Torture in Tibet 1949-1999

Medical aspects, consequences, and treatment approaches

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Editor’s preface

The Chinese invasion of Tibet started in 1949. The invasion marked the beginning of the Chinese occupation of Tibet, an occupation which has now lasted for 50 years. This period has been characterized by torture and other human rights violations, and therefore the Editorial Board of TORTURE has decided to dedicate a complete Supplement to the description of these atrocities.

The authors and their respective organizations all have an in-depth knowledge of the conditions in Tibet, and we are therefore pleased to be able to present these articles together, in this way emphasizing different aspects of the problem of torture in Tibet.

The Supplement is structured as follows:

The first article is a historical account of the status of Tibet as a country, seen from the perspective of international law.

The next five articles deal with various human rights aspects and are written by representatives from both Tibetan and international human rights organizations.

The following four articles describe the field of medical documentation of torture, as experienced by the Tibetan refugees before their flight from Tibet.

The last two articles are descriptions of two rehabilitation and training projects for traumatized Tibetan refugees. Both these projects are implemented in Dharamsala in northern India.

The Editorial Board wishes to thank all authors for their contributions. Special thanks are extended to His Holiness the Dalai Lama, who has been kind enough to write the preface to this Supplement.

It is our hope that this Supplement, published in remembrance of all those Tibetans who have suffered during the past 50 years, may assist in drawing attention to the continued use of torture and the violations of human rights which are still taking place in Tibet.

M.E.
Preface

By His Holiness the Dalai Lama

Publications such as Torture are very important, because I believe that one of the most powerful ways of opposing torture, wherever it may occur, is simply to draw attention to its existence. Consequently, I am particularly grateful to the IRCT for bringing out a supplement focussing specifically on torture in Tibet.

I come from the East and there are some who contend that we have a different concept of human rights. But I believe that all human beings are basically the same. We all want happiness. Whether we come from the east, west, north or south, we should all have the right to express our feelings, our opinions and to be free from arrest and torture. These things are truly universal.

In Tibet today, the situation remains as grim as ever. Tibet remains in a state of de facto martial law. The unending cycle of repression, torture and summary executions continues as before. Control on all aspects of Tibetan life has been tightened and several hundred monks and nuns have been taken from their monasteries and nunneries. The population transfer of Chinese into Tibet continues with alarming intensity, so that the whole country is being transformed into a Chinese area where Tibetans are becoming a powerless minority. There are orders that all political activities by Tibetans are to be suppressed immediately, with summary punishments, mostly torture and executions. The question of a trial, let alone defence for the accused, does not even arise.

In the international arena it is important constantly to remind China that she is a signatory to United Nations conventions and protocols. In these she agreed to the elimination of all forms of racial discrimination; of all discrimination against women; to the Convention on the Prevention and Punishment of the Crime of Genocide and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. These fundamental principles should be applied universally in Tibet.

On a more personal level, I have met Tibetans who have endured torture, virtual starvation and endless sessions of ‘thought reform’, but who, nevertheless, have refused to give in to their oppressors. That they found the courage to do so, and even to forgive those who tortured them, is a tribute not only to the natural resilience of the Tibetan character. I believe it also derives from the Buddhist teachings of love, kindness, tolerance and especially the explanation that all things are relative, which are a source of inner peace and hope.

Peace, in the sense of the absence of war, is of little value to someone who is dying of hunger or cold. Nor will it remove the pain of torture inflicted on a prisoner of conscience. Peace is effective only where human rights are respected, where the people are fed, and where individuals and nations are free.

As a Buddhist, I also believe that if you are imprisoned or tortured, you should not see your tormentors as your enemy, although this is difficult. It is important to have compassion for everybody, because everybody has the capacity to improve himself or herself. Our goal must be to help every person to be a positive member of the human family, therefore, I offer my prayers for the well-being not only of the victims of torture in Tibet and throughout the world, but also for the rehabilitation of those who torture them.
The Tibetan Government in exile, headed by His Holiness the Dalai Lama, has consistently held that Tibet has been under illegal Chinese occupation since China invaded the independent state in 1949/50. The People's Republic of China (PRC) insists that its relation with Tibet is a purely internal affair, because Tibet is and has been for centuries an integral part of China. The question of Tibet's status is essentially a legal following its armed invasion in 1949/50. Indeed, the PRC could hardly make that claim, since it categorically rejects as illegal claims to sovereignty put forward by other states based on conquest, occupation, or the imposition of unequal treaties. Instead, the PRC bases its claim to Tibet solely on the theory that Tibet became an integral part of China seven hundred years ago and has remained a part of China since then.

Early history

Although the recorded history of the Tibetan state can be traced back to 127 BC with the establishment of the Yarlung Dynasty, the country as we now know it was first unified in the 7th century AD under King Songtsen Gampo and his successors. Tibet was one of the mightiest powers of Asia for centuries that followed, as a pillar inscription at the foot of the Potala Palace in Lhasa and Chinese Tang histories of the period confirm. A formal peace treaty concluded between China and Tibet in 821/823 demarcated the borders between the two countries and ensured that, “between the two countries, no smoke or dust shall appear”. The two sides solemnly pledged that “the great era when Tibetans shall be happy in Tibet and Chinese shall be happy in China shall never be changed”.

Mongol influence

As Genghis Khan's Mongol Empire expanded towards Europe in the West and China in the East in the 13th century, Tibetan leaders of the powerful Sakya school of Tibetan Buddhism concluded an agreement with the Mongol Khan, Goden, in order to avoid the conquest of Tibet. The Tibetan Lama promised political loyalty and religious blessings and teachings in exchange for patronage and protection. The religious relationship became so important that when, decades later, Kublai Khan conquered China and established the Yuan Dynasty (1279-1368), he invited the Sakya Lama to become the Imperial Preceptor and supreme pontiff of his empire.

The relationship that developed and continued to exist into the 20th century between the Mongols and the Tibetans was a reflection of the close racial, cultural, and especially religious affinity between the two Central Asian peoples. The Mongol Empire was a world empire and, whatever the relationship between its rulers and the Tibetans, the Mongols never integrated the administration of Tibet and China or appended Tibet to China in any manner. In fact, the newest research of Chinese historical sources shows that the Mongol Yuan emperors did not, contrary to today's Chinese propaganda claims, consider Tibet to be an integral part of their empire.

Tibet broke political ties with the Yuan Emperor in 1350, before China regained its independence from the Mongols. Not until the 18th century did Tibet again come under a degree of foreign influence.

Relations with Manchu, Gorkha, and British neighbours

Tibet developed no political ties with the Chinese Ming Dynasty (1386-1644). The official Ming dynastic history, the Ming Shi, in fact acknowledges the Dalai Lama's authority over "the foreigners of the western countries". On the other hand, the Dalai Lama, who established his full sovereign rule over Tibet with the help of a Mongol patron, Gushri Khan, in 1624, continued to maintain very close ties with various Mongol princes. He also developed close religious ties with the Manchu Emperor in 1639, and with his successor, Shun hui, who conquered China and established the Qing Dynasty (1644-1911). The Dalai Lama agreed to become the spiritual guide of the Manchu Emperor, and accepted patronage and protection in exchange. This 'priest-patron' relationship (known in Tibetan as Che-yen), which the Dalai Lama also maintained with some Mongol princes and Tibetan nobles, was the only formal tie that existed between the Tibetans and the Manchus during the Qing Dynasty. It did not, in itself, affect Tibet's independence.

On the political level, some powerful Manchu emperors succeeded in exerting a degree of influence over Tibet. Thus, between 1720 and 1792, emperors Kangxi, Yong Zhen, and Qianlong sent Imperial troops to Tibet four times to protect the Dalai Lama and the Tibetan people from foreign invasions by Mongols and Gorkhas, or from internal unrest. These expeditions empowered the Emperor with the means to establish influence in Tibet. He sent representatives to the Tibetan capital Lhasa, some of whom successfully exercised their influence, in his name, over the Tibetan Government, particularly with respect to the conduct of foreign relations. At the height of Manchu influence in Tibet, the situation was not unlike that which can exist between a superpower and a satellite or proteccorate, and therefore one which, though politically significant, does not extinguish the independent existence of the weaker state.

This situation lasted a few decades. Tibet was never fully incorporated into the Manchu empire, much less China, and it continued to conduct its relations with neighbouring states largely on its own. This is not to say that Manchu emperors did not exert considerable influence in Tibet. Depending on the personality and abilities of his representatives in Lhasa (Ambans), he exerted decisive influence for short periods on the composition and decisions of the Tibetan Government.

Manchu influence, although at times very significant, did not last long. It was entirely ineffective by the time the British briefly invaded Lhasa and concluded a bilateral treaty with Tibet, the Lhasa Convention, in 1904. Despite this loss of influence, the Imperial Government in Peking continued to claim some authority over Tibet, particularly with respect to its international
relations, an authority that the British Government termed 'suzerainty' in its dealings with Peking and St. Petersburg. Imperial Chinese armies tried to reassert actual influence in 1910 by invading the country and occupying Lhasa. The Dalai Lama fled to British India, returning to Lhasa only when the troops had been expelled from Tibet. Following the 1911 revolution in China and the overthrow of the Manchu Emperor, the Imperial troops surrendered to the Tibetan army and were repatriated under two Sino-Tibetan peace accords signed in August and December 1912, respectively. The Dalai Lama reassured Tibet's full independence internally, by issuing a proclamation (1913), and externally, in communications to foreign rulers, including the British, Russian, and Chinese Governments, and in a treaty with Mongolia.

Tibet in the twentieth century

Tibet's status following the expulsion of Manchu troops is not subject to serious dispute. Whatever ties existed between the Dalai Lamas and the Manchu emperors of the Qing Dynasty were extinguished with the fall of the empire and dynasty. From 1911 to 1950, Tibet successfully avoided undue foreign influence, and behaved, in every respect, as a fully independent state. On the eve of the Chinese invasion, which started in 1949, Tibet possessed all the attributes of statehood recognized under international law: a territory, a people inhabiting that territory, and a government capable of maintaining international relations. Tibet had its own head of state and system of government, judicial system, taxation, currency, postage system (and stamps), a Foreign Office, and armed forces.

Tibet maintained diplomatic relations with Nepal and Bhutan, with Mongolia and Russia to a very limited extent, and extensively with Britain and later with independent India. Relations with China remained strained. The Chinese waged a border war with Tibet while China's president repeatedly and formally urged Tibet (and Nepal) to join the Chinese Republic, thus admitting that Tibet was not, at the time, a component part of China. Yet, at the same time, to the rest of the world China all along claimed that Tibet was already one of China's 'five races'.

In an effort to reduce Sino-Tibetan tensions, the British Government, on the initiative of the Dalai Lama, convened a tripartite conference in Simla in 1913 at which the three states met on equal terms. As the British delegate reminded his Chinese counterpart, Tibet entered the conference as "an independent nation recognizing no allegiance to China". The conference was unsuccessful in that it did not resolve the differences between Tibet and China. It was nevertheless significant in that Anglo-Tibetan friendship was reaffirmed with the conclusion of bilateral trade and border agreements. In a Joint Declaration, Great Britain and Tibet bound themselves not to recognize Chinese suzerainty or other special rights in Tibet unless China signed the draft Simla Convention which would have guaranteed Tibet's greater borders, its territorial integrity, and full autonomy. However, China never signed the Convention, leaving the terms of the Joint Declaration in full force. The Simla Conference constituted a recognition by both Britain and China of Tibet's sovereignty and of its capacity to negotiate and enter independently into treaties on an equal basis with other states.

Tibet conducted its international relations primarily by dealing with the British, Chinese, Nepalese, and Bhutanese diplomatic missions in Lhasa, but also through government delegations travelling abroad. When India became independent, the British Mission in Lhasa was replaced by an Indian one. The Indian Government sent the following communication to the Government of Tibet:

"The Government of India would be glad to have an assurance that it is the intention of the Tibetan Government to continue relations on the existing basis until new agreements are reached on matters that either party may wish to take up. This is the procedure adopted by all other countries with which India has inherited treaty relations from His Majesty's Government." (my italics)

During World War II Tibet remained neutral, despite strong pressure from the United States, Britain, and China to allow passage of military equipment through Tibet. Had Tibet been a part of China, as China today claims, Tibet could not have declared neutrality in a war in which China was a belligerent, nor would its neutrality have been respected, as it was, by other powers.

Tibet never maintained extensive international relations, but the countries with which it did maintain relations treated Tibet as they would any sovereign state. Its international status was in fact no different, say, from that of Nepal. Thus, when Nepal applied for membership to the UN in 1949, it cited its treaties and diplomatic relations with Tibet to demonstrate its full international personality. Even the last official Chinese Head of Mission in Lhasa, Shen Zonglian, who was asked by the Tibetan Government to leave the country when China turned Communist and Mao Tse-tung declared his intention to 'liberate' Tibet, conceded that "since 1911 Lhasa [i.e. Tibet] has for all practical purposes enjoyed full independence".

The invasion of Tibet

The turning point in Tibet's history came in 1949, when the People's Liberation Army of the PRC first crossed into Tibet. After defeating the small Tibetan army and occupying half the country, the Chinese Government imposed the so-called '17-Point Agreement for the Peaceful Liberation of Tibet' on the Tibetan Government in May 1951. Because it was signed under duress (the invasion of Tibet had started, the Tibetan army was defeated, and China threatened to advance onto Lhasa if its terms were not agreed upon), the agreement lacked any validity under international law; it was void ab initio. The presence of 40,000 troops in Tibet, and the prospect of the total obliteration of the Tibetan state, left Tibetans little choice. At his first opportunity to do so in freedom, when he set foot in India following his escape in 1959, the Dalai Lama repudiated the agreement.

Conclusion

Tibet, on the eve of the Chinese invasion, was a fully independent country. During the course of Tibet's 2,000-year history, the country came under a degree of foreign influence only for short periods in the 13th and 18th centuries. Few independent countries today can claim so impressive a record. As the Ambassador of Ireland to the UN, and later Irish Foreign Minister, Frank Aiken, remarked during the General Assembly debates on the question of Tibet (1961), "for thousands of years, or for a couple of thousand years at any rate, [Tibet] was as free and as fully in control of its own affairs as any nation in this Assembly, and a thousand times more free to look after its own affairs than many of the nations here".

Numerous other countries made statements in the course of the UN debates (in 1959, 1960, 1961, and 1965) that reflected similar recognition of Tibet's independent status. Thus, for example, the delegate from the Philippines stated: "It is clear that on the eve of the invasion in 1950, Tibet was not under the rule of any foreign country." The delegate from Thailand reminded the General Assembly that the majority
of states "refute the contention that Tibet is part of China". The United States joined most other UN members in condemning the Chinese 'aggression' and 'invasion' of Tibet. In 1959, 1960, and 1961, the UN General Assembly passed resolutions (1353 (XIV), 1723 (XVI), and 2079 (XX)) condemning Chinese human right abuses in Tibet and calling on China to respect and implement the human rights and fundamental freedoms of the Tibetan people, including their right to self-determination.

From a legal standpoint, Tibet has to this day not lost its statehood. It is an independent state under illegal occupation. Neither China’s military invasion nor the continuing occupation has transferred the sovereignty of Tibet to China.

As pointed out earlier, the Chinese Government has never claimed to have acquired sovereignty over Tibet by conquest. Indeed, China recognizes that the use or threat of force (outside the exceptional circumstances provided for in the UN Charter), the imposition of an unequal treaty or the continued illegal occupation of a country can never grant an invader legal title to territory. Its claims are based solely on the alleged subjection of Tibet to a few of China’s strongest foreign rulers in the 13th and 18th centuries. Such assertions, based solely on re-interpretations and distortions of past imperialist or colonialist claims, would never stand in a court of law.
Introduction

The report "Behind bars: Prison Conditions in Tibet" has been collated primarily on the basis of 22 interviews that were conducted in the first half of 1998 in Dharamsala, India. All the interviewees are former Tibetan political prisoners who have been living in exile for periods ranging from 11 years to less than one year. They were chosen so as to provide accounts of a selection of prisons and time periods, although greater emphasis is given to Drapchi Prison and Gursa Detention Centre as the penal institutions in which most prisoners are held. Accounts from the last ten years are emphasised to make the report relevant to the present treatment of political prisoners. The report is limited in its scope to the treatment received by political prisoners, as they are the only sample of prisoners readily available for interviews. While the information has been compiled solely on the basis of interviews, it has been cross-checked to the extent possible.

Medical treatment of political prisoners in Tibet

Former prisoners consistently complained that they were unable to get adequate or appropriate medical care. An alarming number of the interviewees had been released on medical parole into hospital care as the prison clinics were unable to provide them with sufficient care. The prisons appear to all have clinics, staffed by either doctors or nurses, but frequently the clinic staff seemed to simply dispense medicine rather than perform check-ups. Concerningly, the medicine that was handed out was often outdated and inappropriate for the symptoms complained of. Many former prisoners reported that the clinics only had one or two types of medicine and that no matter what symptoms they complained of they were given either painkillers or sleeping pills. Many of the interviewees believed that they received a lower standard of medical care because they were political prisoners.

The limited level of medical care available at the prisons was apparent from the way prisoners were treated if they developed a serious illness or complications. If they were lucky enough to receive treatment, and unfortunately some died from inadequate or belated treatment, the prisoners were taken to one of Lhasa's hospitals where they were kept until they showed signs of recovering. One example of a prisoner's death whilst in custody is that of Lhakpa Tsering, who died in December 1990, probably from inadequate medical care after beatings that caused internal injuries. His death led to a protest that all the political prisoners at Drapchi Prison participated in. Several interviewees also reported the death of Tsamla, a Lhasa businesswoman in her thirties, who died on August 25, 1991, some months after her early release from a three-year sentence. The exact cause of her death is not known but she sustained damage to her internal organs, probably from repeated and brutal beatings whilst in prison. She had been sent to the hospital for exploratory surgery shortly before her release, which supposedly was for "good behaviour" but more likely was because prison authorities did not want her to die in prison.

A recent case of a political prisoner dying in prison is that of Ngawang Deley, a 25-year-old nun, who died on January 21, 1998 after being hospitalised for 16 days. Prior to being taken to Lhasa Regional Military Hospital on January 5, 1998, she had been serving a six-year prison sentence at Drapchi Prison. The topden who performed her sky burial reportedly said that: "From the injury marks it looked as though the deceased had received severe beatings and as a result blood had entered the circulatory veins of the brain, turning it red and blue. The red and blue colours on the shoulder blades also indicated severe beatings." While Ngawang Deley was admitted to hospital, it was evidently too late to save her life.

Article 54 of the People's Republic of China (PRC) Prison Law stipulates:

"A prison shall be equipped with a medical installation as well as facilities for daily healthcare. It shall establish a system for the inmates' living and sanitation facilities."

Similarly, Article 26 of the PRC Detention Centre Regulations provides:

"A detention centre shall be equipped with the necessary medical instruments and common pharmaceutical products. An inmate falling ill shall be given timely care; one in need of hospitalisation shall be given prompt treatment by the local hospital; one whose illness is serious may be released on bail pending trial, in accordance with the law."

Prisoners who were hospitalised were generally accompanied to the hospital by prison guards and, in some cases, were even handcuffed to the hospital bed. If the hospitalised prisoners did not show any signs of improvement, their families were generally made to sign a document saying that they would take responsibility for them. Such "responsibility" meant paying for the total cost of their medical care from the date the responsibility letter was signed. A disturbing number of interviewees were hospitalised following beatings. In such cases it is even more abhorrent that prisoners' families were made to bear the financial burden of their medical care. If hospitalised prisoners did recover, they were returned to the prison from which they had been released on parole.

Behind bars: prison conditions in Tibet

Tibetan Centre for Human Rights and Democracy

The Tibetan Centre for Human Rights and Democracy (TCHRD) is a non-governmental organisation founded in January 1996 and registered under the Indian Societies Registration Act on May 4, 1996. The Centre was established in response to a need for effective monitoring of the human rights situation in Tibet and the promotion of democracy in the Tibetan community. TCHRD relies primarily on testimonials provided by Tibetan refugees in India, in addition to sources within Tibet and other concerned human rights groups.
Prisoners seemed to generally suffer either from injuries resulting from beatings or from illnesses resulting from the unhygienic conditions they were kept in. Ex-prisoners also complained that they had a lot of difficulty digesting the normal prison food when they were ill but that they had nothing else to eat. A number of prisoners reported that when they were ill and hospitalised their families had difficulty recognising them. This is a clear indication of the poor health of many prisoners.

A further disturbing feature of prison life is the extraction of prisoners’ blood. Almost all political prisoners who were interviewed reported that their blood was extracted and that none of them were asked for their consent to the procedure. The amount taken varied from approximately 200 ml. to over one litre. No one was given a satisfactory reason for the blood extraction – prisoners were sometimes told that they were having a check-up but the amount of blood taken and the fact that it was often only taken from Tibetan political prisoners rather than Chinese prisoners makes this questionable. Article 7 of the International Covenant on Civil and Political Rights provides: “... In particular, no one shall be subjected without his free consent to medical or scientific experimentation.”

Given that none of the prisoners knew why their blood was extracted, and certainly never heard any results of the ‘tests’ it is possible that it was either taken for experimental purpose or to punish the prisoners. Either possibility is clearly inappropriate and the practice of extracting prisoners’ blood should be stopped immediately.

Rule 22 of the UN’s Standard Minimum Rules for the Treatment of Prisoners provides:

“22. (2) Sick prisoners who require specialist treatment shall be transferred to specialised institutions or to civil hospitals. Where hospital facilities are provided in an institution, their equipment, furnishings and pharmaceutical supplies shall be proper for the medical care and treatment of sick prisoners, and there shall be a staff of suitable trained officers.”

Former prisoners routinely reported that they were not examined or checked in any manner when they complained of illness or injury. If the prison staff believed their complaints, they were simply given sleeping pills or painkillers, a far cry from the standards contemplated in the Rules.

Rather than receiving appropriate medicine, the prisoners were often given drugs that were many years past their ‘use by’ date.

A large number of the interviewees still suffer medical problems arising from injuries and illnesses that they sustained in prison.

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The editorial board of Torture thank the Tibetan Centre for Human Rights and Democracy for permission to publish this chapter from the report “Behind bars: Prison Conditions in Tibet”. The complete document can be obtained from the Tibetan Centre for Human Rights and Democracy.

Auspicious drawing
The auspicious drawing symbolizes the mutual dependence of religious doctrine and secular affairs. Similarly, it represents the union of wisdom and method, the inseparability of emptiness and dependent arising at the time of path, and finally, at the time of enlightenment, the complete union of wisdom and great compassion.
Torture in Tibetan prisons and detention centres

Jane Caple

Introduction
This article examines the extent to which torture is still common practice within Tibetan prisons and detention centres. The article includes analysis of the methods and uses of torture, the type of individual who becomes a target for maltreatment, as well as procedures in place to prevent torture. It shows that the continuation of the practice of torture in Tibet has not been curbed, despite the official position held by the Chinese government that torture is illegal and dealt with firmly when it does take place.

Due to the political situation in Tibet, and therefore the difficulty in obtaining information, it is not possible to monitor the treatment of every prisoner closely. Most first-hand testimonies refer to events occurring one or two years previously, due to the time lapse between detention and arrival in exile. It is therefore very difficult to estimate the extent of the practice of torture and to provide exact numbers of cases of maltreatment.

In this article, information that has been received has been used to assess the general patterns in the cases that are known. Some analysis has also been made of the general situation in Tibet.

The most detailed account of torture given by a Tibetan in recent years is that of the young monk Bagdro, who was arrested in April 1988 after one of the major demonstrations in Lhasa. He served three years in prison before escaping to India following his release in 1991. Bagdro’s account gives an insight into interrogation procedures during detention, the trial process, and imprisonment after sentencing in Tibet during this period. Bagdro, who was 20 at the time of his arrest, was accused of involvement in the death of a Chinese policeman. He was tortured severely for the first 31 days of his detention, until he confessed to hitting a policeman with an iron bar.

Torture methods that he suffered included: use of electric batons on sensitive areas of the body, including in the mouth; suspension by the arms; enforced standing for three days and nights outside with arms stretched in front of the body; deprivation of food, leading to severe malnutrition; and “chin on chair”, which he described as the worst form of torture he endured.

“You had to bend down with your hands on the ground. Then they made you put your chin on the chair. Because of the handcuffs I could not bend my hands properly so they trod on my hands to flatten them. It was terribly painful—also at my neck because my chin was jerked up in the chair. I remember screaming for my mother. Then they put electric prods on my neck, below the ear on both sides. The torture was mainly to my head and down the back of my neck; generally the batons were not applied to my anus or genitals. They pulled my shirt up and kicked me in the back. Their boots were metalled ... This torture session went on through the day."  

The combination of bending over, being hit, and being burnt by the electric shocks was worse than any other experience, according to Bagdro. “This session and the position I was put in was actually the worst of all of them. I begged them to kill me. Three times I pleaded with them to do this. I said that I had nothing to tell them. They held me a whole day with no food or water. In the end I was vomiting blood. I lost consciousness twice and was revived back with water. I was asked questions until sunset.”

Bagdro spent until January 1989 (nine months) in detention before his case came to court. His testimony states that the judges at the trial were aware that he and his co-defendants were tortured in order to extort their confessions. Soldiers in the courtroom physically prevented the defendants from speaking about the torture they had suffered, and subjected them to beatings as punishment afterwards. After sentencing, Bagdro was transferred to Drapchi prison, Tibet’s number one prison, where the beatings and maltreatment continued. On one occasion, all the Tibetan prisoners in the prison had their blood taken involuntarily. Bagdro’s testimony is one of the most detailed accounts of torture Tibet Information Network (TIN) has received during the past decade.

1993-present day
According to testimonies from refugees and information from within Tibet, the commonest forms of torture in Tibet still appear to be beating and use of electric batons. Torture methods that do not leave physical marks are also frequently used, including forced standing, threats of death, exposure to extreme temperatures, and deprivation of food and sleep, particularly during interrogation. Placing prisoners in solitary confinement for long periods is very common, and there are reports that this has resulted in deterioration of mental health and damage to eyesight.

Political prisoners in Tibet appear to face particularly harsh treatment because they pose the greatest threat to the authorities in their refusal to comply and reform. Individuals who are regarded as political activists continue to be detained and arrested for activities including the organization of and participation in protests, refusal to criticize the Dalai Lama, and chanting pro-independence songs. Tibetans who try to send information out of Tibet, and those seeking to escape into exile are also detained and imprisoned. It is from this group of detainees that cases of torture and abuse within detention centres and prisons are most often reported.

Before they are formally “arrested”, prisoners generally undergo intense interrogation to secure confessions for use during their trial, and to gain information about other dissidents. The Chinese saying that “if you confess it will mean leniency; if not then punishment will be severe”, which was used during the Cultural Revolution and is still used now, expresses the pressure brought to bear on prisoners to make
confections, and the repercussions of a refusal to comply. Despite the removal from law of the practice of shelter and investigation, it is still legal to detain suspects for 44 days before formal arrest under the new criminal laws. This means that prisoners who undergo interrogation in detention centres such as Gutsa, just outside Lhasa, frequently endure more severe torture than those who have already been sentenced. In October 1996, for instance, a 25-year-old artist, Yungdruk, was found in a public toilet in Lhasa in a severe state of shock after being released from detention. He had allegedly spent 58 days at Gutsa and was apparently unable to recognize his friends and did not know where he lived. Yungdruk had been arrested because he specialized in painting portraits of the Dalai Lama.

Badza Thrinley, a 30-year-old monk from Labrang monastery in Amdo (eastern Tibet, now incorporated into the Chinese provinces of Qinghai and Gansu), was first arrested in 1993 for pro-independence activities. Released on condition that he would act as an informer, he was harassed by the police for a year and then arrested again in July 1994. He was taken to a detention centre and tortured in order to extract a confession. His testimony gives some indication of the various methods of torture used:

"The torturing began every day at 8 am in the morning and went on until 9 pm in the evening. They adopted all sorts of methods to torture me in the most severe manner. My hands were tied at the back in a most painful manner and they put electric rods in my mouth. They put wood slabs between my legs and made me kneel for hours. In addition to this, I received countless numbers of slaps and kicks throughout the day. It was the 11th month, which is the coldest month in the Amdo calendar. Every morning before the sun rose, I was subjected to two hour cold baths. I was told to strip myself completely naked and then they kept on pouring buckets of icy cold water on me until I completely blacked out. Sometimes I was subjected to a treatment where they used a sharp thin bamboo and they hit with that bamboo all over my body. After some time, my whole body became like chicken, that is to say, very blue with patches of white. Sometimes they used to bring me in front of a red glowing fire place if they felt I was about to faint after throwing countless buckets of ice cold water. They gave me this type of torture for 15 days. I was also fed very poorly with two glasses of black tea and some meagre food. I was almost starving because sometimes if I could chew a single pea, I used to feel very happy."

He stated that after four months of 'rigorous' torture he was transferred to another detention centre, where he was deprived of sleep for 14 days. His trial did not take place until he had been in detention for two years and three months, when he was given two years and seven months. Having already served most of his sentence before his court case, he was released four months later, on 27 January 1997. A year later he escaped to India.

Torture is routinely used in Tibet in order to extort confessions and gain information. It is also a form of punishment in prisons and labour camps for any form of dissident or non-cooperative behaviour, including overt political actions, such as involvement in protests, and disobeying prison rules. Lobsang Shakya, a Tashilhunpo monk detained for over two months at the end of 1995 and now in exile, testified that he was kicked and suspended upside down when he refused to denounce the Dalai Lama while in prison. In the same year, Ngawang Pekar, a 34-year-old Drepung monk, was placed in solitary confinement for four months and received a six-year sentence extension after being found with a list of names of Drapchi prisoners whom he was trying to smuggle out of the prison.

Protests among prisoners at Drapchi prison
Protests in Drapchi prison on 1 and 4 May 1998 indicate a continued determination among political and criminal prisoners to take political action, despite knowing that the consequences are torture, extended sentences, even death. Their participation under such circumstances also suggests a certain level of despair among prisoners, who know that, even when they are released from detention, they will not be free. Monks and nuns will not be able to return to their monasteries and nunneries, and lay prisoners continue to be harassed and subjected to suspicion by the authorities following their release.

In May 1998, reports received by TIN indicated that prisoners in Drapchi knew that an official visit by a European Union delegation was forthcoming. On 1 May, the prison authorities held a flag-raising ceremony to prepare for the visit, and criminal and political prisoners united in shouting slogans in support of Tibetan independence and the Dalai Lama. Prisoners who took part were severely beaten by prison guards. On 4 May, prisoners attending a smaller meeting again began to shout pro-Dalai Lama slogans, and this time the repercussions were far more severe. Following torture and beatings, at least five nuns and three monks died. The EU troika delegation that visited Drapchi on 4 May was not aware of the protests or of the subsequent deaths of prisoners until informed by TIN.

The May protests called into question the role of delegations that visit Tibetan prisons. Following the incident, the UN Commissioner for Human Rights, Mary Robinson, took the unprecedented step on her visit to Tibet in September 1998 of deciding not to visit Drapchi prison because of concern about the repercussions for prisoners.

Following the Drapchi incident, monks and nuns suffered particularly severe treatment, which appears to be because they were singled out as ringleaders of the protests. Monks and nuns have played a central role in the independence movement since the late 1980s; they are frequently the initiators of protests both inside and outside prisons. Monks and nuns feel a responsibility to act politically because they see themselves as protectors of Tibetan Buddhism, a concept that is inextricably linked to Tibetan nationalism, and they have no dependants such as spouses or children.

Ngawang Sangdrol, a 22-year-old Guru nun, is an example of a prisoner who continues to express dissent while inside prison, despite suffering extremely severe consequences. She was first arrested in 1992 and sentenced to three years for her involvement in a pro-independence demonstration. In June 1993, with thirteen other nuns, she sang and recorded nationalist songs in prison, resulting in an extension of her sentence by six years. In July 1996, she received a further extension of nine years, making her total sentence eighteen years, for shouting a slogan, refusing to tidy her bedding, and not standing up when an official entered her room. At the time of writing, Ngawang Sangdrol is reportedly in a serious condition after she was beaten severely following involvement in the Drapchi protests.

TIN has received unconfirmed but reliable information that two other nuns in Drapchi prison, Nyima and Jamdro, have been kept in solitary confinement for 18 months. This is said to be a punishment for the singing of independence songs in prison while other prisoners were singing an eulogy to Mao under the instruction of the authorities during the Losar (Tibetan New Year) celebrations from 8-10 February

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1997. There are also unconfirmed reports that they are to remain in solitary confinement instead of having their sentences extended. Nyima is due to be released in 1999, and Jamdron in 2002. This illustrates very clearly the intolerance of the authorities to behaviour that is considered disruptive and politically dangerous.

Protest and dissent within the prisons usually involves political prisoners, but common-law prisoners were also involved in the Drapchi protests May 1998. The strong sense of unity among criminal and political prisoners during the 1 and 4 May incidents, reported by several unofficial sources, is likely to cause concern for the Chinese authorities, which have traditionally separated these two categories of inmate in different units of Drapchi prison due to fears that prisoners of conscience would influence criminals with political ideas. Male political prisoners are kept in the "fifth division", or unit, and female political prisoners are held in the "third division", carefully separated from criminal prisoners. For this reason prison officials appear to have been particularly harsh with criminal prisoners for supporting ideas usually only expressed by political prisoners, and also immediately to have isolated and interrogated political prisoners involved in the demonstrations on 1 and 4 May. "The event in Drapchi shows the unity among political and other prisoners of Tibetan nationality with the common cause of a free Tibet", an unofficial source reported to TIN.

In October 1997, a criminal prisoner, Sonam Tsewang, made a protest in the presence of an official delegation, the UN Working Group on Arbitrary Detention. When delegates entered the room, Sonam Tsewang, a convicted rapist, had shouted "Long live the Dalai Lama". He was reportedly beaten and put into solitary confinement following his protest.

In 1995, Lodro Gyatso, a criminal prisoner sentenced to 15 years for murder, had his sentence extended by six years for the political offence of distributing pro-independence leaflets in prison.

Deaths as a result of torture
Since 1987, more than 12 Tibetans have died shortly after leaving prison. Their deaths are believed to be a direct result of maltreatment during detention. Yeshe Samten, a 22-year-old monk, died on 12 May 1998 as a result of torture, six days after his release from prison. He had been arrested after a demonstration against a ban on the display of Dalai Lama pictures on 6 May 1996 at Ganden monastery, just outside Lhasa. He received a two-year sentence, which he began at Gusas detention centre before being moved to Trisam detention centre in July 1996. After his release on 6 May 1998, he had to walk on crutches as a result of injuries, which included two broken ribs. He died a week later.

There are also recent accounts of individuals dying in prison as a result of torture, such as the prisoners involved in the Drapchi protest. In addition to these, TIN has received reports of the death of at least three other monks under suspicious circumstances since the beginning of 1996. Sangye Tenphel, a 19-year-old monk, died in Drapchi on 6 May 1996 reportedly as a result of beatings by prison guards. On 5 July 1996, Kelsang Thutop, a 49-year-old monk from Drepung, died in Drapchi prison after suffering physical abuse and malnourishment. Tenchog Tenphel died at Sakya monastery local county prison on 14 September 1998, a fortnight after his arrest at a patriotic education session. He was reported to have argued with officials and died after torture. The police say that his death was the result of suicide, but his body appears to have been cremated without an autopsy.

When political prisoners die in custody, the official line is usually that the individual committed suicide or that they had a serious medical condition unrelated to prison conditions. In some cases the bodies of the prisoners are cremated before an autopsy can take place. There is also evidence of the coercion of family members to certify that death was caused by suicide — circumventing a clause in the 1994 Prison Regulations that gives a prisoner's family the right to question the medical evaluation. However, the official response to international inquiries about the deaths of prisoners in Tibet has been a denial either of the existence of the prisoner or of the deaths of prisoners. China's Religious Affairs Bureau stated that the report on the death of Yeshe Samten was "sheer nonsense" and "slander". In the case of the deaths at Drapchi, unconfirmed reports from within Tibet indicate that the authorities are claiming that the nuns committed suicide. They have given an entirely different response to Western governments querying the deaths. When a delegation of politicians from the European Democratic Union presented a list of the Tibetans believed to have been killed following the Drapchi protests to officials in the Justice Bureau in Lhasa during their visit to Tibet in September 1998, they were told that there had been a disturbance at the prison but that nobody had been hurt or killed. This instance is one of many examples indicating that Western governments are not given exact information by the Chinese authorities about the extent of torture in Tibet.

Legislative changes in China
"Torture is forbidden in Chinese prisons. The authorities look after prisoners in accordance with the laws and treat them with humanitarianism." Ma Yuzhen, Chinese Ambassador to the UK.

The last decade has seen rapprochement between the Chinese and Western governments. As China has opened up economically to the West, it has been under pressure to bring about political reform, including the implementation of measures to bring China into line with international agreements on human rights. In 1988, China ratified The UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Most recently, on 5 October 1998, China signed the International Covenant on Civil and Political Rights, Article 7 of which states that: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." In the last decade there have also been changes in Chinese legislation, including the 1994 State Compensation law, the 1994 Prison Regulations, and the amended Criminal and Criminal Procedure Laws (1997).

In Article 14 of the 1994 Prison Regulations, the following acts by prison personnel are prohibited:

- the extortion of confessions through torture or inflicting corporal punishment on or maltreating prisoners
- subjecting prisoners to indignity
- beating up prisoners or failing to take action when other people beat up prisoners.

However, if one looks at the Criminal Law, it is clear that not all these actions constitute crimes. The amended criminal law, like the old law, deems as criminal the use of torture by judicial workers to extort confessions (Article 247). A new clause is also included that deals with the physical abuse of prisoners by supervisory and management personnel of prisons (Article 248). But even in these cases, a distinction is made within the law as to whether the case is 'serious', and
no explanation is given as to what the term 'serious' actually means.

In addition to changes in legislation and the signing of international documents, the Chinese government has made other gestures towards the enforcement of the law regarding torture. There have been cases of the arrest of security personnel for abuse of their powers, and even some instances where this has resulted in the death sentence. For example, in March 1995, five Public Security officers, including the former vice-director of the Public Security Bureau (PSB) in Changzi, Shanxi province, were sentenced to death for using torture during interrogations. In July 1998, a report in Ming Pao, a Hong Kong daily paper, stated that about 50,000 public security personnel were dismissed on charges that included extortion of confessions by coercion, and abuse of power.

There are no known cases of the death sentence being imposed on security personnel for abuse of power and use of torture in Tibet, but a case of a policeman being brought to trial is known. In April 1996, it was reported in the Chinese press that Chundag, the head of the Kyirong County police force in southern Tibet, was tried for the torture of a Tibetan woman. He had apparently acted with two other policemen, and on the orders of a court official. He was also convicted of illegally detaining four officials for 87 hours. However, it is not clear whether his accomplices were charged, and Chundag himself was only given a suspended sentence.

In July 1998, a Lhasa television broadcast reported the issue of a notice by the regional public security department that requested the public to supervise and report on acts including “violating the legal procedures, abusing power, extorting confessions by coercion, or illegally restricting personal freedom in law enforcement”, when these acts are carried out by public security organs, or by public security and people’s armed police cadres. To enable this to be implemented, the PSB has set up a hotline for the public to telephone and has designated one day per month as the ‘reception day’ of the PSB director, when the public may go to the PSB’s exit and entry administration office to make reports.

It is, however, unlikely that prisoners will have access to a telephone for the hotline while in detention, let alone the freedom to go to the PSB on the designated day each month. In addition, individuals who have been maltreated are possibly too frightened to make a request to prison officials to take advantage of the notice. It is possible that the notice serves as a medium for prisoners’ families to make complaints on behalf of their relatives, and it does show an increased attempt by the authorities to create a façade of legitimacy.

However, as can be seen from the previous section, there are still insufficient procedures in place to prevent torture, and there is also a large gap between the changes that have been made to Chinese law and the actual implementation of these changes. In addition there is no evidence that any progress has been made in implementing international agreements to which China has become a signatory.

The response from the West

The European Union decided not to table or support a resolution against China at the annual meeting of the UN Commission on Human Rights in March 1998. A statement was issued to the effect that neither the Presidency nor member states should do so due to “the first encouraging results of EU-China human rights dialogue”. More than 65 official delegations have visited Tibet in the last seven years from countries including Austria, Germany, Italy, Nepal, and Japan. Some consider this a positive sign of the liberalization of China. However, others are concerned that China has used these visits as propaganda opportunities, while apparently continuing the suppression of dissidents and maintaining procedures that do not conform to international standards of legislation and human rights.

Under the current policy of ‘bilateral dialogue’, the West appears willing to credit the Chinese government for any official movement on human rights, such as changes in legislation and their signing of the UN International Covenant on Civil and Political Rights, despite the fact that, shortly after signing the Covenant, a Chinese governmental human rights body issued the following statement:

“Since China did not participate in drafting the covenant, and its national conditions differ from those in other countries, the Chinese government will pay attention to the issues of how to implement the covenant and how to adapt it to China’s existing laws and regulations. The society will also pay attention to these issues.”

This suggests that China may intend to adapt the agreement, rather than its own laws and regulations, in a way that might undermine the international and universal nature of such covenants and the rights contained therein.

Western leaders such as Tony Blair and Jacques Santer have recently congratulated China on the progress it has made in human rights, but there is no real evidence of any such improvement in Tibet. In fact there is evidence that government policy is becoming increasingly hard-line. The death of at least eleven prisoners following the Drapchi protest in May 1998 proves that the Chinese authorities are continuing to act without fear of accountability to the West. Western governments are being very tentative about acting on reports of continued abuse when they are published by groups such as TIN, and China is not being held accountable for suppression of dissent or the use of torture. The West, through its silence on incidents such as the protests at Drapchi, is giving a signal to the Chinese government that it can continue to behave in one way at a practical level, as long as it continues to engage in dialogue with the West and improve its international image by making concessions to international demand by altering legislation and signing agreements (1). The Chinese government continues to emphasize the differences in Western and Asian conceptions of human rights, the former individualist, the latter communal. While stressing the importance to China of basic rights of survival, freedom from poverty, and social stability, the official Chinese attitude remains that some human rights issues are still the internal business of individual nations. An indication of this attitude is found in a press release issued just two weeks after the signing of the UN International Covenant on Civil and Political Rights, which states that: “Although the criteria for human rights are at least in principle of universal significance, the focus and way each nation realises related goals vary due to significant differences in history, culture, social systems and economic development. As a matter of fact, only the government and the people of a nation are qualified to comment on human rights conditions in their own countries.”

Conclusion

While China may appear to have made sufficient changes to reduce the occurrence of torture from accepted practice to one of isolated incidents, human rights abuses, including the widespread use of torture, continue unabated in Tibet. Sufficient measures are not in place to curb the abuse of power by security personnel, and the use of torture still appears to be unofficially accepted at the higher levels of China's state apparatus.
References


Note

(1) The report “From principle to pragmatism: can ‘dialogue’ improve China’s human rights situation?” by Human Rights in China (HRIC) discusses the effectiveness of bilateral dialogue between the Chinese and other governments, charting the development of bilateral relations and focusing on the 1997 visit to Tibet by the UN Working Group on Arbitrary Detention as a case study to highlight HRIC’s concerns about current methods of dealing with China regarding human rights.

Victory banner

The victory banner symbolizes the victory of the activities of one’s own and others’ body, speech, and mind over obstacles and negativities. It also stands for the complete victory of the Buddhist Doctrine over all harmful and pernicious forces.
Amnesty International reports on torture and ill-treatment in Tibet

Jacob Lykke

Introduction
Numerous Amnesty International (AI) reports indicate continuous massive human rights violations in Tibet, including ill-treatment, torture, and death of prisoners during or immediately after detention. This article is a brief summary of reports from the past ten years.

Torture during interrogation
It has been documented that torture and ill-treatment during interrogation are very common, including beating, electric shocks, deprivation of food and/or drink, exposure to cold, handcuffing and shackling for long periods, and denial of medical treatment. The reports indicate that the pattern of torture and ill-treatment of Tibetan detainees is continuing, and that the responsible officers are not brought to justice.

Torture in prisons and detention centres
Reports, including testimonies by former detainees and relatives of detainees who have left Tibet illegally, point out that many Tibetan detainees kept in police stations, detention centres and prisons have been subjected to systematic torture and/or ill-treatment. Some of the most frequently reported torture methods are severe beating; shocks with batons on the genitals, the soles of the feet or in the mouth; and the use of handcuffs, shackles, or ropes to secure prisoners in positions deliberately intended to inflict pain. Deprivation of sleep or food, exposure to cold, and being made to adopt exhausting physical postures are also commonly reported.

Death of prisoners
According to AI, at least 11 prisoners of conscience died in prison or shortly after release during 1987-1995. Four of them, who all died shortly after release from prison, were Tibetan nuns below the age of 26. A fifth nun, who was serving a three-year sentence for her part in a demonstration in 1993, was transferred from Drapchi Prison to a hospital in January 1995 shortly before she died of kidney problems (beating in the kidney regions can cause direct fatal damage to the kidneys, as well as rhabdomyolysis after massive muscle destruction). The Chinese authorities have not given adequate explanations for the deaths, and have not undertaken appropriate investigations into these unexpected deaths of young previously healthy women.

Torture and ill-treatment of juvenile detainees
Other reports from AI point out that juveniles have been punished with beating, electric shocks, solitary confinement, and deprivation of sleep, food and/or drink. Beating of juveniles by the police is reportedly common during arrest and during the brief periods of detention in police stations, while torture is frequently used during interrogation in detention centres, and as a punishment in prisons or labour camps. Tibetan prisoners of conscience are usually kept in separate cells without regard to their age. The juveniles are therefore subjected to an adult environment in which torture is endemic. From a psychological point of view this fact can cause serious health-related problems for the young detainees, because, even when juveniles themselves are not physically tortured, exposure to such an environment can be considered psychological torture. The juveniles are often forced to do hard labour or to work in unsanitary conditions endangering their health. They are reportedly not granted special conditions of work or reduced working hours, a situation that may cause psychological and physical injury, and endanger a young person's development.

Cases
Sonam Dolkar, a 24-year-old woman from Lhasa, was arrested on 29 July 1990 by some 20 policemen who also searched her house because they suspected her of taking part in pro-independence activities. She was taken to Seiru Detention Centre (SDC) and transferred to a hospital in February 1991, from which she escaped in May 1991. She reported being tortured regularly during a six-month period while held isolated in a cell in SDC. She was tortured every second day during the first two months, and was manacled and shackled throughout her detention. Her interrogators had given electric shocks to her body, until she lost consciousness. An electric police baton had been inserted into her vagina. She said that a large scar on her chest was caused by violent kicks by a guard. According to her testimony, she was kept in a bare, windowless cell which she believed was underground. She had not seen other detainees, food was insufficient and of poor quality, and she had to sleep on the concrete floor of her cell, even during the cold winter months. Her health declined but medical care was virtually non-existent, though her exposure to electric torture stopped after a doctor had examined her shortly before she was transferred to the hospital. She was never charged, was not brought to trial, and was not given access to anyone outside the detention centre during her imprisonment.

Kelsang Thutob, a 49-year-old Tibetan monk who had been imprisoned since April 1989, died at 4 o'clock in the morning on 5 July 1996 in Drapchi Prison in Lhasa. He died due to illness for which he had not received medical treatment. Sources in Tibet said he had been in good health before going to prison, but after a long period with ill-treatment and malnutrition he was believed to suffer from general poor health and high blood pressure immediately before his death. None of his family was permitted to visit him during his last years.

Conclusion
According to the AI reports, it seems that human right violations such as ill-treatment and torture are widespread in Tibet. It is reported that the majority of Tibetan detainees,
including children and juveniles, who are being interrogated, detained, or imprisoned, have been exposed to ill-treatment and/or torture. The torture ranges from primitive practices such as beating and kicking to more sophisticated forms such as insertion of electrical foreign bodies into the mouth or vagina. It seems that ill-treatment, torture, and denial of proper medical care of Tibetan detainees are an integral part of the work of the Chinese police and armed forces in Tibet.

**References**


**Testimonies of torture in Tibet**

*Hugh Chow*

“They would tie my arms behind my back and hang me from the ceiling, like a light bulb. Then they would beat me with sticks and pipes. They would beat me so hard, I would become unconscious and lose control. I would lose [control of] my bowels and bladder.

... The Chinese torturing systems are numerous. Sometimes, while hanging naked from the ceiling, the soldiers would pour boiling water over my body. Sometimes, a fire was burnt beneath me. I would lose my skin.

... the soldiers forced an electric prod into my mouth. I became unconscious and when I woke up, my whole body was covered in blood. My mouth was numb, my tongue was in pieces, and all my teeth fell out. No matter how weak I would become, no medical treatment was ever given.”

This is the testimony of Palden Gyatso, a 64-year-old Buddhist monk from Drepung monastery, near Lhasa, in the Tibet Autonomous Region (TAR) of China. After allegedly taking part in a failed uprising against Chinese rule in 1959, he was charged with “counter-revolutionary propaganda and agitation”. For advocating Tibetan independence he was imprisoned for the next 33 years. While in prison, Palden Gyatso was tortured. It was not until his release and escape to India in August 1992 that he was able to provide the outside world with one of the most comprehensive accounts of life within the Tibetan prison system.

Formal strictures against torture are present in Chinese law. In October 1988, while Palden Gyatso was still in prison, China ratified the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Article 136 of the Criminal Law of the People’s Republic of
China states that "it is strictly forbidden to extort confession by torture." Meanwhile, the Regulations on Detention Centres, which came into force in March 1990, stipulate that "beating and verbal abuse", "corporal punishment", and "maltreatment of offenders" are "strictly forbidden".

However, torture is still frequently used by the TAR authorities. There are thousands of Tibetan torture victims today, both within Tibet and in exile, while gross violations of human rights continue in Tibetan prisons and detention centres. It is known that torture has been used as a means of extracting "confessions" or information during the course of criminal investigations, and also as a means of punishment for prisoners already serving their sentences. However, torture can also be inflicted arbitrarily. Prisoners are tortured when already weakened by harsh detention conditions, characterized by compulsory hard labour, inadequate food, and lack of appropriate medical care. Torturers are free to act in a climate of impunity because there is very little chance of their facing prosecution for their actions, especially if the case involves a political prisoner.

Although torture is inflicted on both common and political prisoners, most of the cases known to Amnesty International in the TAR concern people detained or imprisoned for pro-Tibetan independence activities. At least 96 Tibetans, most of them Buddhist monks and nuns, were reported to have been detained during 1997 for attending peaceful pro-independence demonstrations. Many of those detained in previous years still remain in prison. Official figures from the TAR authorities indicate that some 200 monks and nuns were in detention in September 1997 for activities "endangering national security." Amnesty International thinks the true number of political prisoners in Tibet may be several times higher. All these prisoners are at risk of torture or ill-treatment during their detention.

Amnesty International has documented some cases of children and juveniles under the age of 18 being detained and tortured. Some are thought to be as young as 12 years at the time of their arrest. Nevertheless, beatings by the police are reported to be common, for juveniles as well as adults, during arrest and the period of detention in police stations before detainees are sent to a detention centre. Torture is also reported to be used during interrogation in detention centres. Tibetan juveniles held in prisons and accused of political offences (the majority of them novice monks and nuns) have been tortured or ill-treated, held with adult prisoners, and forced to do hard labour in prisons and reform-through-labour camps.

As Palden Gyatso notes, the torturers can call upon many torture techniques. Former victims and eyewitnesses have reported incidents of severe beating with fists or a variety of instruments; whipping; kicking; application of electric shocks (electro-shock batons are issued to all prison guards in China); use of handcuffs or leg irons in ways that cause intense pain; and suspension by the arms, often combined with beating. Other forms of ill-treatment include incarceration in tiny or dark cells without heat, ventilation, or sanitation; exposure to intense heat or cold; deprivation of food or sleep; and being made to assume uncomfortable positions for long periods without moving. Some of these methods are applied simultaneously. In many labour camps, prisoners are required to carry out dangerous or heavy labour for long hours, and face punishment if they do not meet work quotas. The torture of prisoners often leads to psychiatric problems and even death.

Much of the available information comes from former prisoners who have fled into exile. These include the following (all ages given are from the time of arrest and are believed to be accurate):

Lobsang Dhargay, 31, monk from Ragya Monastery, Amdo province. He was arrested on 25 November 1992 for distributing pro-independence leaflets and printing paper copies of the banned Tibetan flag. He was held for a year without trial in Golok Prison. He was reportedly interrogated and tortured every day, suffering beating with fists and sticks, kicking, and assaults with electro-shock batons. On one occasion he was said to have been handcuffed with his arms around a hot chimney and left for a day without food or water. The heat from the chimney caused his skin to blister across his body. Lobsang Dhargay was later sentenced to five years in prison, but was released early on 25 May 1995.

Rinzin Choenyi, 25, nun from Shugseb Nunnery, Chushur County, Lhasa. She was arrested on 22 September 1989 for taking part in a demonstration with five other nuns. She was taken to Gutsa Detention Centre, where she was kept for two months in solitary confinement. For the first three days she was interrogated thrice daily, and then once or twice daily until her transfer to prison. During these interrogations she was allegedly tortured, including being suspended from the ceiling for periods of at least an hour with her hands tied behind her back. While in this position she was said to have been rotated and beaten with twisted jute ropes. Electric wires were wrapped around her fingers and she was given electric shocks. She was also kicked and burnt with cigarettes.

She was convicted and sentenced to seven years in prison, with two years' deprivation of political rights. After transfer to Drapchi Prison to serve her sentence, she was again said to have been subjected to torture. Reported incidents included having an electro-shock baton forced into her mouth when she was caught reciting Buddhist texts, and being forced to prostrate herself in water and ice. Her early release in September 1995 was reportedly due to her "good behaviour."

Phuntsok Chosang, 23, from Meldro Gongkar in Gyama Shang, Lhasa. He was arrested in March 1992 for reportedly protesting against the environmental damage to his home town as a result of Chinese economic policies. He was forced to confess, and then placed in a solitary confinement cell measuring approximately five feet (1.5 metres) by four feet (1.2 metres). The cell was completely dark, without ventilation, and extremely cold. He was held in this cell for some 13 days. He was also routinely beaten, and iron rods were forced into his mouth during interrogations. Even after his release on medical parole some 14 months later, at the end of March 1993, he was still in poor health and was unable to see clearly.

Other victims include children or juveniles (the names of the former detainees who gave their testimonies after being released are being withheld to protect them and their families):

Unnamed, 12, Lhasa. This young girl was detained for over four months in 1990 in Sangyip Detention Centre on the outskirts of Lhasa after taking part in a demonstration. She alleges ill-treatment during interrogation on or near 8 March 1990. She says she was kicked on the head and body and given electric shocks with an electric baton while she was lying on the floor. After a two-week period in hospital, she was sent back to the detention centre, where she was forced to work with some 15 other women detainees at various sites, including waste pits that exuded suffocating odours, where the women had to dig and load excrement onto trucks. The girl was released without charge after four months.
Jamyang Thinley, 25, monk from Chamdo Monastery, Chamdo region. He was arrested on 30 May 1996 for possessing political leaflets. He was allegedly tortured for four months by officials in Chamdo Prison, before his condition became critical. Jamyang was released on 13 September 1996, but died five days later. A witness who saw Jamyang's body before cremation reported: "His entire back and neck had blisters as a result of being electrocuted. His body was black and blue all over, the result of severe beating. There were also patches of clotted blood on certain areas of his stomach."

Detainees and prisoners in Tibet are often subjected to torture. Even those who are not tortured endure conditions that can be described as cruel, inhuman, and degrading, characterized by compulsory hard labour, inadequate diet, lack of medical care, and unsanitary environment. Many are detained simply for exercising their basic human right peacefully to express their political and religious beliefs, as enshrined in articles 18, 19, and 20 of the Universal Declaration of Human Rights, adopted by the United Nations in December 1948 (1). Despite China's legal and moral obligations, it has failed to implement proper safeguards to prevent incidents of torture in Tibet's police stations, detention centres, prisons, and labour camps, and to bring perpetrators to justice.

References
1. Remarks by Palden Gyatso delivered during the "March for Tibet's Independence"; March 10 to April 25, 1996.

Note
(1) Article 18 of the Universal Declaration of Human Rights states "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance"; article 19 states "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers"; article 20 states "Everyone has the right to freedom of peaceful assembly and association; no one may be compelled to belong to an association."