

## Filmmaker Dhondup Wangchen sentenced to six years

In January 2010 it was learnt that filmmaker Dhondup Wangchen had been given a six year prison sentence for “inciting separatism” by making his documentary film *Leaving Fear Behind*. This film documents Dhondup's visit to Tibet in early 2008 where he interviewed Tibetans, asking them for their thoughts and views on the upcoming Olympic Games, the Dalai Lama and future developments. He was arrested shortly after completing these interviews and had been held for over 18 months in detention. He had no independent legal representation of his choice at his trial. The dire lack of due legal process and the extreme sentence meted out for what were tenuous charges again shows the complete disregard the Chinese government has for meaningful legal reform and civil rights.

Foreign Office Minister, Ivan Lewis, said: “I am concerned by reports that documentary film-maker Dhondup Wangchen has been sentenced to 6 years in prison. The verdict, like that of prominent human rights defender Liu Xiaobo, raises serious concerns about the right to freedom of expression in China. I urge the Chinese Government to meet its international human rights obligations and respect constitutional guarantees on freedom of expression.”

“My husband is not a criminal, he just tried to show the truth.” Lhamo Tso

Dhondup Wangchen's wife, Lhamo Tso appealed for people to raise Dhondup's case and that he could have a legal representative of his own choosing at his appeal, further saying, “My children and I feel desperate about the prospect of not being able to see him for so many years. We call on the Chinese authorities to show humanity by releasing him. My husband is not a criminal, he just tried to show the truth.”

Dhondup's case is a clear example of the Chinese government's contempt for legal reform and basic human and civil rights such as freedom of speech, right to fair and public hearings, freedom of movement and freedom of opinion.

For a DVD of *Leaving Fear Behind*(£1.50 inc P&P), order online, call our office on 020 727 1414 or join Tibet Society and receive a copy with your membership pack.

Full statement by Ivan Lewis

Press release by Central Tibet Administration

Press release by Dhondup Wangchen's family

Ivan Lewis's statement on the recent disproportionate sentencing of Dhondup Wangchen, Liu Xiaobo and Phurubu Tsering Rinpoche

Responding to recent trials in China which have raised human rights concerns, Ivan Lewis said: “I am concerned by reports that documentary film-maker Dhondup Wangchen has been sentenced to 6 years in prison. The verdict, like that of prominent human rights defender Liu Xiaobo, raises serious concerns about the right to freedom of expression in China. I urge the Chinese Government to meet its international human rights obligations and respect constitutional guarantees on freedom of expression.

International fair trial standards were not met in these cases. Nor in that of Tibetan lama Phurubu Tsering Rinpoche, who was sentenced to more than 8 years in prison on 23 December. I pressed the Chinese government on some of these issues during my visit to Tibet in September, and urge them now to follow legal due process when the appeals are heard.”

\*\* The FCO has assured TSGs they will continue to raise these and other cases of concern with Chinese government representatives and officials at every available opportunity.

6 January 2010, Central Tibet Administration, Dharamsala

Dhondup Wangchen, the Tibetan filmmaker who was arrested by the Chinese government for documenting the current situation in Tibet and Tibetan people's aspiration for return of His Holiness the Dalai Lama to Tibet, has been sentenced to six years in prison, according to information received by the Central Tibetan Administration.

The sentence was pronounced on 28 December 2009, according to the report. But it is not known where the filmmaker was tried.

Dhondup Wangchen, aged 35, was arrested with his monk assistant named Jigme Gyatso on 26 March 2008 for making the film *Leaving Fear Behind in Tibet*, which documents the lives of Tibetans under China's rule, views about His Holiness the Dalai Lama and the Beijing Olympics.

Jigme Gyatso was released on bail seven months later, on 15 October 2008, and reported that he had been tortured in detention.

Wangchen was initially detained at the Ershilibu detention centre in Sining, Amdo. He was transferred a few months later to a government-run guesthouse nearby, probably for the purpose of interrogation, before being sent to the No. 1 Detention Centre in Sining. Wangchen has been suffering from hepatitis B, for which he said he has been denied adequate medical treatment, the International Campaign for Tibet, the US based rights group said in its report on 17 September 2009.

The Chinese government arbitrarily replaced the lawyer chosen by Wangchen, Li Donyong, with a government-appointed lawyer in July 2009. The Human Rights Watch strongly condemned the move as a "violation of China's criminal procedure law and its obligations under international human rights law, which guarantee criminal defendants the right to choose their own defence counsel and to meet with their counsel while in detention".

Wangchen's lawyer, Li Donyong reported that his client had been tortured in order to extract a confession and that some of the injuries he sustained as a result were still painful a year later. During that discussion Wangchen stated that he intended to plead not guilty and had admitted no wrongdoing during his 16 months in detention.

"A verdict against Dhondup Wangchen under the present circumstances will have no legitimacy whatsoever," Human Rights Watch said in its statement on 3 August.

Press release by Dhondup Wangchen's family

Tibetan filmmaker Dhondup Wangchen sentenced to six years<sup>1</sup>/<sub>4</sub> imprisonment - Dhondup Wangchen needs a legal representative of his own choosing, says family of Dhondup Wangchen

Zurich, 6. January 2010. Dhondup Wangchen, the Tibetan filmmaker who is currently in Chinese detention, has been sentenced to six years' imprisonment by the provincial court in Xining (capital of Qinghai province). His arrest in March 2008 came shortly after completion of filming for his documentary film *Leaving Fear Behind* in which Tibetans spoke out about their lives in Tibet.

The sentencing took place on 28 December 2009 but his relatives in Xining were neither informed about the trial nor the verdict. According to reliable information, Dhondup Wangchen will appeal the sentence but the appeal period will expire on Thursday, 7 January 2010. Furthermore, Dhondup Wangchen has no access to independent legal assistance. The lawyer originally hired by his family was barred from representing him by the Chinese government.

His wife Lhamo Tso, who is together with her children on pilgrimage in Bodh Gaya/India, said today: "appeal to the court in Xining to allow my husband to have a legal representative of his own choosing. My children and I feel desperate about the prospect of not being able to see him for so many years. We call on the Chinese authorities to show humanity by releasing him. My husband is not a criminal, he just tried to show the truth."

"The fact that my cousin Dhondup Wangchen has to enter the appeal process without legal assistance shows how human rights are trampled upon by the Chinese government in Tibet" said Gyaljong Tsetrin, co-producer of *Leaving Fear Behind*, "I am also greatly concerned about Dhondup Wangchen's health as he has contracted Hepatitis B through the poor conditions and torture he has endured in prison and is not receiving medical treatment. I ask myself how he will survive in prison for six years."

Dhondup Wangchen was born on 17 October 1974 in Bayen, Tsoshar area of Amdo in northeastern Tibet (Chin: Hualong, Haidong, Qinghai). He comes from a poor farming family without formal education. As a young man, he travelled to Lhasa and also to India.

After his return to Tibet he was determined to document the true situation in his country and tell the outside world. Out of concern for his family, he escorted his wife and four children to India in 2006 before commencing filming the documentary.

*Leaving Fear Behind* has been screened in over 30 countries around the world.