

Two Tibetans sentenced to death

[20 April 2009] On 8th April two Tibetans (Lobsang Gyaltzen or Loyak) were sentenced to death for their part in the demonstrations in Lhasa, two others were given death sentences with a "two year reprieve" and a fifth was sentenced to life imprisonment. There is no mention of the specific charges, only that they were found guilty of setting fire to shops resulting in the deaths of the owners.

News of these sentences follows previous reports in Xinhua that Tibetans have received sentences varying from six months to life for taking part in demonstrations in Tibet last March and April (2008). However, there are few, if any, details about the charges, trial procedures, names of Tibetans waiting trial etc. The defendants have had no access to independent defence counsel and are being represented by government-appointed lawyers, which does not make for a impartial or fair trial. Everything is effectively being conducted behind closed doors, like a covert operation, with no transparency, openness and no way of monitoring adherence to basic international standards of the rule of law.

In a recent reply to a letter sent by ITSN about the current situation in Tibet, the FCO said: You raise the issue of the UN Committee against Tortures report into China. We share your concerns about torture in China, including in Tibet, and combating it remains a UK priority. The Chinese government has made some improvements most notably in improving the rights of detainees by videotaping interrogations. We remain concerned by continuing media reports of the routine and widespread use of torture and ill-treatment of suspects in police custody, especially to extract confessions. We will continue to urge the Chinese to implement the recommendations of the UN Committee against Torture.

Tibet Society are continuing to work with our UK MPs on the issue of Tibet and have been pressing urgency to various MPs on these unjust sentencing. We have asked if there were any video tapes available showing the interrogation of Lobsang Gyaltzen or Loyak and if the government could request these are made available as there are justifiable concerns over the treatment of the defendants prior to the trials, particularly in the light of the UN CAT report?

The FCO is running some legal processes programmes in China and is working in various areas to set in place internationally accepted procedures. This announcement of the most severe of sentencing from trials that have been conducted

without transparency clearly shows the need for such programmes, especially in the TAR.

Tibet society also ask if Parliament questions and letters to the FCO could urge the government to explain what programmes are being supported and where, the conditions laid down for compliance (i.e. is it just local compliance or are there requirements that basic standards are adhered to throughout China), the effectiveness and results of such programmes and to ask for clarification on the government's stance on judicial procedures inside the TAR and what, if any, measures it is taking to monitor legal processes and treatment of defendants.

Further Parliament questions and an EDM should be tabled condemning China's flagrant flouting of recognised international standards of legal process and urgently calling for the death sentences be quashed with immediate effect. We could also question if there will be any hearings or investigations into actions by individuals within the Peoples Armed Police and PLA that resulted in the deaths of over 200 unarmed Tibetan demonstrators during the 2008 demonstrations (just as our police are currently being investigated following the G20 incidents).

The four points listed below are further asks that Tibet support groups worldwide will be calling for:

- That all five cases are impartially investigated with any further trials to be conducted openly and with due regard to international legal standards.
- That all cases related to events of March and April 2008 are given a suspension until a full and independent inquiry into events around these dates is held.
- That a full list of the names and whereabouts of all Tibetans still detained in relation to last years events is provided.
- That no prisoner is subjected to torture or other ill-treatment, they are granted the right to regular visits by family members, have access to lawyers of their choice and are given any necessary medical treatment needed.