

PUBLIC

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To: Health professionals  
From: Medical office / East Asia subregional team  
Date: 14 February 2000

### ***MEDICAL LETTER WRITING ACTION***

**Ngawang Choephel  
CHINA (Tibet)**

Theme: prisoner of conscience / ill-health / insufficient medical care

#### **Summary**

Ngawang Choephel (born on 3 May 1966), a Tibetan ethno-musicologist, was sentenced to 18 years' imprisonment for "espionage and counter-revolutionary activities" by a Chinese court in 1996. At the time of his detention he was gathering material for the production of a film documentary about traditional Tibetan performing arts.

Ngawang Choephel is now believed to be held in Powo Tramo prison (Tibet Autonomous Regional No. 2 Labour Reform Detachment). For more than a year there have been reports of Ngawang Choephel suffering from chest problems although recent official reports have indicated that his health is satisfactory. In late 1999 he was reported to be suffering from "bronchitis, hepatitis, and respiratory infections".

Amnesty International considers Ngawang Choephel to be a prisoner of conscience detained by the Chinese authorities for his imputed political activities. He was convicted after an unfair trial held in secret, and no evidence of his alleged offence has been produced by the authorities. The organization is expressing concern at the persistent reports of ill-health and is seeking information on his current state of health and any treatment he is receiving. Amnesty International is urging the Chinese authorities to release him immediately and unconditionally.

#### **Recommended actions**

Letters are requested from health professionals to the addresses below:

- introducing yourself as a member of of Amnesty International's health professional network;
- expressing concern at reports that Ngawang Choephel is suffering from bronchitis, hepatitis and respiratory infections;
- asking for more information on Ngawang Choephel 's reported illness, his current state of health and any treatment that he is receiving;
- urging the authorities to provide Ngawang Choephel with adequate medical care while he remains in detention, including transfer to a hospital where any specialist treatment that he might need is available;

- urging the authorities to release Ngawang Choephel immediately and unconditionally as a prisoner of conscience.

### **Addresses**

Premier of the People's Republic of China  
ZHU Rongji Zongli  
Guowuyuan  
9 Xihuangchenggenbeijie  
Beijingshi 100032  
People's Republic of China

Chairman of the Tibet Autonomous Regional People's Government  
Legchog Zhuren  
Xizang Zizhiqu Renmin Zhengfu  
1 Kang'angdonglu  
Lasashi 850000, Xizang Zizhiqu  
People's Republic of China

The Governor  
Xizang Zizhigu di er Laogai Zhidni  
Linzhi Digu  
(Nyingchi Prefecture)  
Linzixian  
People's Republic of China

**HEALTH CONCERN**

**Ngawang Choephel  
CHINA (Tibet)**

Ngawang Choephel (born on 3 May 1966), a Tibetan ethno-musicologist, was sentenced to 18 years' imprisonment for "espionage and counter-revolutionary activities" by a Chinese court in 1996. At the time of his detention he was gathering material for the production of a film documentary about traditional Tibetan performing arts.

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Amnesty International considers Ngawang Choephel to be a prisoner of conscience detained by the Chinese authorities for his imputed political activities. He was convicted after an unfair trial held in secret, and no evidence of his alleged offence has been produced by the authorities. The organization is expressing concern at the persistent reports of ill-health and is seeking information on his current state of health and any treatment he is receiving. Amnesty International is urging the Chinese authorities to release him immediately and unconditionally.

**Background**

Ngawang Choephel has not lived in Tibet since 1968; when he was 2 years old his family fled to India. He studied up to the age of 15 in the Central School for Tibetans, in Mundgod Tibetan settlement in South India. He later joined the Tibetan Institute of Performing Arts in Dharamsala, from where he obtained a diploma in Tibetan music and dance and went on to become a music and dance teacher. He studied music for one year on a Fulbright scholarship at Middlebury College, Vermont, in the United States.

He had travelled to Tibet in July 1995 to make a film documentary about traditional Tibetan performing arts and was first reported missing by his mother who was expecting him to return to India in December 1995.

Information later emerged that Ngawang Choephel had been detained in Shigatse market at the end of August 1995. He was next seen on 16 September 1995 when he was brought into Nyari Detention Centre, where he was held incommunicado detention for over 14 months. In May 1998 a delegation from the European Union was told that he was still in Shigatse. Ngawang Choephel is now believed to be held in Powo Tramo prison (Tibet Autonomous Regional No 2 Labour Reform Detachment).

It is believed that all of Ngawang Choephel's recordings of traditional Tibetan music and dance on video were confiscated along with his travel documents and his camera at the time of his detention.

Ngawang Choephel was tried on 6 September 1995 and sentenced on 13 November 1996 to 15 years' imprisonment on "espionage" charges and to a further three years' imprisonment on charges of "counter-revolutionary activities" and four years' deprivation of political rights to be

served after release. However the Chinese authorities announced in a radio broadcast, on 26 December 1995, one year before the court formally pronounced sentence in Ngawang Choephel's case, that he was sentenced for having carried out "espionage activities".

He appealed against his conviction but, on 24 September 1997, the Tibet Autonomous Region Higher People's Court rejected Ngawang Choephel's appeal.

For more than a year there have been reports of Ngawang Choephel suffering chest problems. In October 1999, the Chinese authorities informed a US Senator that Ngawang Choephel suffers from "bronchitis, hepatitis, and respiratory infections", but said his health had improved. These illnesses might qualify Ngawang Choephel for medical parole which would allow him to leave prison for a period of medical treatment and recuperation. Amnesty International believes that Ngawang Choephel is being held solely for reasons of his peacefully held views and has adopted him as a prisoner of conscience. Amnesty International is urging his unconditional release.

The Working Group on Arbitrary Detention of the UN Commission on Human Rights has declared Ngawang Choephel's detention by the Chinese authorities as being arbitrary in contravention of article 19 of the Universal Declaration of Human Rights. This decision was given on 19 May 1999.

### **Medical care in Chinese prisons: the situation in Tibet**

Denial of medical care to ill prisoners is a serious problem in China. The authorities often refuse to supply information to prisoners' families or fail to provide prisoners with proper medication and access to doctors. Chinese law provides for medical parole for prisoners who "ha[ve] a serious illness and [need] to remain out of custody and obtain medical treatment" (Criminal Procedure Law, Article 214[1]). The denial of visits from family members restricts opportunities to provide food and necessary medication to prisoners who are known to be in poor health. Visits are often denied when inmates are in really poor health or after ill-treatment.

In Tibetan prisons, many prisoners are forced to work for long hours in unacceptable conditions and they receive inadequate food of a very poor standard. Prisons have poor sanitation and many of the inmates suffer health problems as a result, particularly diarrhoea and digestive problems. Some prisoners report that there are instances of lung disease in prison and that this particularly affects elderly or physically weak prisoners. Chest infections reportedly spread easily due to the fact that several prisoners share each cell.

Few prisoners escape ill-treatment and torture, and this is particularly harsh during the early stages of custody. Many prisoners are beaten including on the face and head with whatever implement a guard or interrogator can find to hand, such as a log, gun-butt or even in one case, a tyre pump.

In recent years the Chinese authorities have taken the decision to release on medical parole some prominent prisoners (who in the majority of cases are forced to leave the country) though lesser known prisoners usually do not benefit from this provision.

For further information see Summary of Amnesty International's Concerns in Tibet [ASA17/12/99, March 1999].