 2000 monks, pilgrims, foreign tourists and Chinese officials, in the square at Lhasa's Jokhang Temple. For few minutes, he shouted slogans calling for freedom in Tibet He was not immediately arrested but as expected, on 17 March 1988 Chinese PSB Officers arrested him when he returned into retreat. Jampa was given three years' term for his protest and was imprisoned in Sangyip Unit no 4 and later in Outridu Unit 1.

On 17 March 1991, Jampa was released from prison. In total he had spent about 26 years in Chinese prisons and labour camps. Upon release, Jampa again planned to stage a protest during the "40th anniversary of the peaceful liberation of Tibet". However, his friends and other well wishers advised him not to do so and instead to go to India to propagate about the fate of Tibet. Accordingly, Jampa arrived in Dharamsala, India, in October 1991 and stayed in Namgyal Monastery as the caretaker of the temple till his death.

In exile, Jampa was the voice of the cry in Tibet and a spokesperson for the prisoners in Tibet. Exile Tibetans and westerners know him as the "brave thin old monk who protested defiantly during the *Monlam Chenmo*".

TCHRD pays tribute to Jampa Phuntsok for his belief and courage to speak his conscience. ◆

Monk reports unjust selection of candidates for Geshi Lharampa exam

Gendun Tsundue, lay name Tsering Dorjee, is a 37 year old monk. He reached Tibetan Refugee Reception Center (TRRC), Nepal, on 24 July 2004. Gendun told TCHRD about the selection of candidates for the re-introduced practice of Geshe Lharampa Degree (highest academic degree in Gelugpa school of Tibetan Buddhism) examination and the activities of Chinese authorities in Gaden Monastery.

Gendun Tsundue reported, "On 27 July 2004, the authorities selected six monks, two each from Drepung, Sera and Gaden Monastery to appear for their preliminary test in front of 16 judges. However, the selection of the six monks was not done on merit basis and was selected for their allegiance to the authorities' directives."

In 1988 China outlawed the observance of *Monlam Chenmo*, the great prayer festival, calling it a feudal practice evoking deep feeling of grievances among the masses. However, the authorities announced that the prayer festival will be resumed in 2005. The candidates who wish to sit for the Geshe Lharampa Degree, highest academic degree in Gelugpa school of Tibetan Buddhism, are required to study six political books in addition to traditional subjects to pass the examination.

Gendun also reported to TCHRD about "patriotic re-education" in Gaden Monastery and expulsion of monks under the pretext of being underaged. Around fifty monks have reportedly received heavy sentences for their reverence to the Dalai Lama.

Gendun Tsundue was born in DolhungVillage, Torden Township, Tsekhong County, Malho Tibetan Autonomous Prefecture "TAP", Qinghai Province. ◆

Anti Terror Exercise Drill in Tibet for second time

People's Liberation Army (PLA), People's Armed Police (PAP) and Public Security Bureau (PSB) staged a joint anti terror exercise drill in Lhasa on 13 September 2004 for the second time. The drill was designed to combat sudden terrorist attack. The first anti terror exercise drill code named "Himalaya 03" was conducted in Lhasa in November 2003.

The official manipulation of the global fight against terror became clear on 27 October 2001 during the Ninth Session of the 24th Meeting of Chinese National People's Congress (NPC), where approval was given to the ruling State Council's proposal that the People's Republic of China join the international campaign against "terrorism, splittism and fanaticism". Li Peng, then Chairman of the NPC, said that, "The decision for China to join the global campaign is wise in the wake of 'splittist' activities in China and will be helpful to strike hard against terror created in the country by inside and outside enemies".

Trulku Tenzin Delek, a highly respected Buddhist teacher in Lithang County, Sichuan Province, was implicated of causing series of bomb explosions in Chengdu, on 3 April 2002 and was subsequently arrested on 7 April 2002. On 2 December 2002Kardze People's Intermediate Court sentenced him to death with two years' reprieve, whereas a co-accused, Lobsang Dhondup, was sentenced to immediate death penalty and subsequently executed on 26 January 2003 when the Sichuan Higher People's Court rejected their appeal for a retrial.

The Tibetan Centre for Human Rights and Democracy is anxious about Beijing's use of global campaign against terror to suppress Tibetan peaceful activist. ◆

profile

POLITICAL PRISONERS

This is a regular section profiling political prisoners currently imprisoned in Tibet

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Carpenter given six years' imprisonment

Tashi Topgyal, 50, was born in Thong Village, Yamo Township, Ngamring County, Shigatse Prefecture, Tibet Autonomous Region ("TAR"). He has three sons and does farming for their livelihood. Tashi learned carpentry when he was young and does carpentry works during free time between every harvest. He worked in construction sites and made wooden household furnitures.

In August 2002, several wall posters calling for Tibet's independence were found pasted and scattered in the township market. An investigation team comprising of PSB officials from Ngamring County and Shigatse Prefecture carried out thorough investigations and interrogations to find the person responsible for the incident. The PSB team carried out thorough investigations in the neighbouring villages as well as interrogated all the people who were deemed suspicious. However, they could not find out the "culprit".

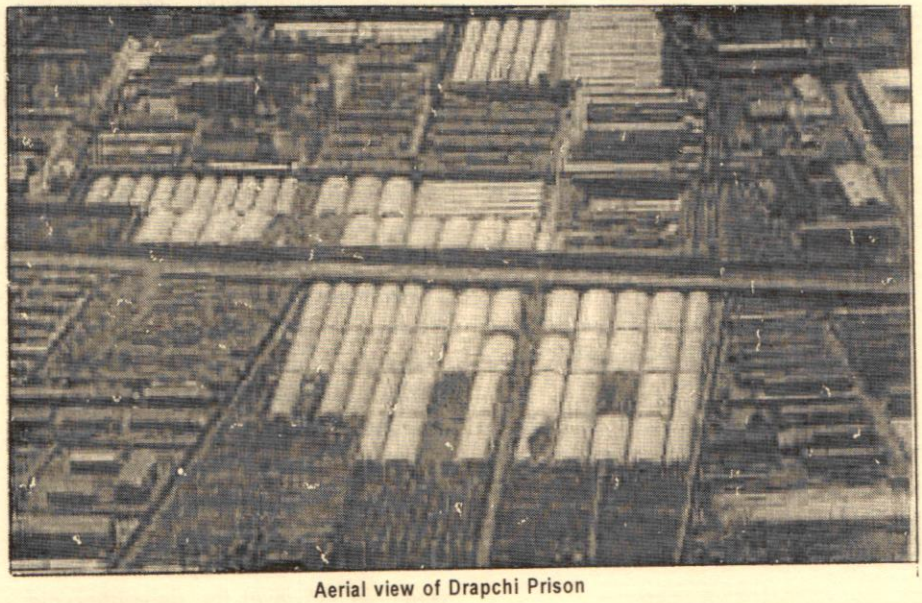
Upon further investigations, the PSB team became suspicious of Tashi and subsequently raided his house on 22 October 2002. On ransacking his house, the officials discovered an "Autobiography of the Dalai Lama" as well as "Guidelines for Future Polity of Tibet". His neighbours houses were also ransacked.

Just a few days after Tashi's arrest, the PSB arrested Ngodup Dorjee, a bank staff at Ngamring County Bank. The officials also found a Tibetan national flag in his house.

Tashi was detained in Shigatse Prefecture Detention Centre and was tortured brutally during interrogation sessions. The authorities did not inform his family about his whereabouts. His family became anxious when they couldn't locate him.

In mid 2003, Shigatse Prefecture People's Intermediate Court sentenced Tashi Topgyal to six years' imprisonment term on charges of "endangering state security" through anti government propaganda.

In the end of 2003, Tashi was transferred to Drapchi Prison in Lhasa where he continues to be imprisoned. He is expected to be released in 2009. ◆



Aerial view of Drapchi Prison

China releases Ngawang Gyaltsen after 15 years in prison

China released Ngawang Gyaltsen in June 2004, according to confirmed information received by TCHRD.

Ngawang, member of the secret organisation "Group of Ten", was originally sentenced to 17 years' imprisonment term. However, he secured an early release after getting sentence reduction of two years.

Ngawang was first arrested on 27 September 1987 for a protest organised by 21 Drepung monks including him. He was released after four months detention at Gutsa Detention Centre. Upon release, he joined the "Group of Ten". He and the other members pasted and distributed pamphlets calling for freedom and human rights in Tibet.

Ngawang and a friend, Kelsang Thutop, planned to escape to India. However, the Chinese border patrol arrested the two at Nepal-Tibet border on 13 May 1989. They were taken back to Lhasa and kept in "TAR" Detention Centre. Both suffered severe beatings during interrogations.

On 28 November 1989, Lhasa People's Intermediate Court sentenced Ngawang and the other members of the "Group of Ten" to various imprisonment terms. Ngawang was sentenced to 17 years' with deprivation of political rights for five years on charges of "counter revolutionary propaganda" and "illegally crossing the border."

Ngawang Gyaltsen a.k.a Ngodup Gyaltsen, 38, was born in Toelung Dechen County, south of Lhasa City. He was ordained as a monk at Drepung Monastery in 1984.

Ngawang Phulchung and Jampel Jangchub, members of the "Group of Ten" are still in Drapchi Prison. The rest have been freed over the years after completing their terms in prison. ◆

UN Working Group on Arbitrary Detention visits Tibet

The United Nations Working Group on Arbitrary Detention ("WGAD") visited the People's Republic of China, including Tibet, from 19-30 September 2004. The mission included visits to Beijing, Chengdu, Sichuan Province, and Lhasa, according to a press release by the United Nations on 16 September 2004.

The UN mission headed by the WGAD Chairperson Leila Zerrougui was to make visits to "a broad range of detention centres, including prisons, re-education through labour camps, psychiatric hospitals and police stations." Meetings with Justice, Public Security and Foreign Affairs Ministries were also on the schedule as well as meetings with judges, prosecutors and lawyers. The mission was also to meet with former detainees and family members of persons in detention as part of gaining insights into the real situation.

The mission report by the WGAD will be presented during the 61st UN Commission on Human Rights in Geneva, set for March-April 2005. At the time of this issue of Human Rights Update going to the press, the UN mission have not made any press statement about the findings of the mission. The visit is the third undertaken by the WGAD in China and Tibet. The first two were carried out in 1996 and 1997 respectively.

Arbitrary detention is one of the gravest violation of human rights in Tibet. The state law enforcement agents arbitrarily detain Tibetans who differ in political thoughts. Those who speak their conscience are often detained for a long period of time without trails and tortured during interrogations in the Detention Centres. The detainee's family is not informed and extended detention often leads to disappearance.

Gedun Choekyi Nyima, who was recognised as the 11th Panchen Lama at the age of six, dissapeared on 17 May 1995. It has now been nine years since the boy's disappearance.

The Tibetan Centre for Human Rights and Democracy (TCHRD) welcomes the UN mission to China and Tibet. The Centre strongly believes that first hand information through visits by UN experts will improve the human rights situation in Tibet. TCHRD hopes that the Working Group on Arbitrary Detention had not bowed to Chinese authorities' interference and had easy and direct access to those whose are deprived of their liberty. ◆

EU Presidency Visits Tibet

The European Union (EU) Presidency visited Tibet from 20-23 September 2004. The visit came prior to the EU-China Bilateral Human Rights Dialogue in Beijing on 24 September 2004.

The visit was undertaken directly to gather information on the human rights situation in Tibet.

The Presidency visited Lhasa and its surrounding areas. Meetings with Public Security Bureau, Education and Religion departments as well as "TAR" authorities were held. However, the delegation did not visit any prison in view of past experience as prisoners are placed at risk on contacting the delegation.

The last official EU visit was made in May 1998. Co-incidently, on 1 and 4 May 1998, a protest broke out in Drapchi Prison. The delegation was unaware of the protest. Eight Tibetan prisoners died when PAP officers opened fire to quell the protest. New prison regulations were introduced and 27 Tibetan prisoners received sentence extension for participating in the prison protest. ◆

US State Department Religion Report critical of China's religious record

The United States State Department released its latest International Religious Freedom Report on 15 September 2004. The report was critical of China's religious record and described the Government of China's "respect for religion poor" and "level of repression high."

The report mentions that, "the Government maintains tight controls on religious practices and places of worship in Tibetan areas of China." Gedun Choekyi Nyima, Trulku Tenzin Delek Rinpoche, Geshe Sonam Phuntsok and late Nyima Drakpa received special mention in the report. It also indicated that situation in Kardze "TAP" in Sichuan Province is relatively volatile compared to other parts of Tibetan areas.

The U.S. Government urged the Central Government and local authorities to respect religious freedom and preserve religious traditions.

Excerpts from the report

◆ "The Constitution of the People's Republic of China provides for freedom of religious belief, and the Government's May White Paper on "Regional Ethnic Autonomy in Tibet" states, "Tibetans fully enjoy the freedom of religious belief." However, the Government maintains tight controls on religious practices and places of worship in Tibetan areas of China. Although the authorities permit many traditional religious practices and public manifestations of belief, they promptly and forcibly suppress activities they view as vehicles for political dissent or advocacy of Tibetan independence, such as religious activities venerating the Dalai Lama, (which the Chinese Government describes as "splittist"). "

◆ The Government strictly controls access to and information about Tibetan areas, particularly the TAR, rendering it difficult to determine accurately the scope of religious freedom violations. The "patriotic education" campaign begun in the mid-1990s officially concluded in 2000, but coercive activities to ensure the political reliability of monks and nuns continued. Core requirements of "patriotic education," such as the renunciation of the Dalai Lama and the acceptance of Tibet as a part of China, continued to engender resentment on the part of Tibetan Buddhists. Dozens of monks and nuns continued to serve prison terms for their resistance to "patriotic education."

◆ In July 2003, authorities reportedly closed the Ngaba Kirti Monastic School in Ngaba Prefecture, Sichuan Province, and summoned its chief patron, Soepa Nagur, to Sichuan's capital city Chengdu, according to the Tibetan Center for Human Rights and Democracy (TCHRD). Funded in 1994 with private funds to provide traditional Tibetan and monastic education to rural residents, the school attracted the attention of local authorities in 1998, who forced the school to change its name, include secular subjects in its curriculum, and finally merge with another nearby institution.

◆ In October 2003, Tibetan monk Nyima Dragpa of Dawu County in Sichuan Province's Kardze Prefecture died while serving a 9-year sentence for state subversion. Based on a letter the monk allegedly wrote before his death, NGO and foreign media observers attributed his death to torture suffered in prison. In November 2002, Tibetan Buddhist monk Lobsang Dhargyal reportedly died of a brain hemorrhage in a "reform through labor" camp in Qinghai Province. TCHRD attributed the monk's death to torture and maltreatment while in detention. There has been no official public confirmation of or investigation into Lobsang Dhargyal's death.

◆ Chadrel Rinpoche, the lama accused by the Government of betraying state secrets while helping the Dalai Lama choose the incarnation of the 11th Panchen Lama, was released from prison in January 2002, according to officials. There are reports that Chadrel Rinpoche is being held under house arrest near Lhasa, but officials have not confirmed his whereabouts and refused requests from the international community to meet with him. They continue to state that Chadrel Rinpoche is studying scriptures in seclusion. In August 2003, TCHRD reported that Champa Chung, 56-year-old former assistant of Chadrel Rinpoche, remained in custody after the expiration of his original 4-year prison term in 1999.

◆ In August 2003, five monks and an unidentified lay artist received sentences of 1 to 12 years' imprisonment for alleged separatist activities, including painting a Tibetan national flag, possessing pictures of the Dalai Lama, and distributing materials calling for Tibetan independence. The monks—Zoepa, Tsogphel, Sherab Dargye, Oezer, and Migyur—were all from Khangmar Monastery in Ngaba Prefecture, Sichuan Province.

◆ Authorities prohibit Tibetans from actively celebrating the Dalai Lama's birthday on July 6. Celebrations of other major religious festivals such as Monlam Chenmo and the Drepung Shodon have been marked by a somewhat more open atmosphere and diminished security presence than in the past, but teachers and students at Tibet University were prohibited from actively celebrating the Saga Dawa festival in 2004.

◆ On February 12, police arrested Choeden Rinzen, a monk at Lhasa's Ganden Monastery, for possessing a Tibetan national flag and a picture of the Dalai Lama, according to Radio Free Asia. Two friends of Choeden Rinzen reportedly were arrested with him but later released.

◆ There were some positive developments regarding prisoners. On April 18, authorities reportedly released Tibetan Buddhist monk Ngawang Oezer from TAR Prison upon completion of a 15-year sentence for participating in pro-independence activities at Drepung Monastery. In August 2003, authorities had announced that Ngawang Oezer's sentence had been reduced by 2 years.

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Monks undergo beatings for crossing the border

Dhondup Tsering (22), Tashi Dhargay, (19), and Dhondup Namgyal, are monks from Dhargayling Monastery. They hail from Dechen Village, Tamdoe Township, Dechen County, Yunnan Province. The monks went through tremendous hardships in fulfilling their dream of getting an audience with the Dalai Lama in India. Tashi, who is a heart patient with ulcer endured severe beatings from police officers. On their second attempt, the y were able to come to India.

Dhondup Tsering told TCHRD, " Dhargyeling Monastery is a small Monastery with only 20 monks. I joined the monastery at the age of 12 and studied Buddhist Philosophy for nearly 10 years. I along with Dhondup Namgyal and Dhondup Tsering sought permission from the abbot of the monastery, Thaldhoe Rinpoche, to visit India in order to seek an audience with the Dalai Lama. "

"On 1 December 2003, we began our journey to Lhasa. On reaching Lhasa, we were introduced to a Nepalese guide and paid him 4000 Yuan each to take us across the border."

"We started our journey on 29 December 2003. Once we crossed into Nepal, a strong Nepalese army patrol of about 30 arrested us at Barabesi, Nepal. One Nepali army officer interrogated us in Tibetan language and simultaneously kicked and beat us brutally. The army frisked us thoroughly and took 1500 Yuan from us and 2900 Yuan from the others."

"We were detained in a toilet under strict surveillance with no food for a night. The next morning at around 11 am, the Nepalese army handed us to Chinese Security officials at Dram. All of us were interrogated individually by the Chinese officials and were subjected to severe beatings, despite the fact that Tashi Dhargay was having ulcer and heart problems. We were kept in the prison with no cot and electricity."

"We were later transfered to Nyelam Detention Centre and detained for 11 days and were given poor diet. We were then transferred to a new prison at Shigatse, which had around 200 exile returnee detainees. However, our group was kept separately in another cell for 23 days and was then taken to Lhasa. On reaching Lhasa, the authorities ordered us to return to our respective homes."

"Due to severe beatings, Tashi Dhargay's health condition deteriorated and had to be taken to a Chinese hospital for treatment. He was hospitalized for nearly two months and incurred a total expense of 8100 yuan. A relative helped him settle the bills."

"Once Tashi got fit and was discharged from the hospital, we made another attempt to visit India on 2 July 2004. We didn't hire a guide this time. Fortunately, we were able to reach Kathmandu Tibetan Refugee Reception Centre without much problem on the way." ◆

Hu Jintao takes over as the Chinese Military Chief

Hu Jintao, 61, took over the Chairmanship of the Central Military Commission (CMC) after the fourth plenum of the 16th Central Committee of the Communist Party of China (CPC) accepted the resignation of Jiang Zemin, Xinhuanet.com reported on 19 September 2004.

Hu Jintao, President of the People's Republic of China and also the General Secretary of the CPC Central Committee was earlier the Vice-Chairman of the CMC.

The namelist for CPC Central Military Commission after adjustments and additions by the fourth plenum of the CPC Central Committee is as follows: Chairman of CMC, Hu Jintao, Vice-Chairmen of CMC, Guo Boxiong, Cao Gangchuan, Xu Caihou, and Members of the CMC, Liang Guanglie, Li Jinai, Liao Xilong, Chen Bingde, Qiao Qingchen, Zhang Dingfa and Jing Zhiyuan.

Hu Jintao on becoming the Chairman of the CMC consolidates his position as the paramount leader of People's Republic of China. ◆

(Continued from pg 1)

be given lengthy imprisonment terms.

The UN Declaration on the Right to Development (UNDRD) states that governments must "formulate appropriate national development policies that aim at the constant improvement of the well-being of the entire population and of all individuals, on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits resulting there from". The Sog County incident clearly reveals that China as a member of the UN is in direct contravention of the UNDRD.

TCHRD calls upon China to respect the sentiments of the Tibetan people in any development work undertaken inside Tibet. ◆

TCHRD ACTIVITIES Bulletin

TCHRD commemorates 44th Tibetan Democracy Day

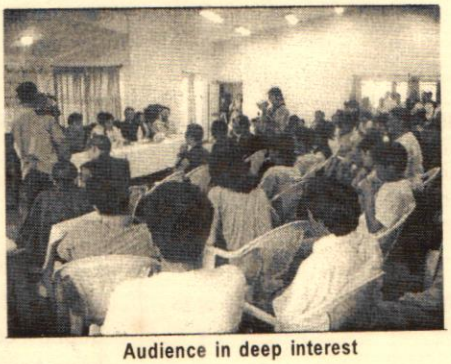
On 2 September 2004, the Tibetan Centre for Human Rights and Democracy (TCHRD) commemorated the 44th Tibetan Democracy Day.

A panel discussion on "Highlighting Peoples' Role in Democracy" was held at the Club House in Mcleod Ganj, Dharamsala, India. The panelist included Tibetan Parliamentarian Geshe Jigme Wangyal and Ngawang Lhamo, Tibetan Youth Congress President Kelsang Phuntsok, Research analyst Atsok Lukar Jam, Activist Tenzin Tsundue and Former Tibet University Student Ganglha.

The panel delved on the topic of *Tibetan democratic transition, Opinions on Tibetan charter and functions of Tibetan Government-in-Exile, Shortcomings and Prospects of Tibetan democracy and People's role in democracy.*

The discussion turned out to be highly robust with passionate participation from the audience. People from all walks of life had gathered on their own to be part of the discussion. The discussion last for four hours. There were over 200 people. ◆

The panelist sharing their views



Audience in deep interest

Briefings by TCHRD staff

- Mr. Jampa Monlam, Researcher, briefed a gathering about Trulku Tenzin Delek, the monk under death sentence. The Students for a Free Tibet organised the public gathering on 5 September to campaign for Trulku whose death sentence with two years reprieve is drawing close. The organisation also screened documentary movies about Tibet and painted slogans on clothes to raise awareness about Trulku.
- On 27 September, Mr. Jampa briefed a group of candle light vigil holders at the main temple in Mcleod Ganj.

On the same day in 1987, a group of Drepung monks initiated the first political protest since the invasion of Tibet in 1959.

In September, two parliamentarian delegations were on visit to Dharamsala. TCHRD gave briefings to both the delegations about the human rights situation in Tibet.

- Ms. Tsewang Lhadon, Executive Director, and Mr. Ugyen Tsewang, Information Officer, briefed an Indian parliamentarian delegation where as Ms. Norzin Dolma, Senior Programme Officer, and Mr. Tsering Agloe, Researcher, gave briefing to an Italian Parliamentarian delegation.
- Being the sole non governmental organisation focused on the issue of human rights in Tibet, TCHRD regularly briefs media, delegates, students and interested individuals on the human rights situation in Tibet. ◆

TCHRD New Recruits

The Tibetan Centre for Human Rights and Democracy (TCHRD) welcomes its new staff Mr. Tsering Agloe, Researcher, and Ms. Tsering Choekyi, General Assistant. The two were recruited following a written test and oral interview on 10 and 11 August 2004 respectively. They officially joined the Centre on 1 September 2004.

Mr. Agloe, 24, did his Masters degree in English Literature from Loyola College, Madras.

While in college, Mr. Agloe was the spokesperson for the Tibetan Students Association of Madras and was the editor of the magazine "One". He was also a member of the Loyola Intellectual Society (LIS) and student's activities of All India Catholic University Federation.

Mr. Agloe will soon publish his debut poetry book titled "Tibet: A Burning Lamp".

Ms. Tsering Choekyi, 24, did her schooling from Upper Tibetan Children's Village School, Dharamsala, India.

She received her Masters degree in Political Science from Madras Christian College in 2004 and is currently pursuing a degree in Human Resource Management from Pondicherry University through its distant learning programme. ◆

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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:

1996 Annual Report:*Tibet:One More Year of Political Repression* (English and Tibetan editions)•1997 Annual Report:*China in Tibet:Striking Hard Against Human Rights* (English and Tibetan editions)•The Next Generation:*The State of Education in Tibet Today* (1997)•*Universal Declaration of Human Rights* (Tibetan Translation) (1998)•1998 Annual Report:*Tibet:Crackdown on Humanity* • 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)•South East Asia:*Human Rights NGO Seminar on Tibet* (Proceedings) (1998)•*A Guide to Human Rights* (1999)•*A guide to Democracy* (1999)•Tales of Terror:*Torture in Tibet* (1999)•1999 Annual Report: *Tibet:Tightening of Control* (2000)•TCHRD *Review* (2000)•Torture and Ill-Treatment in Tibet (2000)• Racial Discrimination in TIbet (2000)• Impoverishing Tibetans:*China's flawed economic policy* (2000)• Prisoners of Tibet:*Profiles of current political prisoners* (2000)• 2000 Annual Report:*Enforcing Loyalty (2001)* • *Annual Report 2001:Human Rights Situation inside Tibet (2002)* • *Destruction of Serthar Insitute : A Special Report (2002)* Dispossessed: *Land and Housing Rights in Tibet* (2002)•*Briefing paper for travellers to Tibet* (2003)•*Annual Report 2002: Human Rights Situation in Tibet (2003)*

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Brothers arrested for pro-independence protest

Chinese authorities in Sog County, Nagchu Prefecture, "Tibet Autonomous Region" ("TAR") arrested two Tibetan youths for raising pro-independence slogans in front of the local government office.

On 14 September 2004, Nyima Tenzin, 20, and Sonam Nyima, 18, both brothers, called for freedom in Tibet in front of Sog County Government office. Officers from the local Public Security Bureau (PSB) immediately arrested the brothers and led them to Nagchu Prefecture Detention Centre.

Lodhor, father of the arrestees, is a senior staff in the government weather department. The Tibetan Centre for Human Rights and Democracy (TCHRD) is yet to receive further details about the arrestees. ◆

Workshop on Patriotic Education held in Lhasa

On 31 October 2004, a weeklong workshop for officials in charge of "patriotic education" in monasteries and nunneries in Lhasa formally opened according to Lhasa Evening Daily on 1 November 2004.

Lhasa City Party Deputy Secretary, Lhasa National People's Congress President, Head of the Committee for Patriotic Education in Lhasa City, Members of the Lhasa Chinese People's Political Consultative Conference, officials from the United Front Work Department, officials of the Religious Bureau, and Head of Patriotic Education in Tibet Autonomous Region were present during the opening ceremony.

(continued on page 6)

China releases Geshe Sonam Phuntsok upon completion of prison term

Chinese authorities have released Geshe Sonam Phuntsok upon completion of his five years imprisonment term, according to confirmed information received by TCHRD. Geshe Sonam Phuntsok, popularly known as Kardze Geshe, was imprisoned for his religious activities and for conducting long life prayer ceremony for the Dalai Lama in October 1999.

Early morning on 26 October 2004, Chinese PSB officials brought Geshe in a government vehicle to his native Rongpatsa Township in Kardze County, Kardze "Tibetan Autonomous Prefecture" ("TAP"), Sichuan. He had earlier arrived

in Dartsedo County on 24 October 2004 after release from Chuandong no 3 Prison in Tazhu County and underwent medical treatment before arriving at Rongbatsa Township.

TCHRD fears that Geshe Sonam Phuntsok is in poor health due to lengthy imprisonment and maltreatment in the prison.

Arrest

On 25 October 1999, a team of around 20 PSB officers arrested Geshe Sonam Phuntsok at gun point. He was barely clothed and barefooted at the time of arrest. Around 3000 local Tibetans

gathered in front of Rongbatsa Government Office and demanded his immediate and unconditional release. The next day, a larger crowd comprising of Tibetans from neighbouring counties demanded the release of Geshe. About 600 PSB officers and People's Armed Police ("PAP") threw tear gas shells and fired indiscriminately into the crowd to quell the protest. Many Tibetans were detained and some received imprisonment terms and monetary fines for their acts. Tsering Wangchuk, a protester died while in detention.

Sentence

In March 2001, after a year and five months, Kardze People's Intermediate Court sentenced Geshe to five years' imprisonment term on charges of "inciting splittist activities among the masses", "travelling to India on an illegal document procured from Lhasa, for seeking audience with the Dalai Lama and for taking photographs with him", "illegally conducting religious ceremony on several occasions within Kardze County", and "for conducting long-life prayer ceremony for the Dalai Lama in Rongbatsa".

Ill-health in prison

During two separate visits to the prison, Geshe's father and a relative were shocked to see him in a frail health. Agya Phuntsok, a close associate of Geshe described that he was lean, semiconscious and could not move properly. He had been reportedly put on IV drips for seven hours.

Background

Geshe Sonam Phuntosk was born in 1951 in Choesa Village, Shusar Township, Ronbatsa Township, Kardze County. Early in his childhood, he was ordained as a monk and at the age of 18 he received sacred initiation and other religious teachings from eminent Buddhist masters. In the 1980s he taught Tibetan literature to monks from 35 different monasteries. He also recorded historical descriptions of 13 monasteries in Kardze "TAP". Geshe was based at Dhargay Monastery in Rongbatsa Township but often traveled to monasteries and remote villages throughout Kardze County to conduct religious ceremonies and teachings. In 1996, Geshe travelled to India to visit holy places for pilgrimage. He met with the Dalai Lama as part of his pilgrimage during that time. Geshe Sonam Phuntsok returned to Tibet and continued to conduct religious ceremonies for nearly three years thereafter. ♦

Tibetan writer persecuted for liberal references to Dalai Lama

A Tibetan writer, Woeser, (Ch: Wei Se) has been stripped of her job, home and freedom of movement for her writings that the Chinese authorities deemed as favourable to the Dalai Lama.

According to a press release by Human Rights in China (HRIC) on 27 October 2004, "China's United Front Department and Publications Bureau have determined that Wei Se's writings contained "political errors" due to their positive references to the exiled Tibetan leader." It further said, "As a result, Wei Se has lost her job, and her former work unit, the Tibetan Cultural Association, has evicted her from her home and terminated her health and retirement benefits, She has also been prohibited from applying for a passport to leave the country."

Woeser's book, *Xizang Biji* (Notes on Tibet) written in Chinese, was published by Guangzhou Huacheng Publishing Company in 2003. The book is a collection of 38 essays relating to Tibetan history and social life. Guangdong Provincial Bureau banned the book and the authorities of "TAR" banned it in September 2003. "The Huancheng Publishing Company's director and the book's editor were subjected to criticism and investigation", reported HRIC citing its sources in Tibet.

HRIC further added that "Wei Se's work unit, the Tibetan Cultural Association, organized a special committee to carry out "thought correction" on Wei Se, and Party organs sent various officials to talk with Wei Se and her family on a daily basis. Wei Se was also assigned to write an article praising the Qingzang (Qinghai) Railway, and was pressured to abandon her practice of Tibetan Buddhism."

Woeser, born in 1966, is a resident of Sichuan Province. She graduated with a degree in Chinese from South-West Nationalities Institute, Chengdu, in 1988. She has worked as a journalist and was the editor of the journal Tibetan Literature (Xizang Wenxue). She was also a visiting scholar in Beijing's Lu Xun Academy of Fine Arts. Besides "Notes on Tibet", Woeser earlier authored "For Tibet" which was a collection of poems published by Qinghai People's Publishing House in 1999. ♦

Woeser (photo HRIC)

profile **POLITICAL PRISONERS**

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This is a regular section profiling political prisoners currently imprisoned in Tibet

Long-life prayer ceremonies to the Dalai Lama lead to five Tibetans' imprisonment

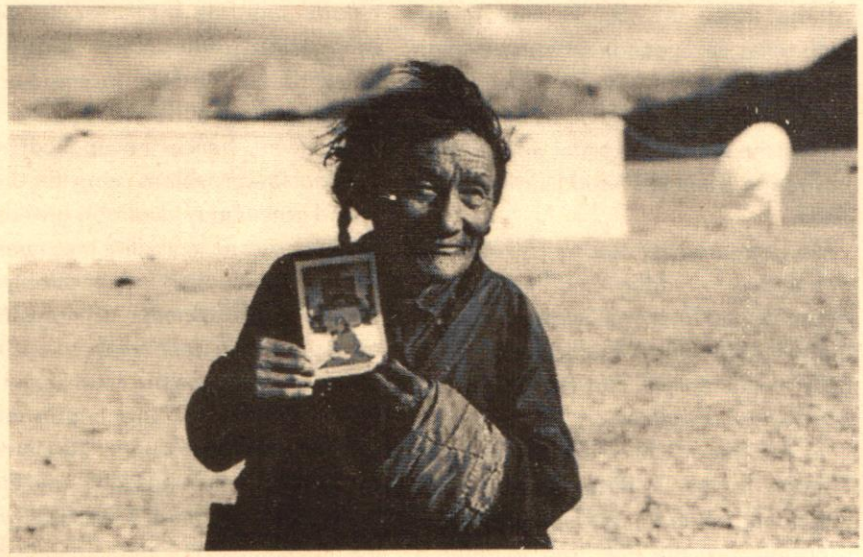
In the end of 2001, a series of long life prayer ceremonies for the Dalai Lama were conducted in 64 villages and two nunneries in Kardze County, Kardze Tibetan Autonomous Prefecture ("TAP"), Sichuan Province. The prayer ceremony which started from Gaden Choeling Nunnery in Sershul Village was completed in about six months.

In October 2002, the authorities of Kardze County came to know of the secret prayer ceremonies and suspected political motives behind it. Accordingly, all the organizers of the prayer ceremonies in respective villages were interrogated. Jampa Sangpo,41, Dorjee Phuntsok,53, Namgyal,35, Choephel from Shae Village, Kardze County, and Tsering Dorjee,42, of Chulen Lago Village, Tsering Nyima,26, of Lhopa Sertok Village were identified as organizers of prayer ceremonies in their respective villages. All of them were arrested from their home and detained in Kardze County Public Security Bureau Detention Centre. Dargay, 30, a monk in the monk-dance -troupe was also arrested and detained.

Following the severe investigation by the authorities in all the villages for Tibetans linked with organizing the prayer ceremonies, many Tibetans including people who participated in the prayers fled to other places or hid in the mountains to escape arrest. About 20 Tibetans were detained in connection to the prayer ceremonies.

The Tibetan detainees were interrogated and beaten brutally during interrogation sessions. In April 2003, Kardze County People's Court passed sentences on the detainees. Dorjee Phuntsok, Jampa Sangpo, Namgyal Choephel, Tsering Dorjee, Tsering Nyima were sentenced to three years' imprisonment term. Dargay, who has been crippled due to constant beatings in the Detention Centre was returned to his family with an imposition of 3000 Yuan as fine.

Kardze Tibetan Autonomous Prefecture has been a very volatile region in Tibet in recent years. Many Tibetans have been arrested from the region for their religious or political beliefs. ♦



A nomad in Changthang region holds a picture of the Dalai Lama

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A Tibetan lama shot dead

A Chinese "PSB" officer shot dead a Tibetan monk, Tsering Pal, in Darlag County PSB office in mid September 2004, according to reliable information received by the Tibetan Centre for Human Rights and Democracy (TCHRD). Tsering Pal was apparently hit in the forehead ensuing an argument in the PSB office.

Reports that reached TCHRD corroborated by Tibet Information Network (TIN) News Update on 18 October 2004 details that Tsering Pal and two other monks arrived at Darlag County to do shopping for the summer picnic of Togden Monastery marking the end of summer retreat. The three monks stayed in a guest house upon arrival in Darlag County. An evening after the shopping the three monks found the door of the guest house closed. The guesthouse manager called the PSB when the monks shouted to open the door. The PSB officers arrested the monks and took them to the local PSB Detention Centre. The monks were detained for two days and beaten severely on the first night of detention.

After their release, the monks visited a clinic to treat their injuries. Upon return to the monastery, Trulku Drondul took along the three monks back to Darlag County PSB office. Trulku demanded reimbursement for the medical expenses of the three monks. However, the authorities declined to reimburse and an argument followed. Xiao Fu, a PSB officer, fired a single shot in the air as a warning. Amidst the scuffle, the pistol went off and hit Tsering Pal in the head leading to his death.

An angry crowd of around 150 Tibetans proceeded to Darlag County when the news reached Trachog County. The crowd threw stones at the PSB office and also at government vehicles. However, there were no reported casualties.

In the aftermath of the protest, two Tibetan lamas holding Chinese post intervened to calm the situation. It is reported that the PSB had to offer a considerable sum of money as compensation to the victim's family. ♦

U.N. Expert team cut short visit to Drapchi Prison

The Chairperson of the United Nations Working Group on Arbitrary Detention (WGAD) in a press statement on 4 October 2004 said the team had "to discontinue its visit to Drapchi Prison" in Lhasa. The expert team who were on 12 day visit to China was denied interviews with certain individuals from Drapchi Prison its list. The Chinese authorities cited internal regulation as its reason.

Unlike its previous visit in 1997, the WGAD visited Lhasa Detention Centre popularly known as Gutsa Detention Centre during the current visit. It is the first time an expert team visited the Detention Centre.

The four member U.N. expert team headed by Chairperson Leila Zerrougui and Vice Chairperson Tamas Ban, said that the current visit focused on the developments since 1997 visit. The team met with the same authorities and visited the same detention centres as during the previous visit.

The team pointed out that "at this stage the four recommendations formulated in its 1997 report have not yet been implemented". The press statement said, "the provision which stipulates that everyone shall not be consider guilty until convicted has not been amended to clearly stipulate the presumption of innocence until proven guilty; no definition for the term in criminal law "endangering national security" has been given, hence the application of criminal law provisions using this unduly broad notion may invariably give rise to arbitrariness; no legislative measures this unduly broad notion may invariably give rise to arbitrariness; no legislative measures have been taken to ensure a clear-cut exception from criminal responsibility for those peacefully exercising their rights under the Universal Declaration of Human Rights; and finally, no real judicial control is exercised within the procedure to commit someone to re-education through labour. The lawsuit the affected person may initiate cannot be deemed under international law as an effective remedy against arbitrary deprivation of liberty."

The expert team also noted that "some of the authorities competent in detention related matters do not seem to fully realize...the safeguards against arbitrariness provided by international standards must be respected."

The Working Group on Arbitrary Detention will submit its full report during the 61st United Nations Commission on Human Right in early 2005. ♦

U.S. Government official visits Kathmandu Tibetan Refugee Reception Centre

Mr. Arthur E. Dewey, the U.S Assistant Secretary of State for Population, Refugees and Migration, visited the Tibetan Refugee Reception Centre (TRRC) in Kathmandu, Nepal, on 20 October 2004.

The visit was to promote the protection and assistance of Tibetan refugees residing in Nepal or who are in transit through Nepal. Hundreds of Tibetan refugee children gave a hearty welcome to Mr. Dewey.

Mr. Dewey said that he would report about the situation of Tibetan refugees to his ministry in Washington D.C. He further assured the continued support of U.S. Government to the refugee community through United Nations High Commission for Refugees. During 2004, the U.S. Government provided about ten million dollars to relevant organizations to assist refugees and conflict victims in South Asia.

Nepal forms the transit for Tibetan refugees fleeing persecution in Chinese occupied Tibet. A large number of Tibetans pass through Nepal to reach India every year. ♦

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A summarised information on Trulku Tenzin Delek's death penalty

TCHRD brings forth a summarised version of background information on Trulku Tenzin Delek, his arrest and death sentence, court trail and imprisonment to urge the international community to stop the execution of Trulku Tenzin Delek. The execution verdict of Trulku Tenzin Delek will be confirmed by 25 January 2005 if his death sentence with a two-year reprieve is not reversed.

Trulku Tenzin Delek is a popular religious figure from Sichuan Province in eastern Tibet. On 2 December 2002, Kardze Intermediate People's Court sentenced Trulku Tenzin Delek and his disciple, Lobsang Dhondup, to death for "causing explosions" and "inciting separatism". Trulku was sentenced to death with two years' suspension and deprivation of political rights for life while Lobsang Dhondup was given immediate death penalty and life long deprivation of political rights. Lobsang Dhondup was executed on 26 January 2003.

The arrest and trial of Trulku Tenzin Delek and Lobsang Dhondup exemplifies China's disregard of fundamental human rights of Tibetans and violation of international law as well as domestic laws — the arbitrary nature of their arrests, lack of adequate and concrete evidences for conviction, absence of presumption of innocence, use of coercive interrogation and torture on the detainees, denial of visitation rights and right to be informed for the detainee's family, denial of adequate and fair legal defense for detainees, closed and unfair trial, arbitrary arrest and sentencing of relatives, and swift execution of Lobsang Dhondup thereby impairing chances of Trulku's fair retrial. The conflicting media reports of the bomb blast incident only substantiate the contrived nature of the allegations made by Chinese authorities on the case.

The court trial of Trulku Tenzin Delek and Lobsang Dhondup were closed and court officials further denied Trulku Tenzin Delek his right to an attorney to represent him. The trial has prompted an international outcry regarding China's fair trial standard. Chinese authorities have failed to provide any information of evidences for convictions, the manner in which such evidence was obtained, and what if any evidentiary link exist between the explosions and Lobsang Dhondup or Trulku Tenzin Delek and their so—called conspiracy.

Despite appeals made to Sichuan Higher People's Court for reversal of death sentence, the court upheld the earlier verdict. This verdict is in breach of China's Criminal Law and Criminal Procedure Law which stipulates that only Supreme People's Court may exercise death penalty review and approval authority. Article 48 of the Criminal Law provides that "Except for judgements made by the Supreme People's Court, according to law, all sentences of death shall be submitted to Supreme People's Court for approval. Sentences of death with a suspension of two years may be decided or approved by high People's Court". Article 199 of the Criminal Procedure Law guarantees that " the death sentences are to be approved by Supreme People's Court" and its article 202 provides for the review of death sentence cases by Supreme People's Court and review of death sentence cases with a suspension of two years by a higher people's court to be conducted by a collegial panel composed of three judges".

Just as China's legal provision and definition of terms such as "state secrets" and "endangering state security" are ambiguous, so does one find contradiction within China' law on death penalty review and approval. The stipulation under the Organic Law of the Supreme People's Court that the death penalty review and approval authority may be delegated to Provincial Higher Court directly contravenes the provisions under Criminal Law and the Criminal Procedure Law. On the one hand, the Criminal Law and Criminal Procedure law were passed by the National People's Congress and are the basic laws of the nation. On the other hand, the Organic Law of the Supreme People's Court were passed by the Standing Committee of the National People's Congress and is just an ordinary law of the nation. According to a Professor from Beijing University, "The force of the latter law is less than the former. It is without a doubt an unconstitutional behaviour for an ordinary law to contravene basic law".

In a response given by China's Foreign Ministry over an official European Union (EU) demarche over Trulku Tenzin Delek's case, the German Foreign Ministry was informed that Trulku is "being held in Chuondong Prison in Dazu district in eastern Sichuan Province and is in good health". The Chinese Foreign Ministry further indicated that his suspended death sentence would be "calculated from the day the judgement became final and could be commuted to lesser sentence". As the death sentence verdicts were upheld on 26 January 2003, the two-year suspension period of Trulku Tenzin Delek will expire by 25 January 2005. Article 51 of China's Criminal Law stipulates that a death sentence could be commuted to life in prison "if no intentional crime during the period of suspension" is undertaken by the prisoner and "if major meritorious service is truly performed, punishment shall be commuted to fixed term imprisonment of not less than 15 years, but not more than 20 years".

Beijing authorities fear a nexus between the Dalai Lama and Tibetan Buddhism with that of political activism in Tibet. In that context, Beijing has employed every effort to transform Tibetans' hearts and mind that has been met with stubborn resistance and defiance for decades. China's ploys to exterminate Tibetan Buddhism and later on influence of the Dalai Lama have ranged from the virtual extinction of Tibet's religious institutions between 1949 and 1979 to the "patriotic re-education" campaign launched since 1996, the Dalai Lama vilification crusade endorsed officially since 1994 to targeting influential religious figures within Tibet such as Trulku Tenzin Delek, late Khenpo

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Jigme Phuntsok, Chadrel Rinpoche, XIth Panchen Lama Gedhun Choekyi Nyima and recently released Geshe Sonam Phuntsok, .

In the wake of China's fear over the Dalai Lama's alleged influence in inspiring nationalism amongst Tibetan Buddhists, popular religious figures inside Tibet have now come under close scrutiny and suspicion over recent years. Several of Tibet's leading lamas have faced insurmountable obstacles and persecution from the Chinese authorities over their alleged links to "splittist" activities and their loyalty to the Dalai Lama. The arrest and sentencing of Trulku Tenzin Delek suggests that charismatic and influential religious leaders in Tibet are perceived as a threat to the authorities — due to their ability to gain respect and trust among the population.

It is widely believed that Trulku Tenzin Delek is framed with false allegations of involvement in bombing incidents. Trulku is a staunch activist in the revival and restoration of Tibetan culture and religion and was actively engaged in social welfare activities. Trulku's rising popularity for his outspoken allegiance to the Dalai Lama and his numerous community services — construction of seven monasteries, an old people's home, and an orphanage school in Nagchuka County (Ch: Yaijing Xian) in present day Sichuan — started to trigger China's concern over "national stability". Trulku had also reportedly supported the Dalai Lama's candidate to be the Panchen Lama.

In the light of all the evidences that TCHRD has received, it strongly believes that Trulku Tenzin Delek is innocent and deserves to be freed from execution, life imprisonment, and prison term. As a human rights organization, TCHRD condemns death penalty on the grounds that it constitutes ultimate cruel, inhuman and degrading punishment and violates the right to life. Trulku Tenzin Delek's trial is unfair and unjust from the legal perspective as well as from the point of failure to produce any evidence to impose such a severe sentence. Therefore TCHRD strongly urges the Beijing authorities to free Trulku Tenzin Delek from execution and life imprisonment and to release him unconditionally or else grant him a fair retrial with proper legal access and defense. ♦

Two "Singing Nuns" of Drapchi Prison arrive in exile

Two of "Drapchi 14 Singing Nuns", Gyaltsen Dolker, 33, and Namdrol Lhamo, 39, arrived in Nepal on 22 October 2004. Both served 12 years in Drapchi Prison for protesting against the Chinese authorities.

Gyaltsen Dolker

Gyaltsen secured her release on 21 March 2002. At the time of her release, there were unconfirmed reports that her health condition was poor.

Gyaltsen was born in Meldro Gungkar County, Lhasa. She was initially sentenced to four years' imprisonment term in August 1990 for taking part in a peaceful demonstration with 12 other nuns from Garu Nunnery. However, in 1993 her sentence was extended by another eight years making it 12 years term when she along with 13 other nuns recorded songs of freedom whilst in prison.

Namdrol Lhamo

Namdrol Lhamo a.k.a Nyidron was released in September 2003 upon completion of her prison term. Her health condition was also known to be poor at the time of release. Namdrol was arrested on 12 May 1992 for pro-independence activism along with two other nuns. She was sentenced to six years' imprisonment term. Her sentence was extended by another six years taking her original sentence to 12 years when she participated in the freedom song recording incident whilst in Drapchi Prison.

Tibetan prisoners of conscience are often harassed by the State agents for their background in political incidents. Life upon release from prison doesn't change as they are bound in "invisible chain". ♦

For related information, please visit

http://www.tchrd.org/press/2004/pr2004203.html

http://www.tchrd.org/news/2002/nb20020625.html

(continued from page 1)

The head of the Committee for Patriotic Education in Lhasa, Lobsang Gyurmey, during his opening speech said, *"Patriotic Education should be implemented to the fullest in the monasteries and nunneries and to prevent separatist activities. Precautionary measures should also be taken to stop the infiltration of literatures from the splittist group based in exile."*

Officials from the United Front Work Department, Religious Bureau and State Law Enforcement bodies attended the workshop. The participants will implement the contents of the workshop in two or three monasteries in the end of the year as a trail. A successful implementation will lead to city wide implementation in the next couple of years beginning from 2005.

"Patriotic Education" campaign was formulated on the conclusion of the third Tibet Work Forum in 1994. It was practically implemented from 1996 onwards. Although People's Republic of China claims that the campaign was officially concluded in 2000, TCHRD maintains that it is still being conducted in the religious institutions in Tibet. ♦

TCHRD ACTIVITIES Bulletin

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TCHRD releases campaign brochure on Trulku Tenzin Delek

TCHRD releases an eight-paged brochure on Trulku Tenzin Delek entitled "Save Trulku Tenzin Delek" in Tibetan and English languages .

Trulku Tenzin Delek's death sentence with two years reprieve ends on 25 January 2005. Campaigns to stop the execution are being carried out through out the world. TCHRD brochure is to urge the international community to pressurise the Chinese Government to stop the execution and release Trulku Tenzin Delek unconditionally.

Two separate media briefings were held to spread the message. Mr. Jampa Monlam briefed the Tibetan media to urge the Tibetans to campaign for the release of Trulku Tenzin Delek whereas Ms. Norzin Dolma, Mr. Tsering Agloe and Mr. Tashi Choephel held a press briefing for the Indian media asking for the same.

Trulku Tenzin Delek and Lobsang Dhondup, co-accused, were sentenced to death on 2 December 2002. Sichuan Higher People's Court upheld the lower court verdict and accordingly executed Lobsang Dhondup on 26 January 2003. Trulku Tenzin Delek whose death sentence was suspended for two years ends on 25 January 2005.♦

TCHRD staff invited to speak on human rights and democracy at Transit school

TCHRD was invited to brief the teaching staff of Sherab Gatsel School, popularly known as transit school, about human rights and democracy.

On 12 October 2004, Ms. Norzin Dolma, Senior Programme Officer, and Mr. Tenzin Norgay, Field Officer, spoke to the participants on the concept of human rights, United Nations and its mechanisms to protect human rights and the situation of human rights in Tibet.

The next day on 13 October 2004, Mr. Jampa Monlam, Researcher, and Mr. Ugyen Tsewang, Information Officer, briefed the school teachers about Democracy, Tibetan Democracy and a future democratic Tibet.

The staff said that the talk has been very effective in enhancing their knowledge regarding the subjects.

Transit School provides education to overaged Tibetan new arrivals who wishes to gain education in exile. The school is an oasis for many Tibetans who have not received education in Tibet.♦

TCHRD Director invited to speak in Varanasi

TCHRD Executive Director, Ms. Tsewang Lhadon was invited to speak at a workshop at the Central Institute of Higher Tibetan Studies (CIHTS) in Varanasi between 21-24 October 2004. The workshop was organised by the Tibetan Parliamentary and Policy Research Centre (TPPRC).

The Director introduced the Centre, its aims and objectives, its work and discuss how young Tibetans can get involved in the Centre's work and activities.

Ms. Tsewang Lhadon explained in detail the working of the Centre, its use of the UN mechanisms to highlight human rights situation in Tibet as well as bring pressure on China to improve the HR situation of the Tibetan people. She explained to the participants how TCHRD as watchdog of human rights violations in Tibet is dependent on information received from Tibet. How important it was to receive authentic and detailed information in order to get world attention. Ms. Lhadon also explained the challenges human rights monitoring groups faced with China becoming more powerful, influential and sophisticated in its approach towards its policies.

The workshop was attended by forty five Tibetan college going students. Some of the Resource persons who spoke were , Prof. Samdhong Rinpoche, Geshe Ngawang Samten (Director of the Institute of Tibetan Higher Studies), Mr. Penpa Tsering (Director of the TPPRC), Ms. B. Tsering (President of the Tibetan Women's Association), Mr. Kelsang Phuntsok (President of the Tibetan Youth Congress), Ms. Lhadon Tethong (Executive Director of Students for Free Tibet), Mr. Chime Yungdrung (General Secretary of National Democratic Party of Tibet) and Penpa Tsering (ex-political prisoner and representative of the Gu-Chu-Sum Movement of Tibet).♦

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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:

1996 Annual Report:*Tibet:One More Year of Political Repression* (English and Tibetan editions)•1997 Annual Report:*China in Tibet:Striking Hard Against Human Rights* (English and Tibetan editions)•The Next Generation:*The State of Education in Tibet Today* (1997)•*Universal Declaration of Human Rights* (Tibetan Translation) (1998)•1998 Annual Report:*Tibet:Crackdown on Humanity* • 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)•South East Asia:*Human Rights NGO Seminar on Tibet* (Proceedings) (1998)•*A Guide to Human Rights* (1999)•*A guide to Democracy* (1999)•Tales of Terror:*Torture in Tibet* (1999)•1999 Annual Report: *Tibet:Tightening of Control* (2000)•TCHRD *Review* (2000)•Torture and Ill-Treatment in Tibet (2000)• Racial Discrimination in TIbet (2000)• Impoverishing Tibetans:*China's flawed economic policy* (2000)• Prisoners of Tibet:*Profiles of current political prisoners* (2000)• 2000 Annual Report:*Enforcing Loyalty (2001)* • *Annual Report 2001:Human Rights Situation inside Tibet (2002)* • *Destruction of Serthar Insitute : A Special Report (2002)* Dispossessed: *Land and Housing Rights in Tibet* (2002)•*Briefing paper for travellers to Tibet* (2003)•*Annual Report 2002: Human Rights Situation in Tibet (2003)*

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NOVEMBER 2004 — VOLUME IX NUMBER 11

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China relaunches "Strike hard" campaign to curb Tibetan dissidence and religion

In its latest attempt to intensify hard-line policies, the People's Republic of China (PRC) has relaunched the "strike hard" campaign to systematically curtail Tibetan political dissent and to control religious institutions. A series of recent official meetings held in Lhasa has re-affirmed the need to curb dissidence by "striking hard" in the "Tibet Autonomous Region"(TAR).

According to the State media China Tibet Information Centre (www.tibetinfor.com) and *Lhasa Evening* daily on 4 November 2004, *"the "Strike hard" campaign for the winter - 1 November to 30 December 2004 - in Lhasa, TAR, has begun. The current campaign aims to eliminate internal secret splittist groups, separatists based outside, influence on religion, terrorists and their activities, criminal activities, stability stiflers and exile returnees linked with splittist groups."*

On 19 October 2004, "TAR" law enforcement bodies met for a weeklong meeting in Lhasa and emphasised the need to maintain social stability by "striking hard" on the "separatist forces". "TAR" Public Security Bureau ("PSB") head, Yang Song, said on 20 October 2004, *"Social stability is not only an essential need of*

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"Drapchi 14 Singing Nuns" testify torture in prison

The Tibetan Centre for Human Rights and Democracy (TCHRD) met Gyaltsen Dolker, 33, and Namdrol Lhamo, 39,two of "Drapchi 14 Singing Nuns" who arrived in Kathmandu, Nepal, at the end of October 2004.

Gyaltsen Dolker

The nuns testified to TCHRD about torture and maltreatments for political prisoners inside the prison and also after release.

Gyaltsen Dolker testifies, "In 1988, I got ordained as a nun at Garu Nunnery in the outskirt of Lhasa City. For two years I studied Buddhist Philosophy. In 1990, during the Shoton Festival (Opera Festival), 13 nuns; five from my Nunnery and eight nuns from Michungri Nunnery raised slogans calling for "freedom in Tibet" and "Long Live the Dalai Lama". However, in no time nearly 30 Public Security Bureau (PSB) and People's Armed Police (PAP) officers arrived at the spot. The officers beat us severely and led us to Gutsa Detention Centre where all of us were made to stand facing the scorching sun for two hours."

"Each of us were then called in for interrogation, during which the officials used electric batons on our neck and other parts of body which made us unconscious. Some of us were electrocuted with live wires with an officer spinning a device that generated electric shocks. The pain was excrutiating. They also let lose 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."

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Monk refutes China's claim of religious freedom in Tibet

Jigme Dorjee is an 18 year old monk from Tsanyak Village in Paschoe County. Unable to tolerate constant interference in his monastic studies, he escaped into exile to pursue his studies peacefully.

Jigme reports, "My parents died during my childhood. I was raised by my maternal uncle. I helped him in the family farm works. My uncle taught me to read and write, apart from that I didn't receive any formal education. When I reached 13 years of age, I joined Chamdo Monastery. There are around one thousand monks in the monastery. Although I do my scripture studies in the monastery, I never got formal admission. For three years, I studied in the monastery. One day Chinese work team officials consisting of ten officers came to the monastery to conduct the "Love your Country, Love your Religion" campaign in the monastery. The officials screened the monastery population and expelled 60 monks belonging to my native place (Paschoe County) including me from the monastery and also many other monks who had come from different places."

"Upon expulsion from Chamdo Monastery, I joined Paschoe Monastery and continued my monastic studies. Although the authorities have imposed a ceiling of 240 monks, there were around 400 monks in the monastery. The surplus monks who do not have official endorsement went into hiding whenever the officials came for inspection to the monastery."

"Team of officials consisting of three to seven officials from the County Government Administration Office frequented the monastery. They take political classes demanding the monks to denounce the Dalai Lama, make the monks pledge loyalty to the Motherland and to accept that Tibet is a part of China. Certificate of completion of the campaign classes were issued to the monks belonging to the monastery officially. Those monks not registered officially go hiding or go home when officials visit the monastery. The monks who are registered officially are not happy in the monastery as they have to criticize the Dalai Lama against their will in order to receive the official endorsement certificate to remain in the monastery. They have no choice but to follow the official instructions or lose their stay in the monastery or face detention if matters turn worse for them."

"Certificates of the older monks who die or those who leave the monastery voluntarily are deposited with the authorities but new admissions are not given, hence the number of monks have decreased gradually. All teachers have to seek official permission from the authorities before they give any spiritual teachings."

"The Chinese claim of religious freedom in Tibet is totally false. I am a monk but it is a huge struggle for me to stay in a monastery and study peacefully."

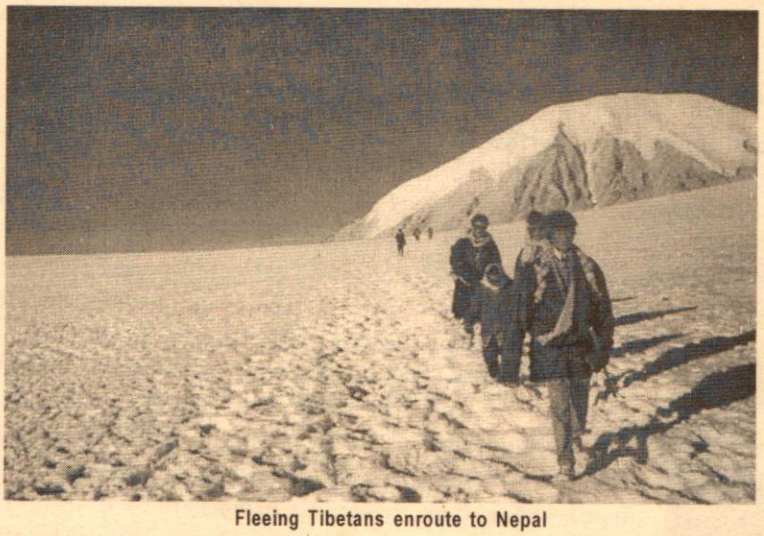
Jigme Dorjee arrived at Kathmandu Tibetan Refugee Reception Centre on 14 November 2004. He intends to continue his religious studies in a monastery in exile. ◆

Minors raped enroute to exile

A new arrival from Tibet wishing to remain anonymous reported to TCHRD that two minor girls in their group were raped when a gang of armed Nepalese dressed in Nepali police uniform attacked the fleeing Tibetans.

The interviewee reported, "We were five men and two girls, one aged 13 and the other 16, in our group. After crossing the Dram town (Nepal-Tibet border town), we reached the woods of Tatopani area. A group of eight men dressed in Nepali police uniform, armed with knives suddenly attacked us. The girls were stripped naked in front of us and the men raped both of them in turn. Some of the men raped the girls repeatedly. The other men laughed and urinated on the side when the girls were being raped. One men in our group was knocked down with a knife on the head when he tried to fight the armed men out of anger."

Tibetans who flee Tibet are at great risk during their journey into exile. They often come across gangsters on route if not the Chinese or Nepalese border patrol police. Many are deported back and some face imprisonment on either side of the border. ◆



Fleeing Tibetans enroute to Nepal

profile

POLITICAL PRISONERS

This is a regular section profiling political prisoners currently imprisoned in Tibet

83

A farmer sentenced to 14 years term

Butuk is a 50 year old farmer in Serchu Township, Kardze County. He has a younger brother and an old father in his family. Being the sole bread winner in the family, he worked hard in the field to feed his family.

In 1989, Butuk and his friend Tsering Dorjee pasted bills with slogans calling for "Tibetan Independence", "Long live the Dalai Lama", and "Chinese go back". The bills written in English, Tibetan and Chinese were pasted in the market. On the fifteenth day of the first month of Tibetan Lunar Calendar in 1990, the two hoisted a Tibetan national flag on the roof of the local monastery. A year after the incident the PSB couldn't trace the "culprits" after much investigations.

However, Tsering Dorjee during a pilgrimage to Lhasa narrated his activity to his friends. The vigilant Lhasa PSB came to know about it and arrested Tsering. A few days later, Butuk was also arrested in his hometown by Kardze PSB officers.

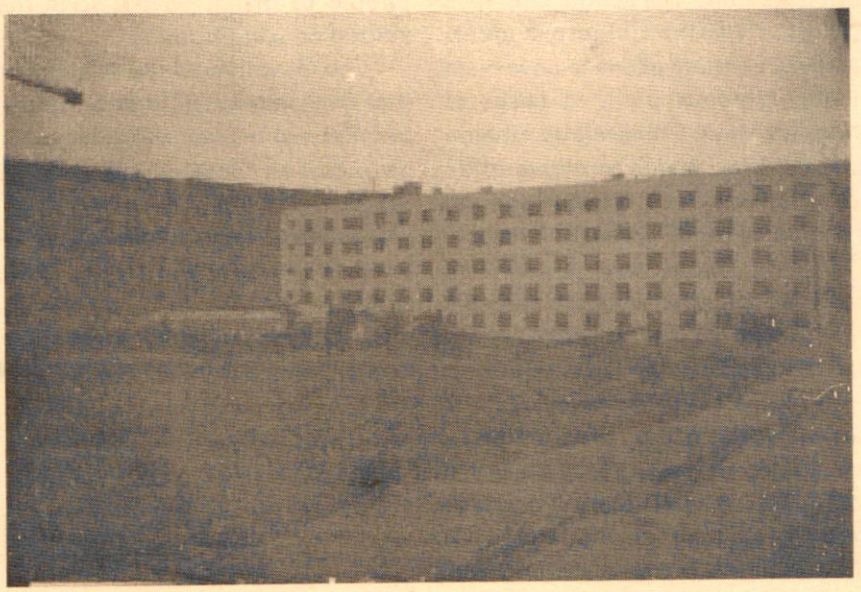
In 1991, Kardze Intermediate People's Court charged the two of "Counter-revolutionary" activity and passed a verdict of 14 and 13 years' imprisonment terms for Butuk and Tsering Dorjee respectively.

They were taken to Ra-nga-kha Prison to serve the term. After undergoing four years of torture in the prison, Butuk was transferred to Aba Prison located in Maowan Qiang Autonomous County in Ngaba Tibet Autonomous Prefecture, Sichuan Province. The prison accomodates prisoners with long-term imprisonment sentences from Ngaba and Kardze regions.

Butuk is now in the final year of his 14 year term and is known to be in frail condition physically after years behind the bars where torture is a regular feature.

TCHRD received names of two other Tibetans imprisoned in the Aba Prison.

- Sonam Ngodup,25, monk, Dhado Village, Kardze County, is serving a seven year term for pro-independence pamphlete distribution.
- Chonga Gyaltsen, 17, Kardze Monastery monk, sentenced to eight years term by Kardze Intermediate People's Court. ◆



Aba Prison is also known as Maowan Prison

84

Discriminatory practice in Nubchang Nationalities University

Dukarkyap, 24, was born in Rinchen Village, Genkya Township, Ladrang County. After finishing his schooling in Sangchu County, he underwent four years further studies at Nubchang (North-West) Nationalities University.

Dukarkyap reported to TCHRD about the discriminatory practices at the university.

He told TCHRD, "There are over 13,000 students and around a thousand teachers in the University. There are only twenty Tibetan teachers out of the total number of teachers. Although every student pays 5,000 Yuan for each academic semester, facilities at the Tibetan Department are poorer in comparison to other departments. Tibetan language is a subsidiary subject and most of the students do not take interest in it as a graduate in Tibetan studies does not have any bright career options."

"There is tendency of pretending ignorance on the part of the school management in cases of disruptive behavior by the Tibetan Students, which ultimately spoils them and their careers get dim. The school staff give high priority to the Chinese students and make constant efforts to pave them on the righteous path. In cases of quarrel between Chinese and Tibetan students, the Tibetan students often face dismissal or severe punishment as compared to the Chinese students."

"During vacations, I visit my hometown and give tuition to students at a rented house to earn some money. In 2003 when I was returning to my hometown, I met a western tourist who gave me a book "footprints of spring" containing picture and a speech by the Dalai Lama. I wrote the speech on the black board of the class and explained it to the students. However the next day around 3p.m, seven local PSB officials dropped in and started searching my house. The officials found small photographs of the Dalai Lama and inquired me where I got those from. I was led to the PSB office and interrogated. However, my family secured my release with the help of an influential person. I was directed to stop the tuition classes."

"In June 2004, I finished my university so I returned to my hometown. There are 90 families in my hometown who earn their livelihood as farmers. So far, the area is stripped of any development. The people were facing great difficulties in absence of proper medical facility and infrastructure."

"Chinese government instead has been encouraging the Tibetans to reduce their herds because according to them, excessive grazing by the cattle harm the environment ecological balance whereas in reality they are the ones responsible. For example every year, a group of thousand Chinese army from the nearby military camp visits the nearby area for military exercise. Initially, they have been kind to the local people by giving oil but soon they started causing trouble."

" The Government has been telling that they have brought development in Tibet but the remote villages are devoid of any development and they are as in the past."

"I came to exile for education and to seek audience with the Dalai Lama."

Dukarkyap reached Kathmandu Reception Centre in October 2004. ♦

Distressed father arrives in exile to educate handicap son

Yeshi Thupten, 45, hails from Tsethang Village, Nedong County, Lhoka Prefecture, "TAR". Yeshi has two children who are deaf by birth. His younger son died falling into a pit at a construction site. Unable to admit his son in any school in Tibet, Yeshi escaped with his elder son to provide him education in a handicap school in India.

Yeshi recounts, " I got married and my wife gave birth to two sons. Both were deaf by birth and we faced lots of hardships in our early years of marriage. My wife left me and married another man in 1997."

"Unable to raise the two children without their mother, I submitted a petition to the Nedong Coutny Court asking my wife to share the responsibility. The court returned my petition demanding it to be rewritten in Chinese language. Accordingly I submitted the petition in Chinese but the court didn't pay any attention to it. I took the petition to a senior staff of Lhoka Intermediate People's Court and he sign it to be reviewed in the lower court. Therefore, I resubmitted my petition to the County Court. Without any legal proceedings, on 10 April 1998, the court dismissed my petition and ordered not to resubmit it on the gound that my wife has rightly deserted me as I have planned to escape to India with my children and wife."

"I went to Lhasa in order to enroll my children in a handicap school. However, the school administration denied admission on the ground that my children were not handicap, although the real reason was that I wouldn't be able to pay the fees on time as I am a poor farmer. I returned to my native village. In Lhoka, I tried to admit my children in Government

School no 3, but the administration there also denied admission saying that my kids cannot hear and therefore can not be accepted in the school."

"In order to earn some money, I kept my children under the care of my mother who stays in Lachen Neighbourhood. The Chinese construction workers have dug up a pit and filled with water. My younger son fell into the pit and died on 27 September 2002. Since it is required by law to put fence and warning signs near danger zones, there was no sign near the pit. I submitted my petition to the Procutarate , however, my petition was dismissed without any reason thereby depriving me of justice."

Yeshi further reported about the poor financial situation in the area. Nedong County with around 1000 families in the Nedong Neighbourhood is the poorest in comparison to 18 other counties under Lhoka Prefecture. The Government pledged financial support to the families but none has received till date. During the annual round by Tibet Television crew showing different places in the "TAR", the neighbourhood head is instructed to lead the crew to the few selected well-furnished houses only. The house owners are told in advance to prepare for the television crew visit and they put new carpets and decorate their houses well before the visit. Even the interview content is prepared as they would have been instructed to praise the Communist Party and the Central Government."

Yeshi Thupten and his elder son reached Kathmandu Reception Centre on 20 October 2004. He hopes to get an audience with the Dalai Lama and admit his son in a school in India run by the Tibetan-Government-in-Exile. ♦

continued from page 1

"In the following days, two or three officers interrogated us daily demanding to know the group leader and other "separatist" activities we have done in the past. Torture in various forms like electrocution, hitting with iron rods and electric shock batons was a routine in Gutsa Detention Centre."

"After three months of rigorous interrogation and torture, on the second day of the tenth Tibetan lunar month, Lhasa People's Intermediate Court sentenced us to varying sentence ranging from three to seven years term . I was given four years term. After the verdict, we were transfered to Drapchi Prison and imprisoned in the third unit which was for female prisoners."

"The newly arrived prisoners were not allowed to interact with the old inmates. The prisoners perform exercise drills in the morning and for two weeks we had to learn prison rules and regulations. If we fail to memorize the rules by heart, we are beaten and made to stand in the sun for more than two hours."

"After two months, we were alloted green houses to grow vegetables. Each green house is required to produce vegetable worth ten thousand Yuan annually, failing to do so the prisoners are beaten severely."

"Despite the fact that the prisoners constantly have health problems, the prison is facilitated with a small dispensary. However, the political prisoners avoid visiting the dispensary as the doctors and the nurses don't treat them properly. Al though 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 denied at the slightest instance. The criminal prisoners on the other hand get the lighter works and receive proper medical treatment even for minor injuries."

"In 1993, 13 nun inmates including me in the third unit recorded patriotic songs and a brief biography in an audio tape that was smuggled inside the cell. Unfortunately, the prison guards came to know about it and the cassette was confiscated. All of us were tortured badly for the act and our sentences were extended. My original term of three years was extended by another eight years term."

"On 21 March 2003, I was released from Drapchi Prison upon completion of my 12 years term. Two prison guards took me straight to the Lhasa Public Security Bureau. My photographs were taken and I was made to put my thumb print on a document pledging that I will not engage in any political activities in the future. I was then led to my hometown and the guards handed me over to the County head."

"Since my health condition was grave, I was admitted in a hospital in Lhasa. After few days, I left to my hometown but couldn't stay for long as I was depressed that my parents had died while I was in prison. I returned to Lhasa and started earning my livelihood by selling breads, and noodles. However, I couldn't live freely even after my release from the prison. Political prisoners face great hardship after their release. It's very hard for us to get a proper job in the community due to our poor health condition and political activity background. Moreover, the police constantly harasses the former political prisoners and their freedom of movement is restricted. Political prisoners are bound by an invisible chain even after release from prison."

Gyaltsen Dolker fled from Lhasa in the end of September 2004 and reached Kathmandu Tibetan Reception Centre on 22 October 2004.

Continued next page

Namdrol Lhamo

Namdrol Lhamo born in Khangshung Township, Tsangren Bum County, "TAR" testifies, "We were a poor family and I helped in the family farmworks during my childhood. I couldn't go to a school to receive education.

Later as per my parents consent and my wish, I got ordained as nun at Tashi Choeling Ratoe Nunnery and stayed there till 1992. That year, a lay friend belonging to Taktse County and I mutually agreed to hold a pro-independence protest. Accordingly, on 11 May 1992, we met at the garden in front of Lhasa Jokhang Temple. The man unfurled a Tibetan national flag and we started shouting "Free Tibet", " Chinese Leave Tibet", "Tibet belongs to Tibetan" and so on. Two monks from Gaden Monastery joined us and soon few others also joined in. While going around Barkhor circumambulation, Civil clothed People's Armed Police officials arrested me and my friend. Both of us were thrown in a meat delivery vehicle and led to the nearest Public Security Bureau Detention Centre. Upon reaching there, an officer grabbed me from behind and threw me on the wall and hit me with an electric shock gun. After two hours of severe beatings, we were led to Gutsa Detention Centre."

"For the next month and a half, the officers interrogated us twice a week. During the interrogation sessions, the officers gave electric shock and beat us mercilessly with anything they can lay their hands on."

"Lhasa People's Intermediate Court sentenced us to varying imprisonment terms. I was sentenced to six years term whereas my friend was sentenced to seven years term and the two Gaden Monastery monks were sentenced to six years imprisonment."

"In July 1992, all of us were taken to Drapchi Prison to serve our term. I was imprisoned in the third unit with other women inmates. I was asked not to interact with the old inmates and to adhere with prison rules. I had to read newspaper, learn prison rules and had to go through query session. Later I was made to work in garden."

"In 1993, first, fourth and seventh cell of third unit recorded patriotic songs and brief history of each prisoner in an audio cassette. Unfortunately, two prison guards came to know about it, snatched our cassette and took it to the prison authority. The matter was left without any decision for two months. Thereafter the prison court resolved the matter with increment of imprisonment term for the fourteen nuns involved. My term was extended by six more years whereas others were extended from three to nine years imprisonment."

"With this incident, the political prisoners were kept under strict surveillance and were subjected to severe torture and brutal treatment. In 1998, a camera was installed for observation of the prisoners."

"I was released on 21 September 2003 after completing 12 years' imprisonment term. I was instructed to return to my hometown within a week. On reaching my hometown I had to report to the PSB office and had to seek permission to travel to other places."

Namdrol Lhamo sought permission from the authorities to go to Lhasa to meet relatives. After a few months stay, she decided to escape into India and reached the TRRC on 22 October 2004.◆

Continued from page 1

the society, but also a very important political matter...to strike hard and suppress the separatists."

According to *Lhasa Evening* of 1 November 2004, a weeklong workshop for officials in charge of "patriotic education" in monasteries and nunneries in Lhasa formally opened on 31 October 2004. Lhasa City Party Deputy Secretary, Lhasa National People's Congress President, Head of the Committee for Patriotic Education in Lhasa City, members of the Lhasa Chinese People's Political Consultative Conference, officials from the United Work Front Department, officials of the Religious Bureau, and Head of Patriotic Education in "TAR" attended the opening ceremony. Lobsang Gyurmey, head of the Committee for Patriotic Education in Lhasa, in his opening speech, said, *"Patriotic Education should be implemented to the fullest in the monasteries and nunneries to prevent separatist activities. Precautionary measures should also be taken to stop the infiltration of literatures from the splittist group based in exile."* [Referring to Dharamsala - temporary headquarters of the Dalai Lama]

The participants are to implement the content of the workshop in two or three monasteries by the year end as a trial in Lhasa. A successful trial result will lead to city wide implementation in the next couple of years beginning in 2005.

The essence and guidelines of the "Patriotic Education" campaign was formulated during the third Tibet Work Forum in 1994. It was practically implemented from 1996 onwards. Although PRC claims that the "patriotic education" campaign was officially concluded in 2000, TCHRD maintains that it is still being conducted in the religious institutions in Tibet.

"Strike Hard" *(Ch: Yanda)* Campaign which was initiated in China in 1983 as a domestic campaign against crime in China evolved into a political tool of oppression. In Tibet, the campaign is implemented with a singular aim to stifle political dissent.

During "strike hard" and "patriotic education" campaigns, the State law enforcement bodies abuse the fundamental human rights of the Tibetan people through arbitrary arrest, detention, interrogation and torture, dismissal from jobs and expulsion from religious institutions. TCHRD is gravely concerned over the Chinese authorities' current intensification of its campaign to "strike hard" on the Tibetan people.◆

TCHRD ACTIVITIES

Bulletin 87

Executive Director attends ACSF-II in Bangkok

Ms. Tsewang Lhadon, Executive Director of TCHRD, attended the Asian Civil Society Forum (ACSF) 2004 at Bangkok between 20 to 25 November 2004.

The conference was a multi-faceted process and event with a focus on UN/Civil Society Relations, human rights and democracy and a host of related human rights issues. The event also was meant to strengthen cross-sectoral networking and cooperation and to enhance Asian NGO's advocacy capacity.

Although Ms. Lhadon was able to distribute reports and information materials to the many participants of the Forum, she was unable to display them outside the conference hall like other NGOs. A complaint from Chinese Embassy officials had certain reports confiscated by the UN Secretariat. The reports on display by the Non-Violence International contained information and pictures of the Dalai Lama.

Ms. Lhadon took the opportunity to interact and exchange reports with many Chinese civil society representatives including a Tibetan, Mr. Tenzin Lhundup from the China Tibetology Research Centre in Beijing.

The Forum came out with a declaration that raised strong concerns and reservations of the Asian Civil Societies with regard to certain aspects of the Millennium Declaration Goals +5, UN GA resolution and Kofi Annan report on UN/Civil Society Relations which will be forwarded to the Secretary General. ◆

Briefings by TCHRD staff

• A musical concert to generate awareness and hope for the release of Trulku Tenzin Delek was organised by the Students for a Free Tibet, Friends of Tibet and Regional Tibetan Youth Congress Dharamsala Chapter, on 16 November 2004. Mr. Jampa Monlam, Tibetan Researcher, was invited by the organisers to brief the audience who had come in large number at the concert ground infront of Tsuklakhang temple. He spoke about the life of Trulku Tenzin Delek, his social works and the unfortunate implication in a bomb explosion and the subsequent sentencing to death with a two year reprieve which would end on 25 January 2005. He urged the crowd to step up the campaign to save Trulku Tenzin Delek from execution. Campaigns to stop the execution are being held world wide by Tibetans and Tibet supporters in different countries.

• Ms. Norzin Dolma, Senior Programme Officer, met with a group of American law students on 16 November 2004. The students were briefed about the human rights situation in Tibet and the role of TCHRD in protecting the human rights of Tibetans in Tibet.

• Mr. Jampa Monlam and Mr. Ugyen Tsewang, Information Officer, briefed about human rights situation in Tibet to a group of Tibetan youths who would be visiting England as part of a youth exchange programme by Longsho-Tibetan Jewish Youth Exchange.

• On 24 November 2004, Mr. Tashi Choephel, Researcher, and Mr. Tenzin Norgay, Field Officer, met with members of Delhi based Wiscomp Foundation and Foundation for Universal Responsibility of H.H the Dalai Lama at the Chonor Hotel in Mcleod Ganj, Dharamsala. The staff interacted with members of the foundations and exchanged each others experiences and the roles of the respective organisations' work and its mission.

Mr. Tsering Agloe, Reseacher, and Mr. Ugyen Tsewang, Information Officer, attended the presentation by the foundations at the Central Tibetan Administration complex on 25 November. ◆

Former Nepalese Minister visits TCHRD

On 18 November 2004, Mr. Shailendra Kumar Upadhyay, former Minister of Foreign Affairs, Nepal, and Mr. Wangchuk Tsering, Representative of the Dalai Lama to Nepal have visited TCHRD.

Ms. Norzin Dolma, Senior Programme Officer, introduced the Centre, briefed the minister about challenges faced by Tibetan refugees in Nepal and put forward few recommendations for consideration to improve the situation and status of refugees. ◆

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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:

1996 Annual Report:*Tibet:One More Year of Political Repression* (English and Tibetan editions)•1997 Annual Report:*China in Tibet:Striking Hard Against Human Rights* (English and Tibetan editions)•The Next Generation:*The State of Education in Tibet Today* (1997)•*Universal Declaration of Human Rights* (Tibetan Translation) (1998)•1998 Annual Report:*Tibet:Crackdown on Humanity* • 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)•South East Asia:*Human Rights NGO Seminar on Tibet* (Proceedings) (1998)•*A Guide to Human Rights* (1999)•*A guide to Democracy* (1999)•Tales of Terror:*Torture in Tibet* (1999)•1999 Annual Report: *Tibet:Tightening of Control* (2000)•TCHRD *Review* (2000)•Torture and Ill-Treatment in Tibet (2000)• Racial Discrimination in TIbet (2000)• Impoverishing Tibetans:*China's flawed economic policy* (2000)• Prisoners of Tibet:*Profiles of current political prisoners* (2000)• 2000 Annual Report:*Enforcing Loyalty (2001)* • *Annual Report 2001:Human Rights Situation inside Tibet (2002)* • *Destruction of Serthar Insitute : A Special Report (2002)* Dispossessed: *Land and Housing Rights in Tibet* (2002)•*Briefing paper for travellers to Tibet* (2003)•*Annual Report 2002: Human Rights Situation in Tibet (2003)*

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HUMAN RIGHTS update

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TIBETAN CENTRE FOR HUMAN RIGHTS AND DEMOCRACY

DECEMBER 2004 VOLUME IX NUMBER 12

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TCHRD ACTIVITIES BULLETIN
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The Tibetan Centre for Human Rights and Democracy (TCHRD)received reliable updated information on Bangri Rinpoche's arrest on 26 August 1999. (Ref: TCHRD Update January 2000 & December 2003)

In May 2001, Bangri Rinpoche was sentenced to death with two years suspension on charges of "espionage" and "endangering state security" by the Lhasa Municipality Intermediate People's Court. Nima Choedon, Bangri Rinpoche's wife, was sentenced to ten years imprisonment on the same charges. On 29 May 2001, both were shifted to Drapchi Prison in the north of Lhasa City and were incarcerated in solitary confinement for more than a year. They were later shifted to prison unit no. 5 meant for prisoners with political charges.

In 2003 Bangri Rinpoche's death sentence with two years suspension was commuted to life imprisonment. Nima Choedon who is currently in Drapchi Prison is due for release in year 2008.

Bangri Rinpoche's arrest was followed by arrest of Dechen Choezom, sister of Rinpoche on the night of 29 August 1999 by Lhasa Public Security Bureau (PSB) officials. She was taken for interrogation and detained for nine days before being released. She was re-arrested on

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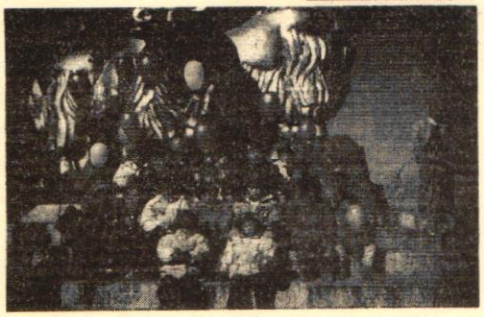

Bangri Rinpoche with children from his orphanage

Monk expelled for going on "illegal" pilgrimage

Sherab Tharchin, 26, hails from Tongtso Village, Ghomo Township, Geytse County, in Ngari Prefecture.

Sherab was expelled from Lopo Dechen Monastery, for going on pilgrimage to Mount Kailash (Tib: Gang Rinpoche) without seeking official permissio. A regulation passed by the County authorities required the monks to seek permission to go on pilgrimage.

Sherab reported, "I was born in a nomadic family. When I became 17 years old, I joined Lopo Dechen Monastery in my native Tongtso Village. I studied in the monastery for nine years. I took various responsibilities in the monastery as Chant master and as the disciplinarian of the monastery. Our monastery is a small one consisting around 10 monks. The monastery was constructed with the financial support from Karma Tsultrim, Director of Ngari Men-Tse-Khang (Traditional Tibetan Medical Institute). He built a Tibetan medicine clinic within the monastery. Otherwise, we did not have a Tibetan or Western medicine clinic set-up by the government in our area. We have neither hospitals nor clinics in our area. Nobody is there to take care of health of the people in our area."

"In 2002, the authorities imposed a new regulation on our monastery which ordered the monks to obtain permission to visit other places. According to the regulation, monks in our monastery are required to take official permission to visit Lhasa and nearby areas for pilgrimage and religious purposes. The permission has to go through three different levels - first to the monastery, then to the Township authorities and finally from the County authorities. Many monks applied for permission to go for pilgrimage, but not a single one was given permission. It was almost impossible to obtain permission. Frustrated by the system, I decided to embark on my pilgrimage without permission."

Continued on pg 4

Bangri Rinpoche

17 October 1999 and sentenced to three years term.

Rinpoche's arrest came on charges of his alleged connection with Tashi Tsering who was implicated in a bomb explosion attempt at the Potala Square during the National Minority Games held in Lhasa in August 1999.

TCHRD came to know that Tashi Tsering committed suicide on 8 February 2000. Unable to bear continued interrogation through severe torture, he slit his throat with a razor blade and died.

As per TCHRD source, at least 23 people were arrested in connection with Bangri Rinpoche's case. Twelve of them were sentenced to imprisonment with varying terms. Except for Bangri Rinpoche and Nyima Choedon, all were released after completing their sentences.

Three close relatives of Bangri Rinpoche were detained at Sangyip Detention Center before being shifted to Gutsa Detention Center. As per information all of the arrestees were subjected to series of interrogations on their connections with Rinpoche and many more were tortured while in detention.

Bangri Rinpoche's arrest was followed by the authorities' closure of Gyatso Orphanage on 17 October 1999. The Orphanage was a children's home built by Rinpoche. At the time of its closure there were 59 destitute children between the age of two months to twelve years old.

It has also come to light that due to innumerable torture in prison, at present Bangri Rinpoche is not in a position to move his upper part of the body and lost much of his body weight. In addition Rinpoche had developed an ulcer and jaundice while in prison. Overall his health condition is known to have deteriorated considerably.

TCHRD is appalled at the news of the death sentence on Bangri Rinpoche. The Centre expresses grave concern over China's use of death penalty, more so over the kind of charges for which it is used. Amnesty International called for a moratorium on the death penalty in China and said that *China's justice system is no condition to offer fair trials*. The fact that TCHRD received this news so late also indicates the tight control on the information outflow.

Background information on Bangri Rinpoche.

Jigme Tenzin Nima (a.k.a Bangri Rinpoche) was born in Nangchen County, Jyekundo "Tibet Autonomous Prefecture", Qinghai Province. He was recognized as the reincarnation of Bangri Rinpoche of Bangri Monastery in Kongpo (Ch: Nyingtri). Bangri Rinpoche was very concerned about children especially orphans who could not receive education although they had reached their schooling age. Rinpoche's concern and generosity led him to establish an orphanage school through his own money and donations. The orphanage was founded in Gyatso Township near the Norbulingka Palace and was named as Gyatso orphanage.

In May 1996, 40 orphans from various parts of Tibet were admitted into the orphanage. Rinpoche took the overall responsibility to look after the orphanage. His wife Nyima Choedon, assisted him in administration works. The orphans were given education in Tibetan language, Chinese language, English language and mathematics.

Until the arrest of Bangri Rinpoche and Nima Choedon in August 1999, Gyatso Orphanage catered to the needs of orphans and street children who had no one to look after them .◆

Sr	Name	Sex	Charges	Sentence
1	Bangri Rinpoche	Male	Espionage & Endangering State Security	Death Sentence
2	Nima Choedon	Female	-do-	10 years
3	Lhakdon	Female	-do-	2 years
4	Choedon	Female	-do-	2 years
5	Geleg Nima	Male	-do-	3 yrs Reform through Labour
6	Dechen Choezom	Female	-do-	3 years
7	Toho	Male	-do-	2 years
8	Gadhe Kyap	Male	-do-	1 ½ years
9	Shelok	Male	-do-	2 years
10	Karma Yeshi	Male	-do-	3 yrs Reform through Labour
11	Thupten Dargyal	Male	-do-	3 yrs Reform through Labour

List of arrestees and their sentences under the charge of "espionage & endangering State security"

profile **POLITICAL PRISONERS**

This is a regular section profiling political prisoners currently imprisoned in Tibet

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Mining results in imprisonment

Three Tibetans, Dejor, 40, Tsering Dawa, 40, and Thartsok, 33, were arrested on 4 September 2004 in Sari Village, Yongnak Township, Sog County *(Ch: Suo Xian)*, Tibet Autonomous Region ("TAR"). They were arrested by the local Public Security Bureau ("PSB") for protesting against the mining activity in the area by Chinese authorities. All of them are currently reported to be in Nakchu *(Ch: Naqu)* Prefecture Detention Centre.

In July 2004, workers from Nagchu Mining Department visited Sari Village to mine the area. However, the resident Tibetans protested against the mining and managed to halt the work. It has been reported that there were heated exchanges between the Tibetans and officials over the mining issue. Subsequently the officials from the Mining Department reported the incident to the authorities of Sog County. In the end of August 2004, officials from Sog County Administration accompanied by PSB officers arrived at the village to investigate the incident.

Dejor, Tsering Dawa and Thartsok were identified as key leaders of the protests and subsequently arrested from home on 4 September 2004.

In the aftermath of the arrest, a group of local Tibetans appealed to the authorities to release the three Tibetans citing their protest solely as a concern for the environment. However, the authorities dismissed the appeal on the grounds that they suspected political motives behind their protest.

In November 2004, Nakchu Prefecture People's Intermediate Court sentenced the Tibetans to one year imprisonment term.

Dejor, underwent brutal torture while in Detention Centre and is currently reported to be hospitalised in Nakchu County. Dawa Tsering and Thartsok continue to be detained in Nakchu Prefecture Detention Centre.

The UN Declaration on the Right to Development (UNDRD) states that governments must *"formulate appropriate national development policies that aim at the constant improvement of the well-being of the entire population and of all individuals, on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits resulting there from"*. The Sog County incident clearly reveals that China as a permanent member of the UN is in direct contravention of the UNDRD. TCHRD would like to call upon China to respect the sentiments of the Tibetan people in all development work inside Tibet and to allow freedom of expression and opinion. ◆

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TCHRD commemorates 56th World Human Rights Day

10 December 1948 marked the adoption of the Universal Declaration of Human Rights (UDHR). A resolution of the UN General Assembly proclaimed the Declaration as the "common standard of achievement for all peoples and all nations" in respect for human rights.

Member States of the United Nations including China, pledged themselves to achieve in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms. Originally the Declaration was conceived as a statement of objectives to be achieved by Governments. However, the fact that it has been accepted by so many States has given it considerable moral weight. In 1968, the UN International Conference on Human Rights agreed that the Declaration "constitutes an obligation for the members of the international community".

On December 10, 1989, the Dalai Lama was awarded the Nobel Peace Prize for His continous struggle for peace and human rights through non-violence. This also marked an important turning point in the history of the Tibetan struggle for freedom in the international community.

However, China as a member of the United Nations and a prominent global actor in the international community, has failed to respect the principles set forth in the Declaration of Human Rights. Chinese authorities continue to practice a systematic denial of human rights of the Tibetan people.

During 2004, TCHRD has documented, among others, the following events:

- TCHRD received information of 13 new arrests of Tibetans suspected of political activities;
- Tsering Pel, a monk in Machen County in Amdo, was shot dead by Chinese authorities for what seemed to be a verbal scuffle;
- Yeshi Gyatso, a political prisoner, died within a month after his release from a detention Centre in Lhasa. It is believed that he died as a result of torture he suffered in prison;
- Three Tibetans were arrested for protesting against mining activities authorised by the local Chinese government in the Sog County (Ch: Suo Xian) on 4 September, 2004;
- Trulku Tenzin Delek accused on charges of "terrorist acts" and sentenced to death, faces an uncertain fate as his two-year suspended death sentence draws near;
- Over 150 Tibetans still remain detained in the various prisons in Tibet for exercising their freedom of expression;The Panchen Rinpoche, Gedhun Choekyi Nyima and many more senior religious leaders' whereabouts still remain unknown;
- China announced the launch of the "Strike Hard" campaign in Lhasa in October 2004. The Campaign gives unlimited authority and powers to the police to clamp down on Tibetans.

The 2nd session of the 10th National People's Congress in March 2004, made a historic amendment to the Constitution of China by adding the words "human rights". It said, "The State respects and safeguards human rights". However, the amendment fell short of details on enforcement mechanism leaving the interpretation of the term "human rights" open and ambiguous.

The Tibetan Centre for Human Rights and Democracy, expresses its concerns over China's use of the terms - "State secrets" , "social stability" and "public order crimes", etc., that are being increasingly used against Tibetans to arrest and imprison them. The Centre believes that so long as such excuses continue to be used by the authorities, any amendment to the Constitution will not make a difference.

On the 56th anniversary of the Universal Declaration of Human Rights, TCHRD would like to urge the international community to remain vigilant of China's human rights policies and practices in Tibet. The Centre would also like to call upon the Chinese government to respect and comply with international standards of human rights practices. ◆

Continued from page 1

"In 2003, I secretly went on pilgrimage for one-month to Gang Rinpoche. On return, I was interrogated by the local officials from the religious department. They suspected me of trying to leave to India. In the end, the authorities asked me to write a self-discipline pledge which declares that I will not go on tour or pilgrimage without official permission. I refused to write the letter. As a result, on 25 September 2003, I was expelled from monastery and fined 6,450 Yuan for breaking the regulation."

"I returned home after expulsion. I stayed with my family for a while before coming to India." ◆

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Monk arrives in exile to pursue monastic studies freely

Thupten Tsering, 22, belongs to Kyadha Township, Sog County, Kardze Prefecture, Sichuan Province. Unable to pursue monastic studies in Tibet, Thupten arrived in exile to join a monastery in Southern India.

Thupten told TCHRD, "I spent my childhood engaged in farming and couldn't go to school. At the age of 19, I was ordained as a monk at Woenang Monastery. The monastery accommodates around 30 monks, after the authorities imposed ceiling on the monastic strength in the monastery and an age regulation was imposed. A monk needs to have Chinese official passbook to get admission in the monastery. Every year, a group of seven to eight Chinese officials visit the monastery to conduct "patriotic re-education" classes. In cases of indifferent behavior on the part of the monks, the Chinese authorities threaten to close the monastery. Hence, the monks attend the compulsory classes under compulsion. I stayed in the monastery for five years."

"I decided to join Drepung Monastery in Lhasa and sought permission from authorities of monastery, township and County. But I was denied permission."

"However, in 2002, I escaped to Lhasa and joined Drepung Monastery as a provisional student. However, I received frequent phone calls to return to my old monastery or else I would face a monetary fine. I ignored the phone calls and continued to stay in Drepung Monastery."

"The authorities in my hometown sent a letter to Drepung Monastery asking for my expulsion from the monastery. And I was expelled accordingly."

Thupten's observations on Drepung Monastery

Thupten further told TCHRD, "The permanent resident monks of Drepung Monastery have to attend "patriotic re- education" sessions at least once a month and are expected to recite a propaganda booklet once a week. The monks have to sit for an examination, and the failures are reprimanded severely. "

"In June 2004, blank papers were distributed amongst the monks asking the monks to write about the greatness of the "Motherland" and communism. Failure on the part of the monks result in subsequent punishment."

With no religious freedom in Tibet, Thupten escaped into exile to study and practice Buddhism in India. ♦

Commotion between monks and government officials

Lobsang Gaden, 18, hails from Gathok Township, Markham County, Sichuan. He reported to TCHRD on the "patriotic re-education" classes conducted in the monastery, and the tension between government officials and the monks of the monastery.

Lobsang stated, "I attended a local school for three years and at the age of 10, I joined Woeser Monastery. There are about 54 monks in the monastery. Religious teaching is restricted in the monastery. In accordance with a regulation imposed in 1999, the monks have to attend "patriotic re-education" classes. In case of absence, monks have to pay 1500 Yuan as fine."

"Behind the monastery, there are government officials living quarters. Monastery authorities proposed to finance construction of new flats for the officials if they agree to shift to some other place. However they ignored the offer and the problem continues to prevail."

"The monastery's drainage ends in front of the officials' flats. In August 2004, at time of heavy rainfall, the resident officials blocked the drainage alleging that water might drown their house. Hence, there was water logging and and damage of the monastery fences. Three monks, Jamyang Sangpo, Dhungkar Tsering and Tashi Tsering went to the officials and requested them to unblock the drainage. When they refused to listen to them, the monks themselves released the water. The incident was reported to the County office and a complaint was lodged against the monks. A few officials later arrived in the monastery and beat the three monks. Soon after other monks began to help the monks and a huge commotion broke out. When the monks began to grow in number, the officials threatened them with pistol. However the abbot of the monastery intervened and ended the incident.

The officials listed names of 16 monks and threatened them with severe consequences. The monastery had to bear the medical expenses of the injured officials."

Lobsang Gaden, reached Tibetan Refugee Reception Centre on 4 December 2004. He intends to pursue his monastic studies in India. ♦

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Recent arrivals report ill-treatment and nepotism in schools in Tibet

Tenzin Choesang, 44, (Name and age changed on request) on completion of her schooling, underwent teacher's training course at Qinghai Nationalities Teacher Training College. Thereafter she worked as a teacher in a primary school in Nangchen County for eight years.

Tenzin reports, "The school has around 900 students and 43 teachers. There is a huge disparity with regard to salary among the staff. A newly recruited teacher is paid only 150 Yuan monthly and a senior teacher with completion of 20 years of service is given 2,200 Yuan. Moreover the accommodation facilities are limited with poor power supply and unhygenic drinking water. There is also no medical facility in the locality. The authorities' failure to provide necessary stationary to the school often hampers teachers in carrying out their lessons. Most of the students are from poor nomadic background and it's hard for them to bear the stationary expense, which often resulted in students leaving school."

"Nepotism is rampant in the school. About half of the teachers are related to each other and with the authorities of the school."

"The school disregards Tibetan history and language and it is given the least importance. Whereas Chinese language and literature is given high importance and the school authorities encourage the subject teachers."

"There is another school at the County which is meant for the children of Government officials. The school is very well facilitated and the medium of instruction is entirely in Chinese language."

"In order to degrade the education standard of the Tibetan students, there is a variation in marks cut off between Tibetan and Chinese students, where Chinese are expected to score higher marks than Tibetan students."

In another interview, Tenzin Nyima, a 14 year old boy born in Lhasa, told TCHRD, "I did my primary schooling from Shol Primary School.The school has four classes for each grade, from grade one to five. It has three classes for the sixth grade. Over all the school has roughly one thousand students. There is one special class for the Chinese students. It has about 50 students."

"Though the school has good facilities but the students have to buy their own school uniforms and stationeries. For one term the tuition fee ranges from 300 to 400 Chinese Yuan. This fee also includes the expenditure of furnitures such as tables and chairs. Except for the class on Chinese, all other subjects are being taught in the Tibetan language. Most of the teachers are not qualified nor did they have any formal training in teaching methodology. Besides the presence of truly qualified teachers is very rare."

"Irrespective of the problems faced by poor students, children who came from far off country-side have to pay twice the amount of tuition fee paid by the town or city children because of their household registration. If they fail to pay the amount they are not permitted to enter the school. The chief reason cited for this double fee is that children from the rural country-side do not have a registration card, however this condition is not clear whether Chinese children have to pay the same amount or not. Except for the discriminatory tuition fee, all other facilities are equally being shared by the students."

Tenzin later entered the middle school in Lhasa City. He stated, "The school has about two thousand students and the medium of instruction and the language used in general communication is Mandarin Chinese. The tuition fee is twice more than what they pay in the primary school and similarly the expenditures for the books and other stationeries have to be borne by the students themselves."

"There is no no good education being imparted and hence the Tibetan students diverted their attention and focus in building up relationships and love affairs and take on alcoholism. The teachers and higher authorities of the school though notice these incidents and behaviors among the students turn a blind eye on them. The customary teacher's guidance and advices to students are very rare; because of this many of the students don't have a desire to go to the school and many end up as drop outs and hang out in the streets."

Due to such prevailing environments and conditions not conducive for proper education, Tenzin's parents withdrew him from the school. His parents with a view of seeking a better future for their children sent him to exile. He reached the Tibetan Refugee Reception Centre, Kathmandu, in December 2004. ♦

TCHRD ACTIVITIES Bulletin

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New TCHRD Publications

TCHRD publishes a revised edition of its educational booklets- *A Guide to Human Rights*, and *A Guide to Democracy*- for Tibetan Secondary School Children.

The beautifully illustrated booklets feature selected paintings drawn by Tibetan school children during the birth anniversary of the dissappeared XIth Panchen Lama on 25 April 2001.

TCHRD organises workshops, lectures , and publishes educational materials as part of its mission to educate the Tibetan community in exile on the concepts of democracy and human rights.

TCHRD will release two reports in January 2005.

The Reports *State of Education in Tibet: A Human Rights Perspective* and *"Strike Hard" Campaign: China's crackdown on political dissidence*, are research reports.

A Tibetan language version of the Education report will also be released.

To receive copies of the reports, mail us at dsala@tchrd.org or write to us at our postal address given at the back page. ◆

A Guide to Human Rights

For Tibetan Secondary School Children

A Guide to Democracy

For Tibetan Secondary School Children

Briefings by TCHRD Staff

On 14 December 2004, Mr. Tsering Agloe, Researcher, briefed a group of students from the University of Denver, Colarado, U.S.A, about the human rights situation in Tibet. He also informed the students on the workings of TCHRD and the role played by the Centre in promoting human rights principles and democratic concepts in the exile Tibetan community.

The students raised pertinent questions regarding political, religious, environment and livelihood issues in Tibet.

On 23 December 2004, Mr. Ugyen Tsewang, Information Officer, briefed Tibetan school student participants during a workshop organised organised by the Delhi based Tibetan Parliamentary and Policy Research Centre (TPPRC). The students were briefed about the structure of Tibetan Government-in-Exile and its functionings. ◆

TCHRD wishes all its members and supporters a very happy and prosperous 2005.

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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.

TCHRD's publications:
1996 Annual Report: *Tibet: One More Year of Political Repression* (English and Tibetan editions)•1997 Annual Report: *China in Tibet: Striking Hard Against Human Rights* (English and Tibetan editions)•The Next Generation: *The State of Education in Tibet Today* (1997)•*Universal Declaration of Human Rights* (Tibetan Translation) (1998)•1998 Annual Report: *Tibet: Crackdown on Humanity* • 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)•South East Asia: *Human Rights NGO Seminar on Tibet* (Proceedings) (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)•1999 Annual Report: *Tibet: Tightening of Control* (2000)•TCHRD *Review* (2000)•Torture and Ill-Treatment in Tibet (2000)• Racial Discrimination in TIbet (2000)• Impoverishing Tibetans: *China's flawed economic policy* (2000)• Prisoners of Tibet: *Profiles of current political prisoners* (2000)• 2000 Annual Report: *Enforcing Loyalty (2001) • Annual Report 2001: Human Rights Situation inside Tibet (2002) • Destruction of Serthar Insitute : A Special Report (2002)* Dispossessed: *Land and Housing Rights in Tibet* (2002)•*Annual Report 2002: Human Rights Situation in Tibet (2003)*

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