

URGENT ACTION

TIBETAN SCHOLAR RELEASED ON BAIL

Tagyal, Tibetan scholar and writer, was released on bail on 14 October 2010. According to his lawyer, he has returned home.

Tagyal, who writes under the pen name Shogdung, was detained on 23 April 2010 following the publication of his book "*The Line between Sky and Earth*". The book, which is banned in China, describes Tibet in the wake of the widespread unrest in 2008 as "a place of terror". He was held in Xining No.1 Detention Centre on suspicion of "inciting separatism".

Tagyal has returned home under "qubao houshen" which means "obtain a guarantor while pending trial". It is a type of release on bail, under which the individual is not allowed to leave their city or county of residence without permission. The "guarantor" is either a personal or a financial guarantee.

"Qubao houshen" is limited to one year and applies to people suspected of or charged with crimes which are considered minor, or to those who "do not pose a danger to society" or to those against whom there is insufficient evidence to justify arrest.

Of all pre-trial control measures in China's Criminal Procedure Law, it is the least restrictive. Under international human rights law "it shall not be the general rule that persons awaiting trial shall be detained in custody," – however in China, pre-trial detention is the norm.

No further action is requested from the UA network. Many thanks to all who sent appeals.

This is the first update of UA 120/10 (ASA 17/023/2010). Further information: <http://www.amnesty.org/en/library/info/ASA17/023/2010/en>

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