

PEOPLE'S REPUBLIC OF CHINA

Call for accountability for Tibetan deaths in custody in Drapchi Prison

SUMMARY

Nine prisoners, mainly Buddhist monks and nuns, incarcerated in Tibet's notorious Drapchi Prison, died following protests that took place at the prison on 1 and 4 May 1998. They are reported to have died as a result of severe beatings and other forms of torture and ill-treatment meted out by prison officers, apparently as punishment for their participation in the protests. Despite repeated calls for accountability from Amnesty International and other organizations, the Chinese authorities have so far failed to initiate a full and independent inquiry into these allegations and ensure that those responsible are brought to justice.

THE DRAPCHI PRISON PROTESTS OF MAY 1998 AND THEIR AFTERMATH

On 1 May 1998, the Drapchi Prison authorities ordered hundreds of prisoners, including those imprisoned for both political and ordinary criminal offences, to take part in a Chinese flag-raising ceremony to mark International Labour Day. As the ceremony proceeded, two prisoners are reported to have started shouting slogans in support of Tibet's exiled spiritual leader, the Dalai Lama, and opposing the raising of the Chinese flag. When several other prisoners joined in, the protest was forcibly suppressed by prison security personnel, including members of the People's Armed Police who guard the perimeter of Drapchi Prison. According to some witnesses, they fired shots into the air before forcing the prisoners to return to their cells.

Reports of subsequent events are sketchy, but unofficial accounts indicate that following the protest dozens of prisoners were severely beaten by security personnel wielding electric batons, plastic tubes filled with sand, belt buckles and rifle butts. The victims included **Chuye Kunsang** (also known as Choeying Kunsang), a 26-year old nun from Shar Bumpa Nunnery, Lhundrub County, Tibet. She made the following statement after fleeing into exile following her release from Drapchi Prison in June 1999:

When they took us back [to our cellblock], they beat us with the metal front of their belts, there was no one who was not [covered with] blood. When we arrived in the courtyard, and after they closed the gate, we were made to line up and we were individually beaten very badly. They beat us with these black plastic sticks.¹

¹ See "Rukhag 3: The Nuns of Drapchi Prison", Tibet Information Network, September 2000, p.42

Some nuns were taken away and placed in dark, cramped cells, where they were reportedly held for several months in solitary confinement. Others were forced to kneel on the concrete floor of the courtyard where they were subjected to further beatings for around three hours.

Several nuns began a hunger strike to protest at their treatment. This continued for six days until the nuns became extremely weak and some were put on intravenous drips. The nuns eventually ended their protest after a number of high-ranking local officials, who were visiting the prison, acknowledged that the Drapchi prison authorities had “made some mistakes.”²



² Ibid. p.43

On 4 May 1998, International Youth Day, the prison authorities made a second attempt to hold the flag-raising ceremony. Several of those who were forced to participate were weak and in pain because of the beatings they had sustained. Once again several prisoners began shouting slogans in support of Tibetan independence. The reprisals were harsh and disturbances continued throughout the day. According to eyewitness reports from prisoners who have since been released, some armed police opened fire on prisoners. One monk, **Ngawang Sungrab**, is reported to have been shot and seriously injured when a prison guard opened fire, apparently without warning. Other prisoners were systematically kicked, beaten with rubber pipes and prodded with electric batons. **Thubten Kalsang**, a monk from Lo Monastery in Taktse county, was reportedly singled out for particularly harsh treatment. According to unofficial sources, he was beaten and stamped on by 12 armed police officers on the evening of 4 May. He was beaten again with electric batons and iron rods the following morning during an interrogation session which lasted two hours. The beatings reportedly caused him to involuntarily urinate and defecate in his trousers.³

Five nuns and six monks received extensions to their prison sentences following the protests. One of them was **Ngawang Sangdrol**, who was just 15 years old when she was arrested and imprisoned after taking part in a peaceful pro-independence demonstration in the Tibetan capital, Lhasa, in 1992. She had already received two sentence extensions and this third extension increased her prison term to 21 years.

Around one month later, on 3 June 1998, female political prisoners in Drapchi were forced to sing songs in praise of China and the Chinese Communist Party (CCP), apparently to make amends for their earlier protest. When the nuns refused to sing, they were taken outside and made to stand immobile in the hot summer sun holding paper under their armpits and between their knees and balancing cups of water on their heads. Those who moved or collapsed were beaten. This treatment continued for four full days with only short breaks for lunch and to use the toilet.

OFFICIAL REACTION

The Chinese government took unusual steps in the wake of the May protests to prevent information about these incidents reaching the outside world. Many prisoners in Drapchi were reportedly denied visitors and some were confined to their cells for up to 14 months after the protests. These included 19 nuns who were punished with solitary confinement of between three and seven months in connection with the protests.

³ See Tibet Information Network News Update, 15 December 1999: Sentence extensions and shooting incident at Drapchi, ISSN: 1335-3313.

The authorities even apparently managed to shield the protests and their aftermath from an official delegation from the European Union (EU) which visited Drapchi Prison on 4 May 1998. According to the delegation's report, "*...[T]he delegation was not aware of these reports [of disturbances] at the time of their visit to the prison. The delegation was also briefed, they felt unusually, in the open air outside the inner prison gates before the actual prison visit. Nonetheless, there were no visible signs of the after effects of a riot, and naturally the prison authorities made no mention of any such incident. As far as could be ascertained the guarding was normal, with no obvious signs of extra guards or heightened security.*"⁴

Since then, the Chinese government has provided several conflicting accounts of the incidents and their repercussions. In a response to three UN human rights experts in February 1999, the Chinese authorities denied that the protests had taken place:

⁴ "Report of the EU Troika Human Rights Mission, May 1998", June 1998.

In relation to alleged violent demonstrations inside Drapchi Prison in May 1998, the Government replied that no such incident had taken place. The Government stated that there had not been a demonstration by offenders since the Tibet Autonomous Region Prison was founded.”⁵

However, the authorities later stated that *“a handful of criminals went so far as flagrantly shouting separatist slogans, insult, besiege and assault prison officers. The prison police officers took measures to put down the situation according to provisions of the Prison Law. In the course of controlling the situation, there was not any case of death caused by beating. As the acts of some criminals constituted crimes of undermining the order of prison administration and of instigating others to split the State, the criminals concerned were given additional criminal punishment according to the law.”⁶*

Nevertheless, despite these official accounts, the testimonies of former Drapchi prisoners have gradually revealed the nature of the protests and the brutal punishments that followed.

DEATHS IN CUSTODY

Unofficial sources suggest that nine prisoners died as a direct result of abuse suffered during and after the May 1998 protests. These deaths have been confirmed through piecemeal eyewitness accounts reaching the outside world over the last four years. The exact circumstances surrounding the deaths remain unclear, as they seem to have occurred when the victims were isolated from other prisoners.

⁵ See answer to an urgent appeal sent by the UN Special Rapporteurs on torture, freedom of opinion and expression, and violence against women as quoted in the report of the Special Rapporteur on torture of 2 February 2000, para.237 (UN Doc. E/CN.4/2000/9).

⁶ Statement made in answer to questions from the UN Committee against Torture during their review of China’s third periodic report under the Convention against Torture in May 2000.

Five nuns died on 7 June 1998. Their names are **Tsultrim Zangmo** (aged 25), **Tashi Lhamo** (24), **Khedron (or Kundol) Yonten** (28), **Drugkyi Pema** (21) and **Lobsang Wangmo** (31). They were among those who were forced to stand in the sun in early June 1998 and had already received severe beatings at the hands of prison officers. For example, Drugkyi Pema's face was reportedly "black and blue" as a result of severe beatings received in early May. She told a fellow prisoner that she had been prodded on the face and breasts with an electric baton and that the baton had been inserted into her vagina.⁷

The Chinese authorities later claimed that the nuns had committed suicide. If this is true, the nuns' decision to take their own lives appears to be a direct result of the torture and ill-treatment that they suffered during the weeks preceding their death. Some reports suggest that the nuns died by self-induced hanging or choking. However, their bodies were cremated by the authorities, apparently without autopsy, so the exact cause of death may never be determined. The five nuns had been detained on separate occasions in either 1994 or 1995 after taking part in various peaceful pro-independence demonstrations and were serving sentences of four or five years in Drapchi Prison.

Four male prisoners also died following the May 1998 protests, although the exact circumstances of their deaths remain unclear. According to unofficial sources, **Ngawang Tenkyong**, 28, and **Khedrub**, 26, two monks from Ganden monastery, both died later the same month. Khedrub is believed to have died after suffering serious beatings; Ngawang Tenkyong is reported to have died either as a result of beatings, or possibly gunshot wounds sustained during the protest. **Lobsang Choephel**, 25, from Khangmar monastery, died one week after the 4 May protest. He is believed to have committed suicide. **Karma Dawa**, a criminal prisoner who was among those who initiated the 1 May protest, is believed to have died within two weeks of the protests. Some reports suggest that he may have been deliberately killed by prison guards because of his leading role in the protest.

BACKGROUND

Drapchi Prison, also known as Tibet Autonomous Regional Prison No.1, is located in the Tibetan capital Lhasa. It holds both political and ordinary criminal prisoners. Amnesty International knows of over one hundred political prisoners who are currently detained in Drapchi Prison. The real figure may be higher. Most of them are Buddhist monks and

⁷ See statement by Chuye Kunsang published in Tibetan Centre for Human Rights and Democracy January-June 2000 Half-Yearly Report.



nuns and almost all are considered to be prisoners of conscience, detained in violation of their fundamental human rights.

The majority of prisoners of conscience in Drapchi Prison have been convicted of “crimes” relating to their activities in support of Tibetan independence from China, or their spiritual allegiance to His Holiness the Dalai Lama. They have been

detained after taking part in a variety of peaceful activities, including participating in public demonstrations and pasting-up wall posters.

Former prisoners from Drapchi report living in poor, unsanitary conditions and being forced to work long hours in harsh conditions. Food and clothing are said to be inadequate and of poor quality. Medical care is also reported to be insufficient and administered only at a late stage.

A harsh regime of rules and regulations is reportedly operated with transgressors being subjected to severe punishments, including beatings and other forms of torture or ill-treatment. The most common types of torture reported by former prisoners are being kicked in the kidneys and liver, being beaten around the face and ears and the use of electric shock batons on sensitive areas. Tibetan women, particularly nuns, have been subjected to some of the harshest treatment, including acts of rape with electric batons. Nuns have also been subjected to acts calculated to degrade and humiliate them, such as being stripped naked in front of other prisoners or male prison guards.

Unofficial sources report that since 1987 at least 41 Tibetans detained throughout Tibet have died in prison or shortly after release. Most deaths occur as a result of torture, ill-treatment or serious illness contracted during detention. Prison authorities are known to release on medical parole prisoners who they think are about to die, in order to prevent them dying in prison.

- Please send telegrams/telexes/express and airmail letters in English, Chinese or in your own language.***
- Expressing concern at reports of excessive use of force and torture resulting in the deaths of the nine prisoners in Drapchi prison following the May 1998 protests;
 - Stating that deaths occurring in custody represent the ultimate failure of the state to protect prisoners from torture and ill-treatment;
 - Calling on the authorities to make public the results of any investigation carried out into these deaths and asking for details about the methods used to carry out such an investigation;
 - Urging the authorities to ensure that all those found responsible for excessive use of force, torture or ill-treatment are brought to justice;
 - Expressing concern at the high level of impunity that appears to exist in Drapchi Prison, particularly for officials reported to be responsible for torture, ill-treatment and deaths in custody following the protests of May 1998.

Appeals to:

Governor (Jianyuzhang)
Tibet Autonomous Regional Prison No.1 (Drapchi Prison)
Xizang Zizhiqu Di Yi Jianyu (Drapchi Jianyu)
Lasa-shi 850003
Xizang Zizhiqu
People's Republic of China
Telegram: Drapchi Prison Governor, Lhasa, China
Salutation: Dear Governor

Meng Deli
Director of the Xizang Autonomous Regional Department of Justice
(Sifaju Juzhang)
Duodilu
Lasa-shi 850000
Xizang Zizhiqu
People's Republic of China
Telegram: Tibet Justice Minister, Lhasa, China
Salutation: Dear Director

Zhang Fusen
Minister of Justice
10 Chaoyangmen Nandajie
Chaoyang-qu
Beijing-shi 100020
People's Republic of China
Telexes: 210070 FMPRC CN or 22478 MFERT CN (Please forward to the Minister of Justice)
Telegram: Justice Minister, Beijing, China
Salutation: Your Excellency

COPIES TO: Xinhua News Agency: english_mail@xinhuanet.com and to diplomatic representatives of the People's Republic of China in your own country.