

People's Republic of China The Olympics countdown – crackdown on Tibetan protesters

This update has been produced in response to events in Tibet Autonomous Region and neighbouring provinces since 10 March 2008. It should be read in conjunction with a wider report published at the same time by Amnesty International: People's Republic of China: crackdown on activists threatens Olympics legacy, April 2008, AI Index: ASA 17/050/2008.

Introduction

Since 10 March 2008, serious human rights violations have been reported in the Tibet Autonomous Region (TAR, hereafter 'Tibet') and Tibetan areas of neighbouring provinces in connection with the police and military crackdown on Tibetan protesters. Initial protests by Tibetans in Lhasa, the capital of Tibet, appear to have been peaceful and suppressed in violation of protesters' right to freedom of expression, association and assembly, including through excessive use of force.

Protests later turned violent, with some protesters attacking individuals because they were believed to be Han Chinese. Some of these attacks are reported to have resulted in death, injury and damage to property. Amnesty International condemns such attacks and acknowledges the Chinese authorities' right and duty to protect all individuals against violence, including those who are at risk of being targeted solely on account of their ethnic identity.

However, Amnesty International is concerned that in restoring order, the Chinese authorities have resorted to measures which violate international human rights law and standards. These have reportedly included unnecessary and excessive use of force, including lethal force, arbitrary detentions and intimidation. While such a response may quell protest in the short-term, the organization is concerned that such violations will only stoke further resentment, compromising any future effort to address legitimate grievances held by many Tibetans over official government policy in the region.

Amnesty International is particularly concerned about the treatment of hundreds of persons detained in response to the unrest. The organization has previously documented a pattern of torture and other ill-treatment of detainees in Tibet by China's security forces, especially against those accused by the Chinese authorities of 'separatist' activities. Global experience demonstrates that torture and other ill-treatment tend to flourish in an environment characterised by secrecy, lack of transparency, failure to respect fair trial rights and lack of accountability. China has long banned independent human rights monitors from Tibet, and the region is now virtually sealed from foreign journalists and other observers. For these reasons the organization fears for the safety and well-being of those now in detention.

Summary of events in and around Tibet between 10 to 25 March 2008

Beginning on 10 March 2008, the 49th anniversary of the failed 1959 Tibetan uprising against Chinese rule, a wave of protests by Tibetans have rippled through Tibet and surrounding Tibetan areas. Compared with protests in the region in 1989, which were largely restricted to Lhasa, these recent protests have been much wider in scope, extending into several neighbouring provinces with high concentrations of Tibetans. This has been followed by one of the largest military and security operations in the region for many years, involving thousands of soldiers, armed police and other elite security units.

On 10 March 2008, protest marches by monks and lay persons occurred in several areas of Tibet and neighbouring provinces with high proportions of Tibetan residents. In the outskirts of Lhasa, several hundred monks from Drepung Monastery reportedly began a planned, peaceful march from their monastery into central Lhasa in an effort to bring attention to restrictions on their freedom of religion and with specific demands regarding the lifting of government controls over religious practices. They were reported to have been demanding the easing of the government-imposed “Patriotic Education” campaign which subjects monks, among other things, to political classes, forces them to write denunciations of the Dalai Lama, and intensifies the presence of police monitors within monasteries. Halfway to Lhasa, the monks were reported to have been stopped from proceeding by Chinese armed police at a road checkpoint. Between 50-60 of them were reportedly arrested. Witnesses reported seeing 10 military vehicles, 10 police vehicles and several ambulances at the checkpoint.

In a separate incident, around 10 individuals, including monks and lay persons, were reported to have begun a peaceful march from Tsukhakhang Temple to Barkhor Street in Lhasa. They were reported to have raised banned Tibetan national flags and distributed pamphlets. All 10 protesters were reportedly immediately arrested and severely beaten. Shops and vendors in the area were reported to have been ordered to shut down and police continued to patrol the streets.

On the same day, in a further incident, six or seven monks from Sera Monastery, who were demonstrating outside the Jokhang Temple in central Lhasa, were reported to have been surrounded by police. An eyewitness recounts how hundreds of lay Tibetans spontaneously formed a silent, peaceful, circle around the police. When additional police reinforcements arrived and undercover agents began filming, the crowd was dispersed. The monks who started the protest were arrested and taken away.

In a separate incident the same day, a group of protesters, including about 140 monks and over 200 lay persons, were also reported to have begun a peaceful march from Lhutsang Monastery, Mangra (Guinan) County, Tsolho (Hainan) Tibetan Autonomous Prefecture, Qinghai province towards the county seat.¹ Their passage was reported to have been blocked by the Mangra County People’s Armed Police as the approached the County Assembly Hall.

¹ Words in parentheses are the Chinese names for the same places.
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On 11 March 2008 in Lhasa, eyewitnesses report that a force of over a thousand armed police and Public Security Bureau (PSB) personnel fired tear gas to disperse several hundred monks protesting the arrest of the Sera monks the day before.

On 12 March 2008, the Chinese authorities ceased providing permits to journalists to enter Tibet and journalists and tourists in the city and surrounding areas began to be evacuated. Numerous websites were blocked, television broadcasts censored, and mobile phone and internet access reportedly blocked or restricted.

On 14 March 2008, protests in Lhasa turned violent. Some Tibetan protesters were reported to have set fire to police cars, throwing rocks at police and military forces, and specifically targeting Han Chinese people and setting fire to Chinese-owned businesses in ethnically-motivated attacks. The victims in Lhasa reportedly included a family of five, including an 8-month old baby, who were found dead in the garage of a burnt-out building. CNN and BBC began reporting that their broadcast news services in China were being censored, with transmission often cut as soon as reports on the situation in Tibet were aired.

Security forces were reported to have responded at times with excessive force to the protests, including by inflicting severe beatings, and shooting live ammunition to disperse crowds. Arbitrary arrests followed. By 15 March 2008, all roads into Lhasa were blocked off, shops closed, and a city-wide curfew imposed. The Chinese authorities issued an ultimatum to Tibetans involved in the protests to voluntarily turn themselves in before midnight 17 March. However, even before the ultimatum was issued, the authorities had reportedly already begun mass arrests of Tibetans suspected of involvement in the protests following house-to-house searches. Armed police were seen going from door to door, dragging suspects out and often beating them before taking them away.

Many former political prisoners are reported to have been detained in the sweep including Ngawang Namgyal, a former political prisoner and former monk of Drepung Monastery. He was reportedly taken from his residence by Lhasa PSB officers during a midnight raid and detained on alleged charges of 'inciting and supporting the Lhasa protest'. There is currently no further information on where he is being held or his condition. Individuals were reported to have been targeted solely for having a picture of the Dalai Lama hanging in their home, including being beaten and detained by the police. With thousands of troops patrolling the streets, an atmosphere of fear and intimidation was reported to dominate the city.

Within days of the initial unrest in Lhasa, protests involving thousands of Tibetans spread quickly beyond the TAR. Protests have been reported in over 42 counties throughout Sichuan, Gansu and Qinghai provinces, in which there are high concentrations of Tibetans. Some of these protests have involved thousands of individuals while others have been relatively small, consisting of several dozen protesters. Many of the protests appear to have begun as small, peaceful demonstrations by monks, who were in some cases then joined by other monks and larger numbers of lay persons. A protest by thousands of Tibetans in Amdo Labrang, Sangchu County, Qinghai Province on 15 March 2008, was reported to have started as a peaceful march of 50 monks who were then joined by more than 500 other monks and hundreds more lay persons. There have been reports of violence by protesters targeting government buildings. In one locality

protesters reportedly removed a Chinese flag from above a government building, replacing it with a Tibetan flag, and attacked a government-operated restaurant apparently because it refused to hire Tibetans.

The authorities launched a major military build-up in the area, with thousands of military troops, special para-military forces and other security reinforcements being sent in to put down the protesters. Eyewitnesses have reported seeing convoys of military vehicles over one kilometre long transporting personnel into the region. In Chengdu, capital of Sichuan Province, a foreign journalist reported seeing police in groups of five, armed with submachine guns, patrolling the streets of the Tibetan neighbourhood to halt possible demonstrations. Severe beatings by the police have been reported in numerous areas.

The security forces in some areas are reported to have used lethal force to quell peaceful protests. Eyewitnesses reported the shooting of at least eight protesters including monks of Ngaba Kirti Monastery by the People's Armed Police (PAP) during peaceful demonstrations in Ngaba (Aba) county, Sichuan province on 16 March 2008. The bodies of some of the dead were reportedly dragged into the monastery, where they were photographed. Initial reports in Chinese state media stated that the police had shot dead four 'rioters' when they opened fire 'in self-defence', but later reports stated the four had just been wounded and 'ran away with other mobsters amid the chaos'.²

In another incident at least three Tibetans were reportedly shot dead and another 15 injured on 18 March during a peaceful protest in Kardze (Ganzi) county, Sichuan province, when armed forces started firing live ammunition into the protesters. In a similar protest on 24 March in the same county, at least one person was reported to have been shot dead and another left in critical condition when PAP forces fired into protesters. Chinese state media reports stated that the police had been forced to fire 'warning shots' at protesters who attacked with stones and knives. It added that one police officer had been killed, but did not mention deaths of any protesters.³

Estimates by overseas Tibetan organizations of those having died in the crackdown across Tibet and neighboring Tibetan areas range from 79 to 140, with estimates of those detained ranging from 1200 to over 2000, and with at least 100 having disappeared. The government claims 19 people have died in Lhasa, including 18 civilians and 1 policeman, and that one police officer has been killed and more than 600 people wounded in the unrest throughout the area.⁴ On 26 March the official Xinhua news agency said that 661 people had so far "surrendered" to the authorities, 280 in Lhasa, and 381 in Sichuan province, with over 1000 detained.

² See 'Police: 4 rioters wounded in Aba of Sichuan', *Xinhua*, 21 March 2008, http://www.china.org.cn/2008-03/21/content_13190976.htm and 'China shot dead 4 in weekend riot in Tibet – Xinhua', *Reuters*, 20 March 2008, <http://www.reuters.com/article/latestCrisis/idUSL20843642>.

³ 'Tibet deaths and protests shadow Olympics', *Reuters*, 25 March 2008.

<http://www.iht.com/articles/reuters/2008/03/25/asia/OUKWD-UK-CHINA-TIBET.php>. See also, 'Questions, answers about casualties, damages of recent riots', *Xinhua*, 25 March 2008.

⁴ See *Xinhua* Q & A, *supra* note 2.

Patterns of Violations

Violations perpetrated in and around Tibet share common characteristics with broader patterns of human rights violations in China, including several areas covered in the accompanying document, *People's Republic of China: crackdown on activists threatens Olympics legacy (AI Index: ASA 17/050/2008)*.⁵ For example:

- measures taken by the authorities to seal off the area from foreign journalists follow a more individualised pattern of obstruction and harassment of foreign journalists who try to cover stories deemed politically sensitive in China. Such obstruction has continued despite the introduction of new temporary regulations for foreign journalists last year aimed at increasing their freedom to cover news stories in China in the run-up to the Olympics.⁶
- the incomplete picture of the protests transmitted to the Chinese public – focusing largely on violence perpetrated by Tibetans – is a further indication of both official government control over the domestic media and its intermittent censorship of broadcasts by the international media. Such control and censorship violates fundamental human rights to freedom of expression and the right to seek, receive and impart information.
- the crackdown on the protests has resulted in the arbitrary detention of peaceful protesters in violation of their fundamental human rights to freedom of expression and association.⁷ Amnesty International is concerned that the authorities appear to have conflated those engaged in peaceful protest together with those perpetrating acts of violence. In some cases, the security forces have also reportedly fired live ammunition into crowds of protesters engaged in peaceful protest.⁸
- Amnesty International has long documented reports of torture and other ill-treatment of Tibetans in detention, especially those detained for alleged ‘separatist’ offences, including

⁵ The accompanying report is the latest in a series of reports which focus on four broad patterns of human rights violations in China in the run-up to the Beijing Olympics: the continuing use of the death penalty and abusive forms of administrative detention, the arbitrary detention, imprisonment, torture and harassment of human rights defenders, including journalists and lawyers, and the censorship of the Internet.

⁶ Like tourists, foreign journalists in China have always had to apply for special permission to visit Tibet. The regulations introduced at the beginning of last year do not explicitly state whether their purported freedom extends to Tibet or not. However, on 13 February 2007, Jiang Yu, a spokesperson for the Ministry of Foreign Affairs stated that the regulations did not apply to Tibet due to unspecified ‘restraints in natural conditions and reception capacity’ in Tibet, adding that foreign correspondents had to continue to apply for permission from the local authorities to report from the region. See ‘China back-tracking on media freedoms’, *Human Rights Watch*, 31 May 2007.

⁷ For example, see Amnesty International urgent action in response to the detention of 15 Tibetan monks, including a 15-year old boy, for participating in a peaceful demonstration in Lhasa on 10 March, UA 76/08, 18 March 2008, (ASA 17/057/2008).

⁸ Such reports of unlawful use of firearms follow in the wake of eyewitness testimony indicating that at least two people were killed when Chinese security forces opened fire on a group of Tibetans who were trying to flee to Nepal in September 2006. For further information, see Amnesty International urgent action, 12 October 2006, (ASA 17/054/2006).

Tibetan Buddhist monks and nuns.⁹ Recent cases include the following: Tibetans taken into custody following their attempt to flee to Nepal in September 2006 reported, after their release, being beaten with rubber batons and electric prods;¹⁰ children detained in September 2007 for writing pro-Dalai Lama graffiti on a wall were reported to have been beaten, with one 14-year-old having to go to hospital for treatment for severe wounds received in detention;¹¹ Tibetan asylum seekers forcibly returned to China from Nepal in 2003 reported, after their release, that they had been subjected to torture and other ill-treatment in detention, including being kicked, beaten, prodded with electroshock batons, having sewing needles inserted under their fingernails, being forced to stand naked for long periods of time and being subjected to humiliating comments about their religious beliefs.¹² In view of such cases there are serious concerns that anyone detained by the authorities in connection with the protests, whether peaceful or violent, may be subjected to beatings and other forms of torture or ill-treatment; such concerns are reinforced by several eyewitness reports of police beating protesters whilst apprehending them.

- Ongoing political interference at all levels of the criminal justice system in China makes it most unlikely that those detained in connection with the current protests will receive a fair trial in line with international standards. Detainees are also denied essential elements of the right to fair trial due to ongoing deficiencies in the Chinese Criminal Procedure Law, such as a failure to give detainees prompt access to lawyers. Resource deficiencies within the criminal justice system, especially in relatively poor provinces of Tibet, Sichuan, Qinghai and Gansu, would also compromise any attempt to secure a fair trial for suspects.
- The Chinese authorities have announced that anyone detained for taking part in the violence faces charges of ‘endangering national security’ under provisions of the Criminal Law which have long been used to convict and imprison peaceful Tibetan activists in violation of their rights to freedom of expression and freedom of religion. Excessively broad and vague definitions of “national security” and acts which endanger “national security” has characterized China’s treatment of human rights defenders more generally, in violation of their freedom of expression, association, and assembly.
- Official assertions that those accused of violent offences in addition to ‘endangering national security’ will be ‘severely punished’ raise grave concerns that the authorities may resort to the use of the death penalty. Tibetans have in the past been sentenced to death for so-called ‘separatist’ offences. Lobsang Dhondup was executed in January 2003

⁹ See for example, Amnesty International *People’s Republic of China: Call for accountability for Tibetan deaths in custody in Drapchi Prison*, February 2002, (ASA 17/009/2002).

¹⁰ For further information, see Amnesty International, *Urgent Action UA 277/06 Excessive use of force/Fear for safety* (ASA 17/054/2006, 12 October 2006) and *Further Information on UA 277/06 Excessive use of force/Fear of safety* (ASA 17/003/2007, 6 February 2007)

¹¹ See Amnesty International, *China: Tibetan child detainees at risk of torture and ill-treatment*, 15 October 2007.

¹² For further information, see Amnesty International, *People’s Republic of China: Uighurs fleeing persecution as China wages its ‘war on terror’*, July 2004 (ASA 17/021/2004) p.22-23

after being convicted in a secret trial of involvement in a series of bombings in Sichuan province.¹³ In addition to terms of imprisonment under the Criminal Law, those deemed to have committed ‘lesser offences’ may also be assigned to ‘Re-education through Labour’ (RTL) – an abusive system of administrative detention imposed without charge, trial or judicial review.

Recommendations to the Chinese Government

- release immediately and unconditionally those detained solely for engaging in peaceful protest, including support for the Dalai Lama, the independence of Tibet, or greater autonomy for Tibet;
- account for all those detained, including their names, whereabouts, and any charges against them;
- ensure that all detainees have prompt access to lawyers, members of their family and any medical treatment they require;
- ensure that any detainees suspected of acts of violence are charged with recognizably criminal offences and remanded by an independent court or else released;
- in restoring order and protecting individuals and property, use force only when necessary and then in a proportionate way; in particular, the security forces should only use lethal force as a last resort when there is an immediate threat to life;
- account for all those who have been killed or injured;
- ensure that all killings, violent assaults and other attacks on persons and property are investigated promptly, independently and effectively, regardless of the identity of the perpetrators and the victims, and that suspected perpetrators are prosecuted in proceedings which meet international standards of fairness without imposition of the death penalty;
- allow independent UN scrutiny into the current human rights situation in the Tibet Autonomous Region and neighbouring provinces;
- grant unimpeded access to the Tibet Autonomous Region and neighbouring provinces for journalists and other independent observers;

¹³ For further information, see Amnesty International, *People’s Republic of China: Executed ‘according to law’ – the death penalty in China*, March 2004 (ASA 17/003/2004)
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- end censorship of the media in China to allow a full and diverse range of reporting in line with rights to freedom of expression and information, including reports on Tibet by overseas media in China;
- take urgent measures to address the underlying causes of the protests, including Tibetans' long-term grievances over violations of their human rights, including restrictions on religious practice; persecution for exercising their freedoms of expression, association and assembly; government policies apparently aimed at weakening their culture and ethnic identity; and perceived exclusion from the benefits of economic development.

Recommendations to other governments, the IOC and corporate sponsors of the Olympic Games

- Amnesty International calls on world leaders, including those who plan to attend the Olympic Games, to use their influence with the Chinese authorities to take urgent action in line with the above recommendations. Governments engaged in 'human rights dialogue' with China are urged to ensure that the current human rights situation in Tibet is on the agenda for the next dialogue session and that independent NGO representatives with expertise on Tibet are also invited to participate;
- In order to uphold the Fundamental Principles of Olympism with respect to 'human dignity' and 'universal fundamental ethical principles' and in attempt to secure a positive legacy of the Olympics for Beijing and China, the IOC should use its influence with the Chinese authorities to take urgent action in line with the above recommendations;
- Corporate sponsors of the Beijing Olympics should also use all possible channels of influence to ensure that the Chinese authorities implement the above recommendations;
- In addition to pursuing diplomatic channels, governments and the IOC should also manifest publicly their concern over the human rights situation in Tibet: failure to express concerns strongly and publicly may be interpreted as a tacit endorsement of the human rights violations perpetrated in the run-up to the Olympic Games.