

URGENT ACTION

TIBETAN EDUCATION ADVOCATE INDICTED

Prisoner of conscience, Tashi Wangchuk, has now been indicted by the prosecutor after police had arrested him on suspicion of “inciting separatism” in March 2016.



Tashi Wangchuk, formally arrested in March 2016 on suspicion of “inciting separatism”, has been detained by Chinese authorities since 27 January 2016. He had no access to his family until September 2016 and, during police investigations, was visited by his lawyers twice in June and September 2016. If convicted of “inciting separatism”, Tashi Wangchuk could face 15 years in prison.

A document, submitted to the Procuratorate (Prosecutor) by police and reviewed by defense lawyers, indicated that the investigation into Tashi Wangchuk focused on a short documentary produced by The New York Times that detailed his unsuccessful efforts to use the legal system to challenge Chinese government policies. “A Tibetan’s Journey for Justice” told the story of Tashi Wangchuk’s trip to Beijing to seek legal assistance in filing a lawsuit against local officials regarding the lack of Tibetan language education in schools. The film revealed that no law firm was willing to take on the lawsuit and that the state-sponsored TV station, CCTV, refused Tashi Wangchuk’s request to report on the situation. The police then used the

footage as evidence that he had deliberately incited “separatism” by attempting to discredit the Chinese government’s international image and its ethnic minority policies.

The Procuratorate resubmitted Tashi Wangchuk’s case to the Yushu Tibetan Autonomous Prefecture Intermediate People’s Court in early January 2017 after it made the unusual request of the court in December 2016 to have the case sent back to the Procuratorate for further investigation.

Please write immediately in English, Chinese or your own language:

- Urging authorities to immediately and unconditionally release Tashi Wangchuk, who is a prisoner of conscience, detained solely for exercising his right to freedom of expression, and
- Pending his release, urging the authorities to ensure that he has regular, unrestricted access to his family and lawyers of his choice without delay, and is protected from torture or other-ill-treatment.

PLEASE SEND APPEALS BEFORE 1 MARCH 2017 TO:

Chief Procurator of Yushu Tibetan
Autonomous Prefecture People’s
Procuratorate

Yushu Zangzu Zizhizhou Renmin
Jianchayuan
Qionglong Lu, Jiegu Zhen, Yushu Shi
Yushu Zangzu Zizhizhou
Qinghai 815000
People’s Republic of China
Salutation: Dear Procurator

Director of Qinghai Provincial
Department of Public Security

Wang Zhengsheng
Qinghai Sheng Gonganting
50 Bayi Zhonglu
Xining, Qinghai 810007
People’s Republic of China
Salutation: Dear Director

And copies to:

Governor of Qinghai Province
Hao Peng
Qinghai Sheng Remin Zhengfu
Bangongshi
12 Xi Dajie
Xining, Qinghai 810000
People’s Republic of China
Fax: +86 0971 8252135
Email: qhsxxgk@163.com

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 79/16, for more information please see <https://www.amnesty.org/en/documents/asa17/3793/2016/en/>

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ADDITIONAL INFORMATION

Tashi Wanchuk is an advocate for greater Tibetan language education in schools in Tibetan populated areas. Currently, Mandarin has become the sole language of instruction. He expressed on social media his anxieties about many Tibetan children being unable to speak their native language fluently, as well as the gradual extinction of Tibetan culture.

Ethnic Tibetans in China face discrimination and restrictions on their rights to freedom of religious belief, expression, association and peaceful assembly. Tibetan monks, writers, protesters and activists are regularly detained as a result of their peaceful activities. On 17 February 2016, Tibetan writer and blogger Druklo (pen-name Shokjang) was sentenced to three years' imprisonment by the Peoples' Intermediate Court in Huangnan (Malho), Qinghai province, for "inciting separatism", for his online posts on religious freedom, the Dalai Lama and other Tibetan issues and his possession of the banned book *Sky Burial*.

In recent years the Chinese government has enacted or drafted a series of sweeping laws and regulations under the pretext of enhancing national security. There are fears that they could be used to silence dissent and crack down on human rights defenders through expansive charges such as "inciting subversion" and "separatism".

Harsh criminal sentences continue to be imposed in China on writers, bloggers, journalists, academics, whistle-blowers and ordinary citizens for peacefully exercising their right to freedom of expression. Amnesty International has documented the misuse of the various charges of "separatism" and "terrorism" to violate the rights to freedom of expression, peaceful assembly and religion.

The criminal justice system in China is roughly divided into three distinct phases: the investigation phase conducted by the police; the prosecution phase, in which the prosecutors approve of the initial evidence needed to arrest a suspect and engages in further investigation to decide whether to indict a suspect; and the final trial phase carried out by the courts.

In China, defendants are almost always found guilty once a case is brought to court. The conviction rate in 2015 was 99.92% according to official statistics released by Zhou Qiang, President of the Supreme People's Court.

Name: Tashi Wangchuk

Gender m/f: Male

Further information on UA 79/16 Index: ASA 17/5510/2017 Issue Date: 18 January 2017