

EXTERNAL (for general distribution)

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Further information on UA 70/90 (ASA 17/07/90) 16 February 1990 and follow-up
ASA 17/65/90 (2 November 1990) - Fear of Execution

PEOPLE`S REPUBLIC OF CHINA (PRC)

(TIBET AUTONOMOUS REGION): Lobsang Tenzin

Sources in Lhasa have reported that Lobsang Tenzin, a Tibetan student sentenced to death for the alleged murder of a policeman, has had his sentence commuted. He was apparently told of the decision on 6 March 1991.

Lobsang Tenzin was one of four Tibetans arrested on 16 April 1988, accused of involvement in the murder of policeman Yuan Shisheng during violent clashes between demonstrators and police at the climax of the Mon Lam prayer festival on 5 March 1988. Officially described as the "prime culprit", he was the only one of the four to be given a death sentence, which was suspended for two years. The news of his public trial (at the same time as that of 26 other Tibetans charged with a variety of offences related to pro-independence protests), was announced by the New China News Agency on 19 January 1989.

Lobsang Tenzin`s case attracted international attention and has been raised by parliamentarians and politicians in several countries, as well as being the subject of campaigning by human rights organizations. Since the sentence was first passed, there have been periodic rumours that he might be executed as a deterrent to other protesters. These rumours were particularly strong during the months of March 1990 and 1991: the 10 March marks the anniversary of the 1959 Tibetan uprising against Chinese domination; 5 March 1988 saw the major demonstration during Mon Lam, and 7 March 1989 the imposition of martial law in Lhasa. On 10 March this year the Dalai Lama urged that Lobsang Tenzin`s death sentence be quashed. His case was also mentioned in an interview with Lhasa Higher People`s Court President Zi Cheng, published in the Beijing magazine Shijie Zhishi (World Knowledge) on 1 January 1991. In the interview Zi Cheng commented on the "ample proof" of Lobsang Tenzin`s guilt as "one of the seven killers of armed police martyr Yuan Shisheng", as well as refuting foreign allegations of torture, "secret executions", "executions without trial" and other human rights violations against Tibetans. (Note that this is first time that an official has referred to seven, not four, Tibetans being implicated in the murder.)

Chinese law provides for the commutation of a two-year suspended death sentence to life imprisonment if the prisoner can be shown to have "truly repented" during the period of suspension. In cases where a prisoner has in addition "demonstrated meritorious service", the term of imprisonment may be

reduced to between 15 and 20 years.

Although the commutation of Lobsang Tenzin`s death sentence is to be welcomed, there is further evidence that he was ill-treated in prison (the subject of appeal in the follow-up ASA 17/65/90, 2 November - the most recent in a series of Urgent Actions on his case). He was reportedly kept in solitary confinement for some 18 months with his feet permanently shackled - a form of punishment Amnesty International has documented in the cases of other long-term Tibetan prisoners.

FURTHER RECOMMENDED ACTION: Airmail letters

- welcoming the reports that Lobsang Tenzin`s death sentence has been commuted;
- urging that all those currently under sentence of death have their sentences commuted, and that no further executions take place.

APPEALS TO:

Zi Cheng Yuanzhang
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People`s Republic of China [Higher People's Court President Zi Cheng]

Hu Jintao Shuji
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PLEASE SEND APPEALS AS SOON AS YOU CAN.