

PEOPLE'S REPUBLIC OF CHINA

Call for release of Tibetan prisoner, Anu, detained without charge or trial

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Anu, a 47-year-old woman, who is an amputee, was arrested at her home in Lubug district, Lhasa, Tibet, in early March 2001. She is thought to have been detained in Sitru detention centre for eight months, before being transferred to Trisam Re-Education-through-Labour Centre 14 km from Lhasa where she is currently detained. She has been assigned to three years re-education through labour. Amnesty International is calling for her immediate and unconditional release.

Case Details

Anu was taken from her home late at night in March 2001 by members of the Public Security Bureau (police). She is believed to have been detained in Sitru, the provincial level police detention centre in Lhasa.

The exact reasons for Anu's arrest are unclear, but unconfirmed reports suggest that Anu was accused of possessing 'separatist' material from the Tibetan exile community in India which had been copied and distributed in Lhasa. She was subsequently assigned to serve three years at the Trisam Re-education-through-Labour Centre in either October or November 2001.

Anu is known to be working long hours at Trisam, despite her physical disability, and there are serious concerns about her personal safety – she only has one leg.

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Amnesty International is concerned that Anu has been detained for 21 months without charge or trial and is calling for her immediate and unconditional release. In the meantime the Chinese authorities should provide immediate guarantees for her safety and ensure she has access to her family and medical treatment while detained.

Background

Anu was 13 years old when she was hit by a Chinese military truck while walking to school in Lhasa. Following this incident her right leg was amputated and since then she has moved around using a wooden crutch. She was unable to return to school after this accident and was taught Tibetan traditional tailoring by her father. She worked as a tailor from her home, in Lubug district, Lhasa, where she lived alone for many years, making Tibetan clothes. Her tailoring skills are well known in Lhasa. She is also well known for her compassionate nature and her support for the local community. She reportedly gave most of her small income to the homeless, sick people and former political prisoners, as part of her religious practice.

Amnesty International has heard that the work assigned to Anu since her arrival at Trisam has been tailoring. She is making curtains and prisoner uniforms, and repairing clothes. She has to work the same hours as all the other prisoners, which is around eight hours a day. Anu is known to suffer from acute headaches (migraines), particularly when she is tired or under stress. Amnesty International is concerned that Anu's workload may contravene the United Nations Standard Minimum Rules of Treatment of Prisoners (Rule 71 (1), (2)):

Prison labour must not be of an afflictive nature.

All prisoners under sentence shall be required to work, subject to their physical and mental fitness as determined by the medical officer.

In addition, Amnesty International has received reports stating that Anu's family have not been given access to her. This also contravenes the UN Standard Minimum Rules of Treatment of Prisoners (Rule 37):

Prisoners shall be allowed under necessary supervision to communicate with their family and reputable friends at regular intervals, both by correspondence and by receiving visits.

Re-education-through-Labour

Re-education-through-labour is a form of administrative detention by which people are detained without charge or trial for periods of between one and four years. It is used to detain people who are suspected of committing offences which are not deemed serious enough to be punished under the criminal law. Detention is imposed by local government committees usually presided over by police officials. Over the years many political dissidents and people labelled as 'anti-social elements' have been detained for re-education-through-labour.

Trisam Re-education-through-Labour Centre

Trisam Re-education-through-Labour Centre (officially the Tibet Autonomous Region Re-education-Through-Labour Centre) is around 14km from the centre of Lhasa, in Toelung Dechen County. It opened in February 1992, and approximately 160 political prisoners are known to have been detained there since then. Records from the Tibet Information Network (TIN) show that the political prisoners who were detained in Trisam when Anu was transferred there at the end of 2001 were all due for release in April 2002.¹ In this case, Anu is probably the only known political prisoner currently detained in Trisam. This is significant in that she may not have the support from fellow political prisoners.

¹ See In the Interests of the State: Hostile Elements 3 – Political Imprisonment in Tibet 1987-2001, Tibet Information Network. p.43

It is likely that Anu is being held in Unit 3, where female criminal and political prisoners are held. Male political prisoners are held in Unit 1 and male criminal prisoners in Unit 2.

Torture and Deaths in Custody

Four prisoners are known to have died as a result of abuse at Trisam Re-education-through-Labour Centre, three of them soon after their release and one while in custody. The youngest victim was Sherab Ngawang who was assigned to three years imprisonment in Trisam, where according to reports she was frequently beaten, sometimes with electric prods. She died on 17 April 1995 at the age of fifteen. Reports from her burial indicate that her stomach and kidneys were badly damaged.² More recently, on 6 May 1998, 22 year old Yeshe Samten of Ganden Monastery was released after being detained for two years at Trisam Prison. Six days later he died at home, allegedly as a result of injuries caused by severe beatings and other forms of abuse in prison. On his release, he had two broken ribs and could only walk with the aid of crutches.³

Detention Conditions

Reports obtained from former political prisoners detained in Trisam show that prisoners live in poor, unsanitary conditions. Food and clothing are said to be inadequate and of poor quality. Prisoners are forced to work long hours in harsh conditions, usually in the vegetable gardens (collecting and spreading human waste as manure, digging and planting) and on construction sites, (where they have to cut and carry heavy stone blocks and brick, as well as other general building work). Prisoners work over eight hours a day, and are given one day off about once a fortnight. The work is very strenuous and reports show that prisoners often suffer from exhaustion. In the winter months they have political “re-education” lessons which continue for two months. Medical care is also reported to be insufficient and administered only at a late stage.

Recommendations

Amnesty International is concerned that Anu has been held without charge or trial for 21 months and is calling for her immediate and unconditional release. The organization is also concerned about the physical safety of Anu while she is detained. There are no facilities or special considerations taken for people with disabilities in prisons in Tibet and the long hours she is being forced to work may be stressful and detrimental to her health. Anu is also not being given access to her family, in violation of international human rights standards.

Please send telegrams/telexes/express and airmail letters in English, Chinese or in your own language:

- Expressing your concern that Anu has been detained without charge or trial and calling for her immediate and unconditional release;

² See: Prisons and Detention Centres, Gu Chu Sum, (<http://www.guchusum.org>)

³ See: Tibet Information Network (TIN) News Update, 27 July 1998: Monk “dedicated to spiritual practise” dies after Torture.

- Urging that in the meantime the Chinese authorities provide immediate guarantees for her safety and ensure that she has full access to her family;
- Urging that she is given access to medical treatment while detained in line with international human rights standards on the treatment of prisoners;
- Urging that while she is detained she is not forced to work for excessive hours or in a way that may affect her health, as stated in the UN Standard of Minimum Rules on the Treatment of Prisoners;
- Calling on the authorities to conduct a full and impartial investigation into all allegations of torture or ill treatment at the Trisam Re-education through Labour Centre and ensure that anyone found responsible be brought to justice.

Appeals to:

Governor of Trisam Re-education-through-Labour Centre

Jianyuzhang (Governor)

Xizang Zizhiqu Laojiaosuo

(Tibet Autonomous Region Re-education-through-Labour Centre)

Duilong Deqing Xian

Lasa-shi

Xizhang Zizhiqu

People's Republic of China

Telegram: Governor, Trisam Labour Re-education Centre, Lhasa, Tibet, China

Salutation: Dear Governor

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

Telexes: 68014 FAOLT CN or 68007 PGVMT CN

Salutation: Dear Chairman

Telegram: Chairman, Regional People's Government, Lasa, Xizang Zizhiqu, China

Salutation: Dear Chairman

Minister of Justice

Zhang Fusen

Sifaju (Ministry of Justice)

10 Chaoyangmen Nandajie

Chaoyangqu

Beijingshi 100020

People's Republic of China

Telegram: Justice Minister, Beijing, China

Fax: +86 10 65 292345

Salutation: Dear Minister

Copies to:

Diplomatic representatives of the People's Republic of China in your country