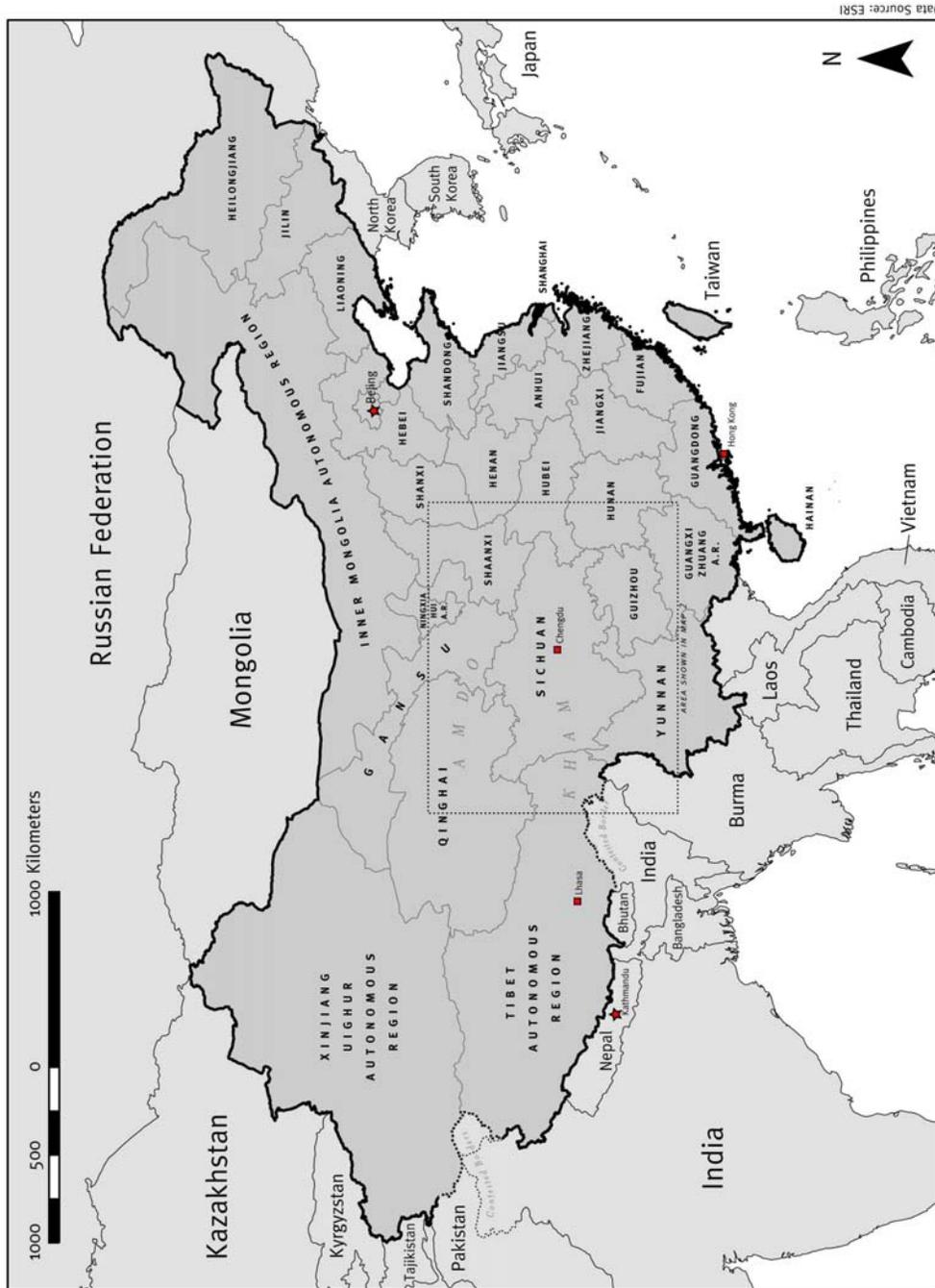


Trials of a Tibetan Monk: The Case of Tenzin Delek

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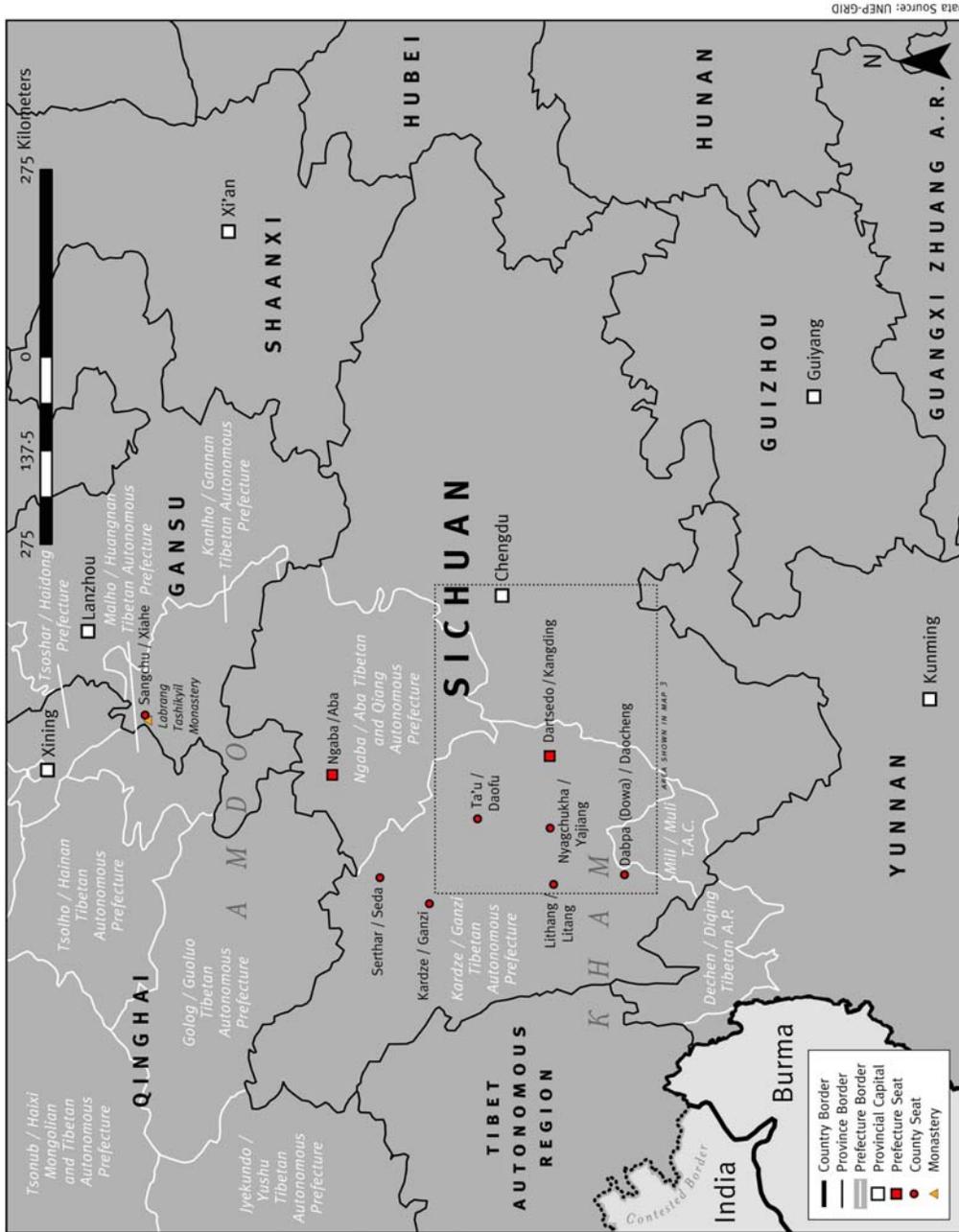
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Map 1: Provinces and Autonomous Regions of the People's Republic of China



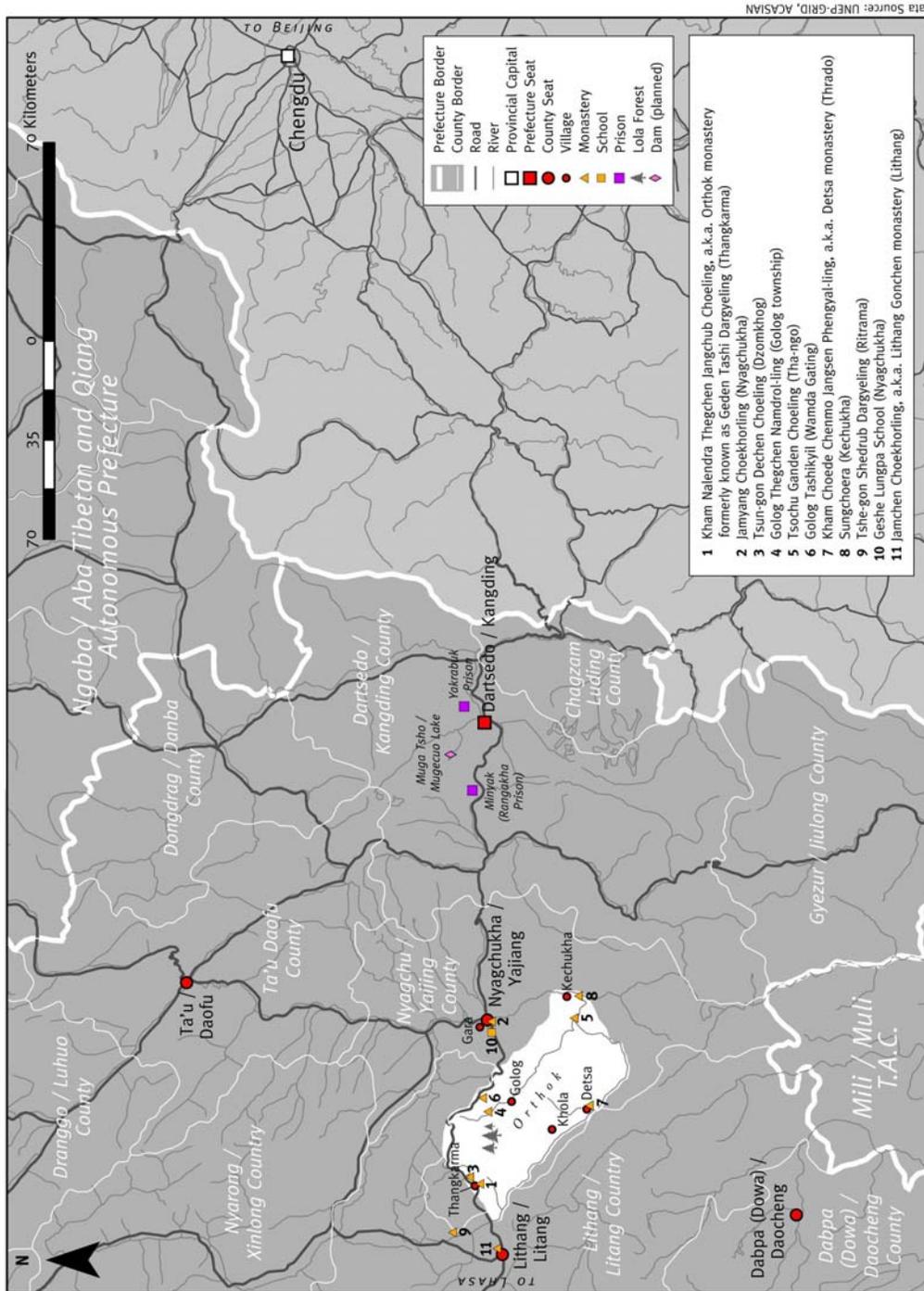
Map 1: Provinces and Autonomous Regions of the People's Republic of China

Map 2: Sichuan Province and Surrounding Areas



Map 2: Sichuan Province and Surrounding Area

Map 3: Southeastern Section of Kardze/Ganzi Tibetan Autonomous Prefecture



Map 3: Southeastern Section of Kardze / Ganzi Tibetan Autonomous Prefecture

I. Summary

On December 2, 2002, the Kardze (Ganzi in Chinese) Tibetan Autonomous Prefecture Intermediate People's Court in Sichuan province sentenced Tenzin Delek Rinpoche, a locally well-known and respected lama, to death. Tenzin Delek, charged with "causing explosions [and] inciting the separation of the state" was granted a two-year suspension of his death sentence, and remains in prison at this writing. His alleged co-conspirator, Lobsang Dondrup, was also found guilty, and was summarily executed on January 26, 2003.

The prosecutions came after a series of bombings in western Sichuan province between 1998 and 2002. A report issued the same day by Xinhua, China's official news agency, alleged that the two had "engaged in crimes of terror."¹ At the sentencing hearing, Tenzin Delek declared his innocence. In a tape smuggled from detention in mid-January 2003 and obtained by Human Rights Watch, he repeated this claim, saying, "I have been wrongly accused. I have always said we should not so much as raise a hand against another."²

Based on interviews with numerous eyewitnesses, the report provides a detailed account of the circumstances surrounding Tenzin Delek's arrest and conviction. It concludes that the case was the culmination of a decade-long effort by Chinese authorities to curb his efforts to foster Tibetan Buddhism, his support for the Dalai Lama as a religious leader, and his work to develop Tibetan social and cultural institutions. His efforts had become a focal point for Tibetans struggling to retain their cultural identity in the face of China's restrictive policies and its continuing persecution of individuals attempting to push the accepted boundaries of cultural and social expression.

The report also includes a detailed account of Tenzin Delek's life and work, and of his interactions with local officials on a range of religious and social matters, illuminating rarely seen aspects of life for Tibetans in areas outside the TAR. It shows that though Tenzin Delek adopted a moderate approach, regularly interacting with Chinese officials on behalf of local Tibetan populations, he also criticized local officials when he felt they were unresponsive or misguided and was steadfast in his loyalty to the Dalai Lama as a religious leader. Appendices to the report include several original source materials, including a translation of a lengthy statement made by Tenzin Delek in 2000, as well as the transcript of a Radio Free Asia interview with one of the sentencing judges.

More than a year after the court made known its verdicts against Tenzin Delek and Lobsang Dondrup, many reasons remain for questioning its findings and those of the review court or courts that upheld the original sentences. The trial was procedurally

¹ "Two Tibetans sentenced to death in SW China," Xinhuanet, January 26, 2003, <http://202.84.17.73.7777/Detail.wct?RecID=0&SelectID=1&ChannelID=6034&Page=1>, (retrieved November 13, 2003).

² Transcript of recording of Tenzin Delek Rinpoche obtained from the detention center in Dartsedo (Kangding in Chinese), the capital of the Kardze Tibet Autonomous Prefecture, Sichuan province, on January 20, 2003. Radio Free Asia received the recording the following morning.

flawed, the court was neither independent nor impartial, and the defendants were denied access to independent legal counsel. Lawyers chosen by members of Tenzin Delek's family were not permitted to defend him at his appeal hearing. Claiming that state secrets were involved, Chinese authorities still refuse to release any of the evidence presented at trial.

Informed local sources maintain that local officials would not have been able to arrest and convict Tenzin Delek without first forcing a "confession" from his alleged co-conspirator Lobsang Dondrup, who allegedly named Tenzin Delek as his partner in the planning and financing of the bombings. Spectators present in court report that Lobsang Dondrup recanted his confession during the sentencing hearing.

Many of Tenzin Delek's associates, under surveillance for years, were rounded up in the wake of his arrest. At least two men are still in custody: Tashi Phuntsog, a monk, reportedly received a seven-year sentence, while a local resident named Taphel is serving a five-year term. Tserang Dondrup, a local resident, also received a five-year term but was released after serving only thirteen months. There are credible reports that all three were seriously mistreated when being apprehended and in detention. There have been no official statements about their alleged crimes. Nothing is known about their trials or the evidence presented.

Many other Tibetans have been detained, questioned, and subjected to threats or surveillance as part of the Chinese government's response to the bombings. Human Rights Watch has learned that approximately sixty Tibetans were detained for periods ranging from a few days to several months. Many were close associates of Tenzin Delek. Three have already served out administrative sentences and remain under strict surveillance. At least four Tibetans have disappeared and over one hundred others, fearful of arrest, have fled the community. One monk was so frightened by persistent questioning that he left the monkhood. Local inhabitants report having been warned that they or their families risked officially-sanctioned reprisals if they spoke publicly about the trials, their admiration for Tenzin Delek, or, for those who had been jailed or imprisoned, their treatment while incarcerated.

Throughout his monastic career, Tenzin Delek championed the economic, social, cultural, and spiritual aspirations of Tibetans in four counties of the Kardze Tibetan Autonomous Prefecture (TAP), a predominantly Tibetan area in Sichuan province. He believed Chinese government officials in the area had little inclination to address Tibetan needs, preferring instead to use their positions for personal gain. Tenzin Delek tried to address the needs of Tibetans in a variety of ways: he established schools, clinics, an orphanage, and old-age homes. He mediated economic conflicts between Tibetan communities and was active in efforts to preserve the area's fragile ecological balance from deforestation, excessive mining, and other potentially damaging projects. He built a permanent structure at a major monastic center which previously had depended on tents for shelter, and he expanded its geographic reach through the establishment of seven branch monasteries. Perhaps most threatening to the authorities, Tenzin Delek's efforts attracted a coterie of several hundred devoted disciples and widespread support among

local people at a time the Chinese government was consolidating its control of Tibetan areas and struggling to diminish monastic influence and reinforce secular authority.

Many Tibetans once resident in the predominately Tibetan populated counties of Nyagchu (Yajiang in Chinese) and Lithang (Litang in Chinese), in Tenzin Delek's home base in Kardze, and in several other nearby areas, spoke to Human Rights Watch at great risk to themselves. Their accounts yield insights into the breadth of the projects Tenzin Delek undertook to improve the lives of nomads and subsistence agriculturalists and to revive Tibetan Buddhism in an area where it had been silenced for more than a decade.

Over a twenty-five-year period, as Tenzin Delek's local status rose and he successfully challenged official policies on a number of issues, local authorities in the Kardze TAP came to perceive him as a threat and sanctioned progressively harsher measures to contain his social and cultural activities. By 1997, as a renewed campaign (labeled the "patriotic education" drive) to bring Tibetan monasteries under full government control extended eastward from the Tibetan Autonomous Region (TAR) to Tibetan areas in Qinghai, Sichuan, Gansu, and Yunnan provinces, Kardze officials moved decisively. A first step was to label many of his activities political and, therefore, forbidden. His religious activities were curtailed. He could no longer move about freely. He could not speak publicly about the Dalai Lama as he could earlier. By 2000, Kardze prefecture authorities stripped him of all his religious prerogatives. Two years later, in 2002, he was formally arrested on what appear to be trumped-up bombing charges.

Though reliable information is scarce, Human Rights Watch is concerned that the Chinese government's treatment of Tenzin Delek is not an isolated phenomenon. As detailed below, there have been other major attempts in the Kardze Tibetan Autonomous Prefecture to control religious expression, monastic influence, local community leadership, and what officials view as political dissent.

Recommendations

Human Rights Watch urges the Chinese government to:

- immediately release Tenzin Delek Rinpoche pending a new trial conducted in accordance with international due process standards, including rights of access to counsel, adequate time and facilities to prepare a defense, and an open trial permitting international observers;
- immediately release all others arbitrarily arrested and detained in connection with the Tenzin Delek affair, including Tashi Phuntsog and Lobsang Taphel;
- publish all the Tenzin Delek/Lobsang Dondrup court (trial and appeal) documents and all relevant evidence, including materials submitted to the Supreme Court for review;
- publish the charges and evidence against all those still imprisoned or detained and those who served out their sentences or were released early;
- immediately suspend all restrictions on the civil liberties of those released;

- authorize a credible, independent investigation into the arrest and trial of Tenzin Delek and Lobsang Dondrup and publicize the results. If China cannot conduct such an investigation, it should invite the United Nations Working Group on Arbitrary Detentions or an independent panel of jurists to do so.
- discipline or prosecute as appropriate officials responsible for violations of the rights of Tenzin Delek, Lobsang Dondrup, and others connected to the Tenzin Delek affair;
- offer protection and support for any individuals wrongly detained, imprisoned, tortured, mistreated, accused, or otherwise abused as part of the Tenzin Delek affair and allow such individuals to file administrative or judicial complaints against responsible government agencies and officials;
- allow access to the U.N. Special Rapporteur on Torture in order that he may visit China on terms consistent with his mandate;
- revise the Criminal Procedure Law to ensure that information obtained through torture or under duress is excluded as evidence in a court of law;
- end the practice of holding secret or closed trials or appeals. Allow family members, journalists, and independent observers to attend all court proceedings;
- end the prosecution of individuals for communicating with journalists, including international journalists, and human rights organizations;
- ensure that “ethnic...minorities...shall not be denied the right, in community with other members of their group, to enjoy their own culture [and] to profess and practice their own religion,” as stipulated in Article 27 of the International Covenant on Civil and Political Rights (ICCPR); and
- abolish reeducation through labor, an inherently arbitrary system which denies due process and a court hearing to those deprived of their liberty.

In addition, Human Rights Watch urges the international community to raise the cases of Tenzin Delek Rinpoche and all others detained, arrested, or sentenced in relation to the crackdown in the Kardze (Ganzi) Tibetan Autonomous Prefecture at all bilateral human rights dialogues and high-level diplomatic meetings.

A Note on Methodology

In preparing this report, Human Rights Watch spoke with nearly 150 Tibetans in many different countries, many of whom fled their homes after Tenzin Delek was seized. Forty-seven of the 150 were interviewed in depth. Some interviews were conducted in person, while others were done by telephone. Some interviewees recorded answers to follow-up questions and submitted tapes. In order to protect their identities and so as not to further endanger them or members of their families, some of whom already are under surveillance, the location of the person at the time of the interview is not noted in the report. Interviews were conducted in English or Tibetan and recorded when possible. The entire transcript was then translated into English. Interviews began in December 2002 and continued into December 2003. Secondary source materials supplemented the interviews.

According to those willing to speak on the record, the flow of information has been inhibited by a general climate of fear in the affected areas, an increase in the number of security officers present in the affected communities, an initial upsurge in detentions, and warnings from authorities to the public to avoid speaking about the cases. Interviewees told us that at least some monks did not dare to go to Nyagchukha, the Nyagchu county seat, in their robes. Villagers knew they were not to congregate in groups. Former prisoners knew that speaking out about their prison experiences meant they “would be brought back to prison again.”³ There were reports that local Tibetan officials knew their phones were tapped, apparently because they were suspected of sympathy for imprisoned political prisoners and to the monastic community. Associates of Tenzin Delek knew their movements were tracked. Relatives of those involved kept quiet. They reported officials banned their use of fax machines, on making long distance telephone calls, and on traveling.⁴

A note on names as used in this report: Chinese authorities convert Tibetan names to Chinese characters. Pronunciation of the characters differs from that of the Tibetan. To complicate matters, the Chinese characters are then romanized. Tenzin Delek, whose lay name was A-ngag Tashi becomes A’an Zhaxi. Lobsang Dondrup becomes Lorang Dengzhu.

³ Human Rights Watch interview with CW, April 10, 2003 and with AQ, June 2003.

⁴ “China gags relatives of Tibetans in bombing case,” Radio Free Asia, February 4, 2003.

II. Introduction

If questioned, a Chinese government official would not say that Tenzin Delek Rinpoche⁵ lived in Tibet. For Chinese authorities and most ethnic Chinese speakers in China, the term Tibet is reserved for the Tibet Autonomous Region, the part of the Tibetan plateau over which the Dalai Lama ruled at the establishment of the People's Republic of China (PRC) in 1949. Tibetans, on the other hand, often use the term to refer to a larger, Tibetan area which includes the TAR and Tibetan areas in four neighboring provinces, the northeastern part of which they refer to as Amdo and the eastern and southeastern part as Kham. China recognizes most of the Tibetan-inhabited areas as Tibetan Autonomous Prefectures or Tibetan Autonomous Counties, but by no means regards them as part of Tibet. Most of the Tibetan areas in Sichuan are parts of what Tibetans call Kham. Inhabitants of the area, such as Tenzin Delek, are known as Khampas.

More than 50 percent of ethnic Tibetans live outside the TAR in so-called autonomous prefectures and counties created by the Chinese government after 1949 and assigned to the jurisdiction of one of four provinces: Qinghai, Yunnan, Gansu, and Sichuan. This dispersal of Tibetan population clusters over four provinces is related less to geography and more to history and to a deliberate government attempt to make it administratively harder for Tibetans to organize or act as a single community.

Prior to 1949, warlords and officials loosely associated with the Republic of China (familarly referred to as the Guomindang or the nationalists) ruled the eastern areas, parts of which had been severed up to 300 years earlier from the Dalai Lama's jurisdiction.⁶ Almost immediately after securing control of China in 1949, PRC leaders sent troops into eastern Tibet. A year later, People's Liberation Army (PLA) forces entered central Tibet, the area the Chinese government renamed the Tibetan Autonomous Region in 1965. Tibetans call the incursion an "invasion"; the Chinese refer to it as the "peaceful liberation" of Tibet.

After PLA forces entered Tibetan areas in the eastern part of the Tibetan plateau in 1949, the new PRC government implemented a series of policy changes that led to massive Tibetan resistance and a ten-year period of instability and intermittent warfare in all Tibetan areas. Lithang, Tenzin Delek's home base, was the early epicenter. Open revolt against Chinese policies began there in the mid-1950s and, by all accounts, was brutally suppressed by Chinese forces intent on radically changing Tibetan social and economic structures and on enlisting local leaders' cooperation in furthering so-called

⁵ *Rinpoche* is an honorific title meaning "precious jewel." A *tulku* is also an honorific title and is a general term for recognized reincarnations of lamas or of earlier tulkus. A tulku is usually discovered in childhood and brought up to carry on the lineage and to preside over the monastic estate of his predecessor. A *lama* is a monk who has gone from being a "common" monk to one who has studied assiduously, received advanced degrees, and teaches others. A tulku or a lama is often, but not necessarily, called rinpoche.

⁶ For a brief review of the historical differences between eastern and central Tibet, see Elliot Sperling, "Exile and Dissent: The Historical and Cultural Context," in *Tibet Since 1950: Silence, Prison, or Exile* (New York: Aperture Foundation, Inc. and Human Rights Watch, 2000), pp. 30-37.

reforms.⁷ In 1959, in Lhasa, the seat of the Dalai Lama's government, Chinese forces quashed the most serious in a string of uprisings. The Dalai Lama and some 100,000 Tibetans fled to India. Tibet and Tibetan areas were then sealed off to outsiders and radical social reforms, including vigorous restrictions on religion, were implemented throughout the area.⁸

In Kardze as in other Tibetan areas, stories about psychological humiliation, loss of livelihood, decimation of religious institutions, inhumane prison conditions, wholesale slaughter, starvation, and execution of family members in the 1950s, and then again during the Great Leap Forward (1958-60)⁹ and the Cultural Revolution (1966-76), fueled resentment directed at Chinese officials and China's Tibet policies.

By 1979, it had become clear that the new policies were not working, and that the harsh retaliatory measures meted out to those who refused to comply had backfired. Rather than creating divisions among Tibetan social classes, as had been expected, government tactics amplified Tibetan identification.

During a visit by then premier Hu Yaobang to the TAR in May 1980 with a Working Group of the (Chinese Communist) Party Central Committee, the government partially reversed course. It agreed to consult and cooperate with regional authorities, apologized for earlier errors, and ordered a large number of Chinese cadres to be removed so that local Tibetans could take over their positions. In a speech at the end of the stay, Hu recommended permitting Tibetans the same "system of private economy" already in place in many other areas.¹⁰ In addition, he implied eventual exercise of full autonomy for Tibetans and the development of Tibetan education, culture, and science.

In theory, a 1984 national law, the "Law of the People's Republic of China on the Autonomy of Minority Nationality Regions," furthered the new policy.¹¹ It promised so-called autonomous minority regions, such as the TAR, prefectures such as Kardze, and certain counties, a degree of control over their economic, social, and cultural development. However, in the almost twenty years since the law took effect, the Chinese leadership has ensured that autonomy in these areas has remained extremely limited. At the same time, China has taken steps to diminish the influence of traditional religion and culture among Tibetans. In addition, it has moved aggressively to "sinicize" Tibetan areas. Tenzin Delek's prestige and the growth of the monastic community he led, as

⁷ For further information about economic policies and political repression in the eastern areas during the 1950s and the Cultural Revolution (1966-76), see Tsering Shakya, *The Dragon in the Land of Snows* (New York: Columbia University Press, 1999) pp. 136-144, 165-170.

⁸ Selected visitors willing to write glowing reports of the changes in Tibetan society were permitted to visit.

⁹ Jasper Becker, *Hungry Ghosts: Mao's Secret Famine* (New York: The Free Press, 1996), pp. 168-179.

¹⁰ Wang Yao, "Hu Yaobang's Visit to Tibet, May 22-31, 1980: An Important Development in the Chinese Government's Tibet Policy," in Robert Barnett and Shirin Akiner, eds., *Resistance and Reform in Tibet* (London: Hurst & Company, 1994), pp. 285-89.

¹¹ The "Law of the People's Republic of China on the Autonomy of Minority Nationality Regions" came into effect on October 1, 1984. It was revised on February 28, 2001 to lend support to new economic policy initiatives for developing China's western regions

detailed below, appear to have been viewed as obstacles to this process and as unacceptable displays of distinctive cultural identity.

A series of large-scale political protests in Lhasa, the capital of the Tibet Autonomous Region, in 1987-89,¹² followed in 1993 by populist economic protests there and the spread of political protest to the countryside,¹³ played a role in another reversal of course. In 1994, at a meeting called the Third National Forum on Work in Tibet (Third Forum), central Chinese leaders agreed on a program of accelerated economic development and approved a policy that curtailed civil and political rights. There were to be new restrictions on religious activities and monastic independence, efforts to curtail the Dalai Lama's political and religious influence took on a new intensity, and a patriotic (Chinese) education campaign in schools and monasteries began. Taken together, the new policies aimed to eradicate the burgeoning Tibetan independence movement and to encourage migration of ethnic Han Chinese to Tibetan areas.¹⁴

Tenzin Delek

Tenzin Delek was born in 1950 in Kham, the eastern portion of the Tibetan plateau. His name at birth was A-ngag Tashi. In spite of the chaos surrounding the Chinese incursion into Tibetan areas in the 1950s and the ban on all religious expression during the Cultural Revolution, he managed to study Buddhism. During the 1970s, as conditions permitted, he worked to protect and reestablish Tibetan Buddhism in his home region.

From 1982 to 1987 Tenzin Delek was in India, where the Dalai Lama recognized him as a *tulku* (reincarnated lama). His time in India may have alarmed Chinese officials, partly because the title greatly enhanced his prestige and even his power within the local community. According to supporters, he left home without official permission or travel documents in 1982, in part to further his own education and, in part, because he feared arrest even then.¹⁵

¹² For further information see, Asia Watch (now Human Rights Watch/Asia), *Human Rights in Tibet* (New York: Human Rights Watch, 1988), pp. 57-64; Asia Watch, *Evading Scrutiny: Violations of Human Rights after the Closing of Tibet* (New York: Human Rights Watch, 1988); Asia Watch, *Merciless Repression: Human Rights in Tibet* (New York: Human Rights Watch, 1990).

¹³ See "Accounts of Lhasa Demonstration, May 1993," in "Reports from Tibet," October 1992-1993, *TIN News Review*, October 1993; see also "Rural Protests in Meldrogungkar, Tibet," *TIN News Update*, July 11, 1993.

¹⁴ Tibet Information Network and Human Rights Watch, *Cutting Off the Serpent's Head: Tightening Control in Tibet, 1994-1995* (New York: Human Rights Watch, 1996), pp. 20-45.

¹⁵ According to Chinese regulations, the journey was illegal. Those regulations violated international law on freedom of movement. (See International Covenant on Civil and Political Rights (ICCPR), art. 12.2, *opened for signature* December 16, 1966, G.A. Res. 2200A (XXI), entered into force March 23, 1976, signed by China in October 1998, not yet ratified.) According to one Chinese account, at some point, Tenzin Delek was expelled from Lithang Gonchen, the monastery to which he was affiliated, for alleged unacceptable behaviors such as rowdiness, stealing, and drinking. Although the exact dates are uncertain, one possibility is that the expulsion occasioned his move to India. It is also possible that the expulsion might have been formalized and "explained" *ex post facto* once Chinese monastic authorities learned of his whereabouts. See Radio Free Asia (RFA) Interview with Kardze Tibetan Autonomous Prefecture court judge, December 6, 2002. Transcript made available by Radio Free Asia (see Appendix II, "Interview with a Kardze Court Judge" for the full transcript).

Tenzin Delek's return in 1987 marked the beginning of a period during which he reportedly was able to bring to fruition many of his proposals for new monasteries, small schools, medical clinics, an orphanage, and old-age homes. It is unclear whether Tenzin Delek received official permission to establish or run these facilities,¹⁶ another possible cause for alarm among local officials.

One of his major projects, begun within two years of his return, was the construction of a permanent monastic structure at the summer site of Geden Tashi Dargyeling monastery, an important religious site in Orthok [see Map 3, "Southeastern Section of Kardze/Ganzi Tibetan Autonomous Prefecture"].¹⁷ Named Kham Nalendra Thegchen Jangchub Choeling, but usually referred to simply as Orthok monastery, it was the largest single institution that Tenzin Delek founded and served as the core of his growing network of monks, activists, and branch monasteries.

In 1998, Tenzin Delek established a school in a place known as Geshe Lungpa in Nyagchu county [see map] for some 350 orphans and children from poor families.¹⁸ Another school, established in the early 1990s on the site of Orthok monastery, served some 160 students, including orphans and impoverished youngsters. By providing food and shelter as well as an education, Tenzin Delek was able to obtain the agreement of parents, who might otherwise have been reluctant or too poor to send their children to school. Schools such as these, connected to monasteries, often emphasized religious and traditional learning at the expense of a state-mandated curriculum. It is not clear if either school had been licensed to operate.

Tenzin Delek also helped to bring medical facilities to underserved areas. A clinic in Orthok monastery specializing in Tibetan medicine served the local community. Another in Nyagchukha, provided a similar service. A Chinese official has acknowledged Tenzin Delek's beneficial medical work in his local area.¹⁹ However, a planned settlement to shelter nomads during winter, for which Tenzin Delek had allocated funds and purchased materials, was never built after local officials objected. The investment could not be recouped.

Over the years, as Tenzin Delek's activities in the Nyagchukha area led to his rise to prominence, local government officials took increased notice of his activities and views. Many were not in line with local government policies and thus could have been seen as challenges to the authority and influence of local officials. Tenzin Delek was an advocate for the social, cultural, economic, and religious rights of local residents. For example, he challenged officials who indiscriminately backed deforestation projects at the expense of

¹⁶ According to a tape Tenzin Delek made in 2000 at a time when he feared arrest, local authorities approved of at least one project, the school at Geshe Lungpa. Tape and transcript on file at Human Rights Watch. See Appendix I, "Statement of Tenzin Delek Rinpoche."

¹⁷ Orthok is not a Chinese administrative division. It is the traditional name of an area that today encompasses the townships of Horlong, Kholo, Detsa, Golog, and Mara.

¹⁸ Project costs for the land and materials for repair totaled 38,000 *renminbi* (approximately U.S.\$4,750).

¹⁹ Interview in February 2003 with a Chinese official who wishes to remain anonymous, describing a conversation with an official in Chengdu.

local communities. He was willing to confront officials who put what he considered their own interests before those of their constituents. He took a public position on harmful environmental practices in the area and expressed views that had been outlawed by the central government and that local officials had been ordered to eliminate, such as loyalty to the Dalai Lama and other forbidden religious ideas.

Furthermore, it appears that a significant portion of local residents trusted Tenzin Delek, rather than district cadres, to solve communal problems fairly and efficaciously, in part because of his willingness to approach provincial and central government officials when local efforts failed. The use of locally respected lamas as mediators in conflicts is a traditional practice in Tibetan communities and in many places continues to be encouraged by Chinese officials, with the implicit or explicit understanding that such lamas not oppose local or national policies.

At some point, however, Tenzin Delek must have crossed the line. According to local sources, the major turning point in Tenzin Delek's relationships with local officials came in 1993, when he worked—successfully—to help roll back an attempt to extend clear-cutting to forest land that residents saw as “belonging” to them. According to community members, those officials never forgave Tenzin Delek for their loss of face over the issue.

Residents argued it was this insult that inspired plans to detain Tenzin Delek in 1997-98 and in 2000. Pressure from Beijing on local authorities to curb what Beijing saw as his politically unacceptable activities most likely also played a role. He was finally arrested in 2002. Knowledgeable informants maintain that local authorities were irritated at Tenzin Delek's personal influence and at monastic rather than lay influence in general.²⁰ They apparently resented his contention that some officials and some lamas neglected the social and economic needs of the populace to seek out higher salaries and increased privileges for themselves.²¹

Lobsang Dondrup

Lobsang Dondrup and Tenzin Delek were distantly related and their family connection may be responsible for the claim of conspiracy against the two. In 1998 or 1999, when Lobsang Dondrup was twenty-four years old and newly separated from his wife, he expressed a desire to become a monk. Tenzin Delek agreed to a trial period. However, one source told Human Rights Watch that after little more than a year, during which Lobsang Dondrup helped with minor chores at one of Tenzin Delek's monasteries, it became obvious that other pressures prevented him from committing himself fully or devoting the time necessary to advance his studies. His mother and son needed his financial help. And he was handicapped by a combination of illiteracy, the absence of any previous formal education, and the relatively advanced age at which he was attempting to begin monastic study.

²⁰ Emily T. Yeh, “Tibetan Range Wars: Spatial Politics and Authority on the Grasslands of Amdo,” *Development and Change*, 34(3): 499-523 (2003).

²¹ Human Rights Watch interview with EJ, June 27, 2003.

According to one account, in 2000, Tenzin Delek, aware that the plan was not working out, advised Lobsang Dondrup to pursue his interest in small business ventures. Another account suggests that Tenzin Delek insisted Lobsang Dondrup leave the monastery for flouting its rules.²²

Local informants have said that Lobsang Dondrup presented a suitable target for officials looking for a relatively unknown and thus unprotected person connected to Tenzin Delek whom they could scare into pointing an accusatory finger at Delek.” As one informant explained after Lobsang Dondrup was detained:

What kind of support would he have? He came from a very poor family. They were uneducated. He lived in a very remote place. There was no road. Electricity—there was none. It was like people lived before 1959. And he was a distant relative of the Rinpoche.²³

Bombs

On April 3, 2002, a bomb, described as a “simple fuse device,”²⁴ exploded in Tianfu Square in Chengdu, the capital of Sichuan province in China’s southwest. It was this bomb that led to the arrests of Tenzin Delek and Lobsang Dondrup. There was a Xinhua report on January 26, 2003, the day of Lobsang Dondrup’s execution, that one person was seriously injured and many others hurt at the time of the blast.²⁵ Property damage was reported to have exceeded 800,000 *renminbi* (U.S.\$96,400).²⁶

Other accounts vary as to the identity of the Tianfu Square bomber, how and when he was apprehended, and the nature of his alleged confession. They also include contradictory information regarding the presence or absence of pro-independence leaflets at the blast sites. Without access to official court documents, particularly the procuratorate indictments and the court verdicts, the discrepancies cannot be resolved.

According to conflicting Chinese government accounts, the detonation was the culminating event in either a series of six bombings beginning in 1998 or a series of four beginning in 2001.²⁷ Quasi-official reports that Lobsang Dondrup and Tenzin Delek “confessed” to direct responsibility for five attacks²⁸ cannot be reconciled with the lower

²² Human Rights Watch interview with KR, December 19, 2002.

²³ Human Rights Watch interview with FP, July 29, 2003.

²⁴ “Bomb Blast in Chengdu,” TIN News Updates, April 24, 2004.

²⁵ “Tibetans sentenced to death for sabotaging China’s unity,” BBC Monitoring of Xinhua, January 26, 2003. The Xinhua article is datelined Chengdu, January 26, 2003.

²⁶ *Ibid.*

²⁷ “*Zhizao Tianfu Guangcheng Baozha Anjian Deng Anjian Liang Xianfan Bei Ji Shen Xuanpan*” (“A verdict has been handed down for two suspects in the case of an explosion in Tianfu Square and other such cases”), *Sichuan Daily (Sichuan Ribao)*, December 5, 2002.

²⁸ “China Court Rejects Tibetan Death Sentence Appeal,” Reuters, January 26, 2003; See Appendix II, “Interview with Kardze Court Judge.”

figure.²⁹ Other reports put the number of bombings at seven and are inconsistent in reporting where and when they occurred.

Details about the other explosions are sketchy and vary as to the sites where the bombings took place and the extent of injuries and property damage. What appears probable is that two explosions occurred in 1998 at Lithang Gonchen monastery, some 300 kilometers west of Chengdu.³⁰ They took place near the living quarters of one or possibly two high-ranking lamas, one of whom was a prominent Sichuan provincial official. One of the two made offerings to Dorje Shugden, a deity whose worship the Dalai Lama strongly advised be stopped. Tenzin Delek had actively campaigned in the area to promote the Dalai Lama's view. (See "Opposition to Worship of Dorje Shugden," page 44 for details about the Dorje Shugden controversy). After official accounts alleged that handwritten leaflets were found at that site, security officers detained a number of Tibetans, including local monks, in order to check their handwriting.³¹

Some accounts report a third explosion in 1999 near the Lithang County government office. At least two people suspected of involvement were detained but never tried.³² Another two or three bombs went off in Dartsedo (Kangding in Chinese), the Kardze prefectural capital, in 2001. According to an official account, the most serious occurred on October 3, 2001 at an office building of the traffic police. One person, a "watchman" died and monetary damages amounted to 290,000 renminbi (U.S.\$35,000). Tenzin Delek reportedly was not charged with responsibility for that incident. Lobsang Dondrup was.³³ If this last account is accurate, it suggests that Lobsang Dondrup might have been charged in connection with six incidents. Another account implies that Tenzin Delek was charged in connection with only four bombings and Lobsang Dondrup with five.³⁴

Accounts are consistent in reporting that a bomb went off at a bridge in Dartsedo in January 2001. The third 2001 bomb is variously reported as having occurred at Party headquarters, government offices, or an official guesthouse. According to an account that located the incident at the prefectural offices in Dartsedo, it resulted in two injuries, one of which was "serious," and extensive damage to the building and to vehicles parked in the compound.³⁵ The probable date is August 2001. An account that located the

²⁹ As the primary evidence against Tenzin Delek and Lobsang Dondrup appears to have come from confessions, this discrepancy suggests that the authorities accept that at least one of the six bombings, if indeed there were six, must have been carried out by someone other than Tenzin Delek or Lobsang Dondrup.

³⁰ Interview with DQ, April 3, 2003; see Appendix II, "Interview with Kardze Court Judge." Lithang is on the main road leading west from Chengdu toward central Tibet. The road runs from Chengdu through Dartsedo (Kangding), on to Nyagchukha, and then to Lithang before reaching the upper Yangze and the border of the Tibet Autonomous Region. There is constant traffic moving between the towns. The road is one of the two major routes linking central Tibet to Chengdu, the capital of Sichuan province, and the rest of China.

³¹ Human Rights Watch interview with DQ, April 3, 2003.

³² Ibid.

³³ "Tibetans sentenced to death..." BBC Monitoring of Xinhua.

³⁴ See Appendix V, "Announcement of Appeal Court Decision."

³⁵ See Appendix II, "Interview with Kardze Court Judge."

explosion at the main gate of Party headquarters said that for several weeks the area immediately surrounding the gate was covered with tarpaulins, that traffic had to be diverted, and that the explosion blew out the windows of buildings opposite the site. Both Tenzin Delek and Lobsang Dondrup were charged in connection with that incident.

After the Chengdu bombing, the count stood minimally at seven and possibly as many as ten bombings. There is no known evidence other than Lobsang Dondrup's alleged confession to connect the incidents.

III. Arrests

The Arrest of Lobsang Dondrup

Chinese authorities have produced inconsistent versions of events. Official reports at the time of the verdict identified Lobsang Dondrup as having been apprehended "fleeing the scene" of the April 3, 2002 blast.³⁶ However, one person told Human Rights Watch that a local Sichuan television news program initially broadcast a picture of an ethnic Chinese man who was being sought in connection with the bombing.³⁷ According to the source, it took another two days before Lobsang Dondrup was publicly identified as a suspect, allegedly after a woman who saw him fleeing called the authorities.

The Sichuan broadcaster announced that the unidentified caller should come to the TV station for a reward. However, on April 24, 2002, when the identity of the reward recipient was announced, Xinhua (the official Chinese news service) identified a male college student as the one who had collected 20,000 renminbi (approximately U.S.\$2,500). The student was praised for "providing crucial clues that led to the arrest of the suspects behind a downtown explosion."³⁸ He reportedly was near the site when the explosion occurred.

The Xinhua story went on to say that thanks to the student, it took only ten hours after the noontime detonation to capture Lobsang Dondrup. The time lapse suggests he was detained at 10:00 p.m. on the night of April 3 and conflicts with implications in official reports that he was caught at the site or fleeing the site, or at the time of the explosion. However, a number of Tibetans told Human Rights Watch that neither official version was accurate. They said Lobsang Dondrup was detained well after 10 p.m. on April 3.

³⁶ "Zhizao Tianfu Guangcheng Baozha Anjian...", *Sichuan Daily*; See Appendix II, "Interview with Kardze Court Judge."

³⁷ Human Rights Watch interview with DQ, April 3 2002.

³⁸ "Chinese student rewarded for giving 'crucial clues' in Chengdu blast," BBC Monitoring Asia Pacific – Political, April 24, 2002, text of report in English by official Chinese news agency Xinhua (New China News Agency), April 24, 2002.

Although many informants reported that Chinese officials with whom they worked and local television sources all said that Lobsang Dondrup “confessed immediately,”³⁹ another official told Human Rights Watch that he initially refused to speak to the police on the grounds that he could not speak Chinese and that it was not until he was moved from a Chengdu facility to one in Dartsedo that he “confessed” and allegedly implicated Tenzin Delek.⁴⁰

At least two other Tibetans were held, each for two months in mid-2002, on suspicion of direct involvement in the explosions. Reports indicated both men were roughly treated and had been warned of severe punishment should they speak out about their detentions.⁴¹ One of the two has fled the country.

No record of Lobsang Dondrup’s alleged confession has been made available by Chinese authorities. Furthermore, there is no available evidence buttressing government claims that Lobsang Dondrup linked Tenzin Delek to any of the bombings. One official report simply asserted that Lobsang Dondrup worked “in concert” with Tenzin Delek but gave no other details.⁴² In a semi-official telephone interview, the head of the Ganzi (Kardze) judiciary claimed that although Lobsang Dondrup set off the explosions, Tenzin Delek financed the operation.⁴³ He also alleged that Tenzin Delek composed the message inscribed on the pro-independence leaflets said to have been found at the Chengdu bomb site, but made Lobsang Dondrup copy it in his own hand and then burn the original⁴⁴ (security officials regularly check the handwriting on leaflets against a wide range of suspects—sometimes all the monks in a small monastery will have to submit handwriting samples—in an effort to identify a perpetrator). However, Human Rights Watch has learned that Lobsang Dondrup was illiterate and could not write his name or form many of the component parts of Tibetan script. A deformed hand might have further compromised his ability to write.⁴⁵

According to official statements, Lobsang Dondrup was convicted on the basis of his confession. He reportedly repudiated it during the sentencing hearing. Chinese authorities routinely use torture on Tibetan political activists in order to extract

³⁹ Interview with KR, December 14, 2002.

⁴⁰ Interview in February 2003 with a Chinese official who wishes to remain anonymous, describing a conversation he had with an official in Chengdu.

⁴¹ Human Rights Watch interviews with DQ, April 3 and April 17, 2003.

⁴² “*Zhizao Tianfu Guangcheng Baozha Anjian ...*,” *Sichuan Daily*.

⁴³ See Appendix II, “Interview with Kardze Court Judge.” Additional information on the tape denigrated Tenzin Delek, saying, for example, that the Lithang Public Security Bureau came to court with a videotape documenting their discovery of women’s clothing, bras, medicines, and dynamite at Jamyang Choekhorling. He asserted that Tenzin Delek had been expelled from Lithang monastery for drinking and fighting, an accusation refuted by Tibetans (Human Rights Watch interview with HM, August 7, 2003). The speaker also implied that the Dalai Lama never “recognized” Tenzin Delek, and that the local people had come to regret they ever trusted him. See also “Tibetans Were Denied Lawyers in Bomb Trial – Chinese Judge Says Men Confessed to Bombings,” *Radio Free Asia*, December 5, 2002.

⁴⁴ *Ibid.*

⁴⁵ Human Rights Watch interviews with EJ, July 16 and September 24, 2003.

confessions.⁴⁶ This has raised concerns that such methods were used against Lobsang Dondrup, concerns heightened by his incommunicado detention prior to trial.⁴⁷

The Arrest of Tenzin Delek

Public Security Bureau officials from Sichuan province and Kardze Tibetan Autonomous Prefecture waited four days after the Chengdu blast to move against Tenzin Delek. On April 7, he and three of his closest associates, Tamdrin Tsering, Aka Dargye, and Tsultrim Dargye, were seized during a nighttime raid on Jamyang Choekhorling monastery, located in Nyagchukha. Nyagchu county police officers and military personnel arrived several hours after the raid and helped secure the area.

It has been reported that the arresting officers abused some of those they took away and did considerable damage to the facility. Tamdrin Tsering, one of those detained, was reported to have been badly beaten. One source told Human Rights Watch: “In the place where he usually slept, the furniture was all broken up and you could see that there had been a struggle, and there was blood on the floor.”⁴⁸

A person inside the detention center who witnessed the men’s arrival reported that Tamdrin Tsering and Aka Dargye appeared to have been beaten.⁴⁹

It is unclear how many monks remained at Jamyang Choekhorling after the raid—probably between fifteen and thirty. They were held in the monastery for several days for questioning, then ordered to leave both the monastery and the area. Some went to other monasteries, including Orthok; some went home. The doors to the monastery’s temple were then locked.

Area residents interviewed said they should have been anticipating Tenzin Delek’s seizure for some time before the Chengdu explosion. Several weeks before the raid at Jamyang Choekhorling, security officials in Lithang, Nyagchu, and several other counties executed an orderly plan to collect residents’ rifles. The weapons, many costing as much as ten yaks, were not illegal and had been registered with the authorities. In hindsight, some residents, while acknowledging that the timing could have been coincidental, attributed the collection to preparations for Tenzin Delek’s arrest.⁵⁰

⁴⁶ Mickey Spiegel, “Exile Accounts” in *Tibet Since 1950...*, pp. 112-141.

⁴⁷ Further suspicion of torture followed after Lobsang Dondrup’s ashes were delivered to his family, which had made repeated requests that Chinese authorities return his body intact, as was the usual practice.

⁴⁸ Human Rights Watch interview with KR, December 19, 2002.

⁴⁹ Ibid.

⁵⁰ Human Rights Watch interview with DQ, April 3, 2003.

IV. Trial and Appeal

After almost eight months in incommunicado detention, Tenzin Delek and Lobsang Dondrup were finally put on trial on November 29, 2002. The court met in secret. Three days later, Lobsang Dondrup was sentenced to death; Tenzin Delek was sentenced to death, suspended for two years.⁵¹

Both men had declared their innocence. According to reports from two spectators, Lobsang Dondrup shouted out his innocence during his sentencing hearing⁵² and denied that he had ever said anything about Tenzin Delek or others being involved in a bombing plot. Tenzin Delek also denied the charges, reiterating his innocence in a tape smuggled from a detention center in Dartsedo, the prefectural capital, in mid-January 2003.⁵³

Lobsang Dondrup refused to appeal. However, Xinhua reported that the court appointed two lawyers from the firm representing Tenzin Delek to represent Lobsang Dondrup.⁵⁴ Human Rights Watch has been unable to obtain any information about the veracity of this report and if the lawyers reportedly appointed to the case ever met with Lobsang Dondrup or made any other efforts to represent their client.

On January 26, 2003, the Sichuan Higher People's Court rejected Tenzin Delek's appeal⁵⁵ and the appeal that apparently had been entered for Lobsang Dondrup without his consent. Within hours Lobsang Dondrup was executed.⁵⁶ Some reports suggest he

⁵¹ According to article 50 of the Chinese Criminal Law, "[I]f a person sentenced to death with a suspension of execution does not intentionally commit a crime during the period of suspension, he is given a reduction of sentence to life imprisonment upon the expiration of the two-year period...." The article continues, "[I]f he demonstrates meritorious service, he is to be given a reduction of sentence to not less than fifteen years and not more than twenty years of fixed-term imprisonment upon the expiration of the two-year period; if there is verified evidence that he has intentionally committed a crime, the death penalty is to be executed upon the approval of the Supreme People's Court." According to article 51, "The term for suspending execution of a sentence of death is counted as commencing on the date the judgment becomes final." Without access to court papers, that date cannot be verified. "The PRC Criminal Law, (adopted by the Second Session of the Fifth National People's Congress [NPC] on 1 July 1997) and amended by the Fifth Session of the Eighth NPC on 14 March 1997," Xinhua, March 17, 1997, in FBIS, March 25, 1997.

⁵² Human Rights Watch interview with KR, December 14, 2002.

⁵³ "Tibetans were denied lawyers in bomb trial...", Radio Free Asia; "Tibetan monk protests innocence on smuggled tape," Radio Free Asia, January 21, 2003.

⁵⁴ "Two Tibetans sentenced to death...", Xinhuanet.

⁵⁵ According to article 187 of the PRC Criminal Procedure Law, "A people's court of second instance should form a collegial panel for trial of an appeal case. If the facts can be clarified through a review of the case file, the questioning of the defendant, or the soliciting of opinions of other parties, the defender, and the legal representative, the collegial panel may decide not to try the case. A people's court of second instance should conduct trial of the protest case presented by the people's procuratorate. A people's court of second instance may conduct trial of an appeal or protest case where the case took place or where the people's court that originally adjudicated the case is located." The Criminal Procedure Law of the People's Republic of China, adopted by the Second Session of the Fifth National People's Congress [NPC] on 1 July 1979, was amended in accordance with the "Decision on Amending 'The Criminal Procedure Law of the People's Republic of China'" made by the Fourth Session of the Eighth NPC on 17 March 1996. "PRC: Amended Criminal Procedure Law," Xinhua, March 24, 1996, in FBIS, April 10, 1996.

was executed very early in the morning on that day, even before the appeal was formally rejected.

The decision to carry out the execution almost immediately after the Sichuan court hearing attracted legal controversy and international condemnation, in part because China's own laws may have been violated,⁵⁷ in part because the entire process had been so rushed, and in part because China had broken a promise to U.S. officials that the Supreme People's Court, the highest court in China, would carry out a "lengthy" review of the cases.⁵⁸ According to a statement by Wang Min, then Director-General designate of the Department of International Organization and Conferences of the Ministry of Foreign Affairs (in response to an E.U. expression of regret over the execution), the Supreme People's Court did review the cases.⁵⁹ However, he claimed that only a legal proceeding was held. Chinese law does not require oral arguments or for the parties to be present for Supreme Court review of decisions. Any meaningful review would have been impossible in the time between the decision of the appeals court and the execution of Lobsang Dondrup.⁶⁰

Tenzin Delek's appeal appears to have been seriously hampered by his inability to use counsel of his own choosing.⁶¹ Zhang Sizhi, a well-known Chinese lawyer who had defended dissidents of the Democracy Wall (1979-81) and June 4, 1989 pro-democracy movements, and Li Huigeng, who had previously worked with Zhang, were willing to represent Tenzin Delek at his appeal. On December 18, 2002, the two made the necessary arrangements via telephone with Tenzin Delek's uncle. A signed agreement from him went to the lawyers and then to the court. Telephone conversations between the lawyers and a judge at the Sichuan Higher People's Court followed. By December 26, agreement had been reached that Li Huigeng would visit the court to review the case file. On December 27, Li Huigeng called again to confirm that he and Tenzin Delek would be able to meet on January 6, 2003.

However, on December 30, 2002, the judge called Li Huigeng to say that Tenzin Delek had engaged a Kardze lawyer on December 17 and that the latter had already filed the

⁵⁶ "A'an Zhaxi he Luorang Dengshu bei yia yancheng" (Luorang Denzhu [Lobsang Dondrup] and A'an Zhaxi [Tenzin Delek] were severely punished according to the law for inciting the division of the state and causing explosions"), *People's Daily*, January 29, 2003, <http://people.com.cn/GB/paper464/8367/787795.html> (retrieved August 11, 2003).

⁵⁷ For a full discussion of the controversy see "The Execution of Lobsang Dondrup and the Case against Tenzin Delek: The Law, the Courts, and the Debate on Legality," Congressional-Executive Commission on China, February 10, 2003, <http://www.cecc.gov/pages/news/lobsang.php> (retrieved October 1, 2003).

⁵⁸ *Ibid.*

⁵⁹ Extract from the official report from the Greek Foreign Ministry on the E.U.-China human rights dialogue meeting held in Athens, March 5-6, 2003 (copy of extract on file at Human Rights Watch).

⁶⁰ A Supreme Court review is mandatory in death penalty cases. According to article 48 of the Criminal Law, "Except for judgments made by the Supreme People's Court according to law, all sentences of death shall be submitted to the Supreme People's Court for approval. Sentences of death with suspension of execution may be decided or approved by a higher people's court." "The PRC Criminal Law...", FBIS, March 17, 1997.

⁶¹ Wang Lixiong, "Three Points of Doubt About the Case of A'an Zhaxi to Bring to the Attention of the Supreme Court for Review," <http://www.xizang-zhiye.org/gb/xzxinwen/0301/index.html> (retrieved November 6, 2003), reprinted in Appendix VI, "Attempt to Hire Independent Counsel for Tenzin Delek Fails."

necessary court papers.⁶² A later report by the official Chinese news agency stated that the Kardze lawyers, allegedly chosen by the defendant, represented him at both trial and appeal.⁶³ As Tenzin Delek was in incommunicado detention throughout the trial and appeal processes, it is impossible to know the contents of any conversations about legal representation, if indeed there were any. The lawyers and Tenzin Delek's uncle sent a letter requesting that the judge tell Tenzin Delek about his uncle's initiative so he could make an informed decision as to representation (see Appendix VI, "Attempt to Hire Independent Counsel for Tenzin Delek Fails"). There was no reply. According to the account, on December 27, the same day Li Huigeng and the Sichuan high court judge conferred by telephone, police officers interrogated Tenzin Delek's uncle and two other relatives and warned them against interference. There is no way of knowing how thorough or impartial the review was in the cases of Tenzin Delek and Lobsang Dondrup, but Chinese courts are routinely given instructions in political cases.

Two meetings, part of an "expose and criticize" campaign⁶⁴ organized to denounce Tenzin Delek, demonstrate the extent of political interference in the legal process. The first, called by the Kardze Tibetan Autonomous Prefecture branch of the Chinese Communist Party, was reported in a local newspaper on August 12, 2002, almost four months before the men were tried and sentenced.⁶⁵ The other, on December 27, 2002, was organized one month before the appeal and execution by the Sichuan provincial level United Front Work Department (UFWD), a Chinese Communist Party organ responsible for organizing support among non-Party members in support of Party policies. (See Appendix III, "Account of a Meeting of the United Front Work Department of Kardze Tibetan Autonomous Prefecture" and Appendix IV, "Account of a Meeting of the Communist Party of Kardze Tibetan Autonomous Prefecture.")

Lobsang Dondrup was hardly mentioned at either meeting. Those present directed all their criticism at Tenzin Delek. At the first meeting, officials denounced Tenzin Delek, both as a "splittist" (the Chinese term for pro-independence activists) whose activities were destructive to national harmony, and as a monk who engaged in "terrorist" activities under the guise of religion. They repeatedly voiced concern over what was described as a secret "splittist" clique that he headed in southern Kham.⁶⁶ One speaker suggested that the Dalai Lama should be held accountable as he was the one who chose Tenzin Delek and was responsible for "misleading his followers...When you put a spear

⁶² Wang Lixiong, "Three Points of Doubt..."

⁶³ "Two Tibetans sentenced to death..." Xinhuanet. See also "Two Tibetans Harshly Punished According to Law for Inciting Splittism and Detonating Explosives in Chengdu and 4 Other Places," *Selection of Cases From The Criminal Law, Occasional Publications of the Dui Hua Foundation*, No. 14, August 2003, pp. 65-69. The selection includes information from two sources, Xinhua News Agency, January 26, 2003, and a Chinese government response to the U.S. government, March 16, 2003.

⁶⁴ Wang Lixiong, "Ganzi Authorities' Dispute with A'an Zhaxi," Human Rights Watch translation, copy on file at Human Rights Watch.

⁶⁵ "Kardze Tibetan Autonomous Prefecture's Communist Party officials strongly accuse A'an Zhaxi for taking part in splittism, for disrupting people's harmony, and for teaching bad morals," local Kardze newspaper, August 12, 2002, (exact name of newspaper not provided with original Chinese text received by Human Rights Watch). An English translation of the full text of this article is set forth in Appendix IV, "Account of a Meeting of the Communist Party of Kardze Tibetan Autonomous Prefecture."

⁶⁶ What is referred to as "southern Kham" encompasses six counties, two of which are Lithang and Nyagchu.

in a bird's nest, you disrupt the nest... But we should point the spear toward the Dalai Lama and his people.”⁶⁷

The meeting's leaders recommended that those “ignorant” people who had strayed be brought back to the right path, but warned that the many other “splittists” in the Kardze area would have to be rooted out. Those assembled were warned that they could not afford to treat friends and acquaintances any differently from other suspects.

Invitees to the UFWD meeting, included members of ethnic minorities, “religious personages,” and “non-Party persons.” The basic charges against Tenzin Delek were the same as those at the first meeting, focusing particularly on how his behavior “blackens religion” and how just his punishment was. But the action agenda differed. According to the record of the meeting, it focused first on strengthening administration of temples and on overseeing monks in accordance with “religious laws, regulations, and policies on religion in such a way that the temples are satisfied, the masses are satisfied, and the Party and government are satisfied” and that religion and the socialist system are brought into “conformity.”⁶⁸ Meeting leaders also urged that those assembled “propagandize” the illegality of Tenzin Delek's behavior.

Given the involvement and leading role of the Party in Chinese political affairs, the meetings created an atmosphere that was not conducive to a fair hearing for Tenzin Delek or any of his associates or supporters. At both meetings, the organizers elicited apparently pre-arranged statements from leading local figures in support of the official accusations against Tenzin Delek and his “clique” in order to gather support from leading local figures for a guilty verdict. The presumption of guilt is apparent in their statements, prejudicing the right to a fair trial and the presumption of innocence. These meetings also call into question China's contentions that the era of verdicts before trial has ended.⁶⁹ The heavy involvement of Chinese Communist Party organs in these meetings suggests that local party leaders were trying to influence the outcome of the trial, a power that party officials still have in China.

⁶⁷ “Kardze Tibetan Autonomous Prefecture's Communist Party officials strongly accuse A'an Zhaxi...,” local Kardze newspaper.

⁶⁸ “The Provincial Level United Front Work Department organized a meeting with religious personages of the minority nationalities of Kangding district to more deeply understand the separatists A'an Zhaxi and others, and to research their violent terrorist crimes,” Local Kardze newspaper, December 27, 2002, (exact name of newspaper not provided with original Chinese text received by Human Rights Watch). An English translation of the full text of this article is set forth in Appendix III, “Account of a Meeting of the United Front Work Department of Kardze Tibetan Autonomous Prefecture.”

⁶⁹ “Opening to Reform? An Analysis of China's Revised Criminal Law,” Lawyers Committee for Human Rights (New York: LCHR, 1996), pp. 43-50.

V. Detention of Tenzin Delek's Associates and Supporters

Tenzin Delek's arrest set off a crackdown on his associates and supporters. At least sixty others, both monks and laypeople, were detained and interrogated. (See Table 1, "Associates of Tenzin Delek Who Have Been Imprisoned, Detained, Missing.") Unconfirmed reports suggest that the number of those detained, including some held very briefly, may have run as high as eighty.⁷⁰ Those sentenced, except for "co-conspirator" Lobsang Dondrup, who worked and studied intermittently in one of Tenzin Delek's monasteries for only a year or so, had worked closely with Tenzin Delek for many years.

Tsultrim Dargye, Aka Dargye, and Tamdrin Tsering, the three monks who were taken into custody with Tenzin Delek on April 7, 2002, served one-year reeducation through labor sentences administratively imposed by the Ganzi Prefecture Reeducation Through Labor Bureau on May 10, 2002.⁷¹ According to an official report, they were charged with engaging in activities inciting "splittism." For three weeks after their April 6, 2003 releases, they were confined to Jamyang Choekhorling, even though it was still officially closed. On April 27, 2003, local authorities permitted them to return to their families but forbade their return to Jamyang Choekhorling. They were allowed to visit Orthok monastery but were not allowed to take part in ceremonies there. Officials warned them they would continue to be watched and had to report weekly to local security officials. Those who saw the three men said they had trouble walking and could not see clearly.⁷²

At least two other local residents, Tsultrim Dargye (he is also called Tsuldi; not to be confused with the monk of the same name) and Drime Gyatso, were detained in August 2002 after attempting to raise money for Tenzin Delek's appeal. Drime Gyatso was released quickly, but Tsuldi was held for two months.⁷³ Both reportedly sustained severe beatings while incarcerated. According to one source, Tsuldi was bedridden for months with kidney problems after his release.⁷⁴

⁷⁰ "Disciples for Condemned Monk Call for Leniency: 80 Tibetans Reportedly Detained," Radio Free Asia, May 30, 2003. Human Rights Watch estimates that at least sixty to seventy more were questioned repeatedly, and over one hundred fled the region. Of those detained, Human Rights Watch has verified the names and circumstances of fifty-one. See Table 1, "Associates of Tenzin Delek Who Have Been Imprisoned, Detained, Missing."

⁷¹ Reeducation through labor is an administrative system used to detain and punish those who have committed "minor crimes" but are not legally criminals. There is no judicial input at any point in the proceedings. The three bureaus, civil affairs, public security, and labor, that form local Reeducation Through Labor Management Committees, may sentence people to as many as three years (which can be extended to a fourth if the person is considered to be insufficiently reeducated) in a labor camp. Often, however, the local Public Security Bureau will act on its own. The regulations that govern the procedure limit the applicable categories of cases. Although political cases are not included, the procedure continues to be used to hold political prisoners. See Human Rights Watch, "Reeducation through Labor in China," December 8, 1998, <http://www.hrw.org/campaigns/china-98/laojiao.htm> (retrieved November 10, 2003).

⁷² Human Rights Watch interviews with JS and MW, April 28, 2003 and with GK, April 23, 2003. Firsthand reports of torture a decade earlier mentioned being beaten around the eyes and subsequent trouble seeing clearly.

⁷³ Human Rights Watch interview with LS, December 15, 2003.

⁷⁴ Human Rights Watch interview with NS, November 18, 2003.

Tserang Dondrup (also called Jortse), an elderly village head detained in June 2002, was reportedly sentenced to a five-year term. Local residents said that the official papers given to Tserang Dondrup's family did not refer to any crime, stating only that his sentence was related to his connection to Tenzin Delek.⁷⁵ Tserang Dondrup was released on July 11, 2003. The reason for his early release is not known. Local sources reported at the time that he could not walk, his hands could not function, he could manage only a little food, and his speech was garbled. Persistent reports suggested that he developed trouble seeing after he was imprisoned. By early August, it had become easier to understand him and, according to local residents, by late September his overall condition had "improved." However, he had not regained his pre-prison physical condition. Although he could carry on a short conversation, he quickly ran out of breath. There are reports that during much of the time he was in prison, he was held in complete darkness in an unheated cell. As one visitor reported: "I was so upset. He was so different from what he was before."⁷⁶

At the time he was seized, Tserang Dondrup was a member of the Chinese Communist Party. A few days later, officials held a public meeting to denounce him, strip him of his Party membership, and warn villagers against following in his footsteps. It has been reported that at the trial, to which six local people had been summoned as witnesses,⁷⁷ accusations included "cheating the people" and "misguiding them" into supporting Tenzin Delek.

As of December 16, 2003, Tashi Phuntsog, a senior monk in his early forties, was still in custody, reportedly serving a seven-year sentence in a prison in Dartsedo. Although he was at Jamyang Choekhorling at the time of the April 7, 2002 raid, having just returned from a tuberculosis-related two-month hospital stay, he was not arrested until April 17. In the interim, he was intensely questioned. According to one unconfirmed report, in an effort to make it appear as if he had been detained with the others, security officers brought him back to the monastery on April 23 to tape footage of his "arrest."⁷⁸ Tashi Phuntsog has been characterized as Tenzin Delek's right-hand man.

Taphel (formal name Lobsang Taphel; also known as Tabo), a local businessman, was sentenced on July 15, 2003 to a five-year term and is in prison in the Aba (Ngaba in Chinese) Tibetan-Qiang Autonomous Prefecture in Sichuan province. Local sources report that family members received no documents pertaining to his trial or sentence.⁷⁹ As in all the other Tenzin Delek-related cases, no official acknowledgement of his arrest or details of the charges against him have been made available. However, unofficial sources reported that Chinese authorities were alarmed by Taphel's ability to provide information to Western journalists about how Tenzin Delek, Lobsang Dondrup, and the

⁷⁵ Human Rights Watch interview with GK, April 23, 2003.

⁷⁶ Human Rights Watch interview with OT, July 14 and with RP and NA, October 13, 2003.

⁷⁷ Human Rights Watch interview with GK, April 23, 2003.

⁷⁸ Human Rights Watch interview with EJ, May 8, 2003.

⁷⁹ Human Rights Watch interview with IM, October 19, 2003.

ALLEGATIONS OF TORTURE

Despite strong circumstantial evidence of torture in connection with the 2002-2003 Tenzin Delek affair, including eyewitness accounts of released prisoners who had trouble seeing and walking, whose speech was garbled, or had sustained kidney damage, the allegations have not been looked into by investigators on the ground and so cannot be fully confirmed. Still, a pattern of severe torture and prolonged beatings of monks suspected of pro-Tibetan independence activities can be established for the Lithang/Nyagchu area. Evidence of such practices dates back at least to the 1980s.

In the late 1980s, a number of Tibetan activists in Lithang began distributing pro-independence leaflets and copies of a forbidden Buddhist prayer during major festivals, and wall posters went up under cover of darkness. After the May 1980 visit of Hu Yaobang, then China's premier, and a Working Group of the Party Central Committee, the hardline policies of the past gave way sufficiently to allow some space for increased expression of Tibetan culture and religion. The dangers associated with pro-independence activities remained. By the time the Chinese government put down five major demonstrations in Lhasa between 1987 and 1989, any critical expression was likely to be viewed as a call for independence and harshly put down. Courts handed down long sentences to those thought to be protest organizers. Even those who only took part were subject to severe torture. Several deaths resulted. Many of those severely injured were monks.

In the eastern areas, where Chinese surveillance was not as effective, monks continued to organize independence protests until well into the 1990s. But by the mid-to late-1990s, the danger to activists had become too great to continue with pro-independence activities on the same scale as before.^a

Those detained were tortured, ousted from their monasteries, and subsequently put under constant surveillance. Fearful of re-arrest, many ultimately fled their homes. Several cases in Kardze were well known; others have only recently come to light. Of five monks detained in 1993-94 for leafleting in the Lithang area, one was so severely tortured that he died after less than a month in custody. Another, released after serving eight years of a ten-year sentence, remains physically and cognitively impaired today. As one informant put it, "When you talk to him, he is not really there."^b Both men were strong and healthy when apprehended. Another major incident of torture occurred in 1996 after a monk, first abused in 1988, returned home from self-imposed exile.^c Another monk's firsthand account details a severe beating during a few days in police custody in 2000. He had been attempting to obtain a permit to stay in the Nyagchu area and made the mistake of talking back during a "reeducation" session.^d At least three people held in 1999 in connection with one of the bombings were reported to have been severely abused.^e

^a For further information see, Asia Watch (now Human Rights Watch/Asia), *Human Rights in Tibet* (New York: Human Rights Watch, 1988), pp. 57-64; Asia Watch, *Evading Scrutiny: Violations of Human Rights after the Closing of Tibet* (New York: Human Rights Watch, 1988); Asia Watch, *Merciless Repression: Human Rights in Tibet* (New York: Human Rights Watch, 1990); Asia Watch, *81 Political Prisoners Held in Drapchi Prison, Lhasa* (New York: Human Rights Watch, 1991); Asia Watch and Tibet Information Network, *Political Prisoners in Tibet* (New York: Human Rights Watch, 1992); and Asia Watch, *Detained in China and Tibet* (New York: Human Rights Watch, 1994), pp. 33-57 and pp. 163-215.

^b Human Rights Watch interview with LS, December 19, 2002.

^c Human Rights Watch interview with CW, April 10, 2003.

^d Human Rights Watch interview with KR, May 1, 2001.

^e Human Rights Watch interview with DQ, April 3, 2003.

others in custody were being treated and about warnings made by Chinese authorities to the public of the consequences of speaking out. Taphel also was involved in the effort to secure independent counsel to represent Tenzin Delek at his January 26 appeal hearing.⁸⁰ There is credible information that he was severely mistreated for months after his detention in February 2003.⁸¹

Dzeri Di-Di and Markham Tselo were detained in mid-February but never charged. They reappeared in the Lithang area on April 5, 2002. Officials had told Dzeri Di-Di's family to send two representatives to Tenzin Delek's and Lobsang Dondrup's sentencing hearing on December 2, 2002. He and another of Tenzin Delek's relatives attended.⁸²

So far as Human Rights Watch was able to determine, Chinese authorities have made no disclosures about these detentions to Western governments nor have reports about the cases appeared in the Chinese media. An electronic search of the Chinese language press uncovered no reference to the trials of Tserang Dondrup, Tashi Phuntsog, or Taphel.⁸³

According to unofficial reports, those released have had their movements curtailed, are required to report to security forces at regular intervals, and must not talk to "outsiders." Other than private prayer, the monks among them are banned from engaging in any religious activity.

Local sources have also expressed concern about the prison guard who facilitated the taping from his cell during which Tenzin Delek declared his innocence. The contents of his statement were subsequently passed to a Radio Free Asia reporter, who made the information public in January 2003.⁸⁴

At least four monks remain missing. Tenpa Rabgyal and Thupten Sherab (also called Kyido), senior monks from Orthok monastery who were not in residence at the time of the April 2002 events, were so certain they would be arrested that they immediately went into hiding. Choetsom and Pasang, young novice monks who were beaten and questioned extensively after the April 7 raid, but not detained, disappeared soon after they were permitted to leave Jamyang Choekhorling monastery. Other local Tibetans are known to have fled the community. Some have escaped the country, and Human Rights Watch was able to interview several of them for this report.

Some of those imprisoned, as well as some who escaped, worked closely with Tenzin Delek on a number of his social and cultural projects. Some were also involved in efforts

⁸⁰ Human Rights Watch interview with KR, December 28, 2003.

⁸¹ Human Rights Watch interviews with WQ and MT, August 4, 2003 and with HM, August 7, 2003.

⁸² Human Rights Watch interview with FP, December 19, 2003. Representatives from each of Kardze's eighteen counties also were "requested" to attend.

⁸³ Search conducted June 28, 2003. Sites visited include: www.chinacourt.org, www.chinanews.com.cn, www.people.com, <http://fpeng.peopledaily.com.cn/home.shtml> (in English and Chinese), <http://www.legaldaily.com.cn/>, as well as government websites of Australia and the United Kingdom.

⁸⁴ Recording of Tenzin Delek obtained from the detention center in Dartsedo (in Chinese Kangding) on January 20, 2003, received by Radio Free Asia the following morning.

to protect him when he was in trouble with government authorities. Tserang Dondrup, for example, hand-delivered petitions to Sichuan authorities during the height of a 1994 drive to prevent local authorities from extending logging into an area reserved for the public's use. In 1998, he was part of a delegation that worked to bring Tenzin Delek home after he fled to escape arrest. In 2001, he organized a successful petition drive, directed at government authorities, requesting that Tenzin Delek be allowed to return home without fear of imminent arrest. Tashi Phuntsog assisted in the deforestation effort and worked on the petition campaigns. Aka Dargye and Tsultrim Dargye were active participants in the forestry campaign. They accompanied Tenzin Delek when, fearing arrest in 1997, he fled to the mountains. Tamdrin Tsering helped with the 2001 petition drive, and he ran a small shop that helped support Tenzin Delek's projects.

VI. Decline of Religious Activities and Social Institutions after Tenzin Delek's Arrest

With Tenzin Delek imprisoned and his followers silenced, the independent religious community he had revitalized in the Lithang/Nyagchu area declined significantly, and the remaining monks and nuns came under additional pressure to conform to Chinese policies regulating religious institutions and activities.⁸⁵ Those policies are not in compliance with the right to freedom of religion and belief encoded in the International Covenant on Civil and Political Rights (ICCPR), which China signed in 1998 but has yet to ratify.⁸⁶ Tenzin Delek's followers cannot freely practice their beliefs, they cannot freely choose their leaders or those with whom they wish to worship, and they cannot, without courting severe imprisonment, impart their beliefs to others.

It is instructive to examine how the monasteries and social institutions established by Tenzin Delek declined after his arrest. (See Table 2, "Tenzin Delek Monasteries" and Table 3, "Tenzin Delek Projects.") Two years before his arrest officials made clear their intentions. In 2000, they took over Geshe Lungpa, the school with the most progressive curriculum, on the grounds that Tenzin Delek had visited a "foreign country" and had established the school without the requisite permission.⁸⁷ In the absence of leadership and funds for its upkeep,⁸⁸ the school quickly failed. By December 2003, its windows and doors were broken and everyone had left.⁸⁹ It is unclear why authorities took over this school but not others run by Tenzin Delek.

⁸⁵ Human Rights Watch, "Excerpts from Questions and Answers on the Patriotic Education Program in Monasteries" in *China: State Control of Religion* (New York: Human Rights Watch, 1997), pp. 100-103.

⁸⁶ International Covenant on Civil and Political Rights (ICCPR), art. 18, *opened for signature* December 16, 1966, G.A. Res. 2200A (XXI), entered into force March 23, 1976, signed by China in October 1998, not yet ratified.

⁸⁷ Human Rights Watch interview with EJ, June 27, 2003.

⁸⁸ Tenzin Delek contributed his earnings from reciting prayers for local residents and for presiding at life cycle events. However, Chinese officials were concerned that he had been receiving money from the Tibetan government-in-exile. Human Rights Watch takes no position on the legitimacy of the Tibetan government-in-exile. See also Appendix I, "Interview with Kardze Court Judge."

⁸⁹ Human Rights Watch interview with NZ, December 15, 2003.

For similar reasons, other institutions began to decline almost immediately after Tenzin Delek's arrest. One school's enrollment declined from 160 pupils to thirty. Two homes for the elderly closed due to lack of funds. A health clinic and its satellite also shut down, leaving the area with minimal medical facilities.

Monasteries were also severely affected. At this writing, more than twenty-one months since Tenzin Delek was arrested, two of Orthok monastery's branches remain closed. There are far fewer monks and nuns in residence at almost all of those that are open (there has also been a decrease at another monastery that had been left in Tenzin Delek's care prior to his arrest). Festivals and ceremonies do not attract the usual numbers of participants. It is unclear whether the reduction in the number of monks and nuns resulted from official directives or whether they left of their own volition.

The present situation at the monasteries varies considerably. Orthok monastery, technically under Lithang Gonchen monastery, is in a state of flux with no definitive word available on its status or on plans for its future. There have been unconfirmed reports that officials have ordered Orthok demolished because the structure is not sound.⁹⁰ Local residents dispute the official version. They say the main building is strong and secure, but with so many monks away and Tenzin Delek not there to oversee the property or contribute the funds necessary for upkeep,⁹¹ the surrounding housing has been neglected.

The monastic population at Orthok is considerably smaller than in 1987-2000, when Tenzin Delek was in residence. Only 290 monks remained at Orthok in 2003. At its peak, its population exceeded 700. Of those, Tenzin Delek sent some 170 to monasteries in Lhasa for general study. Another 10 were sent out from Orthok to study Tibetan medicine.⁹² The reduction is in line with official plans, put in place for Tibetan areas after the 1994 Third Forum, to reduce the total number of Tibetan monks and to limit the number at each monastery.⁹³

One monk explained the current departures: "Everyone feels that staying at the monastery is like being in jail, so many of the monks have left. Some have gone back to their families, some have joined another monastery, and some have gone on

⁹⁰ Human Rights Watch interview with PA, August 4, 2003.

⁹¹ Ibid.

⁹² Human Rights Watch interview with EJ, September 3, 2003.

⁹³ No definitive regulation is available, but many statements allude to the sufficiency of monasteries and monks. See for example, "Document No. 5 of the State Enlarged Plenary Session of the Standing Committee [of the Fourth Congress] of the Tibet Autonomous Regional Branch of the Chinese Communist Party." The version which circulated internally within the higher echelons of the Tibet Autonomous Regional Branch of the Chinese Communist Party contained the following: "This wind of building monasteries and of recruiting new monks and nuns just as they wish should be stopped entirely...Those monasteries where the number of monks have already been set still need to be limited as much as possible, and are not allowed to go beyond that limit. The excess monks should be expelled, and those monasteries which have not set a stipulated number of monks and nuns should set a number as soon as possible." For a fuller excerpted version, see Tibet Information Network and Human Rights Watch, *Cutting Off the Serpent's Head...*, pp. 150-168. See also "1997 Plan for TAR: Agriculture, Industry and Re-education," TIN News Update, July 18, 1997.

pilgrimage.”⁹⁴ According to an eyewitness who had last visited the monastery earlier, roughly a year after Tenzin Delek’s arrest, “Orthok is not shut down but it is not open either.”⁹⁵ At that time, religious officials were closely monitoring the facility and the lay community, in part through random surprise visits. Surveillance methods included checking to see if people were saying prayers for Tenzin Delek or for the Dalai Lama. As the situation slowly stabilized, the spot-check monitoring lessened.

Another surveillance method involved checking for Tenzin Delek photos. If one was found, either in the monastery or in a home or shop, the owner was questioned as to why he or she was not heeding public announcements about the prohibition, and then warned to stop. As this report was being finalized, word came of renewed enforcement in Lithang county of the long-standing ban on possession of Dalai Lama portraits, books, video tapes, and similar materials. According to one report, officials making the rounds of villages and townships told residents they had one month to hand over Dalai Lama pictures or face confiscation of their land.⁹⁶ According to another report, government officials found in possession of any such materials would be subject to a fine of 4,000 renminbi (U.S.\$500).⁹⁷ In addition, officials were charged with putting an end to an upsurge in pro-independence activities, such as wall postering, leaflet distribution, and hoisting of the banned Tibetan flag.⁹⁸

Before Tenzin Delek’s arrest, festivals at Orthok were well attended. As one source told Human Rights Watch, a year later no substantial activity was taking place: “All the public is in a mourning period.”⁹⁹

At meetings called at Orthok, Chinese officials “advised” that if the monks did not resume coordinating the local public ceremonies and festivals, the monastery would be fined.¹⁰⁰ However, the monks refused to accept responsibility for imposing the discipline necessary to maintain order at large gatherings, fearing that participants would not grant them the same authority Tenzin Delek enjoyed.¹⁰¹ Orthok monks say that closing the monastery is not an option. One monk told Human Rights Watch, “That would be a big loss—we’ve already lost so many monks.”¹⁰²

⁹⁴ Human Rights Watch interview with EJ, September 3, 2003.

⁹⁵ Human Rights Watch interviews with AQ and EJ, May 20, 2003.

⁹⁶ “Anti-Dalai Lama Campaign intensifies in Kardze and Lithang County,” Tibetan Center for Human Rights and Democracy, November 14, 2003.

⁹⁷ “Tibetan Resistance to Repressive Measures Continues in Kandze,” International Campaign for Tibet press release, November 14, 2003, <http://www.savetibet.org/News/News.cfm?ID=2124&c=7> (retrieved December 1, 2003).

⁹⁸ Ibid.

⁹⁹ Human Rights Watch interview with GK, April 23, 2003.

¹⁰⁰ Human Rights Watch interview with EJ, September 3, 2003.

¹⁰¹ Ibid.

¹⁰² Human Rights Watch interview with EJ, September 3, 2003.

Jamyang Choekhorling, where Tenzin Delek was seized, is also in a state of flux. At the time of the raid, religious authorities had limited the number of monks to twenty-five. More often than not, however, at least forty were in residence.

By April 2003, three monks, including a tea-maker and a caretaker, took up residency in Jamyang Choekhorling, with the monks meeting in the kitchen to perform their religious rituals. During that entire period, however, it was impossible to do so properly and “ordinary people” could not enter the monastery.¹⁰³ Several other monks, including the three released from reeducation through labor sentences, also stayed at the monastery—some for only a few weeks—some for more than a year.¹⁰⁴ All this time, until mid-June 2003 at the latest, the main hall of the monastery was locked.¹⁰⁵ By that time, members of the local community had opened it without official permission.¹⁰⁶ Even after this reopening, more symbolic than real, the monastery was still off limits to most of the population.¹⁰⁷

Soon after the opening, some monks from Orthok joined the three already in residence at Jamyang Choekhorling in order to hold a traditional annual ceremony. However, Nyagchukha authorities showed up and questioned those in attendance about the monastery’s being open. They also questioned members of a local community who “belonged” to the monastery, that is, who helped out with offerings of food and with services such as cleaning, repairs, and snow shoveling.¹⁰⁸ By early August, despite pleas from the populace to keep Jamyang Choekhorling open, security had closed it down again.¹⁰⁹

By early September, negotiations were underway for a genuine reopening of Jamyang Choekhorling, but under the control of a monastery other than Orthok. Some local villagers, as well as monks from Orthok, have made it clear that they strongly prefer that if Orthok monks are not permitted to take up residence at Jamyang Choekhorling, it should remain closed. The plan as of October 2003 seemed to have been for five additional elderly Orthok monks to move there. Those chosen would be known for their adherence to government religious policy.¹¹⁰

Sungchoera monastery, also known as Kechukha monastery, was closed almost immediately after Tenzin Delek’s arrest. The public was permitted to enter to pray, but

¹⁰³ Human Rights Watch interview with AQ, April 17, 2003.

¹⁰⁴ Human Rights Watch interviews with GK, April 23, 2003; with AQ, July 4, 2003; and with EJ September 24, 2003.

¹⁰⁵ Human Rights Watch interview with AQ, July 3, 2003.

¹⁰⁶ Human Rights Watch interview with NZ, December 15, 2003.

¹⁰⁷ Human Rights Watch interview with AQ, July 3, 2003.

¹⁰⁸ Human Rights Watch interview with NZ, December 15, 2003.

¹⁰⁹ Human Rights Watch interview with EJ, September 3, 2003.

¹¹⁰ Human Rights Watch interview with MR, September 10, 2003.

no rituals were performed in the monastery and no monks or nuns of the original forty were in residence.¹¹¹

Losses at Tsochu Ganden Choeling and Golog Thegchen Namdrol-ling are notable. The former once housed thirty monks; only three are left. Despite its reputation for outstanding education, the latter was reduced in size from forty to eight monks. Another monastery, Golog Tashikyil, once housed forty people, including orphaned or destitute children, teachers, and monks in retreat; only three monks are left: one is the caretaker and the other two are in retreat. Kham Choede Chenmo Jangsen Phengyal-ling (also called Detsa monastery) now houses some sixty monks, a loss of one hundred.

The losses at Tsun-gon Dechen Choeling, a nunnery, have been smaller. Of the sixty nuns in residence during Tenzin Delek's time, fifty remain. Tshe-gon Shedrub Dargyeling, the monastery that had been left in Tenzin Delek's care by its former head, lost forty of its original 330.¹¹²

VII. Tenzin Delek's Life and Work Prior to His April 2002 Arrest

The Early Years

Monastic education was one of the few avenues—if not the only avenue—open to Tibetan families for educating sons. Tenzin Delek, the oldest child and only son of a Lithang nomad family, entered “into the livelihood”¹¹³ of Lithang Gonchen monastery, the major center of learning in the area, in 1957.¹¹⁴ He was seven years old. Several years earlier, Chinese authorities, alarmed by the extent of spontaneous, but isolated resistance that had begun in and around Lithang, had moved to disarm local Tibetans and had instituted “struggle sessions” to denounce villagers opposed to economic and political reform.¹¹⁵ Only a year before Tenzin Delek became a monk, in 1956, Chinese troops bombarded Lithang monastery during a brutal battle in which tens of thousands of combatants lost their lives.¹¹⁶ In 1959, as the military campaign against Tibetan resisters peaked, the area descended into chaos. That year, after Tenzin Delek's teacher died during another battle, he went to live with an elderly relative where he could informally and clandestinely continue his studies.

Ten of the sixteen years Tenzin Delek was to live with this relative, working on the family farm, coincided with the Cultural Revolution (1966-1976), a decade of tremendous and violent social upheaval. Among other proscriptions, China's leaders

¹¹¹ Human Rights Watch interview with GK, April 23, 2003.

¹¹² Human Rights Watch interview with EJ, September 3, 2003.

¹¹³ The commonly used phrase means that necessities are supplied by the monastery.

¹¹⁴ The official name of the monastery is Lithang Jamchen Choekhorling.

¹¹⁵ Joy Blakeslee and Adhe Tapontsang, *Ama Adhe, The Voice That Remembers*, (Boston: Wisdom Publications, 1997), pp. 42-83.

¹¹⁶ Tsering Shakya, *The Dragon in the Land of Snows*, pp. 136-144, 165-170.

banned any form of religious expression any place in China. By the time the decade was over, few of the Tibetan temples and monasteries that had survived the 1950s were left intact and the numbers of monks and nuns had declined precipitously. Obviously, Tenzin Delek had no opportunity for formal study but he continued to risk studying covertly.

As one informant explained:

During that time you couldn't talk about anything, god, ghosts, karma. If you did you were made to stand up in those meetings... Around that time the Chinese found a scripture in my grandmother's house. They tied my uncle with his hands behind his back and made him kneel down in public and made my grandmother burn the scripture pages one by one. My grandmother and my uncle felt they had committed a great sin. Even in the 1980s when things were getting better, they would cry about it.¹¹⁷

In the mid-1970's, after Tenzin Delek's relative died, he returned to his mother's home. When he returned, even before it was really safe to do so, Tenzin Delek often brought home religious artifacts—statues, pictures, scriptures—that others had hidden in attempts to prevent their total destruction and that he had found unclaimed and still partially hidden. He showed them to interested villagers and explained their significance.¹¹⁸ His activism led to brief periods in local lockups—sometimes for ten days, sometimes for a month—and to repeated beatings. By the late 1970s, an opportunity to resume formal, if still clandestine, monastic studies with a prominent teacher became available in his home village.

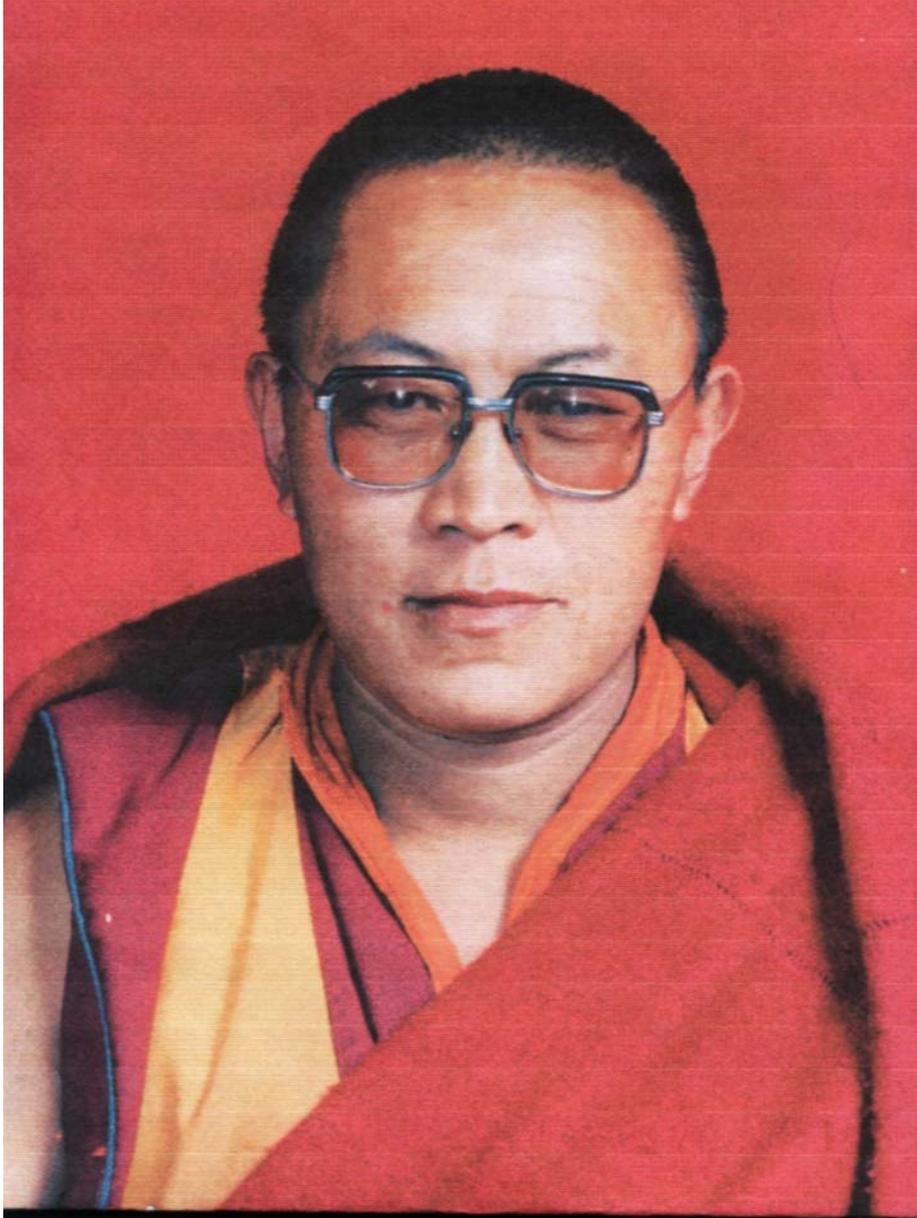
By the late 1970s when it was no longer so dangerous, Tenzin Delek was using every available opportunity to press for the revival and enhancement of religious activity in the Lithang area. He was interested in re-opening and rebuilding monasteries and augmenting the ranks of monks.

Tenzin Delek's first major opening came in 1979 during a short-lived period of relative liberalization, when a Tibet government-in-exile delegation, including Lobsang Samten, the Dalai Lama's brother, came to investigate the situation in Tibetan areas. Although local authorities had insisted Tenzin Delek come for a short "reeducation" course because of his general opposition to Chinese policies¹¹⁹ and had restricted his right to travel, he managed to meet Lobsang Samten and to tell him about the destruction of Lithang monastery and the still standing restrictions on religious practice in the area.

¹¹⁷ Human Rights Watch interview with KR, September 5, 2003.

¹¹⁸ Human Rights Watch interview with RP, October 13, 2003.

¹¹⁹ Human Rights Watch interview with FP, September 5, 2003. Officials "invite" those they wish to "reeducate" to attend a session, usually of several weeks duration, at a location removed from their usual places of residence. The educators attempt to persuade those attending that cooperating with government policies is in their own best interests.



Tenzin Delek. © 1997 Private

A second initiative came in 1980 when the 10th Panchen Lama, regarded by Tibetans as the second most important figure in Tibetan Buddhism, traveled to Labrang monastery¹²⁰ in the course of his first visit to Tibetan areas in some eighteen years. He had been released three years earlier after having been held in a Chinese prison or in house arrest for fourteen years. Skeptics say the Chinese government permitted him to travel to Tibetan areas in order to assure the population that the Cultural Revolution had been wrong, and more importantly, with the Dalai Lama in exile in India, to bolster his own profile among Tibetans. At the time, with the full story of his relationship to the Chinese leadership authority still largely unknown, many thought of the Panchen Lama as a traitor to the Tibetan cause for having allegedly cooperated with Chinese authorities.¹²¹

Again, Tenzin Delek could not travel without permission, but again he managed a meeting. After describing how few monasteries were actually functioning, Tenzin Delek received assurances from the Panchen Lama that new regulations provided for the rebuilding of those destroyed during the Cultural Revolution and for rehabilitation of those Tibetans who had been mistreated. Armed with knowledge of the policy change, Tenzin Delek was able to pressure local officials for compliance, possibly at the price of their increased resentment. He repeatedly visited county officials in an attempt to have Lithang monastery re-opened. The first ceremonies there were held in the early 1980s; the monastery's assembly hall was not completed until 1984.¹²²

Almost a decade later, the Panchen Lama's backing made it possible for Tenzin Delek to overcome local officials' opposition to his plans to build a permanent structure at a site in Orthok. Kham Nalendra Thegchen Jangchub Choeling, as it was named by the Panchen Lama, or Orthok monastery as it was commonly called, was to become Tenzin Delek's main monastery. The Panchen Lama's intervention helped further monastic studies in the area and enhanced Tenzin Delek's own growing reputation at home and in other Tibetan areas, leading in turn to his ability to speak out with some impunity. He became a role model for those interested in preserving Tibetan Buddhism and Tibetan culture. Tenzin Delek's ability to win the Panchen Lama to his cause was a humiliating defeat for area officials.

In 1982, the Chinese leadership made explicit a new policy which recognized that the inevitable dissolution of religion in China would take a very long time.¹²³ Until then,

¹²⁰ Labrang monastery, located in Gansu province in the area known to Tibetans as Amdo, was completely rebuilt following its total destruction during the Cultural Revolution. Although it has become a major tourist attraction, its more lasting claim to prominence resides in the quality of the education, including the pursuit of advanced degrees, available there.

¹²¹ Robert Barnett, preface to *A Poisoned Arrow: The Secret Report of the 10th Panchen Lama* (London: Tibet Information Network, 1998), p. xiii.

¹²² At present, some 1,500-1,600 monks come to Lithang monastery for major ceremonies. Normally, some 100 live there. There are 113 monasteries attached to Lithang (including Orthok monastery). Each monk has two monasteries: one is the monastery at which he lives; the other is the monastery to which his is affiliated.

¹²³ See Asia Watch (now Human Rights Watch/Asia), "Document 19: The Basic Viewpoint and Policy on the Religious Question During Our Country's Socialist Period," in *Freedom of Religion in China* (New York: Human Rights Watch, 1992), pp. 33-45.

limited religious beliefs and what came to be known as “normal” religious activities would be tolerated, but only as expressions of faith divorced from political and social realities and concerns. As Chinese authorities later argued, Tenzin Delek crossed the line. He might have categorized his activities as areas of legitimate monastic interest, but officials determined to bring religion under the aegis of the state categorized those same activities as political.

Tenzin Delek probably recognized the political nature of his activities. If not, it is probable that he would not have begun his monk recruitment initiative in secret.¹²⁴ Working through a clandestine network of trusted acquaintances, he attracted some 175 prospective monks, who, once they were ordained, returned to their home areas to help revive Tibetan Buddhism. But by 1982, the secret operation was so widely known and the numbers it attracted so large, that it was no longer safe to continue either recruitment or ordinations.

In 1982, Tenzin Delek left Lithang without permission from government authorities for study at Drepung monastery in India, in part because he wanted a broader education, in part because he had clashed repeatedly with those in control at Lithang Gonchen monastery, and in part because he feared arrest. He did not return home until 1987. By then, the Dalai Lama had recognized him as a reincarnation of a lama (Geshe Adon Phuntsog) affiliated to the monastery at Orthok and had given him the name Tenzin Delek. As already noted, before the change he was known as A-ngag Tashi. Tenzin Delek risked arrest at his return by carrying over the border, and later distributing, copies of the Dalai Lama’s writings and audio tapes of his speeches. According to a disciple, Tenzin Delek told his own supporters that “to follow His Holiness’ wish is more precious than your [own] life.”¹²⁵

Building a Base at Orthok Monastery

Shortly after his return from India in 1987, as noted above, a major project for Tenzin Delek was the construction of a permanent monastic structure in Orthok. For centuries, monks and lay people had come together there for religious ceremonies, festivals, and seasonal celebrations, apart from occasional periods when the site was inactive. There had been no permanent structure; those who attended the events, mostly nomads, stayed in tents. In 1988, Tenzin Delek attempted to construct a permanent facility. When local officials refused to issue the requisite permits, he traveled to Beijing to secure the Panchen Lama’s approval.

Orthok monastery was only the beginning. An ambitious building and renovation program begun in 1991 included a school and orphanage, an old-age facility, medical clinics, and seven branch monasteries. The social programs Tenzin Delek established were badly needed. His efforts made it possible for Tibetan children to receive some education which the minimal facilities in the area and the expense entailed had denied them. The medical facilities he established served the local community and nomads who

¹²⁴ Human Rights Watch interview with KR, April 29, 2003.

¹²⁵ Human Rights Watch interview with EJ, June 27, 2003.

were brought in by horseback. For the elderly who lacked proximity to medical facilities and for members of a monastic community who, without family, were badly in need of basic care, he provided a place to stay, blankets in winter, and a monthly allotment of meat, butter, and *tsampa* (roasted barley).

In addition, Tenzin Delek strove to turn Orthok monastery into a center of great learning and to make it into a facility that would expand the horizons of the local populace.¹²⁶ At his urging and sometimes with his financial support, young monks furthered the goal by traveling to Dharamsala, the seat of the Dalai Lama's government-in-exile, and to the great monasteries in Lhasa and other Tibetan communities to study Tibetan Buddhism, culture, medicine, arts, and music, to hone their skills, and to gain new experiences. Within the monastery, he established a Dialectics School and a special section to study Tibetan medicine. For both political and personal reasons, local officials may have resented Tenzin Delek's increased activity and burgeoning prestige, but action to curtail his plans and what was viewed as his interference in local affairs was still several years away.

Standing Up to Local Officials and Promoting Environmental Conservation

Tenzin Delek's awareness of how quickly an ecologically balanced environment could deteriorate and how ruinous that would be for local inhabitants prompted him to promote sound conservation habits. He preached against mining practices that would pollute the areas' rivers and ruin the soil, logging practices that would cause flooding and soil erosion, and indiscriminate hunting that might lead to species loss. Tenzin Delek's views alarmed local authorities who favored unhindered economic growth and who are reported to have personally profited from mining, clear cutting, and poaching.¹²⁷ As they learned, he was able to garner sufficient support to partially block the spread of deforestation in the Lithang/Nyagchu area.

Clear-cutting of old growth forests for profit was one of the most contentious environmental issues within a five-county region, which included Nyagchu and Lithang. According to former local activists, Chinese officials first became involved in "cutting trees like hairs on a head"¹²⁸ in Nyagchu county in the early 1980s.¹²⁹ Although it was necessary to build some roads and bridges to transport logs, thick stands of trees and a network of rivers made it relatively easy to cut and ship timber to central China. Tenzin Delek's campaign against the practice began in 1987-88, but it wasn't until 1993, after a sharp increase in deforestation practices provoked an escalating local response, that officials moved to directly counter his opposition.

¹²⁶ Human Rights Watch interview with DQ, April 3, 2003.

¹²⁷ Human Rights Watch interview with FP, February 2000.

¹²⁸ Human Rights Watch interview with CW, April 10, 2003.

¹²⁹ Human Rights Watch interview with CW, November 11, 2003.

According to those who formerly lived in the area, forest land was divided informally into three categories: one reserved for government use; one available to township¹³⁰ officials for their personal use, such as building a house; and the third, the so-called public land, for use by local residents. By 1993, the local residents had come to find two official practices almost intolerable. One was the need to obtain permission to “build a house or get poles for a nomad tent.” Former residents reported they had to “bribe officials, giving them butter and meat.”¹³¹ The second complaint related to the concern of residents that local security and forestry department officials were working in concert to divert public land to the government sector. According to one Chinese environmental activist with whom Human Rights Watch spoke, county budgets in some areas in China were heavily dependent on revenues from lumber.¹³² Forestry departments, he explained, were not created to protect resources; the expectation was that they would open up new areas for logging.¹³³

The issue came to a head in the Nyagchu area on November 9, 1993. It centered on a township called Lola. The government section was “pretty well logged out” and township and county officials had imminent plans to seize public lands. About a month earlier, they had moved a marker designating the border between “government” and “public” land.¹³⁴ As one source explained:

At a place called Lola, a densely forested place with huge trees about 500 years old, the Chinese took the bark of one tree and wrote on it in capital letters with red paint, “forest above this tree belongs to public – below to government.” The sign moved the boundary almost two kilometers inside the public forest. The township, county, and local officials had given bribes to prefecture officials [in order to be able to continue logging] and told the local population that they had to be quiet.¹³⁵

In the week before November 9th, Tenzin Delek convened a meeting for community leaders and family representatives. He explained that as local leaders, they had an obligation not to ignore the problem. But, he continued, no matter their collective decision, he was prepared to take on the issue even if it meant going to prison. According to one report, he said:

¹³⁰ A township refers to a group or cluster of villages or settlements in a rural area of which one is the administrative seat.

¹³¹ Human Rights Watch interview with CW, April 17, 2003.

¹³² Human Rights Watch interview, July 2003.

¹³³ In September 1998, following disastrous floods in China, a new forestry conservation policy was announced by then Premier Zhu Rongji. See for example, “Chinese Premier Launches War Against Loggers Amid Flood,” Agence France Presse, September 14, 1998; “Chinese premier urges against deforestation on tour of Sichuan,” BBC Monitoring, September 23, 1999; “Major Events in China,” Inside China Mainland, November 1, 1998, which includes an excerpt from a September 5, 1998 article from *Wen Wei Po*.

¹³⁴ The markers had been in place for a least a decade.

¹³⁵ Human Rights Watch interview with CW, April 22, 2003.

We all know this forest is public forest, but a few officials from the county and township are trying to move into it. If they do they will definitely destroy it. We all have to work on this. If we ignore it, it will be environmentally damaging, and it will bring storms and floods.¹³⁶

For their part, township officials tried to forestall local action by convening the November 9th meeting to publicly announce that all public forest had been recategorized as forest reserved for government use or otherwise available for use of officials. County officials who happened to be in the immediate vicinity joined the meeting. Together they threatened trouble for all protesters.¹³⁷ Later that day, despite the risks, but confident that local support might prove crucial, three monks from Orthok monastery chose to confront the township officials. A monk who was present recounted what happened:

We told them, we could not accept their actions...even if it meant going to prison...They were not really listening but finally said, “we have been trying to figure out who has been creating this trouble, this problem. Now we finally know...You can go back to your monastery and we will deal with you.” We didn’t leave...The official called the police and told them to kick us out...So they beat us, kicked us, and threw us out of the building.¹³⁸

When the three monks returned to Orthok monastery, they learned from local residents that the authorities were planning their arrests. These same local residents offered protection by guarding the three for several nights and, as the danger grew, sending them to the mountains to sleep. As one monk put it, “It was a very bad time.”

In spite of accusations that Tenzin Delek had been interfering in affairs that were prerogatives of the government, county and prefecture officials attempted to defuse the situation by insisting he use his prestige to calm the local populace.¹³⁹ Prefecture officials agreed that once the situation was defused, they would deal with the forestry issue itself.

Tenzin Delek complied. At a meeting a week later, a Nyagchu county official, when questioned by Tenzin Delek, had to admit that he could not swear to the accuracy of other officials’ claims that there had been a change in government policy. According to those officials, the new policy had converted all forest originally reserved for the public’s use to forest which local governments could manage without public consultation. On the basis of the Nyagchu county official’s admission, Tenzin Delek went ahead and announced during a large public prayer ceremony that the local populace would approve

¹³⁶ Human Rights Watch interviews with CW, July 30 and November 11, 2003.

¹³⁷ Human Rights Watch interview with CW, July 30, 2003.

¹³⁸ Ibid.

¹³⁹ The need to turn to monastic authority to quell the disturbance is an example of Emily Yeh’s point that “the state co-opts religious leaders to perform its dispute-settlement tasks, but in the very act of co-optation, weakens claims that the only legitimate authority in the PRC is secular and atheist.” Emily T. Yeh, “Tibetan Range Wars: Spatial Politics and Authority on the Grasslands of Amdo,” *Development and Change*, 34(3): 499-523 (2003).

of the way the government-public land debate would be resolved. He added that no monks would be arrested; and he asked everyone to calm down.

When it quickly became clear that the prefecture officials who had asked for Tenzin Delek's cooperation were not about to honor their pledge to restore public lands to the public, he and five others, monks and community representatives, took petitions, photographs, and letters to Sichuan provincial officials, explaining that if they could not receive redress there, they would go directly to the central government. The group then went to Beijing and complained to officials there. In the end, prefecture officials honored their promise to return to the public the lands that were rightfully theirs.

Although the controversy was resolved peacefully, several petitioners landed in serious trouble. As one informant involved in the effort explained:

I went to jail because of environmental issues. What happened was I was trying to fight the system with the by-laws of the Chinese constitution. They have a law that you are allowed to protect animals, the environment, and the wildlife. They made the laws, and they are the ones who really aren't abiding by them. When I tried to fight using these laws, I ran into trouble with Chinese officials and was accused of political crimes, arrested, and put in jail. I was arrested in Nyagchu county.¹⁴⁰

For local officials, the entire incident resulted in a loss of face, a boost to Tenzin Delek's prestige, and enhanced monastic influence. Local residents looked increasingly to Tenzin Delek to help solve problems; and local officials enjoyed less protection from their superiors further up the administrative hierarchy. As local officials were promoted, they took their resentments with them.

Tenzin Delek's Religious Leadership

Loyalty to the Dalai Lama and Independent Religious Stance

Tenzin Delek's support for the Dalai Lama was well known. His followers say he counseled them that when it came to religious matters, they should obey and help the Dalai Lama and follow his path, even at the expense of their own lives.¹⁴¹ He preached

¹⁴⁰ Human Rights Watch interview with CW, April 10, 2003. Whether the 1982 Chinese constitution actually offers the protection asserted is unclear. Article 26 provides: "The state protects and improves the environment in which people live and the ecological environment...The state organizes and encourages afforestation and the protection of forests" (Constitution of the People's Republic of China, Foreign Language Press Beijing 1987, p. 22). In addition, several articles of the "Law of the People's Republic of China on the Autonomy of Minority Nationality Regions" in effect at the time lend implicit support. Article 28 provides that "the organs of self government of national autonomous area shall manage and protect the natural resources of these areas;" and that "the organs...shall protect and develop grasslands and forests and organize and encourage the planting of tress and grass. Destruction of grasslands by any organization or individual by whatever means shall be prohibited." Article 45 provides that "organs...shall protect and improve the living environment and ecological environment..." Article 62 provides that "While exploiting resources and undertaking construction in national autonomous areas, the state shall...pay proper attention to the productive pursuits and life of the minority nationalities there."

¹⁴¹ Human Rights Watch interview with CW, April 17, 2003.

that heeding the Dalai Lama's words would lead to peace and prosperity and to unity among Tibetans.¹⁴² However, support for the Dalai Lama appears to have been confined to religious matters, which was legal in China and Tibetan areas until 1995 (or later in some areas). In this respect Tenzin Delek was not breaking any Chinese laws.

According to Tenzin Delek's admirers, he also told people that, "they should hold up Tibetan culture and religion, they should not let it become degraded, they should try to revive it....If you don't do it yourself—preserve your religion and culture—no one else is going to come and do that for you."¹⁴³

Tenzin Delek organized public events supporting the Dalai's Lama's religious status and celebrating his achievements. In the summer of 1993, for example, he held a long life prayer ceremony for the Dalai Lama. He used a large screen to display images relating to the Dalai Lama's accomplishments.¹⁴⁴ As described below, he was vocal in his support of the Dalai Lama's admonition not to propitiate Dorje Shugden.

However, Tenzin Delek also told his audiences about the Dalai Lama's 1989 Nobel Peace Prize, his 1987 Five-Point Peace Plan, and his 1988 Strasbourg Proposal.¹⁴⁵ Such remarks, political rather than religious, were probably illegal even in 1993 (although the relevant laws—prohibiting political support—were contrary to international human rights law). Even after the mid-1990s, when the Chinese state became increasingly involved in procedures for recognizing lamas, Tenzin Delek appears to have continued as before. He ignored the order against identifying incarnations without consulting China's religious authorities.¹⁴⁶ And he refused to stop his building program or, when asked for help, his involvement in the affairs of monasteries he did not head.

¹⁴² Human Rights Watch interview with EJ, June 24, 2003.

¹⁴³ Human Rights Watch interview with FP, July 29, 2003.

¹⁴⁴ Human Rights Watch interview with DQ, April 3, 2003.

¹⁴⁵ The Five Point Peace Plan for Tibet was presented in an address to the U.S. House of Representatives Human Rights Subcommittee on September 21, 1987. The address charged China with "illegal occupation of Tibet" and reiterated that "Tibet was a fully independent state when the People's Liberation Army invaded the country in 1949/50"...in "flagrant violation of international law." It made clear that in speaking of Tibet, the Dalai Lama included the Tibet Autonomous Region, Kham, and Amdo. The five points included abandonment of China's population transfer policy and negotiation on the future status of Tibet. The Strasbourg Proposal, an address by the Dalai Lama to the European Parliament on June 15, 1988, made certain modifications. It called for all of Tibet to "become a self-governing democratic political entity...in association with the People's Republic of China." Although it allowed that the PRC "could remain responsible for Tibet's foreign policy," it went on to say that the government of Tibet should have its own Foreign Affairs Bureau to "develop and maintain relations" related to "non-political activities." The Dalai Lama said further that the "Government of Tibet will have the right to decide on all affairs relating to Tibet and the Tibetans." Over the years the Chinese government has dismissed both the plan and the proposal as thinly veiled calls for Tibetan independence. As of September 4, 2003, the plan could be accessed at <http://www.tibet.com/Proposal/5point.html>; the proposal was available at <http://www.tibetjustice.org/materials/tibet/tibet4/html>.

¹⁴⁶ After the 1980 relaxation, individual lamas, apparently without official involvement, quietly recognized reincarnate lamas. In 1995, a new Tibet Autonomous Region law required official input into the appointments procedure. It is not known if any regulations were promulgated either nationally or in Kardze or Sichuan.

The Impact of China's Evolving Policies on the Dalai Lama

From 1979 until 1996, religious, as opposed to political, support for the Dalai Lama did not come under sustained attack in China. The change came as a result of the Third Forum, but was implemented gradually across Tibetan areas, from the west eastwards. By 1996, Tenzin Delek's allegiance to the Dalai Lama and support for his policies, such as opposition to worship of the deity Dorje Shugden, were viewed not as matters of religious belief, but as political challenges to the central government.

In July 1994, at the Third National Forum on Work in Tibet, China's leadership decided on a series of steps to curb the growth of religion in Tibet and to bring it more fully under the control of government and Party authorities. Much of the crackdown involved reductions in the number of monasteries and the number of monks and curbed the independence of senior monastic leaders. A year later, in May 1995, a dispute broke out over whether Chinese authorities or the Dalai Lama controlled selection of the reincarnation of the Panchen Lama and, by implication, of all major religious leaders. Gendun Choekyi Nyima, the boy chosen by the Dalai Lama, has disappeared from view; Gyaltzen Norbu, the government's choice, has been moved from Tashilhunpo, the traditional seat of the Panchen Lama, to Beijing, where Chinese officials closely supervise his education.

In 1996, on the basis of a directive from the Central Committee of the Chinese Communist Party, "patriotic education" in the monasteries began in earnest. Monks were required to denounce the Dalai Lama, reject the Panchen Lama chosen by him, and write and sign formal statements acknowledging their acquiescence and supporting the official view that Tibet has always been an integral part of China.¹⁴⁷ In addition, as part of the attempt to vet all religious personnel for patriotism, willingness to follow state religious policy, and distance from the "Dalai clique," county and provincial officials and religious authorities consulted on pending reincarnations. Once decisions were taken, the Chinese government issued authorizations to those lamas it recognized. Neither Tenzin Delek nor the lamas he had recognized ever received official approval.

Taken together, the new policies had a major impact on the fortunes of Tenzin Delek, who seemingly paid little attention to attempts to limit his activities and influence. They had the effect of casting him in the role of a public political dissident, a "splittist," a non-cooperator who acted as if he were a locally independent agent when it came to religious affairs. His non-compliance had the potential to derail the careers of local officials responsible for making certain that government directives were successfully implemented.

¹⁴⁷ For a full discussion of changes in religious policies see, Tibet Information Network and Human Rights Watch, *Cutting Off the Serpent's Head: Tightening Control in Tibet, 1994-1995* (New York: Human Rights Watch, 1996), pp. 25-34 and pp. 52-71. For examples of "patriotic education" programs see, Human Rights Watch, "Excerpts from Questions and Answers on the Patriotic Education Program in Monasteries" in *China: State Control of Religion*, (New York: Human Rights Watch, 1997) pp. 100-103; and Tibet Information Network, "A Brief Summary of Propaganda Materials for Patriotic Education in Tibetan Buddhist Monasteries" in *Tibet Since 1950: Silence, Prison, or Exile* (New York: Aperture Foundation, Inc. and Human Rights Watch, 2000), pp. 88-89.

Officials from the eighteen counties that comprise the Kardze Tibet Autonomous Prefecture first announced application of the new policies in September 1995. Henceforth, there was to be no construction of monasteries or schools without explicit permission from the county involved; and to ensure compliance, surveillance of Tenzin Delek would be increased.¹⁴⁸ The changes might have been partially in response to a strong statement he made at a prefectural meeting chastising local and central government officials for neglecting the public's welfare. Among other issues, Tenzin Delek spoke on the lack of both modern and traditional Tibetan education in nomadic areas, the weakness of the local economy, and the populace's lack of access to the area's natural resources.¹⁴⁹

In 1996, when Tenzin Delek was told that he could not recognize the Panchen Lama chosen by the Dalai Lama, he is reported to have said, "My feeling is that I believe the one chosen by the Dalai Lama. Also, I believe, the Tibetan people will also believe that, too. The one recognized by the Chinese government—I don't know anything about it."¹⁵⁰ In short, Tenzin Delek, though firm in his defense of the Dalai Lama, was careful and ambiguous; he did not denounce the government's candidate. That same year, when it was decreed that the Dalai Lama's photo could not be displayed in monasteries and that monastic leaders would have to preach against the Dalai Lama's "splittism," Tenzin Delek refused to comply.

In 1996, Tenzin Delek was told that his practice of sending monks and students to monasteries in other Tibetan areas and in India for study was illegal. He was made responsible for bringing home all those who had not yet returned. According to one informant, Chinese authorities feared that as his students moved beyond the Lithang/Nyagchu area, Tenzin Delek's reputation and influence would spread with them.¹⁵¹

In 1997, the Religious Affairs Bureau and the United Front Work Department informed Tenzin Delek in a letter addressing him as Rinpoche that he was to refrain from any involvement in political affairs. The document, entitled "The Six Articles," detailed the ways in which Tenzin Delek had violated religious policy. By 2000, in a letter addressing him by his lay name, A-ngag Tashi (in Chinese pinyin A'an Zhaxi), he was accused of engaging in the very activities about which he had been warned. The letter went on to advise him that his status as a religious leader had been downgraded.¹⁵²

¹⁴⁸ Human Rights Watch interview with DQ, April 3, 2003.

¹⁴⁹ Human Rights Watch interview with DQ, August 7, 2003.

¹⁵⁰ Human Rights Watch interview with EJ, June 27, 2003.

¹⁵¹ Ibid. Also Human Rights Watch interview with DQ, April 3, 2003.

¹⁵² Human Rights Watch interview with DQ, April 3, 2003.

Opposition to Worship of Dorje Shugden

Chinese authorities also used an esoteric religious dispute over Dorje Shugden, a Tibetan Buddhist protector deity, to attack Tenzin Delek, equating his active support for the Dalai Lama's anti-Shugden stance with opposition to Chinese policy. Although the debate, which has waxed and waned for more than two decades, has no specific political aspect, support for the Dalai Lama on the issue seems to have been viewed as tantamount to "splittism."

Dorje Shugden is considered a powerful magical being who can help propitiators acquire worldly goods and other powers and benefits. The deity is also seen by some as a protector of the Gelugpa sect of Tibetan Buddhism. In addition, the deity is regarded as being able to inflict harm on those who stop propitiating it or on those who belong to other sects of Tibetan Buddhism.

In 1976, the Dalai Lama stopped worshipping Shugden and began to teach that such worship could be harmful to individuals who offended the deity. He advised that Dorje Shugden was harmful to him and to the cause of Tibetan independence. He said that genuine deities think in terms of liberating people from suffering, not in terms of harming them. He saw it as his duty to bring the issue to the attention of Tibetan Buddhists, but to leave it to each individual to decide whether to follow his advice.

In 1996, the Dalai Lama went further, banning Shugden worship for those who wished to be his immediate followers or to take teaching from him. At that point, well-organized Shugden supporters in the Tibetan diaspora mounted active opposition to the Dalai Lama's position, going so far as to accuse him of denying religious freedom to Shugden supporters. The seemingly narrow issue of whether Dorje Shugden was a beneficial or harmful deity masked other issues within and among the four sects that comprise Tibetan Buddhism. It also became a deeply divisive issue within the Gelugpa school, which the Dalai Lama leads, between ultra-conservatives who continued to worship the deity and a larger grouping which followed the Dalai Lama's approach.

According to some accounts, Chinese government officials even promoted Shugden worship in Tibetan communities.¹⁵³ Their goals, it appeared, were to dampen the Dalai Lama's moral authority within the Tibetan and international communities and to use theological differences to exacerbate divisions within the Tibetan community.

Southern Kham is where support for the deity in the region has traditionally been strongest. Tenzin Delek joined the campaign against Shugden worship as early as 1979 when he brought evidence of the practice at Lithang Gonchen monastery to the attention of the 10th Panchen Lama. When Tenzin Delek returned from India in 1987, he again resisted pressure to join in Shugden worship and again preached against the practice to the general public, to monks at Lithang Gonchen monastery, and to village elders. He even announced he would not set foot in Lithang Gonchen monastery until

¹⁵³ Isabel Hilton, "1. The Dalai Lama," *Independent*, September 22, 1999; David Van Biema, "Monks vs. Monks," *Time Magazine*, vol. 151, no. 18, May 11, 1998.

the practice there stopped.¹⁵⁴ His doing so reportedly resulted in some monks leaving Lithang Gonchen, the major religious facility in the area, and taking up residence at Orthok monastery.¹⁵⁵ Such defections, coupled with others attributable to the availability of new permanent facilities at Orthok monastery and Tenzin Delek's presence there, might have been regarded as evidence of his rising prominence and have led to anxiety over competition for resources.

The controversy continued to simmer and occasionally to flare. In 1999, several non-Shugden worshipping Lithang Gonchen monks were briefly detained.¹⁵⁶ Two years later, not long before Tenzin Delek was arrested and after an influential lama at Lithang Gonchen monastery decided he would no longer propitiate the deity, Shugden worship there all but disappeared. Monks came from "everywhere" to participate in a ceremony marking the change.¹⁵⁷

Chinese officials continue to call for Dorje Shugden worship. As noted at the outset of this report, they also claim that one or two of the bombings to which Tenzin Delek and Lobsang Dondrup allegedly confessed occurred in close proximity to a senior monk who had supported Shugden worship.¹⁵⁸

Other highly respected Buddhist leaders in Kardze Tibetan Autonomous Prefecture have suffered because of their support for the Dalai Lama as a religious figure and because of the respect and loyalty they engender from within local monastic and lay communities. Although the stories differ in the details, a common theme runs throughout, starting with concern on the part of Chinese authorities that these popular and charismatic figures make it difficult for the government to eliminate the veneration of the Dalai Lama and to dampen enthusiasm for religion. Chinese leaders fear that belief in Tibetan Buddhism, entwined as it is with Tibetan identity, will continue to support popular yearning for an independent Tibet.

Two cases of particular concern in Kardze are those of Sonam Phuntsog, serving out a five-year sentence for splittism, and the situation at Larung Gar, a monastic community formerly headed by Khenpo Jigme Phuntsog, which has been forced to drastically curtail its operations.

¹⁵⁴ Human Rights Watch interviews with KR and ZB, September 5, 2003, and with HM, August 7, 2003.

¹⁵⁵ Human Rights Watch interview with HM, August 7, 2003.

¹⁵⁶ Human Rights Watch interview with KR, September 22, 2003.

¹⁵⁷ Human Rights Watch interview with KR, December 14, 2002.

¹⁵⁸ Human Rights Watch interview with DQ, April 4, 2003. See also Appendix II, "Interview with Kardze Court Judge."

Heightened Official Crackdown

Tenzin Delek's efforts on behalf of environmental conservation and religious positions, including his 1995 refusal to recognize the boy chosen by the Chinese as the 11th Panchen Lama, put local religious officials at risk. He made it difficult, if not impossible, for them to assure central religious authorities that all religious leaders in their districts publicly and privately supported the government's stance and would insist that the monks they led acquiesce. In 1996, when the central government began its "patriotic education campaign" in the monasteries, thus increasing the pressure on those same local officials, Tenzin Delek still refused to comply. His further refusal to seek consultation with government authorities on other religious matters, such as recognition of incarnate lamas and establishment of new monasteries, also challenged their control and their prestige.

In 1997, the Kardze Prefecture Religious Affairs Bureau (RAB) convened a meeting to discuss Tenzin Delek's activities, finally issuing a document, "A'an Zhaxi Breaks the Law," enumerating how Tenzin Delek had violated religious policy. It accused him of building new monasteries and schools without the requisite official permission, meddling in the work of other monasteries,¹⁵⁹ arrogating to himself the title of Rinpoche, recognizing tulkus¹⁶⁰ without consulting religious authorities, interfering with people's right to believe as they choose by preaching against Dorje Shugden worship, and preaching harmful concepts.¹⁶¹

Therefore, the document stated, his title would no longer be recognized as legitimate and he would be required to cease engaging in activities associated with Rinpoche status, such as preaching, taking part in ceremonies and festivals at monasteries other than Jamyang Choekhorling, and furthering construction of new or existing monasteries. Those tulkus Tenzin Delek had already recognized would be stripped of legitimacy. His new status meant he would be required to obey the orders of the *zhuren*, the monastery head appointed by and responsible to the government's Religious Affairs Bureau and the United Front Work Department.¹⁶² In addition, the Religious Affairs Bureau rescinded

¹⁵⁹ The accusation of meddling involved a monastery that was literally crumbling. When the lama there was terminally ill, he asked Tenzin Delek to assume his responsibilities. However, when another lama proposed rebuilding the monastery in a different location, it provoked sharp disagreement among monks and worshippers. Tenzin Delek was able to settle the argument amicably. Human Rights Watch interview with DQ, July 28, 2003.

¹⁶⁰ The Chinese government has been attempting to control reincarnation recognition so as to build legitimacy for assuming the final authority on the selection of the Dalai Lama after the current reincarnation dies. See for example, "Chinese Regulations and Procedures on the Panchen Lama Reincarnation," in *Documents and Statements from Tibet, 1995*, TIN Background Briefing Paper No.25, TIN, London, 29 December 1995, pp. 2-5; "Official on PRC Authority Over Tibetan Religion," Agence France Presse, in FBIS, January 18, 2000; "China: Tibetans Welcome Reincarnated Seventh Living Buddha," People's Daily Online, January 31, 2000, copy on file at Human Rights Watch. When the position involved is less prestigious, the process usually involves consultation between lay officials and religious personages.

¹⁶¹ Human Rights Watch interview with EJ, May 20, 2003.

¹⁶² The *zhuren* functions as a bridge, passing messages to monks and transmitting complaints. He is responsible for monastic compliance with policy changes and with implementation of new rules and regulations within the monastery for which he is responsible.

his membership in the Lithang County Chinese People's Political Consultative Congress¹⁶³ and stripped him of his right to speak at Nyagchu county meetings.¹⁶⁴

Officials from Kardze Prefecture and the Religious Affairs Bureau distributed the document in the form of a small book to government offices and the population at large in all eighteen counties. Some months later, the Religious Affairs Bureau and the United Front Work Department quietly began collecting the distributed copies.

On August 10, 1997, not long after the meeting, Tenzin Delek fled to the mountains, believing he was in imminent danger of arrest in part because local authorities had launched an investigation into the appearance of pro-independence leaflets.¹⁶⁵ He left behind a tape recording, meant for Nyagchu county officials and delivered to its Religious Affairs Bureau, declaring: "I have been accused [of using religion to carry on political activities] but I've done nothing wrong. If I get arrested I see a problem [unrest] coming from the people, so I had better just go away for awhile." He went on to ask the authorities to rectify the problem.¹⁶⁶

A little more than a month later, after careful coordination between Tenzin Delek's monasteries and the surrounding villages, local residents mounted an unprecedented protest, a march to Nyagchukha, the county seat. The day before the planned action, the organizers helped ensure its success by dispatching a student monk to surrounding villages to announce the time and place. Some 400-500 people, primarily farmers, willingly assumed the personal risks associated with such a public event. Security forces attempted, but failed, to intercept the protesters at the rendezvous site. Through verbal intimidation, the overwhelmed officers did manage to cut the number of participants in half. They called out the names of marchers, telling them "you have to behave"; "we know who you are"; "we're watching you"; "we will take care of you in a few days, we can do that."¹⁶⁷ Those who made it to Nyagchukha protested to county authorities that Tenzin Delek was the only one who cared about the people, that they had driven him away, and it was up to them to return him to the people.¹⁶⁸ Except for some broken windows and a "few punches" thrown by Tibetans,¹⁶⁹ the demonstration proceeded peacefully.

¹⁶³ Wang Lixiong, "Ganzi Authorities' Dispute with A'an Zhaxi." This is the only article referencing Tenzin Delek's membership in the local CPPCC. The CPPCC is part of China's united front efforts. It is made up of non-Party members, often locally well-known, who willing support Party policies.

¹⁶⁴ Human Rights Watch interview with EJ, June 27, 2003.

¹⁶⁵ Wang Lixiong, "Ganzi Authorities' Dispute with A'an Zhaxi."

¹⁶⁶ The accusation referred to carrying on political activities under the cloak of religion. Human Rights Watch interviews with FP, July 29, 2003, and with EJ, November 11, 2003.

¹⁶⁷ Human Rights Watch interview with EJ, May 20, 2003.

¹⁶⁸ Ibid. Also Human Rights Watch interview with FP, May 1, 2003.

¹⁶⁹ Human Rights Watch interview with EJ, November 11, 2003.

SIMILAR CRACKDOWNS IN THE KARDZE TIBETAN AUTONOMOUS PREFECTURE

Sonam Phuntsog

Sonam Phuntsog, a respected scholar and influential Tibetan language teacher at Dargye monastery in Kardze county in Sichuan province is serving out the last year of his five-year sentence for “inciting splittism.” He was detained on October 24, 1999 and convicted in a closed trial in November 2000. According to the court verdict, officers from the Kardze County Public Security Bureau detained him “on suspicion of taking part in a bombing incident” at a small building owned by a Shugden propitiator. However, the charges against him included nothing about the bombing. Instead they related to his support for the Dalai Lama. The verdict reasoned that as Chinese leaders identify the Dalai Lama as a “political exile who is engaging in activities to split the motherland,”^a then Sonam Phuntsog, by virtue of his support for him, is also a “splittist.” No distinction is made between veneration for the Dalai Lama as a religious figure and support for what Chinese authorities consider his agitation for Tibetan independence. As the verdict notes, “The issue of the Dalai Lama is not a religious issue but a political one.”^b

The series of activities cited in support of the verdict against Sonam Phuntsog speak to the issue. They include: meeting and having his picture taken with the Dalai Lama in India and, after his return, organizing a gathering for some 2,000 monks who “chanted long life prayers for the Dalai Lama.” He was faulted for holding up “a huge photograph of the Dalai Lama,” which he “had provided himself,” and for “urging everyone to listen whole-heartedly to what the Dalai Lama says.”^c Sonam Phuntsog denied that the main content of his teaching was as charged. He denied he had ever said anything about “Tibetan independence.”

According to the verdict, some 3,000 (other reports put the figure at 300) Tibetans protested his detention in the Kardze county seat, “which had an extremely negative effect.” In 1999, when these events took place, the program to limit the independence of influential monks and lamas was well underway in the Kardze region. Demonstrated support for Sonam Phuntsog might well have given Chinese authorities further reason to separate him from his followers.

Khenpo Jigme Phuntsog and the Larung Gar Buddhist Institute

Chinese authorities have succeeded in severely scaling back the number of monks and nuns permitted to study at the Larung Gar Buddhist Institute, the most prestigious Tibetan Buddhist monastic center in Tibetan areas. It is located in the remote mountains of the Kardze Tibetan Autonomous Prefecture in Sichuan province. At its height, the academy – it is not a monastery - founded in 1980 by Khenpo Jigme Phuntsog, who until he died on January 7, 2004 was the senior teacher, housed some 6-7,000 monks and nuns. The Chinese government’s goal, to reduce the total population to some 1,500, was to be accomplished through expulsions and by razing the living quarters of those made to leave.^d

Officials from the Beijing office of the United Front Work Department, a Chinese Communist Party organ, traveled to the site to help direct the operation. Their participation implies that the highest-level Party officials were involved in the decision to scale back the complex.

Although Jigme Phuntsog avoided political controversy, hewing to the purpose for which Larung Gar was founded, to revive and preserve Buddhist scholarship, officials apparently were concerned that the institute “was following the wrong path.”^e The prevailing theme was strikingly similar to those that surfaced in the cases of Tenzin Delek and Sonam Phuntsog. Some reports said Jigme Phuntsog had refused to denounce the Dalai Lama; and there were concerns expressed that the increasing number of monks and nuns concentrated in one place added to the possibility of “splittist” activities. Those expelled were made to sign documents denouncing the Dalai Lama, agreeing to uphold Chinese religious policy guidelines and policy, and pledging not to return to Larung Gar.

Jigme Phuntsog, in ill health for some time, returned to the institute a little over a year after the destruction began. He had been removed to a military hospital; later reports put him in Chengdu, the capital of Sichuan province. His first public teaching came in November 2002 under the watchful eyes of the police. Several months earlier he had begun to give teachings in Larung Gar’s main temple to officially sanctioned monks and nuns. When Khenpo Jigme Phuntsog died on January 7, 2004, he was seventy years old and had been in ill health for some time.

A team of plainclothes police from the local township reportedly has taken up permanent residence at Larung Gar.

^a “Criminal Verdict of the Sichuan Province Ganzi Tibetan Minority Autonomous Prefecture Intermediate People’s Court,” *Selection of Cases From The Criminal Law, Occasional Publications of the Dui Hua Foundation*, No. 13, August 2003, p. 51.

^b *Ibid.*, p. 52.

^c *Ibid.*, pp.51-53.

^d “Expulsions of nuns and students threaten survival of important Tibetan Buddhist institute,” TIN News Updates, August 19, 2001, <http://www.tibetinfo.co.uk/news-updates/nu190801.htm> (retrieved December 2, 2003).

^e “Serthar teacher now in Chengdu; new information on expulsions of nuns at Buddhist institute,” TIN News Updates, November 8, 2001, <http://www.tibetinfo.co.uk/news-updates/nu081101.htm> (retrieved December 2, 2003).

A demonstration of this kind is highly unusual in Tibetan areas. It reflected the stature which Tenzin Delek had achieved in the region and the importance of his projects to local inhabitants.

It took almost six months and appeals to provincial officials before there was agreement in writing that Tenzin Delek would not be harmed if he returned.¹⁷⁰ However, he had to agree to some of the original terms: no political activities, no interference in other monasteries' administrations, and no teachings at other monasteries.¹⁷¹

According to one informant, the crowd in Nyagchukha that greeted his return on January 27, 1998 was the largest ever to assemble there.¹⁷² One estimate suggested that tens of thousands took part.¹⁷³ A prefecture official publicly laid out conditions under which Tenzin Delek could remain free. These included restrictions on his right to move about, to speak freely, and to engage in activities local authorities deemed political. One official reportedly told him:

It seems you are a good Rinpoche and people like you. The only thing is we don't want you to talk about the Dalai Lama. That is when we don't get along...From now on you have to stay closer to Nyagchu. You cannot stay in Orthok, although you can travel and go there with permission. And you are not allowed to do any political activities.¹⁷⁴

To the first condition, Tenzin Delek replied obliquely:

The Dalai Lama is a leader of Tibetan Buddhism, and naturally he is my spiritual teacher, so if I don't look up to him there is not much meaning. For our religion, if there is no head it doesn't make much sense.¹⁷⁵

Tenzin Delek complied with the order to stay close to Nyagchukha, "where he belonged."¹⁷⁶ He moved to Jamyang Choekhorling, a property he had purchased from a local family in 1991 and had gradually converted to a monastery. He was in residence there at the time of his April 2002 arrest. Although the reason why he was to move to Nyagchukha was never made clear, the assumption has been that it made surveillance much easier. Orthok is in a rural area a two- to three-hour drive from Nyagchukha. Jamyang Choekhorling is a five-minute walk from the center of town.

Although Tenzin Delek avoided the proscribed activities, he found other ways to promote his social ideas. He continued with his plans to establish schools in an area

¹⁷⁰ Ibid.

¹⁷¹ Ibid.

¹⁷² Ibid.

¹⁷³ Human Rights Watch interview with EJ, July 21, 2003.

¹⁷⁴ Human Rights Watch interview with FP, May 1, 2003.

¹⁷⁵ Ibid.

¹⁷⁶ Human Rights Watch interviews with EJ, July 17, 2003, and with FP, August 2003.

where educational facilities, particularly for nomads, were scarce or non-existent. The Geshe Lungpa school was established in early 1998. Later that year, Tenzin Delek founded an old-age home and a medical clinic.

In mid-June 2000, following a hiatus of more than two years, officials again summoned Tenzin Delek. It is unclear why they waited so long. According to some informants, local authorities did not want to risk another protest and anticipated that with Tenzin Delek's activities curtailed, his support would wane.

In Nyagchukha, Tenzin Delek and two assistants met first with officials from the prefecture's Religious Affairs Bureau and then with United Front Work Department cadres who castigated him for flouting travel restrictions. Tenzin Delek finally met alone with prefectural Public Security Bureau and State Security Bureau officials. During lengthy discussions, they pressured him to sign a document that included not only the "crimes" listed in the 1997 document but several others: inciting the local populace to protest the forestry department's logging policy, and opposing China's birth control policies.¹⁷⁷ He was ordered to recognize the Chinese-chosen Panchen Lama, to ban photos of the Dalai Lama in his monasteries, and to preach against "Dalai splittists." And he was accused of using the preservation of forest lands as a self-serving pretext for attacking the government and certain officials.¹⁷⁸ At the threat of "inconveniencing" him, the Kardze security officers insisted he admit in writing to the offenses and agree to cease the listed practices.

Accounts of how Tenzin Delek responded differ. According to Wang Lixiong, an activist author and champion of Tenzin Delek's cause, who interviewed Tenzin Delek in 2001, the later was forced to sign his confession in thirty places.¹⁷⁹ An assistant who was with him that day said Tenzin Delek refused to protest against the Dalai Lama, recognize the Chinese-chosen Panchen Lama, or ban the photos.¹⁸⁰ Still others reported that although Tenzin Delek would not agree to the recognition, he agreed not to propagate his personal belief in the child the Dalai Lama chose as the Panchen Lama. He reportedly also consented to refrain from talking about Shugden or birth control and abortion in public as the former had political implications and opposing abortion and birth control violated Chinese law. But, he said, he "regretted" that he was not free to speak out.¹⁸¹ As for building monasteries without permission, Tenzin Delek said he was only helping local groups after they were cleared to build and, he argued, it was up to the local populace to decide whether the tulkus he had recognized were genuine.

In mid-June 2000, a day or two after Tenzin Delek's "confession," prefectural officials at either the United Front Work Department or the Religious Affairs Bureau contacted him by telephone in the middle of the night, "requesting" he come alone to Dartsedo

¹⁷⁷ Wang Lixiong, "Ganzi Authorities' Dispute with A'an Zhaxi."

¹⁷⁸ Human Rights Watch interview with ZB, February 2000.

¹⁷⁹ Wang Lixiong, "Ganzi Authorities' Dispute with A'an Zhaxi."

¹⁸⁰ Human Rights Watch interview with EJ, June 27, 2003.

¹⁸¹ Human Rights Watch interview with EJ, June 8, 2003.

within the next two days. He was told that if anyone asked, he was to tell them he needed a medical checkup.¹⁸² Instead, on June 16, Tenzin Delek again took to the mountains. He explained his decision this way:

Unexpectedly, I received a call from Public Security officials who ordered me to go to the police station in Dartsedo alone without telling anyone. I have heard that the officials had a plan to arrest me when they questioned me before, but somehow it wasn't convenient for them to do that then. What they want is for me to come down there [to Dartsedo] quietly by myself, but I don't want to go there quietly by myself without telling anyone. They can just come and arrest me. My arrest can be announced publicly from loudspeakers on top of a car. They can come with chains. If I have committed crimes, they should come and arrest me this way. I would not let anyone protest.

Nowadays, China has 1.3 billion people. Their economy, army, and weapons are second to none. Against such a powerful country, humble people like us [committing a crime] would be like an egg being smashed on a rock. It would be like jumping off a cliff with your eyes wide open. The people in this area are very humble people. Why would they throw an egg on a rock? If I have committed a crime, they can come and arrest me. They will be satisfied, and if I have committed a crime I will be all right with that.¹⁸³

Tenzin Delek finished by asking:

My hope is that I will get a chance to talk with the central authorities. I do not have any reason to protest against China and I do not want to go to some other country. Don't go to the township, in the past you have done that, going to them to try to defend me. I am pleading with you, don't do that....All I want is help from the general public in getting permission to talk to higher officials so I can explain my situation to them. It would be helpful if the representatives in the People's Congress could tell the truth about my situation to the central authorities. But I remember the last time I went away. People went to the township and the county to protest. Don't do that. That is not going to help. It makes it look as if I instigated those activities, so please don't do that. If it were a Tibetan, or a "tsampa-eater," I could swear that I did not ask people to do such things [protesting], but when outsiders look at it, it looks like I am instigating all these activities.

¹⁸² Human Rights Watch interview with EJ, June 27, 2003; Wang Lixiong, "Ganzi Authorities' Dispute with A'an Zhaxi."

¹⁸³ See Appendix I, "Statement of Tenzin Delek Rinpoche."

In response, local leaders and close associates coordinated a massive and unusual petitioning effort¹⁸⁴ that ultimately took supporters simultaneously to Beijing, Chengdu, Dartsedo, Nyagchukha, and several other places to speak with officials at the United Front Work Department, the Religious Affairs Bureau, and the Petitions Office. Their basic message was:

Tenzin Delek has done nothing wrong, he has broken no law, he has taken care of those in need, he has helped preserve the Tibetan language, instructed us on how to conduct our lives, and helped us stop gambling and drinking; if you must arrest him, come and arrest us, too.¹⁸⁵

As Wang Lixiong wrote:

In the eyes of the local people, the crimes of which [Tenzin Delek] was accused were all, in fact, his virtues.¹⁸⁶

Several of the men who organized the petition drive faced extensive questioning about who wrote the petition, who initiated it, what motivated them; and whether there was an organization behind the effort.

In the end, officials in the in the Petitions Office in Beijing agreed that Tenzin Delek would not be in trouble if he returned.¹⁸⁷ When he did, on December 20, 2000, he “put himself right under the eyelids of the authorities, hoping that this way, they would feel a little more relaxed.”¹⁸⁸ As Wang Lixiong, who interviewed him in 2001 recognized, “He made the prefecture and county authorities lose face. Surely they would not be able to simply leave it at that. It was with this kind of doubt that I parted from him.”¹⁸⁹

According to one informant, from the time Tenzin Delek returned home until his arrest, a matter of some fifteen months, he was effectively silenced and marginalized. He could not speak out on issues that lay or religious authorities considered political. His ability to meet with his followers was drastically curtailed. On the surface, it appeared as if there would be no further confrontations.

¹⁸⁴ Wang Lixiong, “Ganzi Authorities’ Dispute with A’an Zhaxi.” According to this account and others, the organizers obtained some 40,000 signatures through quiet persuasion at public events.

¹⁸⁵ Human Rights Watch interview with EJ, June 24, 2003.

¹⁸⁶ Wang Lixiong, “Ganzi Authorities’ Dispute with A’an Zhaxi.” Wang has made at least ten trips into Tibetan areas. In 1998, he authored *Sky Burial—The Fate of Tibet*. After he tried to ensure an open trial for Tenzin Delek, he found it expedient to resign his position in the important Chinese NGO environmental organization Friends of Nature. It had become apparent should he remain its secretary, the group’s registration would be jeopardized. Wang’s works cannot be published in China.

¹⁸⁷ Human Rights Watch interview with EJ, May 20, 2003.

¹⁸⁸ Wang Lixiong, “Ganzi Authorities’ Dispute with A’an Zhaxi.”

¹⁸⁹ *Ibid.*

Until December 2000, Tenzin Delek had managed to stay intimately involved in the running of his seven branch monasteries. Several senior Orthok monks lived and worked in six of the seven. They taught, tended to administrative duties, and dealt with disciplinary issues. In collaboration with local leaders, they instructed community residents about environmental protection, the dangers of excessive drinking and criminal behavior, and the problems associated with immoderate hunting. Tenzin Delek visited each of the six monasteries at least twice a year and sent detailed instructions to the other.

However, his decreased ability to skirt the travel restrictions imposed by the Religious Affairs Bureau and the UFWD further hampered his oversight. His followers characterized the provision as being more like house arrest.¹⁹⁰ Any trip out of Nyagchu county, or of more than a day's duration within the county, required permission, as did any trip involving teachings before a large audience. Trips outside the county, for example, required the consent of three people: two government officials, one from Nyagchu and one from the other county involved, as well as the head of the monastery Tenzin Delek planned to visit. The same individuals determined how long the visit could last.

In the end, Tenzin Delek's willingness to make it easier for officials to monitor his movements did little to ameliorate official concern. He was detained for the third and last time in April 2002, tried in November, and sentenced to death, suspended for two years, in December. His final appeal was heard on January 26, 2003.

¹⁹⁰ Human Rights Watch interview with EJ, July 21, 2003.

VIII. Conclusion

The conspicuous absence of a public outcry in Tenzin Delek's home community after his 2002 arrest was in stark contrast to his earlier support. Government officials attributed the public's silence to their coming to terms with his alleged deceptions. His supporters spoke of fear and intimidation. Said one supporter:

It looks as if they were planning this all along. They deployed soldiers; they collected people's guns, even from people in the area who had licenses. The ones the Chinese thought were courageous, that would stand up to them, they went to jail for at least a couple of weeks. They had to shave their heads. It happened to a relative of mine.¹⁹¹

Wang Lixiong, one of the few outsiders who went to Lithang after Tenzin Delek's 2002 arrest, found no "masses" willing to risk petitioning on Tenzin Delek's behalf. In fact, he was warned, "If you're outside asking about [Tenzin Delek's] situation, it won't be long before there are police at your door."¹⁹²

For many years local, prefectural, and provincial officials violated the human rights of Tenzin Delek, his supporters, and the communities in which he lived and worked. They refused Tenzin Delek the right to travel freely within China; they limited his right to meet with his supporters; they controlled the messages he was permitted to deliver to his constituents; they severely compromised his freedom of conscience and right to support his beliefs with meaningful religious activities; and they made a mockery of adherence to international rule of law standards.

At no time during the legal proceedings did the Sichuan judiciary and local Kardze Tibet Autonomous Prefecture courts act independently. At no time was evidence—instead of official reiterations of the charges against all the defendants—made public. The trial was not open to the public or observers. There was no presumption of innocence, no independent counsel, no meaningful appeal process. Because both Tenzin Delek and Lobsang Dondrup were held incommunicado, there is no way of knowing whether they had access to meaningful legal counsel at any time during the trial and appeals process. With information obtained under torture still regularly introduced as evidence in China, suspicions that "confessions" were coerced and then entered into evidence remain plausible.

The account of how officials responded to Tenzin Delek's religious and social activities in the years preceding his arrest appears to exemplify more widespread efforts on the part of the Chinese leadership to undermine religious leadership in all Tibetan areas. Until 1995, no senior Tibetan lamas had been accused of political dissent. In some respects, the Kardze TAP, where monastic influence remained strong during the post-Cultural Revolution period and into the 1990s, was late to experience a crackdown; the

¹⁹¹ Human Rights Watch interview with DQ, April 3, 2003.

¹⁹² Wang Lixiong, "Ganzi Authorities' Dispute with A'an Zhaxi."

events documented here strongly suggest that it is in the midst of one. It would not be surprising in coming months and years if government officials targeted other influential religious leaders in western Sichuan. Monastic leaders who still refuse to renounce the Dalai Lama, refuse to curb efforts to expand their Buddhist communities, and continue to fill social and cultural communal needs, might yet be targeted for “patriotic education.”

Both under its own constitution and laws and as a signatory to the International Covenant on Civil and Political Rights, China has clear obligations to bring its laws and practices into conformity with international standards. The international community should continue to insist that China do so and hold Chinese leaders publicly and privately accountable for any failures. Chinese officials should begin by freeing Tenzin Delek Rinpoche, as well as Tashi Phuntsog and Taphel. They should receive compensation for their time in detention and any physical or psychological harm they experienced, as should others, now released, who experienced similar problems. Central government authorities should identify and remove officials responsible for the Tenzin Delek affair, and conduct an independent investigation. And whatever one’s views on Tibetan independence—Human Rights Watch takes no position on this issue—restrictions on support for the Dalai Lama and other active lamas like Tenzin Delek must end. Tibetans must be able to worship as they wish and support whom they want. These are basic freedoms that no state is entitled to compromise.

Photographs



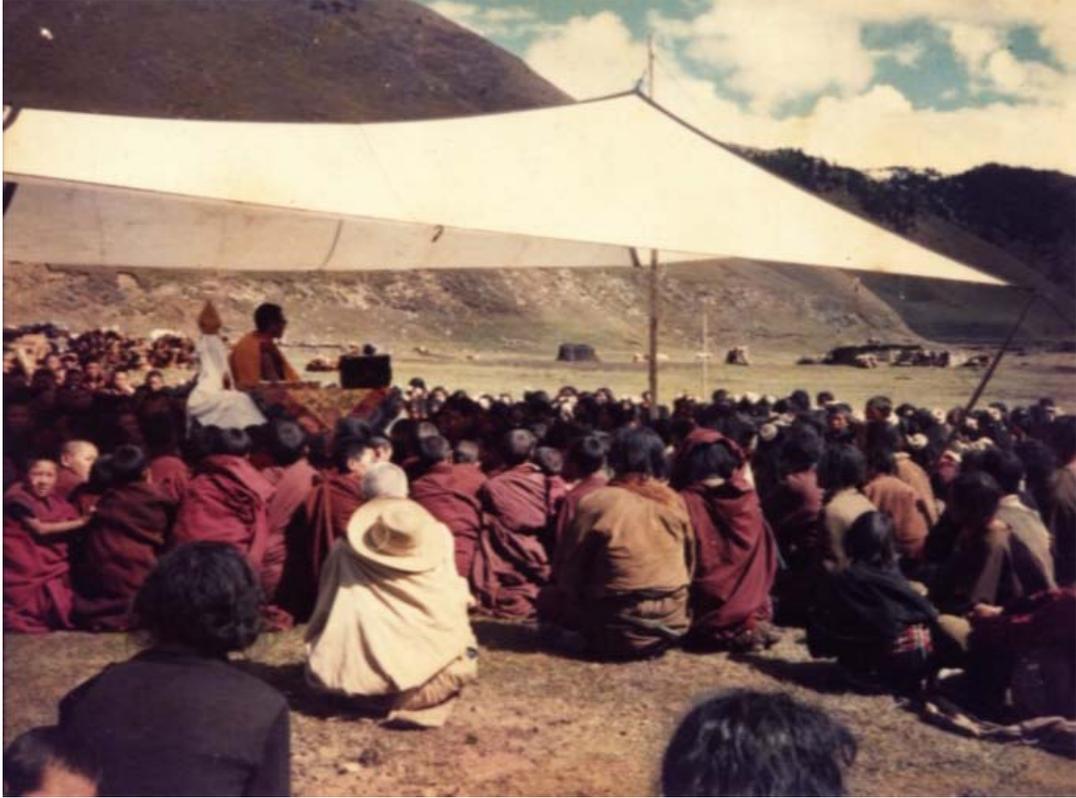
Monks participate in the closing procession of a 16-day annual winter religious festival. This image was taken at Gothang (near Khola) in 1987, before Orthok Monastery was built. © 1987 Private



Prayers are performed inside tents during a 16-day annual winter religious festival. This image was taken at Gothang (near Kholā) in 1987, before Orthok Monastery was built. © 1987 Private



Jamyang Choekhorling Monastery, where Tenzin Delek resided between 1997 and 2002. Chinese authorities closed it down after his arrest in April 2002. © 2003 Private



Tenzin Delek's first religious address to monks and nomads in Thangkarma in 1987, before Orthok Monastery was built. © 1987 Private



Geshe Lungpa School in Nyagchukha (Yajiang), built in 1998 by Tenzin Delek for the secular education of orphans and poor children from neighboring counties. In February 2000, Chinese authorities took control of the school. By 2003 it was completely closed down. © 2003 Private



Nyagchukha, the administrative seat of Nyagchu (Yajiang) county. In the foreground is the Nyag Chu (Yalong) River, part of a network of rivers initially used to ship timber to central China. The ease of shipment left large areas heavily deforested. © 2003 Private

Table 1: Associates of Tenzin Delek Imprisoned, Detained, Missing¹⁹³

| Name | Biographical Information (occupation, residence, age in 2002) | Outcomes |
|---|---|---|
| Tenzin Delek Rinpoche A-ngag Tashi (lay name) A'an Zhaxi (Chinese) | Lama Jamyang Choekhorling 52 years old | Detained: April 7, 2002 Convicted: November 29, 2002: "causing explosion [and] and inciting the separation of the state" Sentenced: December 2, 2002: Death with 2-year suspension Current whereabouts: uncertain |
| Lobsang Dondrup Lorang Dengzhu (Chinese) | Entrepreneur Lithang 28 years old | Detained: Chengdu, April 2-3, 2002 Convicted: November 29, 2002: "causing explosion [and] and inciting the separation of the state," and "illegally possessing firearms and ammunition" Sentenced: December 2, 2002: Death sentence Executed: January 26, 2003 |
| Tsultrim Dargye Cicheng Dajie (Chinese) | Monk Jamyang Choekhorling 36 years old | Detained: April 7, 2002 Administrative Sentence: May 10, 2002: 1-year reeducation through labor (lao jiao) Released: April 6, 2003 |
| Aka Dargye Ahei Dajie (Chinese) | Monk Jamyang Choekhorling 40 years old | Detained: April 7, 2002 Administrative Sentence: May 10, 2002: 1-year reeducation through labor (lao jiao) Released: April 6, 2003 |
| Tamdrin Tsering Dangzhen Zeren (Chinese) | Monk Jamyang Choekhorling 35 years old | Detained: April 7, 2002 Administrative Sentence: May 10, 2002: 1-year reeducation through labor (lao jiao) Released: April 6, 2003 |
| Tenpa Rabgyal Danba Raojie (Chinese) | Monk Orthok Monastery Early-thirties | Fled under threat of arrest Missing |
| Thubten Sherab a.k.a. Kyido | Monk Orthok Monastery Mid-thirties | Fled under threat of arrest Missing |
| Choetsom | Monk Jamyang Choekhorling 19 years old | Detained: c. April 14, 2002 Released: c. April 21, 2002 Missing |
| Pasang | Monk Jamyang Choekhorling 19 years old | Detained: c. April 14, 2002 Released: c. April 21, 2002 Missing |
| Tashi Phuntsog Zhaxi Pingcuo (Chinese) | Monk Jamyang Choekhorling Orthok Monastery Early-forties | Detained: April 17, 2002 Sentenced: Date unknown: 7-year prison term Current location: Dartsedo |

¹⁹³ This table contains a list of Tenzin Delek's associates who have been detained or imprisoned since he was seized on April 7, 2002 or who remain missing. As indicated in the table, many of those listed have since been freed. The list is current as of December 23, 2003.

| Name | Biographical Information (occupation, residence, age in 2002) | Outcomes |
|--|---|--|
| Tserang Dondrup a.k.a. Jortse Cerang Dengzhu (Chinese) | Village leader Nyagchu Mid-sixties | Detained: Early June 2002 Convicted: “supporting Tenzin Delek Rinpoche” Sentenced: January 2003: 5-year prison term Released: July 9, 2003 |
| Drime Gyatso | Nomad Nyagchu 25 years old | Detained: August 2002 Severely beaten upon arrest Released: After less than one month |
| Tsultrim Dargye a.k.a. Tsuldi Cicheng Dajie (Chinese) | Village accountant Nyagchu Early-forties | Detained: August 2002 Severely beaten upon arrest Released: Over two months later |
| Taphel a.k.a. Tabo Dapei (Chinese) Formal name: Lobsang Taphel or Lobsang Tenphel Lorang Dapei (Chinese) | Entrepreneur, former monk Lithang 37 years old | Detained: February 12, 2003 Sentenced: July 15, 2003: 5-year prison term Current location: Ngawa (Chinese: Aba) Tibetan & Qiang Autonomous Prefecture |
| Dzeri Di Di | Entrepreneur Lithang 43 years old | Detained: February 14, 2003 Released: By April 6, 2003 |
| Markam Tselo | Monk Lithang Gongchen 41 years old | Detained: February 12, 2003 Released: By April 6, 2003 |

In addition to the sixteen listed, at least another forty-four Tibetans were detained between April 2002 and January 2003 for periods ranging from two days to over four months. Estimates indicate that at least sixty to seventy more were questioned repeatedly, and over one hundred fled the region. Of those detained, Human Rights Watch has verified the names and circumstances of fifty-one. However, for their own safety, no information about the additional forty-four is being made public.

Among those whose names are not listed, thirty-three come from Nyagchu county. Twenty-two are nomads, four are farmers, two are semi-nomads, two are lamas, and one is a monk. Two cannot as yet be properly classified. Eight of the twenty-two nomads were village leaders or officials. They ranged in age from twenty-four to sixty-nine. Names and circumstances for only two people from Lithang county have been verified. One is a nomad businessman.

All were detained for their general association with Tenzin Delek, in what one Tibetan from the region described as an attempt by authorities to “grab anyone, but if there was nothing coming out of them, they were released.”¹⁹⁴

¹⁹⁴ Human Rights Watch interview with LS, December 15, 2003.

Table 2: Tenzin Delek Monasteries

| Name | Location | Built | Function | Current status |
|--|--|--|---|--|
| Kham Nalendra Thegchen Jangchub Choeling (a.k.a. Orthok monastery) (formerly known as Geden Tashi Dargyeling) | Thangkarma Holong township, Nyagchu county | Begun 1988; Main structure completed 1993 | Tenzin Delek's main monastery, all others are branches; Included a School of Dialectics and a School of Medicine; Population some 700 monks including: 40 in the medicine school; 360 at the dialectics school; 60 novices; 80-90 senior monks; and 170 studying at monasteries in Lhasa. | Open but size greatly reduced; some 290 monks remain; August 2003 unconfirmed threats of demolition. |
| Jamyang Choekhorling | Nyagchukha, Nyagchu county | Property purchased 1991; Main structure (first chapel) completed in 1994 | Tenzin Delek's residence since 1998 after authorities required he stay close to the Nyagchu county seat. Official population limit 25 monks; some 40 in April 2002. | Closed by police after Tenzin Delek's arrest; By April 2003 a few monks were in residence although the monastery is officially closed. |
| Tsun-gon Dechen Choeling | Dzomkhog Golog township, Nyagchu county | 1990 | Nunnery; estimated population 30-60 nuns in April 2002. | Estimated 25-50 nuns remain. |
| Golog Thegchen Namdrol-ling | Golog township, Nyagchu county | 1994 | Estimated population 25-40 monks, most of them novices, in April 2002. | Estimated 8-25 monks remain. |
| Tsochu Ganden Choeling | Tha-ngo Mara township, Nyagchu county | 1992 | Estimated population 30-40 monks in April 2002. | Estimated 3 monks remain. |
| Golog Tashikyil | Wamda Gating Golog township, Nyagchu county | 1991-92 | Remote but warmer location for the younger students from Ortok school to live and study during the winter. Residents included the students in winter, teachers, and monks in retreat. | Three monks remain: one caretaker, and 2 monks in retreat. |
| Kham Choede Chenmo Jangsen Phengyal-ling (a.k.a. Detsa monastery) | Thrado Detsa township, Nyagchu county | Early 1990s | Monastery primarily for preliminary assessment and education of novice monks and nuns. Estimated population 140-160 monks in April 2002. | Estimated 60 monks remain. |
| Sungchoera | Kechukha, Nyagchu county | 1998-2000 | Initial population 40-70 monks. | Monks in residence sent home after Tenzin Delek's arrest; monastery closed. |
| Tshe-gon Shedrub Dargyeling | Ritrama Tshaka/Maya district, Lithang county | New structure completed 1995 | Sakya school of Tibetan Buddhism (the others are Gelugpa school); Monastery not founded by Tenzin Delek; Is not a branch of Orthok monastery; Left under overall tutelage of Tenzin Delek in early 1990s. Estimated population 330 monks in April 2002. | Estimated 290 monks remain. |

Table 3: Tenzin Delek Projects

| Project | Location | Built | Function | Current Status |
|---|---|--------------------------|---|---|
| Geshe Lungpa School | Nyagchukha, Nyagchu county | early 1998 | Secular education for orphans, semi-orphans, and destitute children from Nyagchu, Lithang, Dabpa and Dartsedo counties; Taught Tibetan, Chinese, math, medicine; Some 350 students in 2000. | Government confiscated it in February 2000 on grounds school was built without permission; Teachers and caretakers expelled; within one month all but thirty students expelled; completely closed by December 2003. |
| Zhide Bu-so-khang (Peaceful Child-Rearing Place) Orthok Monastery School | Orthok monastery, Nyagchu county | 1991-92 | Basic education of orphans, semi-orphans, and destitute children, many of whom are also novice monks, from Nyagchu, Lithang, Dabpa and Dartsedo counties; Provided food, shelter, and all educational materials; Tibetan reading, writing, grammar, Buddhist texts, and debate taught; 160 students as of April 2002. | After Tenzin Delek's arrest, most of the children went to India; about 30 remain.. |
| Orthok Monastery School, winter location | Golog Tashikyil monastery, Nyagchu county | 1991-92 | Remote but warmer location; younger students from Orthok school lived and studied there during winter. | No students sent after Tenzin Delek's arrest due to lack of human and monetary resources. |
| Orthok Monastery Old-age Home | Orthok monastery, Nyagchu county | 1991-92 | Home for elderly, primarily nomads from Lithang and Nyagchu counties; Blankets provided in winter and food provided monthly; 32 people in residence in April 2002. | Facility no longer in operation due to lack of finances after Tenzin Delek's arrest; Of the elderly formerly in residence, some have died, friends are caring for others, and monks near Lithang and Orthok monasteries are looking after others. |
| Orthok Monastery Old-age Home Nyagchukha branch | Nyagchukha, Nyagchu county | Late 1998- Early 1999 | Established near the Nyagchukha medical clinic for elders in need of medical services; Government seized most of the structures in 2000 at the same time it took over Geshe Lungpa school; Some 20 elders in residence in April 2002. | Slowly ceased to exist after 2000; Those who had remained scattered after Tenzin Delek's arrest; No available monetary or human resources. |
| Orthok Monastery Tibetan Medical School and Clinic | Orthok monastery, Nyagchu county | 1991-92 | Tibetan medical school in Orthok monastery, with associated teaching clinic; only Tibetan medical service in the region; Collected medicinal herbs, produced medicine, and distributed it as needed; 40 students as of April 2002. | Facility no longer in existence due to lack of financial resources after Tenzin Delek's arrest; Doctors may be practicing individually. |
| Orthok Monastery Tibetan Medical Clinic Nyagchukha branch | Nyagchukha, Nyagchu county | Late 1998 | Tibetan medical clinic established near Geshe Lungpa school, to serve needs of the students, elders, and local residents. | Government confiscated it with Geshe Lungpa school in February 2000; Now closed. |

Appendix I: Statement of Tenzin Delek Rinpoche, Recorded Just Prior to June 16, 2000¹⁹⁵

Editor's note: The following text was recorded after security officials pressured Tenzin Delek into signing a document listing his alleged crimes and Kardze Tibetan Autonomous Prefecture authorities, in a midnight call, "requested" he come alone to the prefectural capital. They advised him to inform anyone who asked that he needed a medical checkup. Fearing arrest, Tenzin Delek made the tape to explain to his supporters why he was leaving and what they could do to help. In it he discussed some of the "crimes" of which he was accused and the motivation behind his decisions.

I have a few words to say to everyone. When I inform you of this difficult situation, it is important that my motivation be pure. As is said in a sutra, "All phenomena are conditional." Therefore, the most important thing is motivation

Even when a situation is difficult, I have always spoken with good intentions; I have not complained, but have spoken out in a positive way. Therefore, I speak to all of you, leaders, people, monks, and lay people.

As the saying goes, "even if you do good deeds, they may be called bad." I have been accused during the past few years and there are signs that I will be falsely accused again. The reason why [I believe this] is that recently I was interrogated a lot at county headquarters. Many questions were directed at me. Not only that, officials from the Public Security Bureau [who were] at the Prefecture Religious Affairs Bureau called me up and asked me many questions.

When I was initially ordered to appear I did not know that the orders were coming from the Public Security Bureau. When the government seized the school at Geshe Lungpa,¹⁹⁶ it was the county head, who [ordered it] seized. When I was there [at the Religious Affairs Bureau], I recognized a few of the officials. When I asked them what department they were from, they did not answer my question. When my interrogation started, the Chinese officials said, "We are not going to tell you which department we are from. In our department nobody has any business asking us any questions." That is how they conducted the interrogation. They also told me, "You might have some notion about which department we are from." That is what they were saying to me, but I didn't know where they were from. I thought it was very strange; that is why I asked. I told them that I thought they might be from the Education Bureau and that was why I had asked. Other than that, I had no reason to ask.

They told me, "You can't ask about us, but you must answer our questions. You have to tell us about your most important activities, not before you left Tibet, but from the time you returned from India until now." I told them that since I had been back I'd been

¹⁹⁵ Tape and full transcript on file at Human Rights Watch.

¹⁹⁶ A school established by Tenzin Delek.

involved in different kinds of activities and I didn't know what to tell them, but I said that if they asked me questions I would answer them directly.

So they asked me many questions, but it began with [why I had gone to India], and so I answered that the reason I had gone to India was that because I was just a monk. I went to pursue my religious education. I told them that I had gone to India to receive empowerments and teachings. Whatever I studied in India I had tried to put into practice. That was the only reason I went to India. My family and my relatives had called me and asked me to return to Tibet. They had told me that the Chinese policies were good. They told me that the situation in Tibet had improved. That is why I came back to Tibet.

But there I was in a police station.

When I arrived here, you all knew me as A-ngag Tashi, my lay name. I don't have many good qualities. I merely have the name of a tulku, but I am not a learned tulku or anything. I have a direct karmic connection to the people here [and because of this] people here have a lot of hope in me.

Ever since I came back from India I have always carried out my work within one country, meaning the People's Republic of China. The work I have undertaken has been to unite people, to develop their welfare, to protect the environment, to promote economic development for the people, and to promote education. These are the things I always discussed with people. I also have written about these issues. They are what I have put my energy into. Although I [try to] do things that are beneficial, sometimes the things I do turn out to be unhelpful.

They asked me all these [kinds of] questions, and when I answered their questions, they said that everything I had done was wrong, and that I was guilty. They told me that I had to realize that these were all errors. They said that if I admitted they were errors, they would not put me on trial. They told me not to do them again in the future. I told them "okay" and "yes."

Because I am a monk from Lithang monastery, when I came back from India I went there directly. At that time, yes, I talked a lot with other monks about the practice of propitiating [or worshipping] Dorje Shugden. I did so because I was a monk at Lithang monastery. I told the officials that I thought this [worshipping or not worshipping Dorje Shugden] was a religious affair and that it had nothing to do with political activities. Later on the police told me it was political and I was not allowed to say anything about it. So I just kept quiet. That was one of the things that the officials said I had done wrong.

The second thing the officials said I did wrong was this: One time I had been to Khola township to visit [a man] who was sick and dying. There was no doctor and not even any medicine for him to take. There were no monks or lamas to recite prayers. Nearby, there was a woman who had had complications while giving birth and was dying. Seeing such sad things, people wanted to be closer to roads from which they could access a motor

road. That was the people's wish. All the people of the region asked me to bring this about. If it were accomplished, then Chinese officials could come to visit us because we would be near the road. I had planned for people to move from Kholā to Thangkarma. The plan was to build permanent houses for elderly people there so they would have easier access to main roads. The children then could get some education. The people asked for this. I announced the plan at the horse festival.¹⁹⁷

This was the second thing the officials said I was guilty of. They said it was a very big offense. Again I apologized, and told them I did not realize that it was a big offense and I said I would not do it again. When I told people about my ideas, I didn't force them to agree. I just made suggestions. If this is wrong I will not do it again, I said. They had said I am guilty [because of the business] about worshipping Dorje Shugden, but I don't know why they found me guilty on this second point.

We also had a problem with our forest. The forest was not government forest; it was public forest for public use. The county's forestry department tried to confiscate the people's forest at least two or three times. That is like stealing a baby bird's food from its mouth. When I saw this, I couldn't just stand still. That is why I worked with people and talked about it. It was for the well-being of the people that I went around and talked about the forest issue. The Chinese officials also called this a very serious offense.

Tibet has been liberated by China for many years, but specific areas remain undeveloped. There is no education. I always explain this to people. The Chinese who come from inland China are those who cannot cope with living in their communities or don't have partners. They come to our area and they sell popcorn and stitch shoes, but they are more educated than our county officials and our own people... For that reason I have always urged better education in the area. Since I have been back from India I have advocated education, culture, and art.

The nomads in this area are very poor. That is why I started collecting the children from poor families who cannot pay for their children's education, and from the better-off families who cannot send their children to schools. I told officials in the area about it. There might have been a little time difference, but I told most of the officials about it.

Before the year 2000, the senior and junior party secretaries both told me that I was not allowed to run this school, that it must be run by the county government. I agreed. So we talked, and we agreed the school would be given to the county. In 1999, I was told to give up the school to the county and by 2000 I had done so. The Civil Affairs Department came and I gave up the school. They told me I had to give money to the school but they would run it, and I said that was all right. Then the officials fired the cook, the tea-makers, the sweepers, and others. I could not do anything [to stop it]. At the time I did not have money to give them [the officials], but I was able to give grains, cheese and butter, and potatoes. I told the officials that I would give these things to the

¹⁹⁷ China has a household registration system which authorities use, among other things, to regulate internal migration. Tenzin Delek's plan to move people from one place to another without application to civil authorities thus flouted prevailing regulations.

school, and the head of the Education Office [*jiaoyuchu*] said that was all right, and that even if I had [only] a handful of vegetables to give, that would be all right.

When I turned over the school to the Chinese officials, there were 170 children in it. I promised to provide food worth 50 renminbi [U.S.\$6.25] a month for each child. The next day I thought about it. I had lots of grain at the time, over 30,000 *gyama* [15,000 kilograms]. I thought that was quite a lot of grain. Because I was a nomad, I also had butter, cheese, and meat.¹⁹⁸ I thought about giving it all to the children. I had about two trucks full of potatoes. When the time came for me to hand over all of this food, the officials didn't even take even one *gyama* of grain. Instead they said that the butter and the meat smelled and would make the children sick. They told me that. So I told them that even if the butter and the meat smell, the grain should be all right. Why don't you take the grain? But they did not take even one *gyama*. That was when I realized they were up to something, and they were up to something no good. Even though I had agreed to give up the school, and had agreed to give money and grain and food, the Public Security people said that establishing the school was an offense. They said it was a very big offense.

Everything I did, they considered a crime. They said everything I did was a crime. Nothing was good.

However, it is not quite right to say that the officials criticized everything I did. One time, after I established the Geshe Lungpa school, the head of the Prefecture Education Office, the head of Nyagchu county, a woman who looks after schools and education [in the area], a junior official from Ya'an, the head of Kardze prefecture, the chief of the education department and many other officials all came together to see the school at Geshe Lungpa. We all sat around in the meeting room and talked. The Kardze Education head said to me, "A-ngag Tashi, you have done a great job," and he gave a thumbs up with both thumbs, like this. He said, "It is very good that you have built this school on your own without the government's help." He said that these days this is in accord with the government's plan for setting up schools. You can build private schools, and this school fits with that. And he said to me, "We support you." And he was the leader of the Kardze Autonomous Prefecture. But the Security people consider it a crime, so I don't know what to make of that.

Whether [what we are talking about] is a foreign country or our own country, if there is no education there is no development. We all know whether or not the nomads are educated. From my point of view, I thought I could be helpful to all the nomads. But the officials called all these activities crimes. The Security people said I had committed five or six crimes. Right now I cannot think of everything in detail, but definitely they accused me of committing many crimes. So I told the Security people everything I had done, and they told me I had told my story truthfully, but that in the future I should "be

¹⁹⁸ Identification as a nomad, farmer, or semi-pastoralist is an important ethnographic marker that most everyone in the area uses. Nomads are known for living off animal products while barley is the staple of a farmer diet. Tenzin Delek was born into a nomad family and continues to so identify himself. It is not clear to what extent Tenzin Delek continued to eat the normal nomad diet or what access he had to quantities of animal products.

careful or it wouldn't be good." And I said "all right." So in the end, everything was settled.

Recently, I was called to the Religious Affairs Bureau and the United Front Work Department. That was when I realized that the officials that I had talked with before were Public Security. When I went there, they told me there was an agreement with the prefectural Public Security Bureau. They told me, "You cannot have photos of the 14th Dalai Lama, the young Panchen Lama, or pictures of yourself." And they said, "The pictures are getting bigger, and bigger, and bigger, and you cannot do that. And you cannot have a lama's title." I told them that I was not worried about not having a lama's title, and that in the past I have told Kardze Prefecture [officials] that I did not need the title of lama; I did not need the title of monk, but I did need the rights of a human being. I told them this in the past, and that day I told it to them again. And they told me, "You cannot go to Kechukar." They told me, "You cannot go to Golog or to Detsa." I said, "That is all right." For example, there is a place called Gara that is only three kilometers away. For me to go there, I have to get a written permit from the Religious Affairs Bureau and the United Front Work Department.

I have done all these good things and have done nothing that opposes the national constitution. I am not afraid of anything, and I have no doubts in my mind. At one time, I thought that no matter how many lies they told about me, the truth would eventually come out. It's like an *abra* [a Tibetan prairie marmot]—it hasn't got a tail. They accused me because of rumors about me, but in the past I did nothing opposing the Chinese government, and, without a doubt, I am not going to do so in the future. I thought the truth would come out very soon, so and I just stayed like that [and did not complain].

From my point of view, I thought I had been frank, but I did not think I had committed a crime.

What I did say was that in China there has been a lot of development and that Chinese people are educated. However, in Tibet, there has been no development and Tibetans do not get education. When I say such things it is not because I do not like the Chinese people or the Chinese government. Within the 1.2 or 1.3 billion population of China, there are 56 different nationalities. I belong to one of them, and I do not have to speak badly about them. Because I am one of those 56 peoples, I have the right to speak out. That is why I am speaking. Otherwise why would I do it, why would I speak out? I live on offerings from people who are living and from people who have died; that is how I eat. I hold prayer beads and pray for the well-being of sentient beings. For that reason, why would I talk badly about other nationalities? I would never say bad things about any other nationality. In terms of religion, if I were to think bad thoughts about any other nationality, it would not be virtuous. From a political point of view, I would not criticize other nationalities because that is obviously separatist.

Given the situation I am in, even if I [want to] go to Gara I need permission.

Unexpectedly, I received a call from Public Security officials who ordered me to go to the police station in Dartsedo alone without telling anyone. I have heard that the

officials had a plan to arrest me when they questioned me before, but somehow it wasn't convenient for them to do that then. What they want is for me to come down there [to Dartsedo] quietly by myself, but I don't want to go there quietly by myself without telling anyone. They can just come and arrest me. My arrest can be announced publicly from loudspeakers on top of a car. They can come with chains. If I have committed crimes, they should come and arrest me this way. I would not let anyone protest.

Nowadays, China has 1.3 billion people. Its economy, army, and weapons are second to none. Against such a powerful country, humble people like us [committing a crime] would be like an egg being smashed on a rock. It would be like jumping off a cliff with your eyes wide open. The people in this area are very humble people. Why would they throw an egg on a rock? If I have committed a crime, they can come and arrest me. They will be satisfied, and if I have committed a crime I will be all right with that.

For example, [name withheld] was arrested secretly. He was tortured in prison for almost five or six months. At some point during his imprisonment, he told me, he felt like committing suicide. After he was released, they tried to arrest him again. He escaped to India, and there he later talked on the radio about how he had been accused but not convicted, and he said that...if he had done something wrong, he would admit it.

Just like that, I don't wish to be arrested quietly. Now I cannot just stay here, because if I do I will have to go to them [the police in Dartsedo]. If I do not go, they will come and arrest me and tell me that I have done this wrong and that wrong. For now, it seems better for me to go to a different place and just say my prayers and use this as an opportunity to practice religion. If I stay in Nyagchu county, the Chinese officials in this area will take all that they use monitoring thousands of people and focus it all on me. People living in this area ask me to come to them for many reasons—when they get sick, when they die, they call me. Now I have to get permits to go anywhere. So in the same way, if I am going to the police station in Dartsedo alone, I don't want to go there without telling anyone. [I have to tell the police when I go to see the people, so I think I should tell the people when I have to go to see the police.]

My hope is that I will get a chance to talk with the central authorities. I do not have any reason to protest against China and I do not want to go to some other country. Don't go to the township; in the past you have done that, going to them to try to defend me. I am pleading with you, don't do that...All I want is help from the general public in getting permission to talk to higher officials so I can explain my situation to them. It would be helpful if the representatives in the People's Congress could tell the truth about my situation to the central authorities. But I remember the last time I went away. People went to the township and the county to protest. Don't do that. That is not going to help. It makes it look as if I instigated those activities, so please don't do that. If it were a Tibetan, or a "tsampa-eater," I could swear that I did not ask people to do such things [protesting], but when outsiders look at it, it looks like I am instigating all these activities.

...I have never opposed or broken Chinese law or the constitution. I have always been straightforward. I have not done what I am not supposed to do. Do not go and raise your voices at the township and the county. Please do not do that. If you go to the

central authorities, I hope they will see that what I have done is constructive. I have a firm belief in this. I believe the central government will be fair, because they have to face foreign countries. If the local representatives can find a way for me to talk to the central government, that would be really helpful. And if we can get some official documents that say who we will meet with, that would be excellent. I would go and talk with them. But just shouting and yelling in the county and the township is not good at all because in the end they would blame me for instigating such activities.

For me, I can go to a foreign country; that is not a problem. I can go to India. I have my room. But I don't want to leave the people here. Even if I go to India, I have aged and I cannot study well there. So there is no reason for me to go. I should stay here because I have a strong karmic link to the people of Tibet and specifically [to those] in this region. These days even His Holiness the Dalai Lama has said he does not want independence. Therefore, I am not seeking independence for Tibet.

The last time I was with the Security people, they asked me to sign different documents. I signed quite a number. I wrote confessions. If I hadn't signed, they wouldn't have let me go. I was already like a black crow wherever I went [the accusations of the officials shadowed me as a shadow follows a crow in flight], so I thought signing would let me get away for the time being. People who dislike me might think that I have committed a crime and am running away. But I am hoping that for the time being going away might bring truth to the matter. They might announce to the public that A-ngag Tashi has signed all the documents, but you will realize—if they read out the items—then you will know what I have signed.

They do just accuse people of crimes. When Tsedor was arrested, Aku Yongbe's younger brother Lhodar was also arrested and was put in prison for over a month and was tortured. But he hadn't committed any crimes so they finally let him go. And five of my students in Lhasa were also arrested at that time. They were arrested and accused of being "splittists" and for over a month they were in prison [and] beaten severely. They broke their teeth and everything, but then they released them after one or two months. If they were splittists, why would they have released them? . . . All the time, they are always accusing us of committing crimes. In the past, people have collected the signatures and fingerprints of thousands of people and submitted them to the Sichuan province.

The Chinese are saying that in the past, the situation in Tibet improved, as it has even now. As for me, they have accused me of crimes such as recognizing lamas, and about the forestry and about monastery [issues]. They have accused me of all these crimes, but not only have I verbally apologized, I have signed. Still they will not leave me alone. Not only that, but they even uncover stories from 18 years ago and try to harass me. When I think about these things I feel very sad, but I believe it is not the central authorities, that it is just the local government who are doing these things. And I believe soon the truth will come out. It is a few county officials who dislike me. That is what I believe is happening. I also feel that if I get arrested very quietly I will be in trouble. If you people are ready to talk to the central authorities, I am ready with my answers. That would be, and that will be excellent.

Appendix II: Interview with Kardze Court Judge, December 6, 2002

Editor's note: The document is a transcript of an interview by a Radio Free Asia (RFA) reporter with one of the judges in the Kardze Tibetan Autonomous Region who sentenced Tenzin Delek Rinpoche and his alleged co-conspirator, Lobsang Dondrup. The tape was made four days after Tenzin Delek received a death sentence suspended for two years, and Lobsang Dondrup was sentenced to death. In the tape the judge presents the government's case and discusses the various bombings for which the men were held responsible and the differences in the roles they reportedly played in the alleged conspiracy. *The RFA interviewer's remarks are in italics; the judge's are in regular typeface.*

....

Hello?

How are you?

I'm well.

I'm from Radio Free Asia.

Yes?

And, I would like to ask you something. It's something about which you are involved.

Yes, who did you say you are?

I'm from Radio Free Asia.

Yes, yes.

According to news reports, you know, Lithang Tulku A-ngag Tashi [Tenzin Delek] and Lobsang Dondrup have been given death sentences on charges of causing bomb blasts I would like to request you to speak about this matter.

Oh, you are talking about A-ngag Tashi?

Yes, A-ngag Tashi.

Yes.

A-ngag Tashi and Lobsang Dondrup, the two of them.

Yes, yes, yes.

We have come to learn that you are among those who passed the judicial sentence in respect of these two. I would like to request you to kindly explain to me accurately and in detail the crimes that have been found guilty of.

Now, it is like this.

Yes.

You mean A-ngag Tashi?

Yes, A-ngag Tashi.

Well, it concerns A-ngag Tashi and Lobsang Dondrup. A-ngag Tashi is actually from-- his birthplace is Lithang.

I see.

He is from Lithang. That being the case...and Lobsang Dondrup is from "Yahjong Sa" [Yajiang] in Nyagchukha.

I see.

As for A-ngag Tashi, if you ask, he is now aged 52.

I see.

And as for Lobsang Dondrup, he is now 28. Now, if one asks "What are the main issues concerning these two guys?" now, hmmm, when was it? nineteen hmmm, ninety eight.

Yes.

Now, until recently...from then until about April this year...you know.

Yes.

Up to this time, two bombs had been exploded at the residence of our Lithang Kyabgon Rinpoche.

What? Did you say that bombs were exploded at the residence of Kyabgon Rinpoche?

Yes, bombs were exploded. And, three bombs were exploded in Dartsedo.

Dartsedo? Whereabouts in Dartsedo were the bombs exploded?

One was exploded within the town, on a bridge.

And?

And one was exploded at the gates of Prefectural Government Offices.

At the gates of the Prefectural offices?

Yes, at the gates of Prefectural offices.

And?

Then one was exploded down there at the Transport Office [in Tibetan].

The Jiaotong Qu [Chinese for Transportation Office]?

The Transport Office.

Oh, Transport Office.

Yes, the bomb exploded outside the building killing an elderly gatekeeper.

Was the old man Chinese or Tibetan?

Well, he was the gatekeeper.

Okay, okay. So, he was the gatekeeper. And?

Yes, the gatekeeper.

And?

Lobsang Dondrup had arrived, from wherever he had come, to explode the bomb. And they say that A-ngag Tashi paid for all the expenses.

Oh, I see.

And then, this year, during the month of April, a bomb was exploded at the Tianfu Plaza in Chengdu.

And?

First of all, he had come there once to reconnoiter the area.

I see.

What we learned later is that A-ngag Tashi had done a *mo* [divination] to determine the best time and decided that Tuesday was the most auspicious.

Okay, so you mean that A-ngag Tashi had done the mo and found out that if the bomb was detonated on Tuesday, it portended success. Is that what is being said?

Yes, they say there were many people at the square and so the bomb couldn't be exploded on that day. The next day, in the afternoon around 11 a.m. or when it was almost 12 p.m. midday, the bomb was exploded. About twelve people were injured. And they had managed to arrest Lobsang Dondrup there.

What, was he arrested right there at the Square?

Yes, after exploding the bomb at the Square, he was arrested there, it seems.

Oh, I see.

So, after that, when the truth started emerging, A-ngag Tashi was said to be his backer.

So, A-ngag Tashi was his backer, and—

Yes, yes.

And he [Lobsang Dondrup] himself was the person who— I see, I see. And now the bomb explosion in Dartsedo. How did that happen?

Outside the gates of the Prefectural offices, two people were injured. One was badly injured. The other was hit by flying debris.

Oh no!

The whole structure was destroyed. Within the compound of the Prefectural offices were many vehicles parked. All their windows were shattered.

I see, I see. However, what many people outside [China] say is that the fact that Lama A-ngag Tashi had returned from India, is one reason why the Chinese government was not pleased with [him]. Secondly, he is seen as someone who is totally committed to the task of preserving and promoting the religious and cultural traditions of Tibet. And, as he was a lama who harboured tremendous love and solidarity with the people of Tibet, the Chinese Government had, out of disdain for him, framed him on these bombing charges. Otherwise, they all say that it impossible for someone like him to be involved in any such activities.

Oh, now that is...that is you know...one version of some people, isn't it?

Yes.

Our judicial sentence that was completed, where everything was...now then...right from the start concerning his movements, whereabouts, activities—everything—they have acknowledged by putting their fingerprints.

When they had put their fingerprints, wasn't it done under force such as beatings?

As for that, apart from some minor reprimand while inside...now basically, all discussions relating to the explosion of the bombs, all six of them,...only Lobsang Dondrup and he were found to be the key people involved in the discussions. There weren't any other people to be named.

I see. According to what we hear, A-ngag Tashi, who is also referred to as Tenzin Delek Rinpoche by others,...so firstly, A-ngag Tashi happens to be someone who has come from India, and secondly the general members of the public from areas such as Lithang, Nyagchu, and Minyak, Rangakha and so on, have and show tremendous faith in him and venerate him...And likewise, he's been seen to be extremely attached and committed to the well-being of the Tibetan people. So, because of such considerations, the Nyagchu police, likewise members of the Lithang police, and certain [central] Chinese political leaders had developed a dislike for him, were waiting for an opportune moment to compromise him and lay charges against him. Therefore, when the incident of a couple of bomb blasts occurred in the Lithang area, they found it convenient to frame the 'lama' by falsely alleging him to be the culprit responsible for those bomb explosions, even though he was innocent. This is what we have heard. Isn't that so?

That isn't the case.

I see.

He'd himself claimed that he was a lama; you know, he meant he was a lama recognized by the Dalai Lama.

I see, I see. So, he must be one of the lamas recognized by the Dalai Lama?

Yes, he was himself claiming that he was a lama recognized by the Dalai Lama.

Ah, so he had made this claim?

Yes, this is what he had claimed himself.

Okay.

We didn't see any kind of letter that supports such claims.

Okay, Okay, does this mean that he had himself made the claim orally that he was recognized by the Dalai Lama but had no documents or papers and so on, to prove that he had been recognized by the Dalai Lama?

No, I don't think so. Already, there had been some six different bomb explosions, you know.

I see.

And, he has acknowledged knowing about five of those incidents. Yes, he had acknowledged [them] and everything was sorted out. He said that he had no knowledge about one incident.

I see, and he –

Whenever there was a bombing incident, he was saying that he wanted independence for Tibet. He had sent many letters [or leaflets] to the prefectural offices.

What, did you mean that the lama had been sending leaflets demanding independence for Tibet?

All the leaflets were hand-written and taken to the bomb-explosion sites.

Oh, I see, I see. So, in those leaflets he must have made demands for Tibetan independence?

Yes, he's been saying that Tibet must be independent. He had written the original leaflets and Losang, eh...what's he called? Lobsang Dondrup...was made to copy out the writings accurately. When the copying was done, all the original documents were put to the fire.

I see.

All these have been acknowledged by him.

Okay, Okay. Now, as for the bombing at the residence of Lithang Kyabgon Rinpoche, I doubt if he was involved? And, in case, if it was him, then how should one interpret this action?

Well, to find out the cause, his position is that he is not against the State —

Yes.

But rather that mainly he had a dislike for Kyabgon Rinpoche.

I see, I see now. So, then what could be the possible reasons for the lama to dislike Kyabgon Rinpoche like that?

His position is that despite all the good work that he has been doing for the public, the State [Government] doesn't acknowledge his contributions. And on the other hand, although Kyabgon Rinpoche doesn't do anything [for the public], the State still gives him great backing, which he says is very unfair. He is saying that is unfair.

I see, I see. Nevertheless, we are informed that Lama Tenzin Delek Rinpoche has been advising the people in the area not to steal, not to drink alcohol such as "chang" [beer] or other kinds of alcohol, and to respect and abide by the constitution of the country, and so on. And likewise, he has been active in building schools, care homes for the elderly and destitute people, and so on in the local areas, and other such activities which are beneficial to the state government as well as the local people. Now, are these statements about his activities true?

That, of course, he has done.

Okay, then when you recently passed the death sentence on a Lama like him, then, on the part of the people, the general public, what kind of opinion or reactions are there on the issue of whether or not such a sentence is fair?

Oh, the people, you know, as far as we know, hmmm...they have expressed their shock.

Oh, how strange! Normally, the local people venerate Lama Tenzin Delek Rinpoche — A-ngag Tashi as your side call him — A-ngag Tashi, who is normally venerated and defied as highly as His Holiness the Dalai Lama, now in this case, I wonder why the people expressed their sense of shock saying, "Akha kha" ["It's stunning, shocking"]?

That is because they say that in front of them he was a perfectly decent lama. Now that he had been doing such things behind our backs, we have all been duped.

Oh, I see.

Yes, his relatives and members of family, all came to accept the reality.

I see.

That being the case —

And he is, in actual fact a lama who had returned from India, isn't he?

Yes, yes.

So, that being the case, what in your opinion is the attitude towards him on the part of the Local Government – say the police or the local government authorities?

Now, when he had first arrived, their attitude towards him was neither good nor bad.

I see.

Now, he was involved in religious –

Why do you think he had a good impression?

Yes, when he first came, you know, he is from Lithang monastery.

Oh, yes.

So, he's a monk of Lithang monastery. Then, as for Lithang monastery, before he went abroad,...he had been abroad for about six years.

Yes, yes.

Yes, before he went abroad, while in Lithang, because of stealing, fighting, drinking alcohol, etc., the monastery had expelled him.

And?

So, after coming back [from abroad], eh...and you know the deity, Gyalchen Shugden¹⁹⁹ at Lithang monastery?

Yes, yes.

So, he told them that the Dalai Lama had announced that the deity Gyalchen Shugden is of no benefit to Tibet, and so, it should be given up and destroyed.

Yes, yes. I understand. So, he has been telling them that Gyalchen Shugden should not be propitiated, because it's the advice of the Dalai Lama, as it's a deity that is of no benefit to the Tibetan people, and as such, its [images] should be destroyed. Was this the sort of thing he had been telling them? Am I right?

Oh, yes, yes, that's the sort of thing he's been saying. But Lithang monastery wouldn't have any of it.

So, that means, Lithang monastery had refused to agree to this suggestion.

Right, they wouldn't.

And then?

And then, he started making a hue and cry about it saying that he was [a lama] recognized by the Dalai Lama, and there are two townships between Lithang and Nyagchukha.

Yes, and?

And there he had a few relatives. So, he announced that he was recognized by the Dalai Lama. Now, if someone says that he is recognized by the Dalai Lama, then they really put their trust in him. Yes, they really do.

¹⁹⁹ Shugden also known as Doegyal, a malevolent deity, originating from the time of the Fifth Dalai Lama, that the present Dalai Lama has proscribed from being worshipped due to its negative influence on the collective karma of Tibet.

Yes, indeed.

So, in this way, they started taking the people for a ride, building a school, and feeding and looking after some elderly folks.

And then?

And then, in this way, he came to gain a reputation as a proper lama – and he professed to be someone who didn't desire either material wealth or power.

Oh, I see.

And in this way, they brought him to Nyagchukha.

Okay, Okay. So, when he first went to Lithang monastery, they were propitiating the deity Gyalchen Shugden, and he told them not to propitiate it because it is the advice of the Dalai Lama. And when he suggested that it [Gyalchen's images] should be destroyed, Lithang monastery refused to cooperate. So, their relations broke down and he had to come to Nyagchukha. Is that the case?

Yes, indeed.

What's the name of the Nyagchukha monastery?

It's not really a monastery. It's just one of their colleges.

A college?

It's called Uthang College?

What college?

Uthang College.

Uthang College?

Yes, Uthang College, these days it's called Tsang Zhi Gonpa. Now, Tsang Zhi Gonpa has been built. Formerly, there didn't used to be any monastery there. There only used to be some kind of tent, within some enclosure.

And?

Now, the present monastery has been built.

How many monks are there in that monastery, these days?

At present, it looks like there are over 200 monks.

Oh, my! It must be a large monastery.

This monastery is...ehhh...yes, it's become fairly large now.

Yes, now we should call it large these days, though in the past, before the country of Tibet was lost, there used to be many large monasteries in the Kham region, you know. There were monasteries like Gonchen Namthong or Tawu Nyitsho Gon or Jedang Zorgu and others like those. Now, there are no longer such large monasteries, as you know. So, now for a monastery with some 200 to 300 monks, we should be calling them large, shouldn't we?

Indeed, that's true.

Now, that being the case, is he the highest tulku of this particular monastery?

Now, tulku or whatever, he is not [officially] recognized by the state.

Not recognized by the state?

Yes, when the state doesn't grant recognition, there's no way he can get in. Hence, for nearly three or four years he has not lived in that monastery.

I see, and where have they been going then?

Down there toward...the town of Nyagchukha, at a higher place, a distance of about half a kilometer only, there is a monastery called Jamyang Gonpa.

Is it above the [Yajiang] township within Nyagchukha?

Hmm, it's above the township; it's not really far –

I see.

Yes, it's part of the township.

I see, it's then –

Yes, there's a monastery called Jamyang Gonpa.

And?

He used to stay there.

How many monks were there?

There, ehh...the number of monks is, slightly over twenty. There aren't that many.

Now, there, they have built up a lot of structures.

And?

He's said to have built rooms into the mountainside, what we would call "Vis" [cellars]. He's built a lot of things, I tell you.

Okay, Okay. So, you're saying that he had built houses in Jamyang monastery, and within his houses, he had dug underground cellars, and he is been making bombs in the cellar?

Yes, he had dug out a cellar in which what we call "Vis" in Chinese.

Oh, "Vis"?

Yes, "Vis." In that, they say they had brought many kinds of videos and stuff from America and made all kinds of things. [sneering]

Is there material evidence for such things?

There is, the police knew and came to me, you know.

Okay, Okay. So the police brought the evidence to you, to you at the Banyan [Court].

The police had got it.

And?

And they made...And in those videos they had many different girls, and dance and a variety of things, they say. [sneering]

What? What kind of girlie things did they say there were?

Yes, women's, women's videos and stuff like that.

Oh, I see.

Yes, and besides, believe me friend, they told me there were pills and all kinds of things.

Now, couldn't it be that in this case, a lama, who has been arrested by the Chinese government, these kind of things could have been filmed afterwards. And on the lama's side, there are no witnesses, and so the Police could make whatever they wish to make to frame him, in my opinion. So, when they claim to have evidence, can it be true?

It's true. There's no doubt about it. And Yanjiang township has been suggesting that a video film ought to be made and used to advise and educate the people. Our lama, who we believed to be faultless, is all the more depraved. [with a sneer] All this has already been turned into a video film.

What? A video has been made already? Who had produced the video?

It's the police.

Yajiang police?

Yes. The lama is supposed to be faultless but the lama has been doing all sorts of things. [sneering]

What kind of devotion or faith do the Tibetan people in that District or should I say, area, normally have in him?

Now, the district, ...the majority of the people do adore him, I can tell you.

In Nyagchukha?

They have faith in him.

In Nyagchukha?

Yes, but these days, his reputation has become so bad already that the people cannot open their mouths. Considerable "dirt" has been found.

In Nyagchukha, broadly speaking, what is the population?

There are, about, 40,000 people.

About 40,000?

Yes. A large majority do have deep faith in him. But these days, the people of Nyagchukha don't dare raise their heads in his support.

Okay, then according to what you have just said, about 40,000 people in the county you mentioned have great faith in him.

Indeed.

So, now that he has been given the death sentence, haven't there been some sort of representations to the Chinese Government or demonstrations on his behalf?

No, there haven't been. Now, it's become all quiet among the people.

So, you mean there has been no one to appeal against the sentence?

What?

Hasn't there been anyone so far to appeal the case, saying that it is not fair.

Initially, there were some plans for that. But then gradually, everyone got to know the facts and came to accept it.

What was the initial plan?

The initial plan was...Lobsang Dondrup himself had come. And then they say A-ngag Tashi had come.

Is there anyone from among the people who says that he is a genuine and faultless lama, and it is not fair to give him the death sentence, and therefore, objects to the decision?

There aren't any like that at present.

Is it all quiet then?

Yes, it is all quiet.

I see.

Formerly, people used to say A-ngag Tashi is great. The people used to say...They really had a tremendous propaganda about him.

You mean, the people reacted like that when A-ngag Tashi was first arrested?

Yes. That was around the time, in 1997.

And?

Now, we now know everything. So, that's what it is like, friend. Now –

And, on behalf of Tenzin Delek Rinpoche, has there been any member of his family who has appealed to say that it is an unfair sentence passed by the Chinese Government or has there been any judge, I mean any solicitor or advocate who has taken up the case and appealed?

Now, after we had passed the sentence, there is legal provision for them to appeal within about half a month of the court sentence, you know if they do not accept the verdict. So, we waited. I have been told that some people, apparently relatives of A-ngag Tashi had come to the court but had said that they didn't have any comment to make.

Saying that they had nothing to complain about? I see. And how many of the relatives came that day?

The relatives who had come that day were, eh...the sentence was passed fairly long before that...that day four or five of them came.

Do you know who those...each of those individuals was?

That, I didn't know.

Okay, Okay. About four of them?

Yes, their relatives had come together, after the sentence was passed. They had come to intercede on their behalf.

Now this court hearing and sentencing - was it done in secret attended only by a handful of people or was it an open hearing widely known, where many people had attended? How was the court sentencing carried out?

Now, at the court, there were some 200 to 300 people.

Was it carried out at the prefectural level?

Yes, it was done at the prefectural level.

Was it held in some large public arena where many people could attend or was it held in the court itself?

Yes, it was held in the court. Now, that is the way it is.

Thank you very much. That's more or less what I wished to ask. Oh, yes, what you had told us – they are all absolutely true and not falsehoods?

What you mean? Why should I lie...If I lie...if I tell lies...there's no benefit for me as you know.

Okay. And so, is it all right for me to report your statements in the news?

Erm...yes, you can report that in the news.

Okay, Okay.

Hey there.

Yes?

About their activities, we have circulated and publicized them in most of the monasteries in the Tibetan Autonomous areas.

You've been amazing in that respect!

Information and publicity has been circulated to everyone.

When did you do that?

We know all their activities now. Using their case as an example, we have advised all the monasteries.

I see, I see.

Yes, we've given advice.

Yes, yes.

So, now what the monasteries are saying is that he has violated the religious vows. They say that according to Tibetan Buddhist religion, even if one cannot do something beneficial, they have never heard of anyone encouraging violence by causing bomb explosions,

That means –

And, when we heard the case of A-ngag Tashi and Lobsang Dondrup, we thought that they might have some other accomplices. But as we heard their case to pass the verdict, they had no one else to name. One was A-ngag Tashi and one was Lobsang Dondrup. Hearing the case in detail, they say A-ngag Tashi is the mastermind behind everything. It's said that Lobsang Dondrup was the front man wherever he had to go or whatever he had to do, and A-ngag Tashi provided all the money.

Where could have A-ngag Tashi got such money from?

He has money. I don't know if he has formed some organization abroad. Besides, the local people have great faith in him.

Okay. And I'm sure that they still have faith in him.

Yes, the people do indeed have tremendous faith in him.

Okay, Okay. Is Lobsang Dondrup a soldier or something?

No, no, no. He's just an ordinary member of the public.

An ordinary member of the public, and any chance of him being a monk?

A monk? They say he used to be a monk in the past. And he had...later reports suggest all sorts of things saying the two of them had close connections.

This guy called Losang Tashi [Dondrup]...what members of family does he have, these days?

What?

Which members of family does he have, at home?

At home there are many people.

I see, you mean Lobsang Tashi [Dondrup]?

Later, he had chosen to remain single, and rented a house in Nyagchukha, it's said.

Lobsang Dondrup?

Yes. And they say he had "Usu Sejin" and "Lu su Sejin" type guns to carry, it's said.

I see.

He is said to have weapons to carry, they say.

Oh, guns?

Yes, guns, he had. And to tell you the rest, when we were passing the verdict, the young man named Lobsang Dondrup was shouting when A-ngag Tashi was given two years suspended sentence. He was complaining that A-ngag Tashi was responsible for all the plans and yet he is given two years suspended sentence whereas I am given direct execution sentence. Why this to me? He was making noise like that. [hint of sneering]

Who was making such noise?

Lobsang Dondrup. [sneering]

So, when he was complaining and shouting, was there anyone from among the public who supported them?

No, there was none shouting from among the public.

He was shouting and trying to complain. What were his exact words?

No, he had nothing to say.

What was he trying to do?

What?

What was he trying to do?

Then, Lobsang — A-ngag Tashi said that he was prepared to face the death sentence. When the two years' suspended sentence was announced, A-ngag Tashi said that he didn't want the two years' suspended sentence.

And then?

And then, A-ngag Tashi was shouting and making noises, and he was taken out.

I'm sure he was not allowed to shout?

No, he wouldn't have been allowed. That is banned.

So, that means that A-ngag Tashi Rinpoche was saying, "You've not given me a fair verdict. So, I don't want this suspended sentence of two years. You can kill me right now." Is that what he was doing?

Yes, yes. That's what he was saying. He was saying, "I don't want the two years suspension."

However, there isn't any chance of a change to the verdict passed?

What?

Is it possible for the sentence to be changed?

Change to the verdict? We cannot tell. Now, whether they agree or disagree with the verdict, within a year...no I mean, within fifteen days, they could appeal. In our Chinese language, we call it "Shang su."

"Shang su," yes, yes.

So, we have to wait for that.

I see. I see. And there are no members of their family to appeal on their behalf?

Er...who knows if they will do so later. I cannot tell.

So, if they want they have the right to do so then?

Yes, they could appeal.

Okay, Okay.

There's time. They have been given time for that.

Yes, indeed.

So, it's like that. Now, then—

I'm going to report your statements in the news. Okay.

Sure, sure.

Okay.

Yes.

Yamo.

Okay, goodbye now.

Yamo.

Okay. he he.

Appendix III: Account of a Meeting of the United Front Work Department of Kardze Tibetan Autonomous Prefecture

Editor's note: The following is the full text of an article published in the Kardze Daily on December 27, 2002, the date of the meeting. The title of the article reads: "The Provincial Level United Front Work Department organized a meeting with religious personages of the minority nationalities of Kangding district to more deeply understand the separatists A'an Zhaxi and others, and to research their violent terrorist crimes." The author of the article is not listed but the information contained was given to the newspaper by officials of the Kardze Prefectural United Front Work Department. The article post-dated Tenzin Delek's and Lobsang Dondrup's sentencing hearing but predated the appeal hearing by a month. It accuses Tenzin Delek of using the "cloak of religion" to split the country, insists he deserves his punishment, and warns locals against sympathizing with Tenzin Delek and his kind.

The Provincial Level United Front Work Department organized a meeting with religious personages of the minority nationalities of Kangding district to more deeply understand the separatists A'an Zhaxi and others, and to research their violent terrorist crimes.

On December 27th last year [2002], the Provincial Level United Front Ministry in Kangding organized a meeting with local minorities, personages from the religious world and non-Party persons. It [the Ministry] reported on A'an Zhaxi's clique and the situation of his and Lorang Dengzhu's punishment. It [the report] caused everyone [present] to understand clearly that A'an Zhaxi's clique made use of the guise of religion, engaged in separatist activities, and caused terrorist explosions. [The report] resulted in [everyone present] understanding the [clique's] true nature. Everyone expressed the need to strengthen the administration of temples and of Buddhist monks and to respect the Party and the government concerning the laws, regulations, and policies on religion so that the temples are satisfied, the masses are satisfied, and the Party and government are satisfied. The minorities, religious personages, and non-party persons, after listening to the report of the situation, collectively decided to acknowledge this for themselves and enthusiastically spoke out.

Non-Party scholar Lama Dengzhu said:

The United Front's work embodies a vast scope. It is one of the party's "three big magic weapons." It was in the past, and it still is now. The United Front's work is the work of uniting people, the work of educating people, and the work of enlightening people's thinking. Just now, when I heard the facts concerning A'an Zhaxi's crime, I felt that he deserved his punishment. Our country has thrived and prospered under the leadership of the Chinese Communist Party (CCP); our international stature has risen a great deal; and, all in all, the strength of our country has unceasingly increased. All ethnic groups are united and help each other. China's minorities feel proud and elated. Moreover, A'an Zhaxi went against the trend of the times, went against the desires

of the masses, and engaged in very destructive activities. His behavior was able only to [mimic] that of an “ant which regrets the tree,” and a “mantis trying to stop a chariot” [overrating oneself and trying to hold back an overwhelmingly superior force]. He deserves his punishment.

Although I have no special understanding of religion, I believe A’an Zhaxi acted as a religious personage but his behavior did not conform to religion’s basic tenets. Since the time of Song Zan Gan Bu, Tibetan Buddhism has set forth a series of moral standards, such as, don’t kill, don’t steal, amass good deeds, and so on. If we take a modern perspective, these tenets still are in step with society’s needs. Now, our country’s society is stable, the economy is developing, and people’s lives are rich.

I am someone who lived in old China. I witnessed with my own eyes the society of that time. Only when you have compared new to old can you truly debate the difference. Everyone truly is aware that “only if there is a Chinese Communist Party can there be a new China.” The happiness of [people’s] lives today is a product of new blood in the Communist Party. It is the result of the collective leadership of the Party’s three representative leaders. The Party’s 16th Congress acknowledged the important thinking of Chairman Jiang’s “three represents” and wrote it into the Party constitution, clearly stating that the CCP is the true representative of the masses’ interest and that the Party’s aim is to serve the people.

A’an Zhaxi hid under the cloak of being a religious worker. His behavior of deceiving the masses has finally been revealed to the world. Everyone definitely needs to value these good days, to earnestly study the spirit of the 16th Congress, to move people of all kinds to be of one mind as unity is strength, to promote development, and to strive for stability. I also hope that the religious world will carry on the great traditions of the past, positively adapt to socialism, not go against canon or creed, and not destroy the structures of religion.

Provincial People’s Congress Vice Chairman Jiadeng Luorang, the Living Buddha, had this to say:

From the perspective of religion, performing good works and the universal tide of all living creatures are some tenets a religious personage ought to respect. Although no one can accomplish this completely, it is something for which to strive. A’an Zhaxi’s behavior blackened religion. Tibetan Buddhism has many thousands of years of history. Tibetan Buddhism’s rules concerning people’s behavior have been widely acknowledged. Every country respects them, especially in regard to Tibetan Buddhism’s emphasis on the universal tide of all living creatures and the performance of good works.

This country has also, from the beginning, preserved the policy of freedom of religion. Although in the time of the Cultural Revolution there was much influence from the “left,” after the Third Plenary Session of the 11th Central Committee of the Communist Party of China, freedom of belief in religion was implemented. Religious people were organized to go to the People’s Congress and Chinese People’s Political Consultative Congress. Now the Party’s religious policy is thus: completely carry out the policy of religious freedom, lawfully strengthen the administration of religious activities, positively lead religion and socialist society into conformity. Therefore, religion must respect the laws of the country.

At the same time, religion has rules. A’an Zhaxi’s behavior not only went against the laws of the country, but also against the rules of religion. If religion hurts people, then it is plainly not religion. One respects and practices Buddhism in three different ways, through the body, through thought, and through speech. A’an Zhaxi says he’s a lama, that he’s a Living Buddha, but he hasn’t achieved that. I’m also a Buddhist monk, although I haven’t completely conformed to the creed or the rules of the religion, [and] I know how to follow the law. The fact that A’an Zhaxi is receiving punishment is something he brought on himself.

We religious personages want to use our own strength to protect the unity of the country. We who are present also want to do service on behalf of the development and stability of minority areas. This is our duty. The harsh punishment meted out by the government and the Party committee is as it should be. We want to protect those who love religion and respect the law, and we should punish those who break the law—protect the legal, attack the illegal. Religious personages have a responsibility to propagandize this fact, to make everyone recognize A’an Zhaxi’s true face, and to use A’an Zhaxi’s illegal behavior [as a means] of educating the masses.

Kangding County Nanwu Temple Management Committee member Duo Zhu said:

Now we have religious freedom, temples are open, and the masses who believe in religion have venues for religious activity. A’an Zhaxi’s clique used the name of religion to carry out violent terrorist activities. I believe he is not a religious personage. All that he is and all that he has done blackens religion. As for his punishment, he got what he was looking for. It was his own fault. The Party committee and the government, in dealing with this case, had only this demand: whoever committed this crime ought to take responsibility. There was nothing else dragged into it. We worry because A’an Zhaxi engaged in illegal activities in the name of religion. We fear it will influence religious policy.

After I listened to the report, I felt really happy. The fact that the religious world produced someone like him is really serious. If he were a religious person, at the start of every day he'd chant scripture and do good deeds. But A'an Zhaxi's behavior is not the behavior of a religious person, and moreover it's against the laws of the country. Our temples have already been open for over twenty years. We have peacefully developed normal religious activity. But then the religious world produced this kind of degenerate. The government's punishment differentiates clearly between black and white. Punishing A'an Zhaxi is truly not punishing religion, nor will it influence religious policy. We feel satisfied and happy about this. We also hope the Party's religious policy won't change. A'an Zhaxi's behavior is his fault alone.

Member of Provincial People's Political Consultative Conference Standing Committee, non-Party scholar Genqiu Dengzi said:

At the time the Middle Bridge was attacked, religious personages did not investigate. That is because religious believers use doing good works as a baseline. Once the case of A'an Zhaxi's clique's series of violent terrorist activities was broken, everyone reacted. There wasn't anyone who sympathized, especially those in the religious world, who were very worried that they had produced this kind of person. The religious world worried about whether or not it [the clique's actions] would influence future religious policy. A'an Zhaxi's behavior went against his own religious discipline, against creed, and against the rules of the country. Everyone thinks that the crime fit the punishment. Now we just have to explain the crime to the masses and do a good job of educating them. At the time, China was developing well. Moreover, development was forging ahead. Although our hometown is still backward compared to the inner areas, these past two years have seen a big change. A minority of people who want to destroy this cannot realize their goals. Now we have many people who pretend to be Living Buddhas and are fooling people everywhere. This is not good for the development of religion. We need to do a good job propagandizing and educating people. There are people who want to tighten management. If we can decide these issues well, it will be advantageous for religion and for society's stability.

Member of the Anjua Temple Administrative Conference Standing Committee Luo Zhaba said:

Now with freedom of religion and the opening of temples, when religion is helpful to people, this kind of bad person shows up. We need to do propaganda well because everybody worries that this [incident] will influence policies toward religion. A'an Zhaxi is a lama, but he can't represent religion. The government dealt with him because he broke the law. This is not punishing religion. We believe the government will not, simply because there was such a man as A'an Zhaxi, change present and

future policies toward religion. Now society is very complicated. We should administer well our own temples and monks. Social observations are plentiful. All kinds of people come to the temple. You don't even know what they are really doing. So believe the government and take care of your own affairs well. This is key. Only if this happens can you be a patriotic and religious person.

Kangding County Catholic Priest Li Lun said:

A'an Zhaxi went against the interests of the religious masses by being a religious personage who didn't strictly respect the rules of religion. Today the punishment against him is something he himself created. The punishment fits the crime. Now the country's economy is growing strong. Our lives have experienced much change. The 16th Party Congress clearly put forth that in the next 20 years we will achieve the goal of comparative wealth. While on this kind of magnificent path, there is a minority hostile force abroad that fears our country will become strong and prosperous. We will not continue "westernization" and "become divided." Therefore, our religious personages want to grasp the opportunity created by this new path and create a good environment for the development of society. As to A'an Zhaxi's separatism and his destroying the unity of the nation, I feel extreme indignation.

Also attending the conference were local religious personages from the Kangding Jingang Temple, the Anjue Temple, and the Nanwu Temple. Provincial United Front Minister Zhou Wenmang presided over the meeting. Provincial Committee United Front Work Department Vice Minister Jiangying Zeren, who is responsible for scientific administration at the United Front's Provincial Committee and the Kangding County Committee, was in attendance.

Appendix IV: Account of a Meeting of the Communist Party of Kardze Tibetan Autonomous Prefecture

Editor's note: The following is the full text of an article published in a daily newspaper in Kardze, on August 12, 2002. The title of the article reads: "Kardze Tibetan Autonomous Prefecture's Communist Party officials strongly accuse A'an Zhaxi for taking part in splittism, for disrupting people's harmony, and for teaching bad morals." The article, which predates the Tenzin Delek and Lobsang Dondrup trial and sentencing hearing gives voice to the Party's denunciation of Tenzin Delek, the Dalai Lama, and others in the area.

According to a local Kardze newspaper, August 12, 2002.

The Kardze Tibetan Autonomous Prefecture's Communist Party held a meeting. During the meeting, all of the officials talked about A'an Zhaxi [Tulku Tenzin Delek from Lithang, recently arrested by the Chinese government]. They called him a splittist, a destroyer of people's harmony and relationships. They strongly opposed these activities and his harmful behavior to other people, his terrorist activities, and his repulsive behavior. All the officials unanimously voiced their disapproval and accused A'an Zhaxi of crimes. They said we needed to oppose [what was happening] in the southern part of Kham. [Kardze Tibetan Autonomous Prefecture is divided into eastern Kham, northern Kham, and southern Kham. Southern Kham is composed of six counties including Lithang and Nyagchu.]

During the meeting, [those leading the meeting] said that the police department had managed to find a secret splittist group, and that the head of the organization was A'an Zhaxi, and that Lorang Dengzhu was a follower. They both have been arrested. [Those present said] we have managed to protect the Chinese political system, and people should be very joyous and happy that we have managed to achieve such a big task. We have managed to find the nest of A'an Zhaxi, whose behavior is repulsive; we have managed to clearly identify the people who engage in splittism and anti-Chinese activities; and we have managed to secure the unity of the people. We should oppose all splittists, and should hold strongly to the Chinese political system at the same time as we develop more Party rules.

First: When you put a spear in a bird's nest you disrupt the nest, but we should point the spear's head toward the Dalai Lama and his people.

A'an Zhaxi and other people in the south of Kham who were chosen by the Dalai Lama and his splittist group, have an underground organization. The people who belong to this organization are the people who are brainwashed by the Dalai Lama and will follow him even if it means lives. This organization has carried on terrorist activities since 1998. There have been seven bombings. The organization has damaged properties, hurt people's welfare, and destroyed people's lives. The damage has been very severe. A'an

Zhaxi is an ordinary person, he is a bad person and very cunning. He claims that he is a tulku recognized by the Dalai Lama. But under a monk's robe he carries on splittist activities; and he runs about and fools poor people. Because of all these activities, the head of the spear should be pointed towards the Dalai Lama and his splittist group. We should take into account the effects of A'an Zhaxi's crimes and his organization's activities on religion and politics. We should realize clearly who these people are and more than ever we should oppose them. We should let people know clearly that [news of]the terrorist activities carried on by the Dalai Lama's clique, which are very harmful to the vast majority of the people, should be disseminated among the public.

Second: We should very quickly put on the right path those people who are still carrying on splittist activities. As for those people who are doing wrong, we should consistently support them and join them to the vast majority of people. This was what those at the meeting supported.

The main aim of the Dalai Lama's splittist group is to destroy the unity of the Tibetan people living in Tibet today. This is something the Chinese and the Tibetans will never agree to. The Chinese government is an authentic government. Under the Chinese government, if people follow the right path it will be possible for Tibet to develop in a modern way. Not only Tibetans hope for modern development; the Chinese people in China have the same thought. The Dalai Lama's splittist clique benefits very few Tibetans. We should help those ignorant people who believe in splittist work. We should help them out of their ignorance. The people who, under the Dalai Lama, are carrying on these activities in western China and who are fighting against the government, they are bound to crumble. Among those people who are spreading these activities, whoever they are, no one has been successful. One of the best examples is how A'an Zhaxi's organization has crumbled. A'an Zhaxi and his group's activities—even though they tried to hide, lie, and all such things—in the end people came to know the truth about them. We should punish A'an Zhaxi and his followers severely, according to the law.

Third. Your political feelings and your duty to politics should be stronger than ever.

We have managed to punish A'an Zhaxi and members of his organization, but there are many other splittists who are hiding in our country. We should clearly realize that we have a lot more to do. The Kardze Tibetan Autonomous Prefecture knows that there are people living within it who engage in splittist activities. You officials should fight their political activities and you should also have a firm political stand. More importantly, you should have a clear mind about protecting people's security and unity. And you should protest against the splittists. For all these important reasons, you should not favor someone because you know him. When you fight against splittist groups, you should really look into what they have done and what is in their members' minds. You can't be lenient about their crimes. And, when you deal with them, you have to be very firm with them.

Appendix V: Announcement of Appeal Court Decision

Editor's note: The following document appears to be an official statement circulated locally after the Sichuan Higher People's Court upheld the lower court's ruling in the cases of Tenzin Delek and Lobsang Dondrup. Although Human Rights Watch is unable to authenticate it as an official document, it reads as if it were an announcement made within Party cadre circles in Kangding, the capital of the Ganzi Tibetan Autonomous Prefecture.

On January 26, 2003, the Sichuan Province Higher People's Court made a collective decision regarding the criminals A'an Zhaxi and Lorang Dengzhu who committed a series of explosions and endangered the security of the country. After the meeting, the Ganzi Prefecture Intermediate People's Court in conformity with the Sichuan Province Higher People's Court executed the order of death – immediately escorting criminal Lorang Dengzhu through the execution ground and carrying out the death penalty.

Criminal A'an Zhaxi, male, born 9/22/52,²⁰⁰ Tibetan, From Sichuan Province, Litang County;

Criminal Lorang Dengzhu, male, born 6/14/74, Tibetan, from Sichuan Province, Yajiang County.

The conspiracy of the two criminals involved Lorang Dengzhu traveling successively on August 1, 2001, October 5, 2001, February 8, 2001, and April 2, 2002 to Kangding, Litang, and Chengdu's Tianfu Square, to carry out explosions and distribute flyers that had content inciting separation of the state, creating a social atmosphere and impression of terror, causing one person to be seriously injured, one person to be lightly injured, and thirteen people to have very slight injuries, and causing total direct economic losses of over 830,000 renminbi (RMB) [approximately U.S.\$137,500]. On October 3, 2001, Lorang Dengzhu also set off an explosion at the traffic police office of the Ganzi Prefecture Police Detachment Office building causing such serious consequences that one person died and direct economic losses totaled over 290,000 RMB [approximately U.S.\$36,250]. The combined behaviors constitute the crime of explosion and the crime of inciting separation of the state.

Lorang Dengzhu also disobeyed regulations on gun administration by illegally carrying a gun and ammunition. This constitutes the crime of illegally carrying a gun and ammunition. These two criminals combined broke many laws, and each received a cumulative punishment for his many crimes. As to the crimes collectively committed, A'an Zhaxi came up with the idea, provided the explosives, decided upon the locations, drafted or ordered others to draft the leaflets, contents [of which] incited the division of the state. He instigated and inspired Lorang Dengzhu to transcribe them, distributed leaflets, and moreover supplied the capital to commit the crimes. As to planning, organizing, and commanding, Lorang Dengzhu positively participated in the conspiracy,

²⁰⁰ Other sources give 1950 as Tenzin Delek's year of birth.

collectively committed the crimes, and moreover individually carried out the attack against the traffic police office of the Ganzi Prefecture Police Detachment Office building, directly causing one person to die, an extraordinarily serious situation.

The two, in the process of collectively carrying out the crimes, shared the work and cooperated and coordinated with each other, causing important consequences. The Ganzi Prefecture Intermediate People's Court on December 2, 2002 ordered in the first instance a public declaration of sentence. For the multiple crimes of causing explosions, inciting the separation of the state, illegally carrying weapons and ammunition, these multiple crimes, Lorang Dengzhu was sentenced to death and stripped of his political rights for life; for the multiple crimes of causing explosions and inciting the division of the state, A'an Zhaxi was sentenced to death with a two-year suspension of sentence, and stripped of his political rights for life. A'an Zhaxi was not satisfied with this result and appealed. Sichuan Province Higher People's Court in the second instance heard the case and decided that the original sentence held to the facts and followed the law correctly, that the measurement of the penalty was appropriate, and the process of the verdict was legal. They legally ruled to reject his appeal, and preserve the original ruling.

Appendix VI: Attempt to Hire Independent Counsel for Tenzin Delek Fails

Editor's note: In advance of Tenzin Delek's appeal hearing before the Sichuan Higher People's Court on January 26, 2003, his relatives succeeded in engaging lawyers from a Beijing law firm willing to represent him. However, a judge rebuffed the effort, alleging that Tenzin Delek himself already had hired local lawyers from Kardze Tibetan Autonomous Prefecture. As he was held in incommunicado detention, the truth of the allegation could not be determined. Following the court's rejection of Tenzin Delek's appeal, Wang Lixiong, a prominent author who had assisted with the effort to find lawyers in Beijing willing to take the case, wrote to the Supreme People's Court about his doubts as to the fairness of the legal proceedings. At the time, it was expected that there would be supreme court review of the judgment. To date, there is no definitive word as to whether such review took place. An English translation of Wang Lixiong's letter to the court is set forth below.

Wang Lixiong: Three Points of Doubt About the Case of A'an Zhaxi to Bring to the Attention of the Supreme Court for Review²⁰¹

Letter dated January 28, 2003

To: The Supreme People's Court of the People's Republic of China

On Sunday January 26, 2003, The Sichuan Higher People's Court in Kangding, the capitol of Ganzi Tibetan Autonomous Prefecture, carried out the trial of second instance in the case of A'an Zhaxi and "the series of explosions and inciting the division of the state." It rejected the appeal [of A'an Zhaxi], upheld the death sentence for Lorang Dengzhu and the original sentence of death with a [two-year] reprieve for A'an Zhaxi. Moreover, the death sentence for Lorang Dengzhu was executed.

According to my understanding of the situation, in the course of this trial there have been problems such as: a sudden change of lawyers, reporting of the case situation not corresponding to fact, [and] local authorities threatening and controlling relatives of the parties concerned. The three problems are analyzed and explained as follows:

One: Sudden change of lawyers:

After the trial of first instance in the Ganzi Tibetan Autonomous Prefecture Intermediate Court, twenty-four people from all domestic circles issued an opinion expressing their desire for a guarantee that the appeal process would be fair and transparent. They also expressed a desire to hire a lawyer from outside Ganzi Tibetan Autonomous Prefecture to represent the two at their appeal. On December 17, 2002, Zhang Sizhi of the Beijing City Wu Luan Zhao Yan law offices and Li Huigeng of Beijing City Wan Bo law offices both agreed to represent A'an Zhaxi.

²⁰¹ The document is available at <http://www.xizang-zhiye.org/gb/xzxinwen/0301/index.html> (retrieved November 6, 2003).

On December 18, Ziren Lulu (A'an Zhaxi's uncle) of Ganzi Tibetan Autonomous Prefecture, Litang county, signed a paper of assignment and faxed it to the two lawyers. He simultaneously sent the formal contract by mail.

On December 25, after receiving the formal contract from Ziren Lulu, Li Huigeng, and the person in charge of A'an Zhaxi's appeal, Judge Wang Jinghong of the Sichuan province higher criminal court, spoke by telephone. [Li Huigeng] faxed over an official letter from his law firm along with his contract with Ziren Lulu (the original document soon afterwards was express delivered to the Sichuan higher court). Judge Wang phoned to acknowledge [the reception of the fax].

The following day, December 26, Judge Wang Jinghong telephoned Li Huigeng to inquire of the two lawyers what time they could come to Chengdu to review the file. Judge Wang said he was planning to go away on business, but would coordinate [his trip] with the two lawyers' schedules. The parties set Monday January 6, 2003 as the date to visit the Sichuan higher court to review the file.

On the morning of December 27, Li Huigeng once again called Judge Wang to confirm that he was to see A'an Zhaxi. Judge Wang explained the route to Kangding. Because A'an Zhaxi does not understand Mandarin, the two would have their discussion through a translator. Judge Wang explained that the local Tibetan dialect in Litang was heavily accented and thick, and that [the translation process] would work only if the translator were local. He then promised to go through the local department to provide a translator.

December 27 was a Friday. On Monday, December 30, when Li Huigeng arrived at work, he unexpectedly received a phone call from Judge Wang saying, "On December 17, A'an Zhaxi himself hired two lawyers and, moreover, they have already turned in the defense plea [to the court]." He also said that Mr. Zhang and Mr. Li, the two lawyers, could not continue acting as defense counsel for A'an Zhaxi's trial of second instance.

Here's where the doubt lies: as the primary judge for the trial of second instance, how could it be possible that Judge Wang Jinghong only discovered ten days after the fact that A'an Zhaxi had himself hired a lawyer. How could it be that [Judge Wang] had previously admitted the two lawyers, Zhang and Li, and actively coordinated with them, at the same time that he had absolutely no indication of this? If one were to say the problem was one of communication, [let us consider these facts], Judge Wang said that the lawyers hired by A'an Zhaxi had "already turned in the defense plea." Before writing a formal defense plea, one must first review the case file. But how could the lawyer that A'an Zhaxi "hired" review the case file and, moreover, write the formal defense plea, without the leading judge on the case knowing about it?

Judge Wang has not appeared in public since [the last telephone call]. The two lawyers, Zhang and Li, suggested formal negotiations with the collegiate (three-judge) panel (see attached letter), hoping that "according to arrangements made earlier in coordination with the lead judge, we could immediately travel to Kangding [to] solicit A'an Zhaxi's own final decision about the question of the 'hired lawyer.'" But, no matter how they

asked or urged, they received no response. A'an Zhaxi's relative also wrote to the Sichuan higher court expressing his opinions. [Ziren Lulu] believes A'an Zhaxi would want to receive the lawyers his relatives had hired for him. He requests that A'an Zhaxi be allowed to make his decision after fully understanding the situation. But again, no reply ever arrived.

I believe that if proof pertaining to A'an Zhaxi's participation in the explosions was reliable, there simply would not be these kinds of mistakes, such as that concerning the sudden change of lawyers. The action of taking these two lawyers and exchanging them for two Ganzi Tibetan Autonomous Prefecture lawyers who cannot possibly maintain independent standing is already viewed by many people as steps that would be taken only to cover up certain facts.

Two: Facts being reported differ from reality:

On January 26, 2003, Xinhua News Agency reported the result of the trial of second instance as such: [as for the case of] A'an Zhaxi and Lorang Dengzhu "the facts of the crime are clear, the evidence is reliable, the two defendants both admitted and did not try to conceal [the truth]." However, relatives of A'an Zhaxi who attended the public trial of first instance²⁰² heard with their own ears A'an Zhaxi's denial that he had anything to do with the explosions. He expressed clearly that he was being unjustly tried. So, where did the [idea that they] "candidly confessed" come from? Similarly, where does the motive lie in issuing such reports, which obviously don't conform to reality, to the outside?

The report also claimed: "After the trial of first instance, defendant Lorang Dengzhu accepted the verdict and did not appeal." But in Ganzi Tibetan Autonomous Prefecture, people say that Lorang Dengzhu did not forego his appeal because he accepted the verdict. They say it was actually because [during the initial investigation] he could not take the pressure and fingered A'an Zhaxi. The result was A'an Zhaxi's arrest and conviction. [Lorang Dengzhu] felt such shame that he sought death. It is said that Lorang Dengzhu said: shooting me will make me "incredibly happy." This kind of speculation has yet to be confirmed. Nonetheless, after the trial of first instance, Lorang Dengzhu shouted the slogan, "Long live A'an Rinpoche." His relatives heard this themselves at the trial of first instance.

Three: Local authorities systematically threatened and controlled the relatives of the parties concerned:

The above report also claimed that, "during the trials of first and second instance, the defendants' trial rights [procedural rights] were fully guaranteed." I have no way of contacting the people involved in the trial procedure or the defendants themselves. But you can see from the treatment that A'an Zhaxi's relatives have been receiving that even they were receiving no guarantees [related to] anything from their trial rights to their physical/personal rights. Clearly the idea that the defendants themselves were having their rights guaranteed is hard to believe.

²⁰² Editors note: there was no public trial, only a public sentencing hearing. Information from other sources confirmed that the proceeding referred to here was the sentencing hearing.

A'an Zhaxi's relatives faced the following situations:

- 1) during the trial of first instance, they expressed a desire to hire a lawyer for [A'an Zhaxi]. [People at] the relevant department rudely responded that A'an Zhaxi was a counterrevolutionary, that a lawyer would not be found for him.
- 2) The Litang County Public Security Bureau stipulated that if they were going to go to Kangding they must first get the approval of the head of the Public Security Bureau. Otherwise they would be arrested. Afterward, when it was discovered that the relatives had hired Beijing lawyers [for A'an Zhaxi], they went one step further and ordered them not to leave Litang County.
- 3) On the afternoon of Friday, December 27, 2002 (the same day that Li Huigeng, the lawyer, and Judge Wang Jinghong were discussing a visit to A'an Zhaxi), the Litang County Public Security Bureau summoned three relatives of A'an Zhaxi and interrogated them about the hiring of the Beijing lawyers. Simultaneously, they warned them that there would be serious consequences for those responsible.
- 4) On December 30, 2002, Ziren Lulu wrote a letter to the Sichuan higher court about the mistake regarding the lawyer. Afterward, he made many phone calls inquiring [about the matter]. The court is yet to respond. [A'an Zhaxi's] relatives hope to know how they may make contact with what the court calls "the lawyers A'an Zhaxi hired for himself." This is [the defendant's] relatives' basic right. They never received a response to this either. To this day his relatives still don't know who the lawyers were.
- 5) On January 10, 2003, upon hearing that the trial of second instance in Kangding had begun, the relatives of A'an Zhaxi phoned the Ganzi Tibetan Autonomous Prefecture court to inquire about the situation. They heard a stern voice denouncing them and telling them to "mind their own business." Moreover, because I personally had expressed opinions about this case and made public my understanding of the case, the Ganzi Tibetan Autonomous Prefecture police started an investigation of me which involved a number of people whom I had contacted in Ganzi Tibetan Autonomous Prefecture. My friend Liao Yiwu also spent one entire night being interrogated by the Chengdu police. Moreover, they searched his house.

Due to the above situations, it is difficult to believe that this case was getting a fair hearing inside Sichuan province. The possibility exists that that there is a mistake in the current verdict. Moreover, this case involves relationships among ethnicities, religious personages, and international influence. The details of the case are difficult, complicated, and significant. According to the "The Supreme People's Court Explanation of Certain Questions in Reference to the Implementation of the People's Republic of China Criminal Procedure Law," clause 305 stipulates: "If the Supreme People's Court discovers, in relation to a legally effective decision or ruling made by any level of court, or by any higher level people's court in relation to a legally effective judgment or ruling made by any lower level people's court, that there has certainly been a mistake made, it may order the lower people's court to retry; as for the original ruling or judgment, if it is maintained that the facts are true, but there was a mistake in the application of the law or the details of the case are difficult, complicated, or significant, or there were other

reasons for which it was unsuitable for the original people's court to hear the case, the case can also be reviewed [by a higher court]." I earnestly suggest that the People's Republic of China Supreme People's Court initiate a review of this case.

Wang Lixiong
January 27, 2003
Beijing

ATTACHMENT 2

Letter from Ziren Lulu to the Sichuan Higher People's Court in Reference to the Unforeseen Event about the Lawyers

**To: Lawyer Wang Singsong
Sichuan Higher People's Court**

I am Ziren Lulu, A'an Zhaxi's uncle. I hired Zhang Sizhi of the Beijing City Wu Luan Zhao Yan law offices and Li Huigeng of the Beijing City Wan Bo law offices to defend A'an Zhaxi at his appeal. The two lawyers recently planned to go to Chengdu and Kangding to deal with the case. Today, I received information from the lawyers that Judge Wang has suddenly stated that A'an Zhaxi has already hired a lawyer. Because of this, the two lawyers I hired will not be able to take on this case. I, and other relatives of A'an Zhaxi, hold a different opinion.

Moreover we request:

1. Please tell me the names of the lawyers that A'an Zhaxi hired for himself, along with the addresses and telephone number of their companies.
2. I believe that if A'an Zhaxi knew the situation, that I had hired two lawyers for him, he would dismiss the lawyers he had hired. He would accept the lawyers I hired for him. I request that you permit A'an Zhaxi to completely understand the situation before [requesting] him to make his choice once more.
3. I hope that you will allow one relative to meet with A'an Zhaxi order to explain to him the situation with the lawyers and to seek his own personal opinion. Moreover, I request of the relevant personages on the scene that there be a collegiate panel [three-judge panel] joint decision concerning the lawyers.

Ziren Lulu
December 30, 2002

Appendix VII: Ganzi Tibetan Autonomous Prefecture Religious Policy

Editor's note: The document contains excerpts from Chapter 5 of "Propaganda Speeches on Strengthening National Solidarity and Preserving the Unification of the Motherland," an internal (*neibu*) book-length document from the Propaganda Committee of the Ganzi Tibetan Autonomous Prefecture Committee of the Chinese Communist Party (February 1990). Only 3,100 copies were published. The book, from which this excerpt is taken, was not intended for public circulation. It is described in the preface as a collection of materials for speeches to improve national unity. As the first of its kind, it was expected to set an example that other prefectures should follow. The introduction to the book explains further: "Overall, we hope each administrative area will consult the series of Propaganda Department speech materials and combine them with their own reality to perform the work of national solidarity. We hope that the political task of educating the masses in our prefecture will take on a new dimension in the coming year." The first three chapters of the book explain the importance of socialism and national unity and the leading role of the Communist Party. The fourth chapter is about the importance of agriculture as the "basis for development."

Chapter 5: Freedom of religious belief is the Party's basic policy on religion

Section One: Freedom of religious belief is a long-term policy that will prevail until the natural extinction of religion

1. To acknowledge the characteristics of religion as being long-lasting, nationalistic, complex, and internationalist...

The condition for the natural extinction of religion is:

The great improvement of social productivity and the abundance of social property, the establishment of high level socialist democracy, and great improvement in education, culture, science and technology. These conditions, as can be imagined, need a long time before they can be realized. With the development of our socialist system, the social system for the natural extinction of religion was established. As we are now still in the primary stage of socialism, however, not all difficulties brought about by natural disaster can be overcome in a short while, and we are also in a context including domestic class struggle and a complicated international situation. As a result, we are not totally ready for the natural extinction of religion, and we must make a long term effort...

The anti-China, anti-Communist forces abroad consciously used every method in order to manipulate religious organizations in China, or to attempt to do subversive activities by spreading religious thoughts. In fact, what they are undertaking is not religious activities. However, they are very good at using religion as a cover to do exploitative activities and to complicate religious issues. Take the Tibetan Buddhism which is prevailing in our prefecture for example. Because of the interference of the Dalai clique, its characteristics of internationalism and complexity were clearly manifested. In recent

years in particular, the Dalai regime carried out separatist activities abroad and frequently interfered with the monasteries in China. It even went so far as to recognize a reincarnation child of a Living Buddha who has died in China, and to recognize reincarnation Buddhas in Spain and America. This method of the Dalai clique to manipulate the monasteries in China purely from the point of view of politics must arouse our attention. The monasteries, the masses of religious people, and the monks must all be alert. We can also see from this event that the anti-China forces abroad made use of the religious influence of the Dalai in China to support the splittist activities of the Dalai clique....

2. To correctly understand and carry out the policy of freedom of religious belief....

The Party's policy of freedom of religious belief also tells us: that a socialist country under the leadership of the Communist Party will never use power to impose any religion....

[T]o oppose feudal superstition does not contradict undertaking a policy of freedom of religious belief. They are two tasks, two things....

Section Two: To unite the majority of people to build up a strong, modern socialist country is the starting point and standpoint of the Party when it makes and puts into effect the policy of freedom of religious belief

1. It is the Communist Party which enabled religion to get rid of manipulation and exploitation by the exploiting class and to enable both the religious and non-religious masses to be liberated and gain real equality and freedom....

2. It is the Communist Party which corrected its mistakes on religious issues and gradually is making policy on religion more realistic and more perfect....

Section Three: Protect proper religious activities, severely expose and attack those exploitative activities which operate under the cover of religion

In order to protect proper religious activities, we first demand that each level of Party and administrative organizations, as well as cadres who undertake to carry out religious policy, strengthen their knowledge of Marxism, Leninism, and Mao Zedong thought. Each level of cadres in our prefecture, including those who work in the agricultural and pastoral area, must familiarize itself with and grasp the scientific theory of Marxism, Leninism, and Mao Zedong thought on religion. They must understand the natural development of such historical phenomena as religion, its appearance, development, and disappearance, so that they will not be aimless in their work. We must remember the lessons we have learned from the past when we adopted simplistic and forceful methods to extinguish religion and eventually got precisely the contrary of what we had expected. Only when we increase our knowledge and improve our thinking, can we consciously carry out the Party's policy of freedom of religious belief, can we stick to the thought of

dialectical materialism, can we uphold policy and adhere to the propaganda on non-believers, can we patiently lead the masses of people to raise their acknowledgement, and can we gradually solve the problems related to the spiritual world. Chairman Mao remarked in his "Research Report on the Peasants' Movement in Hunan": "Buddha was set up by the peasants, and in due course the peasants will use their own hands to rid themselves of these Buddhas. No one else need bother about helping them." The work of us cadres at every level is to creatively carry out the Party's policy, to mobilize the masses to work harder, to create and improve material and spiritual conditions, and to accomplish our due responsibilities so as to promote the natural extinction of religion.

To protect proper religious activities, it is also necessary for the masses of religious people and monks to act in accordance with the Party's religious policy. Religious activities and religious lives can only be developed and carried out within the scope of what policy and law permit. The masses of religious people and monks must react to the Chinese Buddhist Society's call advocating "Humanist Buddhism." As for pious religious people, they have pious desires for the "next life." The others need not and will not interfere. However, advocating "Humanist Buddhism" stresses this life and reality and is very relevant to reality. In the new state of the socialist system, at a time when the nationalities of people are making joint efforts to build the socialist motherland, the masses of religious people and monks must start from the reality of the present time, the area, and themselves, while inheriting the doctrines on Tibetan Buddhism and its way of practice.

We must also add new content to the doctrines, make new explanations for the development of the cause of socialist construction. For example, while practicing the "five forbidden and the ten good" [precepts] to purify oneself, one must also be patriotic and follow the law, so as to unify the love for religion with patriotism and love for the socialist system. One must be both a religious person and a good citizen to actively participate in the construction of the modern socialist cause, to fully function in it, and to contribute as much as possible to the happy world in this life.

At present, the masses of religious people and monks are responsible for the preservation of social stability. They must further promote stability and solidarity, boycott and oppose "Tibetan Independence" separatist thoughts and actions, preserve the unification of the motherland and national solidarity, and develop national education and raise the national level of literacy and so on. The masses of people and monks must constantly broaden their knowledge of scientific, cultural, and relevant religious knowledge in order to be able to tell proper religious belief from feudal superstitions. All in all, monks and religious masses must be self-conscious and keep up with the Party's call on religion....

To protect proper religious activities, the Party and government must consistently preserve those monasteries and religious activity venues that have already been opened. No one is allowed to propagate atheism at religious sites while the religious people are leading a normal religious life. Of course, to undertake religious activities outside the religious site is abnormal, and must be forbidden. Religious professionals are responsible for liaison with the religious masses, for managing religious affairs and keeping them in

order, and for preserving monasteries, especially those monasteries that have been listed as important cultural units. Questions must also be considered from the angle of preserving the traditional national culture and developing the tourist economy by preserving religious relics, planting trees, and decorating the surroundings of monasteries. We must bear in mind the reality of the masses of people in our prefecture. They have recently been living a reasonably well-off life; therefore, we must advise them not to donate too much money to religion and, in order to avoid waste of manpower and so on, not to start large construction [projects]. The Party and government hope the masses of religious people and monks will “be patriotic, follow the law self-consciously, and enjoy freedom of belief,” [and that they will] work energetically and follow the steps of the time.

To protect normal religious activities, we must, of course, expose, oppose and attack those people and things which, disguised as religion, make use of the religious feelings of the masses of religious people and monks to oppose the leadership of the Communist Party, oppose the socialist system, oppose the unification of the motherland, oppose national solidarity, and plan separatism.

Because of the influence of bourgeois liberalism and reactionary “Tibetan Independence,” words and actions that oppose the democratic reform movement and the socialist system have recently emerged in the religious field. Some people with ulterior motives also have attempted to recover the feudal temple privileges which had long been abolished. They have attempted to “seize the leadership of one temple, then grasp the masses of people of the whole area,” to make a breakthrough by seizing the monastery in order to realize their political purpose.

Some of our comrades with dim thoughts were not clear about the political plot of the Dalai clique, and they hoped to return the monastery to the past. They consciously and unconsciously behaved contrary to the policy of religious freedom. It should specially be pointed out that the regulation on forbidding young people under eighteen years of age to be religious has not been seriously carried out in some areas. It is not allowed, and the seduction of young people into religion by taking advantage of their inexperience and inability to tell right from wrong is a violation of the policy. It should also be pointed out that, for historical reasons, a large number of monks with considerable education have been centered in the monasteries in our prefecture. The Party and government have hoped that the educated monks will be able to contribute to eliminating illiteracy and raising the cultural quality of the masses of people, especially the young people. However, religion will not be allowed to interfere with education as happened in the past. The abolition of illiteracy must be developed within the limits allowed by law and policy. For example, the textbooks should be the ones uniformly distributed throughout the country. They must be approved and permitted by the relevant department and must be checked and guided by the relevant department, and so on.

Recently, the anti-communist, anti-socialist forces which have escaped from abroad have made use of our “freedom to travel back and forth” policy. Some, upon their return from abroad, used religion as a cover to undertake evil activities such as collecting information, spreading rumors, viciously destroying national relationships, and so on.

We must be on guard against all these. The policy of freedom of religious belief does not eliminate or oppose friendly correspondence with those overseas, but treasures this friendly communication and offers even more advantageous opportunities for sincere friendly communication. Ten years' experience proves that the Party's policy on religion is a guarantee that patriotic religious people can have active participation in their external activities. From now on, we will adhere to and further develop our external work. However, we will not tolerate any thoughts and deeds that are anti-communist, anti-people, or that advocate separating the motherland and destroying national unity. To oppose and attack activities under the cover of religion is a contradiction which can be termed a contradiction between ourselves and the enemy. Generally, it is not difficult to solve this kind of contradiction so long as we have sufficient evidence and follow the relevant laws. The mistakes and harmful words and actions which appear in daily life because of an inaccurate understanding of religious policy and because of lack of sufficient education belong to the [category] of internal contradictions among the people. The right method is to educate, to persuade, and to combine criticism with self-criticism. Never confuse the two kinds of contradictions and adopt the wrong treatment.

Overall, the Party's policy of freedom of religious belief is a long-term policy which was made by the Party according to the theory of Marxism and Leninism combined with the specific situation in China. The starting point for making and carrying out religious policy is to lead all people, including religious people, to work for the construction of a powerful and modern socialist China. Through repeated experience, we have learned that when we carefully carry out religious policy, the contradictions that emerge as a result of religious problems are better addressed; that national unity, solidarity, and unification benefit; and that religious people's enthusiasm for building socialism develops. Otherwise, problems will pile up, national relationships will be flawed, stability will suffer, and the people's enthusiasm for building the motherland will be injured. It is obvious, therefore, that to continue to propagate the religious policy to the masses, especially the religious people, and to raise their level of self consciousness is long-term work. It will not end until the natural extinction of religion.

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