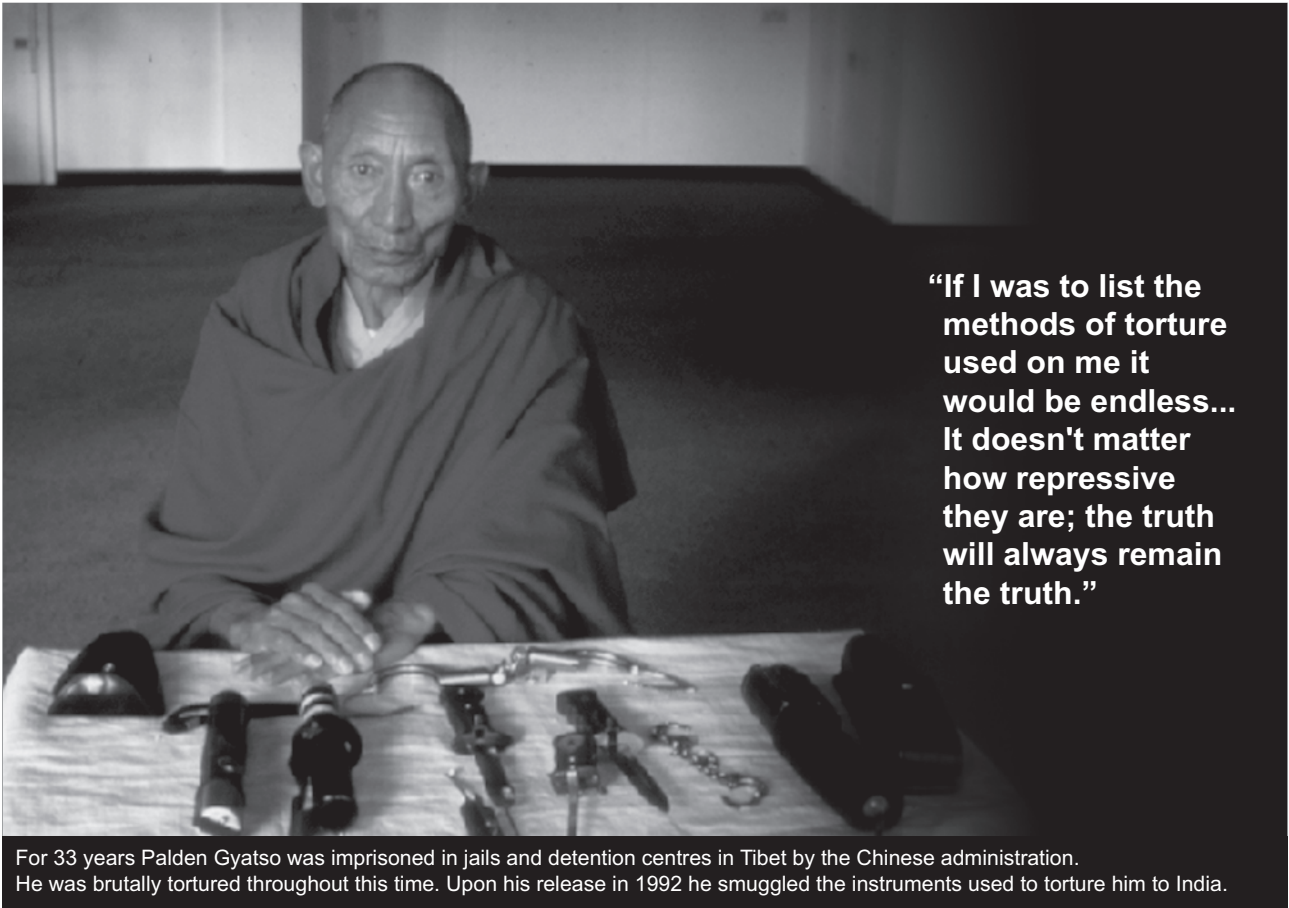


The Tortured Truth



“If I was to list the methods of torture used on me it would be endless... It doesn't matter how repressive they are; the truth will always remain the truth.”

For 33 years Palden Gyatso was imprisoned in jails and detention centres in Tibet by the Chinese administration. He was brutally tortured throughout this time. Upon his release in 1992 he smuggled the instruments used to torture him to India.

A Free Tibet report
December 2008
Updated December 2009

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Written by: Sophie Bod; Stephanie Brigden
Contributor: Harriet Beaumont

Design: Catherine Quine

Summary

“Extraction of confession by torture and corporal punishment and ill-treatment of prisoners by prison police are strictly prohibited by law in China.”

China’s written response to the United Nations Committee Against Torture, 10 September 2008¹

China claimed that there are **“extremely few cases of torture”**² in response to probing questions from the United Nations (UN). But testimonies obtained by Free Tibet expose a different truth, where physical and mental torture are commonplace and where torture is used by the state as a weapon to suppress ordinary Tibetans. As the UN concluded in November 2008, the tortured truth in China and Tibet is that there is a **“routine and widespread use of torture”**.³

Despite torture being prohibited in Chinese and international law, the UN Special Rapporteur concluded that torture remained “widespread”⁴ after inspecting prisons and detention centres in 2006. Since then the situation has only worsened, as the UN Committee Against Torture confirmed at the end of 2008. In March 2008 largely peaceful protests against Chinese rule swept across the Tibetan plateau. In response, brutal tactics were employed by the Chinese government, including widespread arbitrary detentions, physical and mental torture of detainees, beatings and the use of lethal force. This disproportionate response deepened a climate of fear which continues to grip Tibet today. Eighteen months on, the location and well-being of hundreds of Tibetans who were detained after the protests remains unknown; these Disappeared are at particular risk of torture as they are beyond the protection of the law.

The tragic reality is that not only does China fail to prevent cruel and degrading treatment and acts of torture but, as Free Tibet exposes, Chinese government policies provide the very conditions where torture is likely to take place.

The Tortured Truth reveals the differences between Chinese government legislation and practice, between the promises of the Chinese administration and the reality for Tibetans in Tibet. Whatever lip-service the Chinese government may pay to its obligation to prevent torture, torture and other forms of inhumane and degrading treatment are institutionalised in Tibet. Following his visit to China and Tibet in 2006 the UN Special Rapporteur on Torture Dr Manfred Nowak identified the following common methods used by the Chinese administration to carry out torture:

“Beatings with sticks and batons; use of electric shock batons; cigarette burns; hooding/blindfolding; guard-instructed or permitted beatings by fellow prisoners; use of handcuffs or ankle fetters for extended periods (including in solitary confinement or secure holding areas); submersion in pits of water or sewage; exposure to conditions of extreme heat or cold; being forced to maintain uncomfortable positions, such as sitting, squatting, lying down, or standing for long periods of time, sometimes with objects held under arms; deprivation of sleep, food or water; prolonged solitary confinement; denial of medical treatment and medication; hard labour; and suspension from overhead fixtures with handcuffs.”⁶



Jamyang Kyi

“Each interrogation session aroused a different kind of fear in me. One day, in the middle of an interrogation, I thought that instead of enduring this it would be better to be killed by a single bullet. My family and relatives would grieve, but as for me, I would have to suffer the pain only once.”⁵

Tibetan singer and blogger Jamyang Kyi was interrogated and tortured during seven weeks of detention.

She was released on 20 May 2008.

The UN Committee Against Torture considered China's fourth periodic report on torture in November 2008. The UN asked the Chinese government a set of probing questions and also received written and oral evidence from organisations, including Free Tibet.⁷ Once the evidence and responses had been reviewed by the Committee members, the Committee not only repeated its 2006 findings – that torture remains “widespread” in Tibet and China – but also concluded that torture is now “routine”.⁸

These conclusions confirm that torture in Tibet cannot simply be dismissed as aberrant behaviour by individual Chinese officials. There is a concerted policy of torture by the Chinese administration in response to opposition to Chinese state policies in Tibet, as represented by: the number of credible reports of cases of torture; the routine employment of torture; the generalised impunity exercised by state officials who commit torture; and Chinese state policies which create conditions that actually encourage the use of torture by Chinese officials.

Recommendations

Recommendations to the Chinese government

1. China should issue a standing invitation to all the UN thematic and treaty bodies, including the UN Special Rapporteur on Torture;
2. China should provide official figures of Tibetans arrested, detained and sentenced since 10 March 2008, including details of their locations and status;
3. China should allow independent human rights monitors access to Tibet to investigate allegations of torture and excessive use of force against protestors during the 2008 Spring Uprising;
4. China should allow unfettered access to Tibet by both foreign and Chinese journalists;
5. China should include in its legislation a definition of torture that incorporates mental torture and cruel, inhumane and degrading treatment, thus conforming to the elements in the United Nations' Convention Against Torture;
6. Chinese Criminal Procedure Law should be amended to explicitly state that any confession or statement obtained through torture is inadmissible in all proceedings;
7. China should immediately abolish its patriotic re-education campaign, as its elements qualify as inhumane and degrading treatment, if not torture;
8. China should immediately release all political prisoners whose release was called for by the UN Special Rapporteur on Torture in 2006.

Recommendations to the international community

1. Publicly raise your objections to China's human rights record in Tibet;
2. Ensure that bi-lateral and multi-lateral dialogue with the Chinese government is measured against specific human rights benchmarks;
3. Request that embassy staff have regular and unfettered access to all parts of Tibet;
4. Sponsor and promote an independent inquiry into the 2008 Tibetan Uprising.

Additional recommendations to European Union (EU) member states

1. Appoint an EU Special Representative for Tibet, with a mandate to include the promotion and protection of human rights in Tibet;
2. Pursue a more coordinated strategy on Tibet.

Recommendations to Free Tibet supporters

1. Scrutinise your government's position on Tibet – find out the views of your elected representative, your ministers and your head of government on Tibet and specifically what actions they are taking to help end the widespread and routine practise of torture in Tibet;
2. Spread the word: inform people – family, friends, work colleagues – about Tibet and what is happening inside Tibet right now;
3. Donate to Free Tibet's **Stop Torture in Tibet** campaign in order for us to continue to monitor the situation in Tibet and to strengthen our lobbying work for the prevention of torture in Tibet.

Hundreds of Tibetans unaccounted for and vulnerable to torture

“Those who have died are already gone. But those who have been arrested are certain to be cast into the eighteen realms of hell and bound to suffer immeasurably.”

Tibetan singer and blogger Jamyang Kyi, quoting her husband

In March 2008 demonstrations erupted in the Tibetan capital Lhasa and spread across the Tibetan plateau. More than 125 protests were recorded in over 60 counties in Tibetan-populated areas.⁹ These protests, which were predominantly peaceful, were brutally suppressed and thousands of Tibetans were arbitrarily detained.

When China was asked by the UN Committee Against Torture to clarify the numbers and whereabouts of Tibetans missing in connection with the unrest, China rejected the question, stating:

“The incident happened in March 2008 in Lhasa and Gansu, Sichuan and Qinghai was not parades and demonstrations, there is also no such a thing as “hundreds of people” have been arrested because of the demonstrations [sic].”¹⁰

The Chinese government has repeatedly failed to provide accurate figures of the number of Tibetans arrested since 10 March 2008. In August 2009 the UN again took China to task about the ill-treatment of Tibetans.¹¹ In response Chinese officials accounted for Tibetans arrested in Lhasa, but still failed to account for more than 1,200 Tibetans detained during the 2008 protests from other Tibetan areas.¹²

In the absence of any independent inquiry into the spring 2008 protests, verifying actual numbers of disappeared Tibetans is extremely difficult. Estimations of more than 1,200 arrested Tibetans are likely to be a gross underestimation as they only refer to arrests in a small number (nine) of the 49 counties where protests took place.

Unaccounted for, these hundreds of disappeared Tibetans are extremely vulnerable to torture.

Creating the conditions for torture : See no evil, speak no evil, hear no evil

Torture is committed with impunity behind closed doors

Since the Uprising in March 2008 Tibet has been effectively closed off from the outside world, with foreign observers, journalists, diplomats and tourists allowed only closely monitored access to limited areas of Tibet. There are also severe punishments for Tibetans who are found to be communicating with people outside Tibet. The lack of information that is available to anyone outside Tibet makes it extremely difficult to hold China accountable for torture committed by the administration.

China is determined that the ugly truth about its policies, the crackdown on protesters and the treatment of Tibetans does not reach the outside world. Telephone calls and internet traffic are intercepted, severe restrictions on journalists make it almost impossible to report without interference and *de facto* martial law in Tibet has restricted freedom of movement. In the last 18 months very few Tibetans have been able to cross into Nepal or India to reveal what has been happening in their country. This is one of the ways that information has seeped out of Tibet since the Chinese occupation began.

The UN Committee Against Torture concluded that, in addition to actual violations of Tibetans' human rights, the recent crackdown in Tibet **“has deepened a climate of fear and further inhibits accountability”**.¹³

In this climate of fear only a few are willing to risk their freedom and that of their friends and family to expose the human rights abuses taking place in Tibet.

One woman who dared to share the details of the desperate situation she witnessed around her is Norzin Wangmo, from Ngaba County. On 3 November 2008, after seven months in detention, Norzin was sentenced to five years imprisonment for passing on news about the protests to foreign contacts by telephone and email.

On 9 April 2008 about a dozen monks disrupted a rare official international media visit to Labrang Monastery (Chinese: Xiahe) which the Chinese administration had organised. It was the first time journalists had been allowed into the region since protests broke out in March 2008. When the journalists reached Labrang Monastery the monks jumped in front of the cameras and spoke about human rights violations and their desire for freedom.¹⁴ Visibly shaking and afraid, they defied their own fears and faced the unavoidable consequences of their actions in order to expose the situation around them. Thabkey, a 30-year-old monk, was arrested along with seven other monks for speaking to the media. Thabkey was beaten so severely in detention that his mental health has been seriously affected. It is believed that he suffered blows to his head during his period in detention.

Lama Jigme Gyatso

“They would hang me up for several hours with my hands tied to a rope ... hanging from the ceiling and my feet above the ground. Then they would beat me on my face, chest, and back, with the full force of their fists. Finally, on one occasion, I had lost consciousness and was taken to a hospital. After I regained consciousness ... I was once again taken back to prison where they continued the practice of hanging me from the ceiling and beating me.”

“Once I was beaten continuously for two days with nothing to eat nor a drop of water to drink. I suffered from pains on my abdomen and chest. The second time, I was unconscious for six days at the hospital, unable to open my eyes or speak a word.”¹⁵

Following protests in Labrang, Xiahe County, Gansu Province, Lama Jigme Gyatso (also known as Guri), a 42-year-old monk from Labrang Monastery, was arrested on 21 March 2008 for his assumed role in the protests. For more than a month he was subjected to torture that left him so badly injured he had to be hospitalised for almost five weeks.

On 3 September 2008, following his release, Lama Jigme made a videotape in which he gave testimony directly to the camera about the torture he suffered in detention.

The video was released on www.youtube.com by Voice of America's Tibetan service, after which Lama Jigme went missing for two months. He returned to his monastery but on 4 November 2008 he was re-arrested by more than 70 armed police.

Lama Jigme was re-released on 2 May 2009 after 6 months without charge. His release came after campaigning on his behalf by human rights organisations including Free Tibet, and after two prominent Chinese lawyers, Li Fangping and Jiang Tianyong, agreed to take up his case. The lawyers have since had their licenses revoked by the Chinese administration in Beijing.



Jigme Gyatso spent almost a month in hospital recovering from the torture he suffered in custody

Convictions at any price

China claims:

“The notion that ‘the criminal justice system is still strongly focused on the admission of guilt and confession’ is groundless.”

China’s response to questions from the UN Committee Against Torture¹⁶

“It shall be strictly forbidden to extort confessions by torture and to collect evidence by threat, enticement, deceit or other unlawful means.”

Article 43, Chinese Criminal Procedure Legislation

One of the main factors within the Chinese legal system that contributes to the pervasiveness of torture is the courts’ acceptance and use of confessions as evidence of guilt, contrary to international practice and its own recent guidelines.¹⁷

The UN Special Rapporteur on Torture Dr Manfred Nowak concluded that Chinese rules of evidence **“create incentives for interrogators to obtain confessions through torture”**,¹⁸ in spite of China’s laws prohibiting extortion of confessions by torture. He found significant evidence that courts still rely heavily on forced confessions when assessing guilt. While Chinese law prohibits extracting confessions by torture, China does not explicitly prohibit the admission before the courts of evidence obtained by torture or other illegal means.¹⁹ Coerced confessions remain prevalent in a judicial system which is subordinate to the ruling Communist Party and pressured to maintain so-called ‘social stability’.

A former Tibetan policeman explains some of the motives for obtaining confessions from his own experience: **“One of the reasons is the fact that the police have a strong motivation to improve their performance records so that more funding will come from the higher authorities, and to improve the standing of the officers in question. The police need to be able to show high rates of cases solved. If they have a low rate, they will be criticised. So they will just go out and arrest people, beat them and force a confession.”**²⁰

The UN Special Rapporteur on Torture interviewed Bangri Rinpoche in Tibet’s Chushul prison in 2005. Bangri Rinpoche is serving an 18-year sentence on charges of ‘attempting to split the country’. Dr Nowak describes the torture methods that were inflicted on Bangri Rinpoche in order to force a confession from him:

“The first five days of his detention was the most difficult period as he was continuously interrogated night and day. He was held handcuffed with one hand behind his shoulder and the other around his waist, and empty bottles were put in the spaces between his arms. His legs were fettered, he was hooded and made to kneel on a low stool for 1.5 hours. The room where he was held was dark and dirty and without natural sunlight. Regular interrogations continued over the following three months. Most of the time he was wearing handcuffs and shackles, even when eating and sleeping. Because of this and because he was afraid it was often hard to sleep. The police wanted him to confess for the flag incident, as well as to having established the children’s home for political purposes.”²¹

Dr. Manfred Nowak called for the release of Bangri Rinpoche and the other two Tibetan prisoners he met during his visit, due to the likelihood that they were convicted on the basis of information extracted under torture.²² Bangri Rinpoche remains in prison to this day.²³

Patriotic re-education

Patriotic re-education is a compulsory programme, predominantly forced upon monasteries and nunneries which are viewed as hotbeds of resistance against Chinese rule. Its aim is to stamp out loyalty to the Dalai Lama and to quash Tibetan nationalist feelings. It requires Tibetan Buddhists to accept patriotism towards China as a part of Tibetan Buddhism. It can often require monks and nuns to sign self-criticising letters and denounce the Dalai Lama. Since March 2008 patriotic re-education campaigns have intensified in Tibet across both monastic and lay communities.

Evidence from Tibet demonstrates that patriotic re-education, like re-education through labour, aims to break the will and alter the personality of individuals. The UN has characterised re-education through labour as a systematic form of inhumane and degrading treatment or punishment, if not torture²⁴ that leads to **“submissiveness and a ‘culture of fear’”**.²⁵

Patriotic re-education causes severe mental anguish among Tibetans. It has even led monks to commit suicide. Refusal to denounce the Dalai Lama or to participate in the campaign often results in detention. It is reported that the protest at Tongkor Monastery which resulted in the killing of protestors by security forces was prompted by the arrest of two monks during a patriotic education campaign at the Monastery (further details can be found on page 13).

The Kandze Order

In July 2008 Free Tibet received information that the Chinese government in the Kandze region of Tibet (Chinese: Gardze Prefecture) in Sichuan province had drawn up a series of measures to purge Tibetan monasteries and nunneries of those nuns and monks deemed by the authorities to have undertaken subversive activities during the protests of March and April 2008 in Tibet.

The measures, detailed in an article in the official Tibet Daily newspaper, were posted on a trilingual Chinese government news website on 18 July 2008 under the heading *Order of the Kandze Tibetan Autonomous Prefectural Government*.²⁶ The order sets out a series of punishments such as: the families of monks and nuns who confess to ‘minor crimes’ are to be responsible for their re-education; religious leaders accused of collaborating with foreign ‘splittist’ groups (this includes speaking to foreign journalists) are to be publicly humiliated on state television; and

“A monk or nun charged with quite serious crimes will remain in custody until s/he cooperates by telling the truth, confessing their guilt and submitting a shuyig [self-criticising letter].”²⁷

These measures not only violate religious freedoms but they create obvious conditions for torture because of the campaign’s insistence on ‘telling the truth’ (as perceived by the interrogator) and the admission of guilt.

It is significant that these new measures were announced in Kandze Prefecture: from 2002 – 2007 authorities in Kandze Prefecture detained more Tibetans for peaceful political expression than from any other prefectures in the Tibetan Autonomous Areas.²⁸ Kandze also witnessed numerous protests in 2008, even a month after all protests had been put down in other areas.

Failure of legal safeguards

“The justice organs in China strictly abide by the criminal procedure law when handling cases.”

China’s response to questions from the UN Committee Against Torture, 2008 ²⁹

Set out below are the legal safeguards and rights which Chinese law guarantees. Such rights include access to legal counsel and medical care whilst in detention and limitations on the length of detention before trial. China repeatedly highlighted these legal safeguards in response to the questions posed by the UN Committee Against Torture.

However the truth is that these safeguards and rights, at least in the Tibetan Autonomous Region and in the Tibetan Autonomous Prefectures, are routinely disregarded.

Length of pre-trial detention

“The duration of investigation and detention of a criminal suspect after arrest shall not exceed 2 months. For cases which cannot be completed before the deadline, it could be extended by one month with the approval by the people’s procuratorate at a higher level.”

China’s response to questions from the UN Committee Against Torture, 2008 ³⁰

- Tibetan nomad Adak Kalgyam was arrested on 3 October 2007 following his refusal to take part in a patriotic education campaign in his village in Lithang county. He was held in detention without the means or the right to communicate for ten months before he was charged and found guilty of ‘inciting splittism’. He has been sentenced to five years in prison for this ‘crime’.
- Dhondup Wangchen, a nomad who recorded on video the views of more than one hundred Tibetans on Chinese occupation, was held in detention in 2008 for over nine months without any charges brought against him.³¹ His brother-in-law was denied access to him when he attempted to visit him on 31 August 2008 in Ershilipu Detention Center in Xining.³²
- Jigme Gyatso, Dhondup’s assistant, was conditionally released from prison in October, after being held for over eight months in detention.



Adak Kalgyam



Dhondup Wangchen

All three men have said they were tortured.

Family notification

“After a criminal suspect is detained or arrested, the public security organ will notify within 24 hours the relative of the detainee or his (or her) employer about the reasons of the detention or arrest and the locality of confinement.”

China’s response to questions from the UN Committee Against Torture, 2008 ³³

- From the time of his arrest on 3 October 2007, Adak Kalgyam’s family was denied access to him. Despite numerous requests to Lithang county police station they were not informed of where he was being held.
- Paltsal Kyab, a Tibetan from Sichuan province, died on 26 May 2008, five weeks after he was detained by police. His family had no news of his situation until 26 May 2008 when authorities informed the family of Paltsal Kyab’s death. Severe injuries to his body indicate that he died as a result of being tortured while in police custody.

Access to legal counsel

“Prisons in China effectively guarantee the right of lawyers to meet their clients serving sentences in prison, with detailed procedural regulations for the access which are effectively implemented.”

China’s response to questions from the UN Committee Against Torture, 2008³⁴

- On 3 April 2008 18 Chinese lawyers offered free legal counsel to Tibetans arrested in connection with protests. All 18 lawyers were threatened with disciplinary action by the Ministry of Justice and two lawyers, Teng Biao and Jiang Tianyong, were denied renewal of their licenses on 31 May 2008.
- On 23 September 2008 the Chamdo Prefecture People’s Court in the Tibetan Autonomous Region, Gyanbe town (Chinese: Xiangpi), found eight monks guilty of bombing, or aiding in the bombing, of an empty local government building on 23 March 2008. The information received by Free Tibet indicates that the monks were denied all access to legal counsel from the time of being detained until sentencing. It is reported that the legal proceedings against the monks were shrouded in complete secrecy.

Medical access and deaths in detention

“When a detainee is sick, he’ll receive timely medical treatment; when there is a need to be treated in the hospital, the local hospital will take up the responsibility.”

China’s response to questions from the UN Committee Against Torture, 2008³⁵

Many detainees who are tortured in detention require hospital treatment. In the past, many detainees have died in prison as a result of torture. In recent years, the Chinese authorities have taken steps to reduce the numbers of prisoners dying in custody by releasing prisoners in immediate danger of dying to the care of their families, so that their death does not take place in detention.

For those lucky enough to be allowed to access medical treatment, the costs are often prohibitively expensive.

- Nyichang, a 38-year-old woman from Harama village, Ngaba County, in Sichuan province, was arrested on 18 March 2008. Her ‘crime’ was removing a signboard from the local Chinese administrative office during peaceful protests on 16 and 17 March 2008. During her period in detention she was subjected to violence. When she was released from prison her body was covered in bruises. She could not speak or eat without immediately vomiting. Her relatives tried to take her to the local government hospital but she was denied medical treatment. Her condition continued to deteriorate. She died on 17 April 2008, leaving four children behind.
- Jigme Gyatso: **“In the end, when I was on the verge of dying, they handed me over to my family. ... they also made me put down my thumbprint (as a signature) on a document that said that I was not tortured. I had to stay for about 20 days at a hospital and spent 20,000 Chinese Yuan to get treatment.”**

[20,000 Yuan is more than the average yearly income of a Tibetan family from Labrang, Jigme Gyatso’s native region of Tibet.]

Deaths due to excessive force

The UN Committee Against Torture requested that China provide information on the deaths that had been reported during the 2008 spring protests in Tibet. The Committee also asked whether China had made or planned to make any investigations into those deaths.

China's response to this was that:

“According to the investigation conducted by the department concerned, during the incident on 14 March in Lhasa and other places, the criminal violence committed by law-breakers caused the death of 18 innocent persons who were chopped, smashed or burned to death (among them, three were Tibetans), and one law enforcing personnel died a martyr's death. This has already been published.”³⁶

China's claim that any deaths that occurred were due to 'law-breakers' fails to account for the numerous and corroborated reports that Chinese armed police killed scores of protesters by opening fire on them, using disproportionate force against unarmed civilians.

The Committee clearly found China's answers evasive and unconvincing. In its conclusions the Committee demanded that China **“should conduct a thorough and independent inquiry into the reported use of excessive force, including against peaceful demonstrators and notably monks, in Kandze county, Ngaba county and Lhasa.”**³⁷

Below is evidence obtained from sources inside Tibet, set out by Free Tibet to the Committee Against Torture in November 2008.³⁸

Killings in Ngaba county, 16 March 2008

Chinese armed troops fired into a crowd of unarmed Tibetan civilians during a peaceful protest on 16 March 2008, killing at least 13 people including Lhundup Tso, a 16-year-old school girl. The police first shot tear gas into the crowd and then beat many of the protestors. Next they shot live rounds of ammunition into the crowd. Eight Tibetan bodies were brought to Kirti monastery for prayers, two of whom were monks; there were five other men and one woman.

Photographs which highlight entry-exit bullet wounds on the corpses brought to Kirti monastery suggest the use of high-velocity weapons by the Chinese armed troops; the positioning of the wounds indicate that troops were aiming to kill rather than disable those they fired on. The use of such weapons and tactics against unarmed civilians is evidence of the use of lethal and disproportionate force by the Chinese authorities in Ngaba county.



Bodies are brought to Kirti monastery on 16 March for prayers



Lhundup Tso, 16, shot dead 16 March 2008

Killings in Tongkor town, Kandze county on 3 April 2008

On 2 April 2008 hundreds of Tibetan civilians marched towards government buildings to protest against the arrest of two monks from Tongkor monastery. The monks had been arrested following a raid on the monastery after the monks had refused to take part in patriotic re-education sessions. The road into the town was blocked by hundreds of armed police; a stand-off ensued with the protesters. Separate sources claimed to have witnessed eight Tibetan protesters shot dead by Chinese armed police.



Tseyang Kyi, 23, Tsar Ngoe Village, was killed in the Tongkor massacre

Conclusion

Evidence obtained by Free Tibet continues to corroborate the UN Committee Against Torture's 2008 conclusions that torture of Tibetans in Tibet by the Chinese administration is both widespread and routine. Chinese officials continue to commit acts of torture with impunity within a system of policies that encourage its use. Whilst Chinese policy and law prohibit torture and offer a semblance of protection for those in detention, the practice of state actors in Tibet falls far short of these empty promises.

To the present day China detains Tibetans who show signs of dissent against Chinese rule, and the administration refuses to provide information about individual Tibetans in detention in Tibet, leaving these individuals at great risk of torture.

References

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- 2 Ibid. Article 2 (d); page 7
- 3 Concluding observations of the UN Committee Against Torture on the fourth periodic review of China, November 2008. <http://www2.ohchr.org/english/bodies/cat/docs/CAT.C.CHN.CO.4.pdf> Section C (11); page 3
- 4 Special Rapporteur on Torture Highlights Challenges at End of Visit to China, Press Release, 2 December 2005. <http://www.unhchr.ch/hurricane/hurricane.nsf/0/677C1943FAA14D67C12570CB0034966D?opendocument>
- 5 Jamyang Kyi's testimony can be read in English at <http://www.highpeakspureearth.com/2008/11/they-by-jamyang-kyi.html>
- 6 The UN Special Rapporteur on Torture's Report on China <http://www.freetibet.org/files/file/about/Nowak%20report.pdf> Para. 45; page 14
- 7 Free Tibet's written submission to the 41st session of the UN Committee Against Torture http://www2.ohchr.org/english/bodies/cat/docs/ngos/Free_Tibet_China_cat41.pdf or visit our website <http://www.freetibet.org/campaigns/submission-41st-session-un-committee-against-torture>
- 8 Concluding observations of the UN Committee Against Torture on the fourth periodic review of China, November 2008. <http://www2.ohchr.org/english/bodies/cat/docs/CAT.C.CHN.CO.4.pdf> Section C (11); page 3
- 9 Free Tibet uses the term 'Tibet' to refer to the three provinces known as U-Tsang, Amdo and Kham, which comprised Tibet before the Chinese invasion in 1949. The Chinese government's references to 'Tibet' they means only the Tibetan Autonomous Region (TAR) which was established in 1965 and comprises of U-Tsang and some parts of Kham. The Tibetan areas of Amdo and Kham were incorporated into the Chinese provinces of Gansu, Sichuan, Yunnan and Qinghai. The majority of the protests in the spring of 2008 took place in Amdo and Kham, outside the Tibetan Autonomous Region.
- 10 Written replies by the Government of the People's Republic of China to the list of issues (CAT/C/CHN/4) to be taken up in connection with the consideration of the fourth periodic report of China conducted by the Committee Against Torture (CAT) in 2008; http://www2.ohchr.org/english/bodies/cat/docs/CAT.C.CHN.Q.4.Add.1_en.pdf Article 2 (b); Page 5
- 11 The UN Committee on the Elimination of Racial Discrimination (CERD) (3 – 28 August 2009) requested "information on the measures taken to protect members of certain ethnic groups, including the Uyghur and Tibetans, from ill-treatment by State officials. What guarantees exist to ensure that allegations of such ill-treatment, including with regard to the detention and excessive use of force against ethnic Tibetans during the March 2008 events in the Tibetan Autonomous Region and neighbouring areas, are promptly, impartially and independently investigated."
- 12 In a written response to the UN Committee on the Elimination of Racial Discrimination (CERD) on 10 August 2009, China stated that 1,231 Tibetans in total had been released since April last year. A table produced by the US Congressional Executive Committee on China (CECC), quoting official Chinese sources demonstrates that China's reference to those released only refers to those individuals detained in Lhasa, but fails to account for the estimated 1,200 Tibetans arrested from other regions of Tibet reported in Chinese state media last year and summarized by CECC. <http://www.cecc.gov/pages/virtualAcad/index.phpd?PHPSESSID=cf73572b5a0849a0f20c2d81c51d4f72#id107985>
- 13 Concluding observations of the UN Committee Against Torture on the fourth periodic review of China, November 2008. <http://www2.ohchr.org/english/bodies/cat/docs/CAT.C.CHN.CO.4.pdf> Section C, 18 (A); page 8

- 14 The protests by the monks can be viewed on youtube <http://uk.youtube.com/watch?v=YnckD1ZaFU4>
- 15 Further information on this case, including a transcript of Jigme Gyatso's testimony, can be found at <http://www.freetibet.org/campaigns/political-prisoner-lama-jigme-gyatso-aka-guri>
- 16 Written replies by the Government of the People's Republic of China to the list of issues (CAT/C/CHN/4) to be taken up in connection with the consideration of the fourth periodic report of China conducted by the Committee Against Torture (CAT) in 2008; http://www2.ohchr.org/english/bodies/cat/docs/CAT.C.CHN.Q.4.Add.1_en.pdf Article 2 (d); page 6
- 17 The Ministry of Justice in 2007 directed courts not to rely on confessions on their own as sufficient evidence of guilt.
- 18 The UN Special Rapporteur on Torture's Report on China is available at <http://www.freetibet.org/files/file/about/Nowak%20report.pdf> see Summary, page 2
- 19 Ibid. page 12
- 20 Interview by Tibet Watch, 2005, name withheld to protect the interviewee
- 21 <http://www.freetibet.org/files/file/about/Nowak%20report.pdf> page 47
- 22 The Special Rapporteur also interviewed Jigme Gyatso and Lobsang Tsultrim, both convicted for political crimes.
- 23 For updated information on these cases please visit <http://www.freetibet.org/campaigns/political-prisoners>
- 24 *Special Rapporteur on Torture, Highlights Challenges at End of Visit to China*, Press Release, 2 December 2005, <http://www.unhchr.ch/hurricane/hurricane.nsf/0/677C1943FAA14D67C12570CB0034966D?opendocument>
- 25 Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Manfred Nowak, 10 March 2006, page 22 (E/CN.4/2006/6/Add.6). <http://www.freetibet.org/files/file/about/Nowak%20report.pdf> Para. 81, page 22
- 26 The website posting in Tibetan is available at: <http://zw.tibet.cn/news/>
- 27 Order of the Kandze Tibetan Autonomous Prefectural Government; translated in evidence provided to UN Committee Against Torture by Free Tibet, available at: http://www2.ohchr.org/english/bodies/cat/docs/ngos/Free_Tibet_China_cat41_annex2.pdf Part One, Article 2
- 28 Tibet: Special Focus for 2007, in the CECC 2007 Annual Report <http://www.cecc.gov/pages/virtualAcad/tibet/index.php> Section IV
- 29 http://www2.ohchr.org/english/bodies/cat/docs/CAT.C.CHN.Q.4.Add.1_en.pdf page 6
- 30 Ibid. page 6
- 31 The video footage was smuggled out of Tibet in March 2008 and is released in a documentary titled *Leaving Fear Behind*.
- 32 For updated information on Dhondup Wangchen's status please visit <http://www.freetibet.org/campaigns/free-dhondup-wangchen>
- 33 http://www2.ohchr.org/english/bodies/cat/docs/CAT.C.CHN.Q.4.Add.1_en.pdf page 4
- 34 Ibid. page 4
- 35 Ibid. page 4
- 36 Ibid. page 6
- 37 Concluding observations of the UN Committee Against Torture on the fourth periodic review of China, November 2008. <http://www2.ohchr.org/english/bodies/cat/docs/CAT.C.CHN.CO.4.pdf> Section C, 18 (A); page 9
- 38 Free Tibet's written submission to the 41st session of the UN Committee Against Torture http://www2.ohchr.org/english/bodies/cat/docs/ngos/Free_Tibet_China_cat41.pdf or visit our website <http://www.freetibet.org/campaigns/submission-41st-session-un-committee-against-torture>

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Free Tibet Campaign
28 Charles Square
London N1 6HT

T: +44 (0)20 7324 4605
E: mail@freetibet.org
W: www.freetibet.org
