

Tenzin Delek Rinpoche
1950 - 2015

Torture in Tibet

**Submission to the Committee Against Torture
October 2015**

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Submission to
the United Nations Committee Against Torture
in advance of the examination of the State Party report for the
People's Republic of China at the 56th Session

October 2015



In collaboration with Gu-Chu-Sum and Free Tibet



Tibet Watch works to promote the human rights of the Tibetan people through monitoring, research and advocacy. We are a UK registered charity (no. 1114404) with an office in London and a field office in Dharamsala, India. We believe in the power of bearing witness, the power of truth.

www.tibetwatch.org

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Introduction

This report has been produced by Tibet Watch, in collaboration with Gu-Chu-Sum and Free Tibet, for the 56th Session of the United Nations Committee against Torture (the Committee) in advance of their examination of the fifth periodic report of the People's Republic of China.

The contributing organisations appreciate the questions and issues which were raised within the List of Issues adopted by the Committee (CAT/C/CHN/Q/5/Add.1) earlier this year. We thank the Committee for the specific enquiries which were made regarding Tibetan cases and regret the lack of any response from China so far.

This report provides additional evidence of the ongoing human rights abuses suffered by Tibetan political prisoners, including first hand testimonies from former political prisoners who have recently escaped from Tibet. These testimonies attest to the fact that, regardless of what might be stated in law or policy, the reality for Tibetans is still widespread brutality and routine use of torture.

Some of our interviewees have requested anonymity in order to protect friends and family who remain in Tibet. Those who have been named have given consent for their names to be published in this report.

Contributing Organisations

Tibet Watch

Tibet Watch works to promote the human rights of the Tibetan people through human rights monitoring, research and advocacy. We are a UK registered charity, established in 2006, with an office in London, UK, and a field team based in Dharamsala, India. The majority of our staff are Tibetan, some with first-hand experience of the occupation. We document and expose the ongoing human rights abuses in Tibet using a wide range of sources, although our information is primarily based on interviews and witness testimony. We believe that accuracy is vital in our work and all of the information we record is carefully verified and corroborated before being published. We also carry out thematic research and collaborate with academic and NGO partners as appropriate. We have previously provided evidence to the Committee on the Rights of the Child, the Committee Against Torture and engaged in the Universal Periodic Review process. In addition, we provide regular briefings to the UK Foreign and Commonwealth Office.

Gu-Chu-Sum Movement of Tibet

The Gu-Chu-Sum Movement of Tibet was formed on 27 September 1991 by a group of 33 former political prisoners who had escaped into exile in India. Based in Dharamsala, in the north Indian state of Himachal Pradesh, Gu-Chu-Sum is registered with the Indian government and also recognised by the Central Tibetan Administration (Tibetan government-in-exile). The organisation has over 600 members worldwide. Gu-Chu-Sum provides housing, employment, medical care, education, job training and economic assistance to former political prisoners who have journeyed into exile and also to the families of former political prisoners. The organization aims to help former political prisoners become self-sufficient. Gu-Chu-Sum also works to increase awareness of repression in Tibet and calls for the Chinese government to respect basic human rights in Tibet. Gu-Chu-Sum publishes a quarterly newsletter and a yearly magazine called 'Tibetan Envoy' in both English and Tibetan.

Free Tibet

Free Tibet was established in 1987 and is an NGO based in London, UK. Free Tibet works closely with Tibet Watch and has previously contributed to joint reports to UN committees. "Our vision is a free Tibet in which Tibetans are able to determine their own future and the human rights of all are respected. Free Tibet campaigns for an end to China's occupation of Tibet and for international recognition of Tibetans' right to freedom. We mobilise active support for the Tibetan cause, champion human rights and challenge those whose actions help sustain the occupation."

Tibet Watch would also like to thank **Red Lion Chambers** for their support and legal advice.

Violations of the Convention

This section addresses China's ongoing violations of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Convention) and highlights where additional evidence has been provided by the new testimonies and other information presented in this report. We also include a number of requests and recommendations for the Committee with a view to the forthcoming examination of the State Party report.

Article 1

As we noted in our List of Issues report, the new testimonies presented here show, once again, that Tibetan prisoners continue to experience considerable mental suffering as a result of deliberate degradation, political indoctrination, restrictions on religious practice and other prison conditions, in addition to the physical suffering caused by interrogation practices and punishments. We appreciate the Committee's enquiry regarding the definition of torture under Chinese law and reiterate our request for acknowledgement of the particular suffering experienced by Tibetans, especially monks and nuns, who are coerced into denouncing the Dalai Lama or forced to read or listen to propaganda material denouncing the Dalai Lama.

Article 2

Further to the points raised in our List of Issues report, we reiterate our concern that China's laws and policies relating to the use of torture are not implemented in practice. The new testimonies provide additional evidence of, amongst other things, arrests taking place without a warrant, detainees being held incommunicado, failure to notify the family, medical treatment being withheld, issues relating to the provision of legal counsel, denial of family visitation and sentences being handed down without due process of law.

In many respects, the provisions of Article 2 have been incorporated into Chinese law, including the Criminal Procedure Law of the People's Republic of China as amended on 14 March 2012. This simply means that China routinely breaches its own laws, in addition to international standards, in the treatment of Tibetan suspects and prisoners.

We appreciate the issues which the Committee has already raised under Article 2 and urge the Committee to press China for detail in its response. We also urge the Committee to take particular note of any exceptions mentioned by China as Tibetan prisoners are routinely treated differently to ordinary prisoners.

In addition, the testimony provided by Gonpo Thinley provides grounds for concern regarding the pressure exerted on security personnel by their superiors and the creation of a culture in which torture is routinely used as a means of acquiring information. Article 43 of China's Criminal Procedure Law states that: "it shall be strictly forbidden to extort confessions by torture and to collect evidence by threat, enticement, deceit or other unlawful means." Despite these assurances, Gonpo Thinley describes how some of his interrogators "said that they had no other choice but to torture us like this to get the information out because if the other officials got the information that they didn't get, they would be demoted, their salary would be reduced and they would have family problems."

Article 4

China's Criminal Procedure Law sets out a clear prohibition on the use of torture and Article 18 of this law describes the use of torture, and other infringements of due process, as a "crime". Article 18 further stipulates that such crimes should be "placed on file for investigation by the People's Procuratorates".

However, it is unclear whether such investigations ever take place. The evidence collected by Tibet Watch and Gu-Chu-Sum over the years suggests that the use of torture on Tibetan political prisoners is generally not investigated. It is also unclear whether China ever metes out the “appropriate penalties” required by Article 4 of the Convention. Again, the evidence suggests such penalties are not imposed in cases relating to the use of torture on Tibetan political prisoners. We urge the Committee to press for clarification on these points.

Article 9

In our List of Issues report we noted China’s interference in a criminal case taking place in Spain using the doctrine of universal jurisdiction to prosecute Chinese officials for, amongst other things, the use of torture against Tibetans. We contend that China used its political influence over Spain, which includes significant financial leverage, to bring about a change in Spanish law and to ensure that this change was implemented retroactively. As intended, this resulted in the case in question being concluded. Furthermore, the new law has negatively impacted on a number of other cases and limited the scope of the implementation of human rights in Spain, particularly the use of universal jurisdiction. The retroactive nature of the law’s implementation is also of particular concern.

We consider such interference to be incompatible with China’s obligation to afford other States Parties the “greatest measure of assistance” as required by Article 9. We urge the Committee to give this issue its consideration.

Article 10

Given the routine and widespread use of torture in prisons and detention centres, we are concerned that the training and information provided by China regarding the prohibition against torture is insufficient. The pressure exerted on prison and detention centre personnel, as noted above, is certainly contradictory to the message China claims is being disseminated via training on the prohibition against torture. We appreciate the issues already raised under Article 10 and urge the Committee to press China for detail on torture relating training and education and how the effectiveness of such programmes is evaluated.

Article 11

We thank the Committee for the specific questions asked regarding the deaths of Chonjor, Karwang, Guldrak, Kunchok Drakpa and Ngawang Jamyang, as well as the deaths of Norla Ashagtsang, Goshul Lobsang and Tenzin Choedak, as detailed in our List of Issues report. We urge the Committee to press China for detail in their response.

This report presents additional detail of two further deaths in custody – Tenzin Delek Rinpoche and Lobsang Yeshi. Both of these deaths have occurred in the months since the submission of our last report. We urge the Committee to raise the issue of these two new deaths during the examination. We would also like to draw the Committee’s attention to the existing international concern about the death of Tenzin Delek Rinpoche, including the denial of medical parole, the treatment of his body following death and the treatment of his family in relation to his death.

We thank the Committee for their enquiries regarding the condition of Khenpo Kartse and Gongpo Tsezin. We remain concerned about the health of these two men and the possibility of further deaths. We urge the Committee to press China for detail regarding the current health condition of Khenpo Kartse and Gongpo Tsezin. We further urge the Committee to press China for assurances that their ongoing treatment will be in accordance with basic international human rights standards, including the provision of adequate food, medical treatment and family visitation, in addition to freedom from torture and other mistreatment.

Articles 12 and 13

We thank the Committee for their enquiries regarding Dolma Kyab, Lobsang Konchok, Jigme Gyatso, Tenzin Delek Rinpoche, Kalsang Yarphel, Pema Tinley, Chakdor, Lolo, Shawo Tashi, Trinley Tsekar, Achok Phulshung, Choksal and Pema Rigzin. We note once again that Tenzin Delek Rinpoche has died since those enquiries were made and we urge the Committee to press China for detail on the remaining prisoners.

We also thank the Committee for raising the issue of the additional deaths and injuries which have resulted from China's violent repression of Tibetans in the years since the last review, as detailed in our List of Issues report. While this report focusses on additional evidence of torture, we would like to note that China's repression in Tibet not only continues but is worsening and the situation is likely to deteriorate further following the introduction of the new National Security Law.

We appreciate the Committee's enquiry regarding investigations into allegations of torture and thank the Committee for raising the cases of Tenzin Namgyal and Kelsang Tsundue. We urge the Committee to make similar requests on behalf of Golog Jigme, Gonpo Thinley and Dorjee Rinchen.

We note that, as with most other articles of the Convention, Chinese laws and policies relating to Article 13 are not matched by the experience of Tibetans. As noted above, Chinese law provides for allegations of torture to be "placed on file for investigation" but it is unclear what this means in practice. Meanwhile, Article 8 of the Administrative Compulsion Law of the People's Republic of China allows for the submission of complaints regarding administrative compulsion measures, as well as the consideration of appeals and the possibility of compensation. However, not only are Tibetans threatened and often punished for speaking out about their treatment in prison, but many are in prison in the first place because they dared to protest against Chinese repression. In some cases the initial arrest itself could be deemed to constitute a violation of the Convention.

Article 14

We appreciate the Committee's enquiries under Article 14 but would urge more specific questions regarding the treatment of Tibetans. As described in the testimonies presented in this report, Tibetan complaints are not only routinely ignored but the individuals in question are often threatened and/or punished for speaking out. Furthermore, many Tibetan former prisoners continue to experience health problems, often serious, for years after their release from prison. None of the witnesses we interviewed had received any assistance or compensation, despite having been subjected to torture and other mistreatment while in prison.

Article 15

As noted above, Article 43 of China's Criminal Procedure Law expressly prohibits the use of torture to extort confessions as well as the use of "threat, enticement, deceit or other unlawful means" in the collection of evidence. Nevertheless, many Tibetans are convicted solely on the basis of confessions obtained as a result of torture.

We urge the Committee to request that China review the convictions of all Tibetan political prisoners and investigate the possible use of torture in all cases where a confession has been provided. In particular, we urge the review of the convictions of all the prisoners named within this report.

Article 16

We appreciate the Committee's enquiries under Article 16. The testimonies presented here, and also in our earlier List of Issues report, provide numerous examples of cruel, inhuman or degrading treatment or punishment which do not amount to torture as defined by the Convention. These include the use of forced labour, political indoctrination, military training and restrictions on religious practice.

We would also like to note our concern regarding China's new National Security Law. There is a clear risk, and widespread concern, that this will be used to discriminate against Tibetans and ethnic minorities within China. It is also widely expected that the law will be used to justify increased repression and curtailment of human rights. The vague language utilised in the law is another source for concern as it allows for the possibility of simple dissent or criticism of the government to be categorised as terrorism or a danger to national security.

Torture Survivor Testimonies

Testimony 1: Gonpo Thinley



Gonpo Thinley outside Deyang Prison upon his release

Gonpo Thinley is from Village No. 7 in Serkhar (Ch: Shengkang) Township of Kardze (Ch: Ganzi) County. These areas are in Sichuan Province. Gonpo Thinley was detained in Kardze in June 2008 at the age of 18 and served two and a half years in total in Kardze County Detention Centre, Dartsedo Prison and Deyang Prison. He was released in December 2010 and escaped to exile in 2014. He currently lives in South India.

2008 Protests

In 2008, a lot of people demonstrated in their respective hometowns by shouting His Holiness the Dalai Lama's name and shouting about the pressures of living under the duress of martial law imposed by the Chinese government. They uttered openly anything that came to their minds.

I had gone to Kardze County that year. At that time, Tibetans weren't allowed to move around town freely without explicit permission and papers, and there were a lot of restrictions on our movements. The military and police made sure that the orders were carried out. I was a monk then and we had to have the monastic authorities sign our permit papers for travel and then obtain the signatures of the county office.

The morning when everything started, one of my brothers, Nyida Sangpo, who is also a monk, woke me up and we caught a vehicle from the nearest road. The vehicle was headed to the main county market and, since the vehicle had Kardze County registration, we were allowed to pass through. We reached our destination at around 8am. On checking the area, we saw that there weren't many people around. We decided to wait for more people to be present in the vicinity before beginning the protests. At around 10am, the area started filling up with people and military, riot police and local police personnel, who were in big groups.

In the Kardze County area, there is a popular place called Do Sengye (Stone Lion), where a lot of people visit. That morning there were a lot of people there so we had around 300 or so leaflets which said, "His Holiness should be allowed to return to Tibet" and "We need freedom in Tibet". My brother headed in one direction and I went in the other. We were able to distribute the leaflets here and there for only about five minutes before the military and police and plain clothes police arrived, numbering maybe 300 or 400. They started beating us for the next two to three minutes and then took us away.

The message being sent to the people from the law enforcement was a warning; a threat that if people were to carry out any demonstrations, they had guns, grenades, batons and they were all in groups at strategic places of the market. The Tibetans hardly had any space to even move around freely.

During those times, officials or authorities in Kardze County didn't make any announcements to introduce themselves or to explain their presence. When I carried out my demonstration, they caught me straight away and started beating me with sticks and their guns. No reasons were given for detentions either, let alone an arrest warrant.¹ They didn't even try to explain why they were detaining, hitting and beating me; they came and just did it.

My family knew that I had demonstrated in Kardze County but had no idea about the detention, where I had been taken, and whether I was still alive or dead. Even my monastery's people, my family and everyone else only knew that I had demonstrated and the law enforcement had detained me. Beyond that, no one had any knowledge of my situation, although a lot of people around the demonstration area saw me being detained.

Kardze County Detention Centre

Kardze County Detention Centre was quite small. In 2008, most people detained or jailed were political prisoners, only two or three were criminals. When I first came in, I found out there were around nine or ten prisoners, most of them political.

There wasn't a specific place for sleeping as they don't provide anything. First, when they bring you in, you have to strip off all your clothes and leave on only a thin underwear set, on the top and bottom. They didn't give us any covers for warmth while sleeping. The prison where I was later kept had a lot of political prisoners and most of them, whom I know, were suffering from urinary infections, kidney infection and a lot of health problems. There was a latrine, but since we hardly had anything to eat, the water that came from the latrine had to be drunk to quench our thirst.

My prison cell had a tiny ventilator window, with sliding glass panels to open and close it, a long way away from the floor. The ceiling was pretty high and since Tibet is a cold place, the walls would be all covered in ice. In the mornings when we opened the window to let in fresh air, it would freeze our faces. With barely anything to cover us, it was freezing all the time.

There was a small prison yard. I think it was meant for strolls and exercising for the prisoners, but political prisoners were hardly allowed to go outside as was usually allowed for criminals. During six months in the detention centre, I wasn't allowed outside even once.

In 2008, the political prisoners were segregated into two types, dissidents and splittists. I came into the second type according to this categorisation. We were taken to Kardze County's Detention Centre and the rest were put in the Kardze Township Detention Centre. At the time, I didn't know the difference between detention centres and prisons. I didn't even know how many prisons there were in Kardze County. They took me to this big house with walls surrounding the compound. Later, I found out that this was Kardze County Detention Centre.

After we were caught, my brother and I were shoved into this small space of the police vehicle. We didn't have any idea where they were taking us. It wasn't a long drive to the detention centre, only about five minutes. Since they had put us in such a small space, they didn't have room to hit or beat us on the way.

¹ According to the Criminal Procedure Law of the People's Republic of China, Article 71, "When making an arrest, a public security organ must produce an arrest warrant." Source: <http://www.cecc.gov/resources/legal-provisions/criminal-procedure-law-of-the-peoples-republic-of-china>

When we got out of the police vehicle at the detention centre, there were a lot more of the different law enforcement people - military, police, riot police, etc. They kicked and hit us with their batons. I didn't know much Chinese then, so I asked my brother what they were saying and was told that we were the people who had protested and now we would receive good beatings. After showering us with blows from their sticks, batons, guns, they then took us to a tiny cell.

After they put us in that tiny cell, one of the top officials of Kardze County came and asked us the reason for our protest. I replied that a lot of Tibetans were being imprisoned and tortured unjustly; that land belonging to Tibetans was being grabbed by the Chinese; that we Tibetans were put under so much duress and repression that we are suffering greatly; that the Dalai Lama, who is our beloved leader, is not free to come to his land; all these things are causing a lot of distress and suffering. Those were the reasons for our protest.

I was around 18 years old then and they told me that I was young and didn't understand everything. They said, "You Tibetans had nothing to eat and drink and were starving when the Communist Chinese government came and rescued you. None of you remember the good that we did." They told us that we were young so we would learn to understand and think accordingly.

They didn't provide us with legal counsel or anything. I was in the detention centre for more than six months but my family wasn't informed about anything and had no idea where I was all that time.

They tortured us for about a month and a half. I and many others were severely beaten during the first two days. Our eyes turned blue and our noses were running. I couldn't even walk by myself and two guards carried me to the cell. Our eyes remained black for many days. They beat us with batons. When I started to feel a little better, they would leave me a day or two without torture and then continue with the beatings and torture. The interrogators were tired after we told them we came here by ourselves and, no matter what they did, we would not change our thinking.

They tortured us using electric batons, metallic water pipes and handcuffs. They would also tie our hands back, one going above the shoulder and one from below. Sometimes they put beer bottles in between, causing a lot of pain. Slapping and kicking are not even counted as beatings. When they beat us, I remembered the promise I made as we entered the prison that I would not have any regrets, even if I was killed. I encouraged myself when I was being beaten up and was never going to submit. The same is the case with other Tibetans. They were also saying that the beatings motivated them more, rather than demotivating them.

During my six months in the detention centre, I was never seated on a chair but always on my knees during interrogation sessions. If our answers didn't satisfy the interrogator, they would pour boiling hot water on us. The interrogators were both Tibetan and Chinese. When a Chinese person questioned us, there was a Tibetan interpreter as we didn't speak Chinese.

Our heads were burned. They also tied both hands up on the ceiling and beat us on our feet with batons. We were hanging above the ground. Sometimes they also used electric batons in our mouth, which caused us to lose consciousness. During cold days or winter, we were put in cold water. We shivered and weren't able to talk with our chattering teeth. During the beatings, they interrogated us and their questions were about how many of us were there and if we had any groups who financed our activities. We answered saying that we didn't protest for any money, we stood up for the Tibetan people and our rights. "What was the point of protesting for money if you were to kill me today, then how would I be able to enjoy the money?" I asked.

They told us that, after what we had done, they took signatures from our family and friends as a guarantee that we would not repeat the same thing. This was done in order to secure our quick release. They also

said that Kardze County had paid a lot of money for our release and that we should think carefully. However, we rejected the offer and this led to us being beaten again. We thought from the beginning that we would not regret it even if we were killed.

The guards would often threaten us. They would say, "Now that you have protested, your whole families will face detention too". Sometimes they would say, "You have lands and fields so the government will take all that away from you", "Your decision to protest will lead to your family suffering too" and "If you don't change your tune, if you don't accept your mistakes, then we will shoot you right now".

I think the teachings of Buddhism helped me. When they beat us, my feeling was that it is their job, they get paid for this and they have no choice. Never have I ever thought that I would take revenge for their beating me. They beat me because they were getting paid to do this and some of them said that they had no other choice but to torture us like this to get the information out because if the other officials got the information that they didn't get, they would be demoted, their salary would be reduced and they would have family problems.

In 2008, many Tibetan prisoners were in very bad health condition: some couldn't even stand, some prisoners bled so much after the beatings that we feared they might die and some prisoners were near to dying. As political prisoners, we were not allowed to say anything. They would let the political prisoners die and would then call the family members to get the body. They told us not to speak out. If we did, we would be beaten.

The food was very bad. What they fed us wouldn't fill our stomachs. Every day, in the mornings, they gave us a very small amount of water. For lunch they gave us rice and some vegetables, like potatoes. The portions were very small, not enough, very little rice and two small pieces of potato. We were made to survive on that for months and months. So we were not even able to stand up properly due to weakness. All of us suffered from weakness from lack of food and water. We reached a mental state where we prayed for enough food in our bellies that we were willing to even take more beatings and torture as long as we were not hungry and weak anymore.

Once the summer of 2009 arrived, we, all the political prisoners, had to work. At the time this included me and my brother, Nyida Sangpo, also Dandey (Pema Choephel) from Kardze County and Thoknye (also known as Jampa Choephel), who is at Sera monastery in South India now. Thoknye and I were in the same cell and there was one more young man who was also a political prisoner. The rest were all criminals. One day, we were told to dig out all the excrement from the toilets and to spread it on the fields. Two or three of the criminals asked us not to handle the excrement as we were monks. The authorities enquired as to why Thoknye and I were not doing any work and, when we explained, they said that monks had to do the work. They made us get into the excrement pit and dig out the waste. We did that for two days.

The detention centre had mostly Tibetans in it and the majority were political prisoners. The political prisoners who were older and had been sentenced for longer periods were the guides and teachers to the rest of us. We became like a family, looking out for each other, sharing our little joys and problems. We had many problems due to lack of proper food, the regular beatings and torture, but we younger ones were taught how to hold our heads high and to keep our minds strong despite everything. We gave encouragement and support to each other and that kept us afloat.

We weren't allowed to meet our families. Our families weren't even notified of our whereabouts. It wasn't only in my case; it was the same for all Kardze County's political prisoners.

As soon as we were placed in detention, as part of the detention centre's rules, we had to read or recite out loud some pieces of writing. Since, initially, I didn't know or read any Chinese, they made me read it in

Tibetan first but, ultimately, I had to memorise the text in Chinese. Since I was young, I learnt quite quickly but for the older political prisoners, either robed or lay, it was hard and they were beaten severely.

One day, they took us out and we saw a huge number of military personnel outside - around 500 to 600, I think - and they were fully armed. A lot of ropes were laid on the ground nearby and small wooden planks had writing on them for each of us. For example, mine said: Name - Gonpo Thinley. Below that it said "I'm a Splittist". At around 12pm, they took only about 12 of us, the political prisoners. Each of us had three military personnel handling us, our hands were tied behind our backs and the wooden placards were put around our necks with the ropes. One of the officers told us that it was a day to test us, to see if we had learnt to behave and not protest anymore.

During 2009 the farming community of Kardze County decided to protest, saying that until all the political prisoners were released, they would not continue farming. The military and other law enforcement powers, of course, retaliated by populating these communities with more military and beating and detaining anyone who protested openly. When they took us out, the farming community's protests had just recently been curbed. We, the political prisoners, were placed in vehicles in pairs, each with our respective three army escorts, and we were taken on a ride. It filled us with intense fear. All of us were headed to the Kardze County's main market area and there they paraded us around the whole place once. People who knew us, either myself or the rest of the prisoners, saw us and came to realise that we weren't dead.

Seven days after the parade, about nine of us were taken to Dartsedo Prison and they told us that if we behaved well then we would be fed well by the people in charge and they would let us live, but if we didn't then we would be shot dead right then and there. Most of us were set in our minds to die if needed. There was no fear when we heard their threat but we realised that a protest in a place where there weren't many people would be useless as the word wouldn't spread far. They led us with our hands and feet cuffed and we were put in the middle of the police van.

Dartsedo Prison

All the administrative work was done while at Dartsedo Prison. All our documents were done there so they didn't beat and torture us, they only interrogated us and did the paperwork. At Kardze County Detention Centre, they beat us regularly and interrogated us. The food and water there were very bad, hardly enough to fill our stomachs but at Dartsedo prison, even though the food didn't taste that great, they at least gave us enough to fill our stomachs.

I still didn't get to meet my family because they told us that political prisoners weren't allowed to have family visits because we were splittists.

The cell in Dartsedo Prison was big and I was kept in cell number 1 with three other Tibetan political prisoners and a Chinese criminal prisoner. The three Tibetan prisoners were Sonam Penpa from Lithang (Ch: Litang) County, who was arrested after participating in a peaceful protest in Lithang County in 2008; Tsewang Lhundup from Tawu (Ch: Daofu) County, arrested for spreading "free Tibet" literature in Tawu County on 22 June 2008 near Choden Karpo; and the other one was a boy from Kardze (Ch: Ganzi) County.

The toilet facilities were the same as in Kardze County Detention Centre - we didn't have separate toilets, only the one inside the cell. I heard that there were some separate bathrooms, but prisoners could only use them when they happened to encounter some good prison guards. One time, a Chinese prisoner appealed for permission to wash his body, he got the permission, so we also did the same and they gave us permission too.

We political prisoners enjoyed a good relationship. I was kept in cell number 1 and Losang Jinpa, who also fled into exile after his imprisonment, was in cell number 2. We were very close to each other. They sent us to work in the vegetable fields during the summer season. Usually we liked to work rather than stay in the cell all day but they didn't send us out to work that often. Mostly they used to send the Chinese prisoners who were familiar to them. They sent us out only to do the tough work when Chinese prisoners refused to do it and they recommended us to them by saying we could do it.

It was while I was at Dartsedo Prison that I was formally sentenced, along with my brother, Nyida Sangpo. Nine prisoners received their sentences while at Dartsedo Prison. One day, by brother and I were taken to a big house by car. The house was full of people and armed police, who read a letter about my crimes and their reasons for my arrest. They sent us back to the prison and brought us in again the next week. I was sentenced to two years and six months, while Nyida Sangpo was sentenced to three years in prison.

Before announcing my sentence they provided me with a lawyer and said that if I didn't like the lawyer I could hire another one myself. I replied that I neither wanted to hire my own nor wanted the one they arranged because they were all Chinese and I didn't trust them. So I told them that I wouldn't mind if they hanged me, I rejected the lawyers. They forcefully arranged a lawyer by saying it was the law and I had to have one.

The text below is a translation of the document (below left) which Gonpo Thinley was forced to sign accepting the services of a Chinese lawyer who was appointed to deal with his case. Gonpo Thinley states several times in his testimony that he doesn't understand Chinese and didn't want a lawyer. It is clear that Gonpo Thinley had to sign this document under duress and may not have understood the contents.



Authorisation of Power of Attorney²

The client *Ebu Cinai*³, because of being suspected of inciting separatism, has applied to receive legal support from the Ganzi County Legal Centre. His request has been accepted. Quan Jianbo, from the County Legal Centre, has been appointed to assume the office of defender (or deputy) of the suspect for inciting separatism. This is valid from the day of issue by the power of attorney until the end of the examination of the legal case.

Entrusted jurisdiction as it follows

The client: Gonpo Thinley
18 June 2009

Note: This document has been produced in four copies, respectively handed to: the client, the legal help centre, the staff undertaking (the case), the organ hearing the case.

² The Chinese title of this document is 授权委托书 (*jiaoshou weituoshu*) which translates as “an authorisation of power of attorney”. It should be noted that the meaning of the term ‘power of attorney’ under Chinese law seems to be different to the meaning this term often has in other legal systems.

³ 俄布次乃 (Ebu Cinai) is Gonpo Thinley’s name in Pinyin (the name given to the transcription of Chinese characters). It is quite common for Tibetan names to sound different once transcribed from the Chinese characters.

I didn't have any chance to speak apart from saying "yes" and "I agree" to their question of "Do you admit that whatever you have said is true?" Their sentencing letter said that I was arrested on 21 June 2008 and kept at home for six months to acknowledge my individual faults. I was sentenced for not accepting the charges against me.

I don't know Chinese well but I was asked by another Chinese prisoner if I was kept at home for six months to acknowledge my faults. I replied that I wasn't and that police had taken me directly to the detention centre as soon as I was arrested. The Chinese prisoner told me what my sentencing letter said and told me that I should tell the prison staff to change it. I explained to them and requested them to change it. At first they became uncomfortable as I asked about it in front of many other prisoners but later they changed the content of my sentencing letter.

They kept me at Dartsedo Prison for three months. After I received the sentence of two years and six months, I was taken to Deyang Prison in Sichuan Province.

Deyang Prison

Deyang Prison is a big prison with about 2,700 prisoners. We were around 40 Tibetan political prisoners. There are many Chinese prisoners in Deyang Prison and many other ethnic minority prisoners too. Most of them said that they had never seen any Tibetans before 2008.

We had to do military training for two months when we first arrived at Deyang Prison. We had to wake up very early in the morning and the duration of the military training was two hours each day. During that time the weather was very hot. It was as hot as the summer weather in Delhi⁴ and we didn't have proper food to eat. The older prisoners faced many problems during the military training as they were old and had never done such exercises in their earlier years. Our feet swelled up and we could hardly put our shoes on. During that time we thought it was better to die rather than live, but we still encouraged each other by saying that everything would be fine after some time. They were testing us to see whether we did the military training well or not. If we passed the test we were sent to work. They never sent Tibetan prisoners out together to work. Each Tibetan political prisoner was sent out along with other Chinese prisoners, in groups consisting of four prisoners and one staff member.

380-400 prisoners were kept in each prison unit at Deyang. Out of 380-400 prisoners there were only four or five Tibetans. All of us were not kept together in a cell, we were kept separately. Each prison block was a several-storeyed building and Tibetan prisoners were usually kept on separate floors. We rarely met each other. If we did meet somewhere we were not allowed to speak in Tibetan, we were forced to speak to each other in Chinese. We weren't allowed to come out of the prison block except to work.

We had to wake up before dawn. We ate a small tingmo (steamed bun) and a small bowl of porridge for breakfast, washed our face and cleaned the bed, then we had to go to work. Sunrise would usually be an hour and a half after we started work and we'd have lunch at 12 noon. We had to eat it within 30 minutes. Lunch was a little rice and some vegetables. The same meal was repeated for dinner. We had fried tomatoes and egg once a week. It was the most delicious meal. We had to watch the news and hold meetings after dinner. We went to bed at 10pm.

We had only one toilet for each floor and didn't have any specific bathroom, only a water tap which we used to wash our faces. We also had to use that tap to wash our bodies. Even during the winter we had to use the cold water from the tap.

⁴ According to the BBC, the average maximum temperatures in Delhi are 41C (105.8F), 39C (102.2F) and 36C (96.8F) for May, June and July respectively.

Normally all prisoners were allowed to have a visit from family and were allowed to make a phone call to family once a month but the whole time I was in Deyang Prison I was only allowed to call my family once. They imposed a lot of restrictions on Tibetan political prisoners and didn't allow us any visits from our families. They said that our families would brainwash us if they were allowed to meet us.

We had political meetings every day except for weekends. The duration of the meeting was one hour and the main topic of it was political education. They said we were foolish for participating in the protest and carrying out other activities for a free Tibet. They also advised us not to do such things in the future as we would not benefit from any of these activities. They said that even the Dalai Lama returning to Tibet wouldn't benefit us and reminded us to give this advice to our family too. We also had to watch Chinese news. The news was mainly about the development of China, there was no news about other countries.

Everybody was watching us inside the prison and we got worried when people talked but there were some Chinese prisoners who supported us. When we showed our documents to some of the educated and politically aware people, they acknowledged our work and said that it was only Tibetans fighting that was being broadcast on television and not what we actually did. They said that we should be happy because we can walk with pride and with our heads held high and call the Chinese authorities liars and thieves. They also said that there was nothing to regret about what we had done. This was what the educated Chinese prisoners said.

When Tibetan and Chinese prisoners engaged in small quarrels, the Tibetans were punished. They were confined in a small, solitary room for a month, with just a little food and heavy chains, weighing 30kg to 40kg, on their legs to restrict them from moving. I was never confined in these rooms but some of my friends were. Tibetan and Chinese prisoners were looked at differently. While Tibetan prisoners were punished for small quarrels, Chinese prisoners were not.

When one of us was confined to a solitary room, the remaining Tibetans went on hunger strike demanding to be confined with the one in solitary and saying that they had truth on their side. When we refused to eat, they got a little worried and asked us to eat, not to engage in quarrels and said that the confined Tibetan would be out soon.

Reform Through Labour in Deyang Prison

We had to undergo reform through labour (Ch: 劳改, "laogai") in the prison. Actually, it was wrong to send political prisoners for labour reform but they sent us anyway. We were forced into stitching shoes and sticking them. In a day I was supposed to complete work on 600 pairs. At the beginning our fingers swelled up and we were unable to move them. But still we had to work. We weren't allowed to rest even if we became sick. They never listened to our words whenever we asked to take a rest, but for Chinese prisoners it was different.

We worked in a production line and six hundred shoes a day was the lowest amount accepted - that's the quota that I had to meet. Some other Tibetans working at different points in the production line had to do more than me. If I failed to fulfil my quota, I had to attend two hours of patriotic re-education class at night or I had to run for two hours when all the others could sit by the fire in the yard. If one failed to do the work twice or three times, he would be confined in a small room. But we Tibetans felt the punishments given to other Tibetans as our own and felt unhappy. They set the quota and I tried to work as best I could to achieve it. If I was punished for not completing my work, it was fine since it was my work, but other Tibetans in prison felt pain for me. Therefore, I worked really hard.

China doesn't have to pay anything for the work done by prisoners and their income per month amounts to approximately CNY 3,000,000 – 4,000,000 (475,000 – 630,000 USD approx.). The prison authorities said that we were very quick with our work but we had no choice when the prison guards were looking at us.

We couldn't even have a minute's rest. Every week, huge transportation vehicles would come to the prison and it was surprising to see how big the vehicles were.

The shoes we made were the ones which would be worn by labourers in Tibet. They look like army shoes and we called them "magham" (army shoes). We made the shoes in five different colours. When I see the shoes online these days, I think of how they have been made and that I made many like this. When I see these shoes I am reminded of the situation inside Chinese prisons and how Tibetan political prisoners suffer in prison after carrying out political activities. I feel sympathy for them.

Life After Prison

A week before my release, some higher level police came to me and said, "You will be released soon. You were imprisoned here and have experienced a lot here but once you are released, you shouldn't get involved in any political activities". They further said that those who got involved in political activities don't use their brains because everyone in the world wishes for their own happiness rather than fighting for their country and people. I was also told not to hold such ideas after my release and instead to think of my livelihood. They said, "You have suffered a lot for involvement in political activities, you have been imprisoned for two years now, but in the future if you are involved in political activities, you may be imprisoned for a decade or two according to Chinese law. So, you should refrain from all this."

The text below is the translation of the document (below right) which Gonpo Thinley was required to sign upon his release from prison.

Release Certificate

(2010) Deyang Prison Certificate Number 147

Ebu Cinai, male, born on 1 August 1989, belonging to the census location of Ganzi County, Shengkang Township, Village Number 7, on 16 July 2009 was sentenced to 2 years and 6 months in prison under the accusation of trying to split the country. A further deprivation of (civil) rights of the length of 2 years has been added to his sentence.

During the time of his sentence, the sentence has been reduced (/) times, for a length of (/) years and (/) months, it has been extended (/) times, for a length of (/) years and (/) months, so the prisoner has effectively carried out a sentence of 2 years and 6 months with an additional deprivation of (civil) rights for a length of 2 years. Because the time of the sentence has ended, the prisoner is now released.

Hereby this certificate.

Note: this certificate has to be kept by the released prisoner



(Official Seal)
21 December 2010

I was told that I could call my family and tell them to see me on my release. I spoke with my family and a relative came to pick me up and I was released.

I am one of those who survived prison. There are some older Tibetan prisoners serving long sentences who have a wife and children at home. I wished I could serve their sentences on their behalf and let them go. I always wished for my friends to be released before me. I could serve my term. I don't feel happy with the

thought of being released before my friends because they would always remain in my thoughts and I would be reminded of all the suffering they had to go through.

The authorities said I couldn't stay in the monastery after my release. They gave me a letter during my release and said that I had to keep the letter and a copy must be submitted to the Kardze County police.

I received a great welcome from local Tibetans and monks. Many people travelled on bikes and in cars to meet me on the way and the rest of them were waiting near my hometown to receive me with Tibetan scarves. I was extremely moved and encouraged to see such support and solidarity from fellow Tibetans for what I had done. I felt so much pride even though I suffered over two and a half years in prison.

Even though I was released, I didn't feel relieved because I was thinking about my fellow political prisoners. I have made a list of all of them since I knew them. But I was happy with the thought of meeting my family. My family told me that I did what I had to do and, therefore, there should be no regrets.

While I was in prison, I met many Tibetans and we discussed how to stand up to Chinese repression. I often thought about better ways to do things, to learn from previous experiences – in preparation for the day when I would be free from prison. We saw and experienced how brutal the police and authorities were, especially in prisons. That made us more committed to the idea that there was no way to live under Chinese rule and Tibetan political prisoners, including myself, became more convinced that Tibetans can never have a good life as long as Chinese rule exists in Tibet.

My relatives, friends and people who knew me often visited to say thank you; showing solidarity and gratitude. Even many people I didn't know visited me to express their support and solidarity of my work done for a common cause.

My name was on the list of political prisoners. I was looked upon as a criminal and I was under surveillance by the police and many spies spread everywhere. I was forbidden to leave my village without seeking permission from the local police as well as being instructed to report to their local police station four times a month and to the county police headquarters once a month. I had to tell them all about my daily life, movements and so on. Even if I had a cup of tea with a friend, I couldn't omit this from my report.

For over two years I wasn't able to miss a single report to both local and county police stations. After over two and a half years, they loosened the restrictions on me a little and I could report once a month to local police and once every few months to the county police.

For a few years after release, I was prohibited from leaving the county as well as going to the monastery or studying in a school. The monastery administration suggested I continue my studies but I didn't want to cause problems so I decided not to go there.

Eventually, I left my hometown to go on pilgrimage to monasteries in Serthar County and Derge County. Then I went on extensive travels as I was planning to run away to India and didn't want to arouse suspicion when I eventually left. They might have arrested me if I had tried to flee to India right away.

When I was in prison, we wondered if that the world outside knew about what's happening in Tibet and the problems of Tibetans in Chinese prisons. Sometime we discussed that if any of us, once released, could go to India and spread information to the outside world, then it might help to bring the truth to the world stage about what Tibetans are facing inside Tibet and about Chinese brutality towards Tibetan political prisoners.

Immediately after my release, I couldn't do anything because they were watching me. I thought that what I should do was to flee into the free world and tell people the truth about the condition of the political

prisoners in Deyang Prison as well as the real face of China inside Tibet, as we had personally witnessed and experienced. But it was hard as they were always after me for years following my release. After two and a half years passed, they were a little bit more lenient on me. Therefore, I decided to flee to India.

While I study here in exile, I am unable to concentrate because of the problems with my internal organs. Since my release, until now, I have been on medication but still some days I am unwell. And when I look at other Tibetan political prisoners, I am the healthiest. Some days I am fine but some days I am unwell. Sometimes my head hurts or I feel uneasy, but there are others who have lost their eyesight, some who have suffered mental problems. There is no single political prisoner without health issues.

I don't have clear plans for my future life at the moment. But I am committed to speaking to people in the outside world on behalf of my fellow Tibetan political prisoners who are in Chinese prisons or living under surveillance even though they have been released.

List of Tibetan Political Prisoners Currently in Deyang Prison

Gonpo Thinley made a list of all the fellow Tibetan political prisoners he met in Deyang Prison and carried it with him to India. Originally this was a list of 45 names but many of the prisoners detailed have since been released. Those who were released were all serving sentences of between two and seven years.

The following is the list provided to Tibet Watch of prisoners who remain in Deyang under the conditions described in Gonpo Thinley's testimony. We urge the Committee to make enquiries about their current condition and seek assurances regarding their future treatment.

Name	Detained	Sentence	Religious Status	Home Area
Pema Yeshe	2009	Life	Layman	Kardze (Ch: Ganzi) Tibetan Autonomous Prefecture, Sichuan Province
Sonam Gonpo	2009	Life	Layman	Kardze (Ch: Ganzi) Tibetan Autonomous Prefecture, Sichuan Province
Tsewang Gyatso	2008	16 years	Layman	Kardze (Ch: Ganzi) Tibetan Autonomous Prefecture, Sichuan Province
Nyima Drakpa	2008	12 years	Layman	Tawu (Ch: Daofu) County, Kardze (Ch: Ganzi) Tibetan Autonomous Prefecture, Sichuan Province
Gyurmey Thrinley	2008	10 years	Monk at Larung Gar	Qinghai Province
Ngodrub Phuntsog	2008	8 years	Layman	Sershul (Ch: Shiqu) County, Kardze (Ch: Ganzi) Tibetan Autonomous Prefecture, Sichuan Province

Testimony 2: Anonymous Monk

This interview took place in south India with a Tibetan man in his late twenties in mid-January 2015. The interviewee is from eastern Tibet and arrived in exile in January 2012. He has asked to remain anonymous.

Intimidation and Arrest

I was arrested on 21 March 2008 in my hometown. I was accused of storming the local government offices, an incident that had taken place a few days earlier, on 18 March. They arrested seven Tibetans including myself on the same charge. I don't know how their investigation was conducted but what we knew was that we were arrested for taking down the Chinese flag and breaking into the local government offices.

We never accepted their allegations and said nothing to them, since we had nothing to do with the actions we were accused of. Indeed, we don't have legal knowledge of human rights conventions to argue with them in order to seek legal defence. We merely remained as if we were deaf during interrogations because we didn't have other options. From our side, we had nothing to confess or any potential to fight for the rights we deserve.

I asked for the reasons why we were arrested. A few of my other friends also put the same question to them. In response they said, "You guys shouldn't ask so much. You might have seen on TV programmes how cruel the Japanese were during their invasion. The present situation has reached a similar atmosphere."⁵ Therefore, we dared not ask any further.

The police who arrested us didn't have arrest warrants or any proof to back up their accusations. Before I was arrested, police had come to the area and summoned Tibetans and conducted meetings. They said that they had some issues to discuss with the residents and even threatened the Tibetans that they would be stopped from going to pick caterpillar fungus⁶ (it was close to caterpillar fungus picking season) if locals didn't hand over those suspected individuals who might have been involved in storming the government office. That year, local Tibetans had to report to government authorities even if someone wanted to go outside of our home area. It was as though the entire Tibetan community was under house arrest.

They deployed armed forces and randomly searched homes. They forcibly removed the photos of His Holiness the Dalai Lama from altars. Wherever they found photos they tore and broke them, even crushed them under their feet. Those armed forces never hesitated to beat and hit Tibetans. Even families who were facing great troubles, like nursing sick people at home, weren't spared.

I am not sure about how many police came to arrest us as there were many. I knew a few of them, even their names and where they are from. They came in groups and several groups stayed outside while some came in. Some of them were randomly searching other homes along with armed forces. That time they summoned everyone without sparing a single person. The special armed police raided the homes and took many valuable things when searching, but Tibetans don't have any opportunity to file complaints.

Preliminary Detention

We were arrested in front of all the villagers. They put all the local Tibetans in one place and seven of us were kept separately afterwards. We had been singled out as the main suspects. My family members were

⁵ The interviewee explained that television programmes depicting the cruelty of the Japanese invasion were common.

⁶ Caterpillar fungus (*Ophiocordyceps Sinensis*) is a kind of mummified larva naturally found across the Tibetan Plateau. The harvest season for caterpillar fungus runs from April to June and the fungus has to be picked within 10 days of reaching maturity. It is used in Chinese traditional medicine. Its value has increased steadily in recent years and nowadays it has become one of the primary sources of income for many Tibetan households.

there among others. I said to the police that I would get my own back on them as they were arresting me even though I hadn't committed any crimes. It was then that they started beating me.

We were taken to the local government office where we were kept in separate rooms. They made those empty rooms like a detention centre. They never once asked us if we had any health issues. We didn't have any medical check-ups. They also never informed us about our rights to hire lawyers. They said our situation was nothing different from the Japanese invasion of China, which the Chinese consider as a lawless and dark era.

They interrogated us separately. They were fully equipped with guns and police instruments, like handcuffs and electric batons. They threatened us by showing us the electric batons and saying, "Do you know how we use these instruments?" Those armed forces were specially trained police who are actually People's Security Personnel but, instead of protecting, they suppress ordinary Tibetans.

They told us that we had better confess now as our friends had already confessed. Even one policeman I knew personally, who I was very friendly with, told me that they would keep my confession secret and wouldn't punish me if I confessed to them. Furthermore, he said that they could give me a huge amount of money if I worked for them as a spy in the Tibetan community. In reply I said that I didn't storm the government office or do anything against the government, regardless of what my friends said. I also said that I couldn't be a spy as that kind of work was beyond my capabilities.

They never even gave us a single meal or water for one week except for the food brought by friends. They didn't allow our friends or family members to meet us but sometimes the food they brought was given to us. The seven of us were kept in separate rooms and they wouldn't let us meet each other.

One day the authorities made us clean the entire local government campus, including their offices and living rooms. The rest of the days we couldn't even go out of the rooms where we were kept. That cleaning day we could all see each other but weren't able to talk that much as the police were watching us from all around.

Interrogation and Torture

They interrogated us separately. I wasn't beaten that badly but my friends were tortured a lot, especially one of my relatives who was badly beaten and burnt with a hot iron. There are still scars on his body from that. They made us stand up in the sun for hours, even for the whole day following every interrogation, because we didn't say anything. One of my friends was tied to the flagpole in the centre of the government campus for two days and two nights without food and water. At those times I thought to confess even though we hadn't done anything. They shoved me down over pieces of broken glass spread on the ground and beat me a lot with batons after I'd refused to confess. They said we were like animals because we said nothing in between beatings.

The beating and torture carried out in the detention centre is inhumane. They consider us nothing more than animals. A normal human won't beat and torture animals in such a heartless manner. They beat us like anything until we were unconscious. Once we had lost consciousness, they doused us with water on our bodies and faces. After regaining consciousness, they started to beat us again.

We didn't even have the freedom to go and urinate in privacy. Each person was watched by one policeman and two soldiers. They were very strict because they were charged to watch us and they would be held responsible if any of us escaped.

At first they accused us of storming the local government office, breaking into government properties and pulling down the five-starred flag. But later, during the interrogations, they made us out to be criminals

who were subverting state power and they accused us of being involved in separatist activities by breaking into government property and burning the Chinese national flag.

They kept us for a week in that local government office. None of us confessed anything despite their torture, threats and deceit. That incident has never been cleared up about who exactly committed the alleged crimes but they placed the blame on a Tibetan from my hometown who is still on the run and hiding in the mountains. No-one has proof of whether he did it or not.

After one week, they transferred me and one of my friends to another prison and kept us there for a few months. Here I can't tell the details about that prison because I fear to cause trouble for my friend. He is still in Tibet and no one knows what will happen to him if I speak here. They can trace my friend if I say anything about the prison. Moreover, someone took full responsibility for me after my release from prison that I wouldn't do anything against the government. He will be at risk instead of me if Chinese authorities learn that I have been speaking against them. That's why I'm saying these things on the basis of anonymity.

Release from Prison and Life Afterwards

I was never informed that I was to be released. One day, the prison authorities summoned my friend and I and told us that we could go home. But we were asked to inform them whenever we would travel outside of the county. We were even warned that we should be there whenever they called us and that failing to obey their orders could result in us going back to prison at any time. They didn't take us home after our release from prison, we went by ourselves. Local Tibetans were very supportive and expressed solidarity with us. They could not do anything more than express moral support for us after our arrest and torture.

I never felt like I was free after being released. They were always after us and we were always fearful that either something might happen to us or we might be arrested again. I lived in that tension and fear until I escaped to India.

There were no positive views or reactions toward us by the authorities after our release either. Their stance on Tibetans never changed for the better. For me, the only changes were that I was not physically in their prison or receiving beatings. But at the same time, they were always after us, keeping us under surveillance, and we were tense as we might be re-arrested or summoned at any time. We were like birds in a cage. I just lived my life with family and friends, without work. I wasn't allowed to work since I was being monitored.

Escape to India

I had had the desire to come to India to see His Holiness the Dalai Lama for a long time. During those times I didn't have much idea about the Tibet issue and its historical facts. The 2008 uprising and violent crackdown on Tibetans made me committed to do something for Tibet as I realised that we Tibetans don't have freedom under China's brutal rule. Therefore, I decided to flee to India since I couldn't do anything after release from prison as they were always after me.

Personally, I didn't face specific trouble apart from the long walk to cross the border. Walking across the border was not such a big issue for me compared to prison life and the troubles we faced earlier. Now I am completely free but my worries about my family and friends exist within me. So I know that I can't feel fully relaxed and free until Tibetan freedom has been restored or my last breath has ceased.

Testimony 3: Dorjee Rinchen and Anonymous Monk

This section includes the testimonies of Dorjee Rinchen and an anonymous monk. Both are from Tongkor Monastery in Tibet and participated in the 2008 protests in Drango (Ch: Luhuo) County.

Dorjee Rinchen was born in Kardze County on 15 November 1991. He arrived in exile in India on 9 January 2009. The anonymous monk was born in 1982 in Kardze County.

The interview took place in January 2015 in South India, where the two are currently studying Tibetan Buddhist philosophy at Sera Monastery. The first part of the testimony was provided jointly by both monks. The second part was provided solely by Dorjee Rinchen.

Joint Testimony

Intimidation and Protests in Tongkor Monastery

On 1 and 2 April 2008, police arrived at our monastery and went to the chant leaders and other leaders of the monastery, asking them to sign documents to show they would follow patriotic campaigns and denounce His Holiness the Dalai Lama. The chant leader and other leaders said, "We will stay quiet if you don't give us these kinds of orders but we will protest against you if you introduce these rules." Still the police insisted that we had to sign these documents.

On 3 April 2008, at 4am, police and army surrounded our monastery. They told us that we weren't allowed to come outside. If anyone came outside they would be shot and no one would be responsible if they were injured by bullets.

At 8am, armed police came to search every residence of our monastery. We were forced to remain in our rooms till 4pm or 5pm. They confiscated His Holiness the Dalai Lama's portraits and portraits of other lamas from our residence. We begged them not to take them away, but instead of listening to our pleas they destroyed and burned the portraits in front of us. They used the fire they lit to burn the precious portraits to warm their hands. They confiscated His Holiness the Dalai Lama's portraits and beat us for no reason. We were helpless.

We were unable to assemble for our morning monastic gathering because of the restrictions placed on our monastery by security forces but we held our evening gathering. That day they forcefully took away a monk without giving any reasons and also detained a layman near our monastery. During the evening monastic gathering, our leaders told us all about the threats that the police had given on 1 and 2 April regarding signing the documents. All the monks agreed that we wouldn't sign.

The police station was situated on the opposite bank of the river which flows near our monastery. They intimidated us by gathering a huge number of troops doing drills. They also shot at the sky in order to scare us. At around 5pm, many monks and local Tibetan residents gathered to shout slogans of "Release the two detained Tibetans", "Tibetans need independence" and "Return His Holiness the Dalai Lama to Tibet". We saw 98 military vehicles near our monastery that day.

We continued shouting slogans for three hours, from 5pm to 8pm. We also shouted that we wouldn't go home unless they released the two detained Tibetans. We kept shouting in the big field near the river. Around 700 people were gathered, including lay people, monks, old men, women and children. We kept moving forward and when we reached the willow trees they started shooting at us. We didn't really believe they were shooting at us, but the bullets were flying near us. Many protesters cried out in fear. Some fell to the floor, while others tried to run away. Almost 80 protesters were injured, 20 of whom were people I knew. Fourteen protesters disappeared that day - seven monks, four laymen and three women.

We heard many protests had taken place all over Tibet in 2008. Especially that year, the authorities had cracked down on our monastery without giving any reasons. They also confiscated portraits of His Holiness the Dalai Lama and beat our elder monks for no reason. So we protested against their oppression and the restrictions imposed on the monastery.

The Chinese government usually says that Tibetans are enjoying good policies but we have no rights, no freedom of speech at all. They came frequently to our monastery to get us to sign various documents with rules or policies that they wanted to introduce in the monastery. They also made rules about age requirements for new monks and put limits on the number of monks in the monastery.

Solo testimony from Dorjee Rinchen



I am Dorjee Rinchen. I came to India after participating in the 2008 protests in Drango (Ch: Luhuo) County, Kardze Tibetan Autonomous Prefecture. I was 18 years old when I participated in the protests.

Protest Aftermath and Injury

At first, I didn't think that they would directly shoot at us or kill us during the protests but later I was hit by a bullet and suddenly I thought that they really were going to kill us. The bullet hit my upper right arm. Luckily it didn't hit me on the bone. I was unable to go to hospital but I managed to get treatment from a small clinic in the countryside by buying medicine, applying it on my injury and slowly I recovered.

Many protesters were also injured by bullets in the protest and no one was able to receive treatment from the city hospital. We all ran away to the nearby hills to avoid being arrested. Not one of us was able to go to hospital as we were in fear of being arrested so we stayed in the hills and got treatment from the small clinic there.

Fifteen people died in the protest. Some of them died from being hit by bullets, some disappeared and their whereabouts remain unknown even until today. During that time we could hardly see what was happening as it was dark and everyone started running as soon as the police started shooting at us.

A woman called Tsewang Tso died and her death was witnessed by her elder brother. Another man called Geleg also died in the protest and this was witnessed by his nephew. His nephew carried him on his back and tried to run away, but he died on his nephew's back as he was already seriously injured.

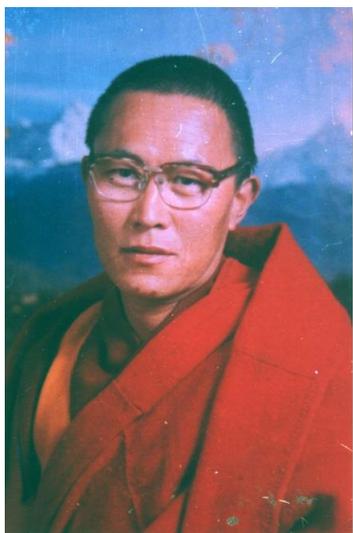
Another monk called Lobsang Rinchen, one of my relatives, also died from being hit by a bullet to his forehead. At first we were walking in the protest hand-in-hand but we lost each other as soon as the police started shooting at us. We tried to run but later I was told by others that he died in the protest.

Escape to India

After the protest, the authorities issued a statement calling all the monks back to the monastery but they detained three or four monks every month after they returned. So we thought they would arrest us too if we returned to the monastery. We heard about some monks we knew who had been arrested. They also arrested many more monks that we didn't know. I had the wound on my arm which was quite hard to hide. I thought they would definitely arrest me if they saw it. Outside of the monastery I didn't have any family members who could support me to continue living as a monk. I only had my uncle who disappeared on the protest day. So I didn't want to go back to the monastery and decided to flee to India.

Deaths in Custody

Tenzin Delek Rinpoche



Tenzin Delek Rinpoche (Ch: A'an Zhaxi) was a 65-year-old high Tibetan lama serving a life sentence in Chinese prison. He died on 12 July 2015.

In 1982, Tenzin Delek Rinpoche fled to India and studied in Drepung monastery. In 1987 he returned to Tibet and soon came under Chinese scrutiny. Upon his return, he worked for the preservation of Tibetan culture and environment. He also organised and fundraised for the building of many monasteries, schools for nomadic villages, orphanages and old people's homes.

The authorities first tried to arrest him in 1997 by connecting him to the distribution of pro-Tibetan independence leaflets. Tenzin Delek Rinpoche fled to the mountains and remained there for about six months. Following protests and appeals by the local Tibetans to the authorities to leave the Rinpoche alone, he returned to the village in 1998.

In 2002, Tenzin Delek Rinpoche was arrested along with his relative, Lobsang Dhondup, on charges of their alleged involvement in bombings in Chengdu, Sichuan Province. Tenzin Delek Rinpoche was sentenced to death with a two-year reprieve in December 2002 and Lobsang Dhondup was executed on 26 January 2003.

Tenzin Delek Rinpoche's death sentence was commuted to life following a widespread international campaign in 2005. Tenzin Delek Rinpoche always maintained that he had not committed any crime and that the charges levelled against him were untrue. During a court hearing in 2003, he said, "I have neither distributed letters nor pamphlets, nor planted bombs secretly. I have never even thought of such things."

In early July 2015, Tenzin Delek Rinpoche's sister, Dolkar Lhamo, and his niece, Nyima Lhamo, were suddenly summoned to Chengdu to visit him. However, the authorities made the family members stay in a hotel for days and delayed their visit to the prison. Then, during the night of 12 July 2015, the authorities informed the family members that Tenzin Delek Rinpoche had died of a heart attack. They said that he had been found collapsed in his cell and attempts by medical staff to revive him were unsuccessful.

Following Tenzin Delek Rinpoche's sudden death in prison, over a hundred Tibetans staged a sit-in protest in Chengdu and thousands of Tibetans in Nyakchukha (Ch: Yajiang) County demanded the release of Tenzin Delek Rinpoche's body to the family members so that they could perform the final Buddhist rites. The authorities not only ignored the Tibetan protesters' plea, but broke up the demonstrations. In Nyakchukha County they used beatings, tear gas and guns. More than seventeen people, including nuns and old people, were injured and taken to hospital.

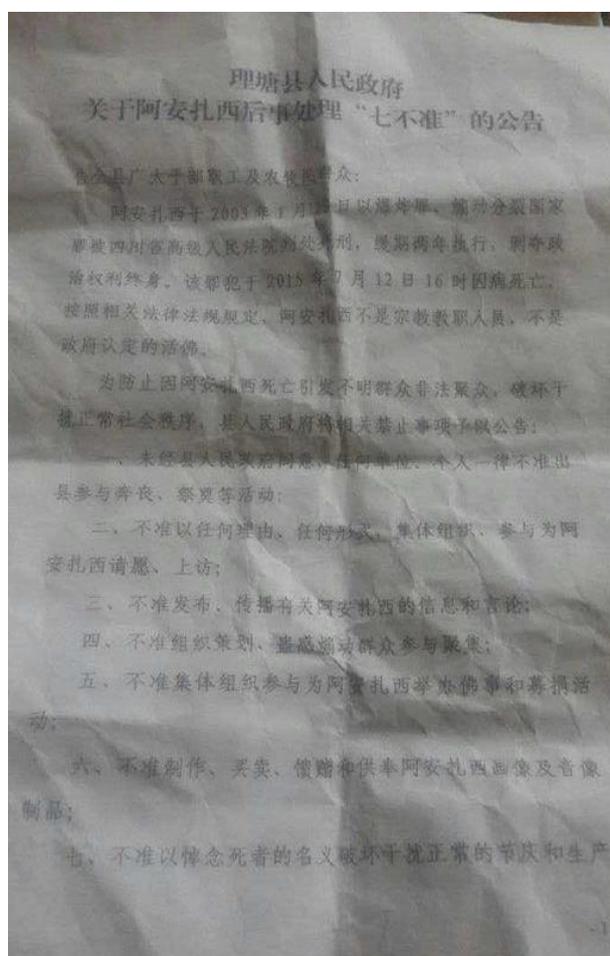
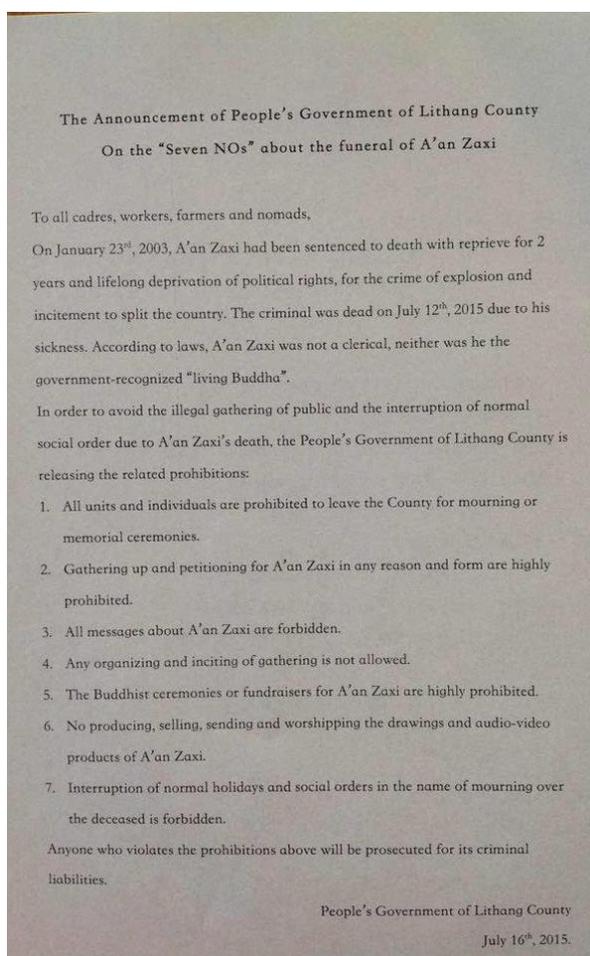
On 16 July 2015, Chinese authorities cremated Tenzin Delek Rinpoche despite global calls for his body to be returned to his family. Before the cremation, Tenzin Delek Rinpoche's sister wrote letters to the prison authorities demanding that they provide legal justification for their actions in the period around and following his death. In response to the letters, the authorities offered brief access to the body, but insisted it would still be cremated in prison.

A group of 18 monks went to the prison to change Tenzin Delek Rinpoche's clothes and wash his body before the cremation. At 6:30am on the cremation day, a number of visitors were allowed into the prison to see the body but only two lamas and two relatives were allowed to stay and witness the cremation.

Following the cremation, Tenzin Delek Rinpoche's ashes were handed over to local Tibetans. However, the small group transporting the ashes back to his hometown for Buddhist funeral rites was stopped at gunpoint in the town of Luding. No members of the group were detained but the ashes were seized and it has not been possible to confirm what happened to them.

A day later, Tenzin Delek Rinpoche's sister, Dolkar Lhamo, and niece, Nyima Lhamo, were detained for almost two weeks. No charges were filed against them. When Dolkar Lhamo and Nyima Lhamo were detained, Lithang County authorities claimed that the two would have been given life sentences if they (Lithang County officials) had not given guarantees and taken full responsibility for their release. Dolkar Lhamo and Nyima Lhamo were also threatened with life imprisonment if they spoke about Tenzin Delek Rinpoche after their release. Dolkar Lhamo and Nyima Lhamo remain under strict surveillance. Their movements are restricted and closely monitored.

On 16 July 2015, authorities in Lithang County also issued a notice titled "*On the '7 NOs' About the Funeral of A'an Zhaxi*" (see below)⁷. This included the prevention of prayer services in honour of Tenzin Delek Rinpoche. The situation in Lithang remained tense following Tenzin Delek Rinpoche's death and troops were deployed in the area to prohibit Tibetans from attending prayer services.



The "Seven NOs" in English and Chinese

⁷ From 1982 to 1987 Tenzin Delek was in India, where the Dalai Lama recognized him as a tulku (reincarnated lama). A tulku (or a Rinpoche) is usually recognised at a young age but in the case of Tenzin Delek the title was conferred on him much later. China did not recognise Tenzin Delek as a tulku and the Chinese government has, over the years, been trying to exercise control over religious affairs. In 2007, China's State Administration for Religious Affairs issued a decree that all reincarnations of tulkus of Tibetan Buddhism must gain government approval, otherwise they were deemed to be "illegal or invalid": *Reincarnation of living Buddha needs gov't approval* (Xinhua), 4 August 2007 http://www.chinadaily.com.cn/china/2007-08/04/content_5448242.htm

The Rinpoche's death came at a time of summer horse-racing events in the local nomadic area. Some of the events were cancelled in honour of his passing. Although some people had put up their tents in preparation for the horse racing event, they later packed their tents and left without participating.

In some other areas, however, the authorities forced local Tibetans to participate in the horse racing event. In Golok, in Nyakchukha County, the authorities arrested and beat some Tibetans who refused to take part in the horse racing festival.

30 August 2015 marked the 49th day since Tenzin Delek Rinpoche's death⁸. Tibetans inside and outside Tibet organised prayer services and paid tribute to Tenzin Delek Rinpoche. Tibetans in Nyakchukha and Tenzin Delek Rinpoche's monastery, Orthok, observed the Rinpoche's 49th day without repercussions. However, a ban on any prayer ceremonies was imposed in Lihang so Tibetans in Lihang couldn't observe the 49th day.

Chinese state media, while reporting on Tenzin Delek Rinpoche's death, claimed that he died of a sudden cardiac arrest, despite the prompt medical care they claim he was offered⁹. This version of the facts does not explain why Tenzin Delek Rinpoche's sister, Dolkar Lhamo, and his niece, Nyima Lhamo, were suddenly summoned to Chengdu to visit him days before his death. The state media article states that Tenzin Delek Rinpoche had been offered medical attention on many occasions while in detention, including several visits to local hospitals. State media stress the fact that Tenzin Delek Rinpoche had often refused to take medication prescribed to him by Chinese doctors, thus actively worsening his own condition. In state media, no mention is made about protests held by Tibetans for the body to be given back to Tenzin Delek Rinpoche's family for funeral rites. Similarly, the arrest of Tenzin Delek Rinpoche's sister and niece following his death is not mentioned. The report does note that prisoners serving a life sentence are not eligible for medical parole in China.

⁸ The 49th day after death is a significant day for Tibetan Buddhists and represents the culmination of seven weeks of mourning. The prayer ceremony and rituals mark the end of a period called "bardo" - the 49-day transition period between death and rebirth.

⁹ Xinhua News: *Tibetan monk dies of heart disease in Sichuan*, 18 July 2015, http://www.chinadaily.com.cn/china/2015-07/18/content_21322667.htm

Lobsang Yeshi



64-year-old Tibetan political prisoner Lobsang Yeshi died in a hospital in Lhasa on 19 July 2015. Lobsang Yeshi was the head of Kewa village in Tombar (Ch: Donba) Township of Dzogang (Ch: Zuogong) County, Chamdo (Ch: Changdu) Prefecture, Tibet Autonomous Region. In May 2014 he had participated in a protest against mining operations near the village.

The anti-mining protests were targeted against the authorities' plans to mine near the sacred Gyalmo Ngulchu (Salween) river that runs through the Tombar region. One of the protesters, Phakpa Gyaltzen, jumped from a roof in protest and died. Another man named Rigzin seriously injured himself by stabbing himself in protest against the mining operations.

Lobsang Yeshi and some of the village elders led a continuous protest throughout 9 and 10 May 2014. Police and security forces arrived at the village and threatened them with arrest if they did not end their protest, so some leaders from Dzogang County and Chamdo Prefecture came and convinced the protesters to return home by saying that the issues would be resolved. But on 12 May 2014, Lobsang Yeshi and with seven other Tibetans, who had been at the forefront of the protest, were forcibly taken to Dzogang County, where they were interrogated, beaten and tortured at the detention centre.

Later they were taken to another detention centre in Chamdo and held there for one month. Lobsang Yeshi and his two friends, Ngata (also known as Ngawang Tashi) and Choluk Tenzin, were then taken to Chushul (Ch: Qushui) Prison in Lhasa and sentenced to two years in prison in May 2015.

Lobsang Yeshi was sent to Lhasa hospital after he suffered bouts of nausea and dizziness. He died in hospital on 19 July 2015 at around 2pm. At first, the authorities neither returned his body to the family nor allowed them to come near his body, but after repeated requests made by his family members they allowed three people to be present during the cremation - one Tibetan monk to conduct prayers near his body and two of his siblings.

Lobsang Yeshi was the father of eight. He was loved and respected by local Tibetans for his integrity and dignity.

Prisoners of Concern

There are a significant number of Tibetans in Chinese detention who are political prisoners or prisoners of conscience. Our previous List of Issues report list highlighted the cases of a few individuals who are believed to be at particular risk of torture: Dolma Kyab, Lobsang Konchok, Jigme Gyatso and Khenpo Kartse. We reiterate our concern for these prisoners, especially given the recent death of Tenzin Delek Rinpoche.

In light of the evidence presented in the new testimonies in this report, we would note concern for the prisoners named by Gonpo Thinley i.e. Pema Yeshe, Sonam Gonpo, Tsewang Gyatso, Nyima Drakpa, Gyurmey Thrinley and Ngodrub Phuntsog, all of whom are currently being held in Deyang Prison.

We would also like to draw the Committee's attention to Bangri Tsamtrul Rinpoche (also known as Jigme Tenzin Nyima or Bangri Chogtrul Rinpoche).

Born in 1966, Bangri Rinpoche and his wife, Nyima, founded an orphanage for Lhasa's deprived children in 1996 and were well-respected pillars of the Tibetan community. After his arrest in 1999, the orphanage was closed down. The authorities claimed he had met the Dalai Lama in India, accepted a foreign donation for the orphanage and had links with a man who had carried out a political protest. He was convicted of 'attempting to split the country'. Bangri Rinpoche's "confession" was extracted by torture while he was interrogated over five days and nights. He was given a life sentence which was later commuted to 18 years. His wife was also imprisoned and released in 2006.

Bangri Rinpoche is currently in Chushul prison, Tibet Autonomous Region.