

EXTERNAL (for general distribution)

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Legal Concern

20 August 1991

**PEOPLE'S REPUBLIC OF CHINA: Lobsang Tashi, 38-year-old Buddhist monk
(Tibet Autonomous Region)**

Lobsang Tashi, a 38 year-old Buddhist monk, who was reportedly detained more than a year ago, was reported in late July 1991 to be awaiting administrative punishment or criminal sentencing in Chamdo, a district seat in the Tibet Autonomous Region, according to Tibetans who have reached Nepal from Tibet on 15 August 1991.

Lobsang Tashi was a monk at Zitho monastery near Chamdo when he was reportedly detained in late 1989 (or early 1990) for distributing and displaying leaflets containing calls for Tibet to become independent of China. Expressing or propagating opinions in favour of Tibetan independence is illegal in the People's Republic of China (PRC).

According to information obtained on 15 August 1991 by Amnesty International, Lobsang Tashi was detained in Chamdo and interrogated for about a month. Afterwards, he was reportedly taken to villages around the district and criticised during public sessions, apparently to dissuade others from engaging in similar activities. He was subsequently taken back to a detention centre in Chamdo district, where he is now reportedly held.

Amnesty International is concerned that Lobsang Tashi may be held solely for the peaceful advocacy of conscientiously-held beliefs, in which case he should be released immediately and unconditionally. Amnesty International is also concerned that Lobsang Tashi may be held in administrative detention without adequate opportunity to present a defence, or be tried in conditions which do not accord with international standards.

BACKGROUND INFORMATION

Local administrative authorities are empowered to impose terms of up to four years of "re-education through labour", without formal charge or trial, and without affording to the prisoner any of the guarantees for fair trial provided for under international human rights instruments. If brought to formal trial, Lobsang Tashi risks being sentenced under articles of the Criminal Law of the PRC which provide heavy prison sentences for those accused of "counter-revolutionary crimes". Trial procedures in the PRC fall far short of international standards for fairness.

Dozens of Tibetans are administratively detained or are serving prison sentences in the Tibet Autonomous Region in connection with the distribution of leaflets calling for Tibetan independence. Many of those held are Buddhist monks and nuns.

RECOMMENDED ACTION: Telexes/faxes and airmail letters:

(In your appeals, please mention that you are referring to Lobsang Tashi, whose father is Soenam Tashi and mother is Chime Yudun, as Lobsang Tashi is a common name in Tibet):

- expressing concern at the reported detention of Lobsang Tashi in Chamdo district and enquiring about any formal charges against him;

- urging the authorities to either charge Lobsang Tashi with recognizably criminal offences and try him in accordance with international standards, or release him immediately and unconditionally;

- expressing concern at reports that Lobsang Tashi was publicly criticised during meetings held in Chamdo district, a practice which, if amounting to degrading treatment or punishment, is forbidden under the United Nations Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, which the PRC ratified in 1988.

APPEALS TO:

1. (Commissioner, Chamdo District):

Luosang Langjie Zhuanyuan
Changdu Diqu Xingzheng Gongzhu
Changdu Xian
Changdu Zhen 844000
Xizang Zangzu Zizhiqu
People's Republic of China

2. (Regional Chief Procurator):

Yang Youcai Jianchazhang
Xizang Zizhiqu Renmin Jianchayuan
Lasashi 850000
Xizang Zangzu Zizhiqu
People's Republic of China
Telexes: 68014 FAOLT CN; 68007 PGVMT CN
(Please forward to Chief Procurator Yang Youcai)

3. (Supreme People's Procurator):

Liu Fuzhi Jianchazhang
Zuigao Renmin Jianchayuan
Beijing
People's Republic of China
Telexes: 210070 FMPRC
(Please forward to Chief Procurator Liu Fuzhi)
Faxes: + 86 1 512 1158

COPIES TO:

1. (Editor, Tibet Daily):

Jia Rui Zongbianji
Xizang Ribao
Lasashi 850000
Xizang Zangzu Zizhiqu
People's Republic of China

2. (Secretary, Chinese Communist Party Regional Committee):

Hu Jintao Shuji
Zhonggong Xizang Weiyuanhui
Lasashi 850000
Xizang Zangzu Zizhiqu
People's Republic of China

3. (Chairman, Regional People's Congress):

Ngapo Ngawang Jigme Zhuren

Changwu Weiyuanhui

Renmin Daibiao Dahui

Lasashi 850000

Xizang Zangzu Zizhiqu

People's Republic of China

and to diplomatic representatives of the People's Republic of China (PRC) in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 1 October 1991.