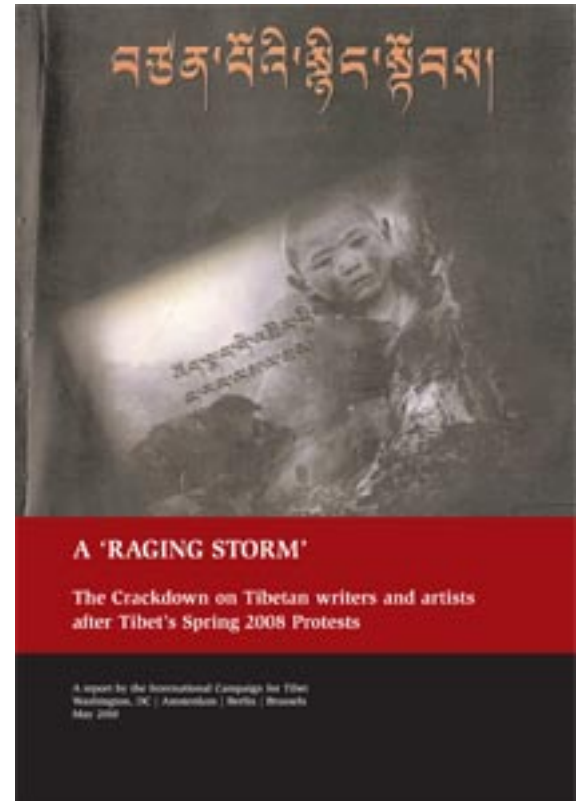


## A 'Raging Storm': The Crackdown on Tibetan Writers and Artists after Tibet's Spring 2008 Protests

Date : May 18, 2010



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The detention of the influential Tibetan writer Shogdung from his office in Xining on April 23 signals a deepening crackdown on Tibetan writers, artists and educators since protests against the Chinese state began in March, 2008. Shogdung ('Morning Conch'), is the pen name of Tragyal, the most high-profile of some 31 writers, bloggers, intellectuals and others now in prison after reporting or expressing views, writing poetry or prose, or simply sharing information about Chinese government policies and their impact in Tibet today. Shogdung's new book, "The Line between Sky and Earth," and other writings by Tibetan intellectuals since March, 2008 are among the most wide-ranging indictments of Chinese policy in Tibet for 50 years.

There has been a vibrant literary and cultural resurgence in Tibet since Spring 2008 when protests against government policy and in support of the Dalai Lama swept across the plateau. Writers, using print and the internet, who are often fluent in Chinese as well as Tibetan, in Xining and other areas of Amdo (now part of Qinghai province) have been at the forefront. Singers and educators have also been involved in this cultural resurgence, which is grounded in a strong sense of Tibetan identity.

In daring to refute China's official narrative of events since March, 2008, this new generation of Tibetans represents a more profound challenge to the ruling Communist Party authorities than before and, as a result, individuals are at greater risk. For the first time since the end of the Cultural Revolution in 1976, singers, artists and writers have been the target of a drive against Tibetan culture in which almost any expression of Tibetan identity not validated by the state can be branded 'splittist.'

Although less well-known outside China than high-profile Chinese dissidents such as Liu Xiaobo and Hu Jia, many of the Tibetan intellectuals named in this report are famous among Tibetans, and are also enduring long prison terms for peaceful expression. Their concerns about restrictions and repression mirror those of their Chinese counterparts.

This report details:

- The cases of more than 50 Tibetans, including 13 writers, involved in the arts and public sphere who are either in prison, have been 'disappeared' or have faced torture or harassment due to expressing their views. ([List available separately as a pdf file.](#))

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- New information on the detention of the well established civil servant, editor and essayist, Shogdung, and the first English translation of extracts from his new book, "The Line between Sky and Earth." Shogdung's new book - likely to be the reason for his arrest on April 23, 2010 - is a detailed analysis of the 2008 spring protests as a re-awakening of Tibetan national consciousness and solidarity, and advocacy for the right to civil disobedience following Gandhi's non-violent example.
- Cases of Tibetans sentenced to long prison terms for simply speaking about the crackdown via email or telephone conversations. The penalties attached to these cases indicate a zero tolerance policy for even low-level information sharing in Tibet that is counter to China's obligations to freedom of speech under its domestic law and international human rights law.
- A listing of Tibetan singers and performers arrested because of their song lyrics, and a translation into English of the official sentencing documents of one young singer, as evidence of the measures being taken by the Chinese government to silence Tibetans who do not conform to the state's narrative about Tibet, whether with reference to Tibet before the 1950s or the Spring 2008 protests.

## Crackdown and dissent

Since March, 2008, the Chinese government has engaged in a systematic attempt to block news of the arrests, torture, disappearances and killings that have taken place across Tibet. The dangers faced by Tibetans who seek to describe the situation on the ground or simply express their views to the outside world are significant, which is linked to the widespread availability of the internet and other means of communication and the challenges that poses to China's aspirations for domestic and international message control.

Despite and because of the severity of Beijing's response, dissent continues to be openly expressed, particularly through the written word. Since March, 2008, there have been a large number of unofficial writings about the protests, usually expressing grief or sadness at the killings and detentions. These have been published in blogs, articles in one-off or unauthorized literary magazines, in books published and distributed privately, and also in the lyrics of songs sung in public places, uploaded onto Youtube or as cellphone ring-tones. (ICT report, [Like Gold that Fears no Fire: New Writing from Tibet](#)).

At the forefront of this resurgence of Tibetan cultural identity is a new bicultural, bilingual generation of educated Tibetans familiar with digital technology, with Chinese writings and official policies, and often too with unofficial accounts of Tibetan history that are banned in China. A common theme of their writings is the solidarity of Tibetans across the plateau and a pride in their unique cultural and religious identity. An awareness of the historic upheavals in Tibet from the 1950s and a new sense of urgency for political change infuses their work. The writings are often poetic in style, such as the articles included in "Eastern Snow Mountain" (Shar Dugri), a literary journal which was banned as soon as it was published in eastern Tibetan area of Amdo in 2008. The writers of "Eastern Snow Mountain," who are from the Ngaba (Chinese: Aba) area of Sichuan, show extensive knowledge of Chinese and Tibetan law and policy, and discuss the sufferings of ordinary Chinese people as well as their own struggles against the state. (English translations of some of the essays are in: [A Great Mountain Burned by Fire: China's Crackdown in Tibet](#)). Shogdung's book also includes Tibetan people's struggle for freedom within China as an overall aim for all citizens of the Chinese state.

An important underlying message of the protests and dissent expressed across Tibet since March, 2008 is the desire for the return of the Dalai Lama to Tibet. Tibetans have risked their lives to assert their loyalty to him. The Tibetan writer and poet Anjam, who lives in exile in Dharamsala, India, says: "The literature of Tibet has been transformed since [March] 2008; it has taken on a new direction and is expressing new dreams. Some Tibetan writers have also taken on the responsibility of expressing their real feelings and facts about the situation in Tibet to the outside world. Many of these Tibetan writers represent the hearts of the Tibetan people inside Tibet through their writing. [Referring to several publications] they [various Tibetan writers in Tibet] speak about the failed policies of the Chinese government [...] and their writings strongly express their hopes for the return of His Holiness to Tibet.

"Because [Tibetans inside Tibet] are sacrificing or risking their lives to write these things, we should respect the value of their contribution - it can lead to a real understanding and connection of Tibetan people inside Tibet and those in exile. This dialogue is important while His Holiness [the Dalai Lama] is alive, but it will take on even more significance in future. It is very important that the voices of those Tibetan people who have risked their lives and expressed the failed policies of Chinese government should be heard globally. We should read and reprint their writing whenever we can."

A further feature of the cultural resurgence in Tibet has been the development of new alliances and understanding with Chinese

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intellectuals. On March 22, 2008, shortly after the March 10 outbreak of protests, leading Chinese intellectuals and writers released a petition that appeared on several websites in Chinese, entitled 'Twelve Suggestions for Dealing with the Tibetan Situation.' It was significant that Chinese voices were being raised in response to the way Beijing has handled Tibet policy. Points in the petition included: "We strongly demand that the authorities not subject every Tibetan to political investigation or revenge" and "The government must abide by the freedom of religious belief and the freedom of speech explicitly enshrined in the Chinese Constitution."

A year later, in June, 2009, a bold new report by a Beijing-based think-tank called Gongmeng (Open Constitution Initiative) challenged the official position that the Dalai Lama "incited" the protests that broke out in Tibet in March, 2008, and outlined key failings in the policy of the Chinese government on Tibet. (ICT report, [Bold report by Beijing scholars reveals breakdown of China's Tibet policy](#)). It was the first such analysis from inside China. Several Chinese lawyers have offered to defend Tibetans, though this was in most cases not allowed by courts. (ICT report, [Chinese lawyers blocked from defending Tibetans](#)).

The Tibetan writer Woesser listed details of unofficial books published in Tibetan areas since 2008 protests on her blog, where she wrote: "[...] Any one of us could be a statistic. And we could also be a finer detail, a more robust part of the record. None of this is going to be over soon, and we must be clear, meticulous and thorough in presenting the undeniable and ineradicable truth about those whose lives disappeared behind the unknown and limitless dark veil during the blood and fire of 2008. Since then, there has been a constant stream of books, magazines, articles and songs in the mother tongue. Tibetan writers have broken through the silence, [beyond] the terror, and even more of them are inspiring even more Tibetans." ([http://woesser.middle-way.net/2009/08/blog-post\\_03.html](http://woesser.middle-way.net/2009/08/blog-post_03.html)).

## Fears for 'official' intellectual Shogdung after he reported on impact of March '08 protests

The whereabouts and welfare of influential Tibetan writer, Shogdung, detained on April 23, 2010 remain unknown. His detention followed the publication of a book about the meaning of what he terms "peaceful revolution" and the significance of the protests across Tibet since March, 2008, which he describes as: "a sign of the rediscovery of the consciousness of nationality, culture and territory." Just before his detention, Shogdung and other intellectuals had also written an open letter critical of the authorities' handling of the earthquake on April 14 in Kyegundu (Chinese: Yushu), Qinghai.

The detention of Shogdung, the pen name (meaning 'Morning Conch') of Tragyal, is significant because he is a well-established editor and an 'official intellectual' whose views have been seen by many Tibetans as close to the Party and the Chinese state. This was particularly since he wrote an article in 1999 denouncing Buddhism and Tibetan people's profound religiosity as an impediment to development. But his new book, "The Line between Sky and Earth" (gnam sa go 'byed) - which sold out on its first (unofficial) print run of 1000 copies - is a passionate indictment of the Chinese government's policies in Tibet and a discussion of events there since March, 2008, in which he describes Tibet becoming "a place of terror."

Shogdung, a 47-year-old editor at the Qinghai Nationalities Publishing House in Xining, is the highest-profile writer to be detained since the current cycle of arrests and disappearances began following protests in March, 2008. His detention was reported almost immediately in a blog posting by a Tibetan who knows him, who reported that five or six police took him from his office in Xining, searched his possessions, and took him into custody. They returned later and took two computers and other written documents. ([Full report and translation at High Peaks, Pure Earth](#)). The website that gave this information was closed down a few days after it publicized this news.

Shogdung's wife was given notification that he had been detained on state security charges but has not been told where he is being held. Further information from the area indicates that the family's bookshop in Xining was closed by the authorities on April 13, and 35 copies of Shogdung's book were confiscated.

Shogdung had sought to travel to Yushu, where the earthquake struck on April 14, to help with relief efforts but had not been permitted to do so. According to the same blog, "Until the day of his arrest, he was busying himself with consoling and giving comfort to injured people at Xining hospital."

Shogdung and seven other intellectuals, including the singer Jamyang Kyi - who was detained temporarily in April, 2008 - signed an open letter expressing condolences to, and solidarity with, the victims of the earthquake in Kham, eastern Tibet (the Tibetan area of Yushu in Qinghai). But according to Tibetan sources who know Shogdung, the reason behind his detention is almost certainly his new book, "The Line between Sky and Earth."

A Tibetan from the eastern area of Amdo said that people in the area speculated that the security services took months to detain Shogdung because they needed to translate his book into Chinese. The same source said: "Just before his arrest, he went to his hometown to celebrate his father's 80th birthday and he told him that it might be his last time to be with him. He went to mountains

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to throw *rlung rta* [windhorses, prayers printed on small slips of paper or on prayer flags] as prayers for the mountain gods. I was told that it was first time he did that since his childhood." According to scholars familiar with Shogdung's work, in the past Shogdung opposed these rituals, which he regarded as damaging to Tibetan efforts at modernizing their culture.

A correspondent in Beijing for the French magazine *Le Nouvel Observateur*, Ursula Gauthier, met Shogdung in Xining two weeks before his detention. [In the article \(published in French\), she wrote](#): "Shogdung was expecting - with a somewhat fatalistic courage - that he would have to 'pay the price' of the last book he had published a few months ago, outside the normal publishing channels, without ISBN number, that is to say without authorization. [...] Pirated editions have taken over. In China, all books are pirated, even those written in Tibetan, even illegal ones, as long as they sell. Shogdung's book was a best seller, a phenomenon resulting purely from word of mouth. One could find it everywhere in Xining, including at the main station. The book was not displayed conspicuously and one had to ask for it."

Shogdung's new book is a conspicuous contrast to his earlier work. Together with other intellectuals from Xining, Shogdung founded a group called 'The New School of Thought,' and his controversial writings, including prominent articles in the Party paper, *Qinghai Daily*, led to intense debate among Tibetan intellectuals in Amdo. Shogdung argued that Tibetans should embrace modernization and disassociate themselves from traditional Tibetan Buddhist teachings. Scholar and historian Tsering Shakya writes on the website *High Peaks Pure Earth*: "Shogdung's hyper-critical attack on traditional Tibetan cultural practices was seen by many Tibetans as a remnant of the Cultural Revolution, and because his article was published through an official channel, it was seen as resembling the view of the Chinese Communist Party."

His new book, however, includes a section that has been described by other Tibetan intellectuals from the area as "moving and personal," in which he acknowledges his mistakes and misjudgment about monks' roles in Tibetan society and apologises for his earlier views.

Shogdung's views appear to have been changed by events in Tibet that began in March, 2008. Although there are fears that Shogdung may face charges of supporting Tibetan independence or 'splittism,' a Western scholar who has read the book in Tibetan said: "I have not read anywhere in Shogdung's book that he calls for separation or independence from China. He says Tibetans should keep the spirit of the peaceful revolution in which they have engaged since 2008, with an aim to asserting what he thinks are their rights, with peaceful means - he gives statistics at the end about what percentage of peaceful struggles for one's rights in the history of the world in the last two centuries have yielded results, and what percentage was successful through violence. The figures he quotes indicate that non-violence is more successful. He also calls for peaceful civil disobedience when one feels the legal frame in which one lives is not proper and is against one's principles." The same scholar said: "This is certainly one of the most open and daring critiques of the Chinese Communist Party policies in Tibet over the past 50 years, and is even comparable in scope to the Panchen Lama's 70,000 character petition to Mao, a forbidden text which Shogdung often refers to and quotes as it has become recently available for the first time to Tibetans in Tibetan."<sup>[1]</sup>

Shogdung writes that he believes that March, 2008 was the result not only of the conditions experienced by Tibetans for so long, but also of individuals becoming more aware of concepts of freedom. He also notes that, due to his iconoclastic views publicised in the late 1990s, he feels that he had become cut off from society, and so had failed to see the events of 2008 coming. Now, he writes, although he fears for his own life as a result of speaking out, he feels that he had to do so because he could not bear the repression that he has witnessed over the past few years.

In the book, Shogdung also challenges the Chinese authorities' representation of events in March, 2008. He says that while it is true that there was some looting and violence on March 14, 2008 in Lhasa, "one should draw a line between small and major events and that compared to the violence [by the authorities] that followed, and over the past 50 years, it is not as significant."

In an extract of the book, translated by the same scholar, Shogdung writes : "So what is a large-scale beating, smashing, looting and burning? In 50 years, among Tibetans, be they lamas, chiefs, nobles, elite, lay or religious, men or women, old, adults or young, farmers, herders, blacksmiths, shoe menders, with many rights or devoid of rights, rich or poor, be they enterprising and capable or not, brave or cowards, guilty or innocent, many have been hit by hammers, whipped with whips, put in chains, killed by arrows, put in jail, subjected to struggle sessions, or have died of hunger. This is stated in the history of hundreds, thousands, tens of thousands, hundreds of thousands of dead people. Even now, these ways of doing things have not been abandoned."

To support his claims, Shogdung quotes from a few sources such as the Panchen Lama's Petition (see above), as well as Jamdo Rinzing's "My Homeland" (*Nga'i pha yul*) and other books, and Tsering Dhondup's archive-based novel "Red Wind Roaring" (*Rlung dmar 'ur 'ur*) - books or texts that have circulated widely among Tibetans in Amdo over the last two years.

Shogdung emphasises the importance of non-violence, saying that if Tibetans dare to launch a revolution through peaceful means, the impact would be profound.

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He further describes the situation in Tibet since March, 2008 as follows : "As to how they [the Chinese authorities] have transformed Tibet into a terrifying battle ground: ever since they [Tibetans] have launched [literally, the peaceful movement], all corridors in the monasteries have become archery grounds, they have aligned their tanks and guns. It makes one's hair stand on end. At most of the junctions of monasteries and villages, soldiers parade. Such places are full of spies. It is so frightening! It makes one shiver with fear. At the top of the houses, in the streets and in the main places, they have hidden secret weapons. Spies are waiting. My flesh is petrified, my bones hurt. Tourists or pilgrims are searched at the point of the gun, they are interrogated and required to register and to do all sorts of such things. It is freezing, it feels so cold. Most of the monks have been expelled to towns, most town-dwellers are locked in their houses. They [the authorities] listen and watch on the sly letters, phones, computers, websites, tea-houses, cafes.

"They have made everyone, be they close or distant, powerless, helpless and desperate. In daytime, they run like jackals. At night, they sneak in like bandits. Without warning, they attack chapels and meeting halls in monasteries, and homes and families in towns. They search houses from top to bottom, and again from top to bottom. They look for pictures of the Victorious One [the Dalai Lama]. They look for hidden weapons. Incidentally, they look for money. They look for valuables. They throw holy images on the floor and trample them. They say that people with a human face have the heart of beasts and are wolves wearing monk's robes. They show signs of folly and of having been struck by madness. (Red soldiers, although they have a head, have no brains and they have been served too much of the water of folly full with 'Motherland' and 'China' so one should not be surprised at the fact that they have become utterly crazy). When they have found ritual objects [phyag cha] in the protector's chapels, they claim it is a proof that weapons have been hidden. [...]

"If one is a Tibetan, one is not allowed to stay at a hotel, one is 'welcomed' with the request to take off one's hat and shoes at airports, one does not get a ticket. One is not hired for jobs. Because of the deceptive propaganda, Tibetans are looked at with an air of mixed fear and terror. They are targets of suspicion. To sum up, Tibetans are considered like terrorists, they are treated like mindless children who are put under great pressure.

"Actually, it is not the first time this has happened. Ever since we have been conquered by dictators, in a series of campaigns, we have been beaten, struggled against, seized, arrested, condemned, sentenced, massacred. They have made us unable or afraid to move, to speak, to think. Everything and everyone has become inert because of fear. These inhuman methods have been going on for more than 50 years."

The open letter about the earthquake signed by Shogdung and other intellectuals is critical of the authorities' handling of the crisis, and ends with a passage in which signatories advise not to give money to 'certain organizations,' which could be a reference to the Chinese Red Cross, the only organisation officially entitled to receive donations for earthquake relief.

The letter, [translated by High Peaks Pure Earth](#), an internet site that provides translations from writing in Tibetan and Chinese posted on blogs from Tibet and China, reads: "[...]We who live in Xining, Qinghai province, several writers, express our condolences and sympathy with the Yushu brothers and sisters affected by the disaster, offer our condolences to the dead and are pooling funds and furthermore are preparing to visit the affected areas personally as soon as possible. However, as the news from the mouthpiece for the Party organisations cannot be believed, we dare not believe in the Party organisations. For political reasons, the Party organisation ordered the temporary suspension of sending people to the disaster area. For this reason, we in faraway Xining out of concern for you and your suffering send you this letter, apart from this, there is nothing else we can do."

## **Controlling information flow: state secrets and the penalties for spreading 'rumors'**

A few months after protests began in March, 2008, the authorities began to convey warnings of penalties not only for 'spreading' but also for listening to 'rumors,' presaging a wave of detentions and signaling a more systematic approach to blocking the flow of information. 'Rumors' is a term that is typically used to refer to dissenting views and sentiment in the PRC or simply sharing information that is critical of state policies. (ICT report, [A Great Mountain Burned by Fire: China's Crackdown in Tibet](#)). The official press announced that a Public Security Bureau task force had even been established specifically targeted at the fabrication and spread of rumors, with 108 People's Armed Police personnel deployed in 14 units. (Tibet Daily, December 26, 2008).

Tibet Autonomous Region Propaganda Bureau Chief Cai Yuying made it clear that it was not only an offence to spread 'rumors,' but also to listen to what people say: "Without any hesitation, we must prevent rumor-mongering and stop people listening to rumors" (XZTV, June 2, 2008).

The focus on 'rumors' was reiterated recently following the earthquake in Kham (Kyeundo/Yushu, Qinghai), when the authorities announced a drive to crack down on spreading rumors through cellphones or internet, and also on 'pornography' and 'illegal publications,' both euphemisms for subversive or 'splittist' literature and videos in Tibetan areas. China National People's Radio reported that the authorities specifically ordered officials to pay special attention to "lawbreakers who use illegal publications to

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disturb people's hearts and disrupt the relief effort." (SCMP, April 22).<sup>[2]</sup>

Beijing has tightened controls in China to block use of the internet for criticism of the government or expression of views. Wang Chen, chief of the Cabinet's Information Office, said last week: "We will strengthen the blocking of harmful information from outside China to prevent harmful information from being disseminated in China and withstand online penetration by overseas hostile forces." (Xinhua, May 3, 2010).

The Chinese government has also announced the strengthening of a law requiring internet and telecommunications companies to inform on customers who discuss 'state secrets,' a term that is not clearly defined by the state, so citizens are not aware whether or not they have crossed the invisible line of what is defined as a 'state secret.'<sup>[3]</sup> This new addition to the law, made last week, tightens the controls over information flow still further (see [Human Rights in China report](#)).

At least one Tibetan on the enclosed list faced 'state secrets' charges. Kunchok Tsephel, an official who founded a Tibetan cultural website, disappeared in February, 2009, but his family did not know of his whereabouts until they were instructed to attend court nine months later to hear the verdict - a 15-year prison sentence on 'state secrets' charges. No details have been published by the state about what these secrets were, but unofficial sources indicate that Kunchok Tsephel may have shared some information about the situation in Tibet since March, 2008, or it may have been linked to comments about Tibetan culture on his website.

Similarly, two young Tibetan men who worked for Western NGOs received a 14-year and life sentence for apparently attempting to pass on information about the situation in Tibet. Wangdu, a former health worker for an HIV/AIDS program in Lhasa run by the Australian Burnet Institute, is serving life, while Migmar Dhondup, a passionate conservationist who worked for the Kunde Foundation, is serving 14 years. Both are likely to be held in Chushur (Chinese: Qushui) Prison in Lhasa. The sentences, which were announced in the Lhasa Evening News in November, 2008, were unprecedented in their severity for Tibetans accused of passing on information to people outside Tibet. (ICT report, [NGO worker sentenced to life imprisonment: harsh sentences signal harder line on blocking news from Tibet](#)).

This tightened control has heightened the climate of fear in Tibet. Disappearances have been a key characteristic of the crackdown following the March, 2008 protests; in many cases, families inside Tibet have no idea of the whereabouts of relatives who have been detained nor of their health or conditions. In the current climate in Tibet, being detained or 'disappeared' for even a few days can lead to death or permanent psychological or physical damage. Tibetans detained during the crackdown over the past two years have been treated with extreme brutality, according to numerous reliable and eyewitness reports, leading to some Tibetans being profoundly physically disturbed upon release, with others unable to walk or speak, or with broken or dislocated limbs. (See cases detailed in [A Great Mountain Burned by Fire: China's Crackdown in Tibet](#)) and ICT report [Deaths of two Tibetans after torture](#)).

Compiling the list of writers, artists and intellectuals included with this report required the piecing together of fragments of information and consultation with a number of Tibetans and scholars with connections in Tibet, most of whom preferred not to be named. There are likely to be many more cases of writers and artists who have been detained and whose names we do not know, due to the efforts of the Chinese government to silence Tibetans and prevent news of the detentions reaching the outside world.

## **Disappearance of Tashi Rabten, author of 'Written in Blood'**

Tashi Rabten (pen name: The'urang), editor of the essay collection about the March, 2008 protests "Eastern Snow Mountain" and a student at the Northwest Nationalities University in Lanzhou, was detained again on April 6, 2010 and is believed to be in detention in Chengdu, according to unofficial sources.

Tashi Rabten, who is from Dzorge (Chinese: Ruo'ergai) county in Ngaba, Sichuan province, part of the Tibetan region of Amdo, is due to graduate this year. He was detained temporarily in July, 2009. He is the editor of a literary magazine banned after publishing an edition on the 2008 protests in Tibet and author of a new, unauthorized collection of work called "Written in Blood."

One of his friends said: "He has won great respect and popularity among students, intellectuals and ordinary readers in Tibet as an outstanding and brave young thinker." Referring to his recent book, "Written in Blood," the same Tibetan said: "It consists of many valuable writings on democracy, freedom and equality. In fact, I didn't see anything illegal in there." The same source said that Tashi Rabten had been under surveillance for some time, with his activities strictly monitored, and copies of his book confiscated from the university campus.

"Written in Blood" is introduced by the author as follows: "Given my [young] age and [lack of] qualifications, the appearance of this little book may be premature. After an especially intense year of the usual soul-destroying events, something had to be said, and after pondering on whether to speak out, I finally produced this humble little book between 2008-09, shed like a drop of blood."

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Tashi Rabten edited the edition of the magazine "Eastern Snow Mountain" (Shar Dugri) about the protests in 2008. It includes the details of the case of a 45-year old nomad, Paltsal Kyab, also known as Jakpalo, who was beaten to death in police custody in May, 2008.<sup>[4]</sup>

The magazine was quickly banned, but not before copies had circulated in Tibetan areas of Qinghai and Gansu provinces and beyond. In an afterword to the collection, the publishers say that they felt they had no choice but to publish, despite knowing the risks: "The magazine staff and associates did not commit to the foolishness of smashing this egg against a rock and knowingly leaping into an abyss out of rashness or for the sake of reputation. We did so out of the pain of separation from the tens of thousands of souls caught up in this deplorable violence, and the tormenting thirst for freedom, democracy and equality for those who should have them but do not." The writers, including Tashi Rabten, added that the publication "appeared as a sketch of history written in the blood of a generation." (ICT report, [A Great Mountain Burned by Fire: China's Crackdown on Tibet](#)).

## 'Torture Without Trace': pop singer Tashi Dhondup

"First, a sad tune for my brother who hasn't returned from afar  
Second, the pain because there is no harmony for people  
Third, the occupation and denial of freedom for Tibetans  
This is all torture without trace"

Tashi Dhondup, a popular Tibetan singer from the eastern Tibetan region of Amdo, was detained by police on December 3, 2009 at a restaurant in Xining, the capital of Qinghai province "on suspicion of incitement to split the nation," according to a document issued by police in Henan (Tibetan: Sogpo) county, where Tashi Dhondup is originally from. According to one ICT source, four police officers - two from Xining and two from Henan county - drew guns on Dhondup when he initially refused to stand up after being ordered to do so by the officers, who then put him in handcuffs and took him to a waiting police van while his wife and two friends who were with him at the restaurant demanded to know where he was being taken.

According to an ICT source, Tashi Dhondup had been under intense political pressure for several weeks following the October, 2009 release of a CD containing songs which in Tibet's current political climate were regarded by the Chinese authorities as highly charged, including lyrics calling for the Dalai Lama's return to Tibet and lamenting that "There is no freedom in Tibet." Copies of music videos of his songs and translations of his lyrics are at: [High Peaks, Pure Earth](#), and also see: [YouTube](#).

Copies of official documents detailing the investigation, detention and eventual sentencing to "re-education through labor" of Tashi Dhondup confirm that he was sent to a labor camp for 15 months in early January, 2010 following his detention in December, 2009 on suspicion of "incitement to split the nation."

The official documents go into detail about the content of Tashi Dhondup's songs, referring specifically to the lyrics, for instance, of his song '1958,' which compares the repression of Tibet from March, 2008 onwards with the crushing of resistance to the Chinese takeover in Amdo, eastern Tibet, in 1958. The document states that this song states clearly "That 1958 was a year of horror, a year of strife among the Tibetan people, and a year when a great enemy arrived in Tibetan areas. The year 2008 was a year that shook the world, a year when the people were massacred by the black earth." The official document, which does state that Tashi Dhondup did not write the lyrics of the songs, concludes: "These songs twist the facts and are reactionary in nature."

It is not clear from the documents, translated below into English by ICT, why Tashi Dhondup's case was not prosecuted in the courts, and was instead passed on to the local "re-education through labor" management committee. The documents indicate that police claimed to have amassed a considerable amount of evidence against Tashi Dhondup, including copies of CDs featuring "Tibet independence songs," testimony from police and other witnesses that he regularly performed the songs, and Tashi Dhondup's own 'confession.' In this case, police either chose not to pursue prosecution through the courts, or alternatively, state prosecutors chose not to accept the case from police.

Under such instances in Chinese law - if the courts are unwilling or unable to prosecute a case - police have the option of sending it to be considered instead by a "re-education through labor" committee. Such committees, which are usually staffed by senior police officers and other Party and government officials, have the authority to send defendants to labor camps for up to three years without any judicial oversight and without the defendant having any right to hire a lawyer to mount a legal defense against police accusations of wrongdoing.

Tashi Dhondup's sentence of 15 months 're-education through labor' is to be counted from the day of his detention - December 3, 2009 - and according to the document detailing the decision, he is therefore due to be released on March 3, 2011.

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The document includes a standard entry about the requirement to inform a detainee's family or workplace within 24 hours of the detention, or to provide a reason why no such notification was given. In the case of Tashi Dhondup's detention notification, that particular entry is left blank. According to ICT's sources, Tashi Dhondup's father was only notified of his son's detention on December 6, three days after his detention, when he was told to bring warm clothes for his son at the detention center in Xining where he was being held.

When Tashi Dhondup's father arrived at the detention center, he was refused permission to see him. He was told that his son was undergoing "education," and that if the results were unsatisfactory, he would have to return to assist in the education. Sources later reported that Tashi Dhondup was severely beaten and tortured while in detention.

## Official court documents of Tashi Dhondup

*Copies of these court documents, in Chinese, were received by Tibetans in exile. Enclosed below is a translation into English by ICT.*

Huangnan Prefecture Re-education Through Labor Management Committee

Re-education Through Labor Decision

Huangnan Prefecture Resolution [2010] No. 1

## **Name: Zhaxi Dongzhi; male; born April 15, 1979 [further details omitted]**

Criminal experience: taken into criminal detention in accordance with the law by Henan County Public Security Bureau on December 3, 2009 on suspicion of incitement to split the nation.

Facts and evidence of the crime. Facts and evidence ascertained by Henan County Public Security Bureau: On April 16 and 28, 2009, the criminal suspect Zhaxi Dongzhi performed the reactionary song "1958" and was subpoenaed by Henan County Public Security Bureau according to law. During interrogations, the criminal subject Zhaxi Dongzhi confessed fully to performing a reactionary song and willingly admitted his error. Henan County Public Security Bureau criticized him, which was followed by issuing a police warning.

On November 10, 2009, the criminal suspect Zhaxi Dongzhi performed the reactionary song "Torture without Trace," which appeared in large quantities in Henan county town's cultural market. On November 11, Henan County Public Security Bureau in conjunction with culture and trade departments, formed a joint inspection group to carry out a concentrated inspection of culture markets within the jurisdiction, confiscating more than 40 discs of the criminal suspect Zhaxi Dongzhi performing reactionary songs and two posters advertising the album.

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On December 3, 2009, Henan County Public Security Bureau detained the criminal suspect Zhaxi Dongzhi in Huoguo Cheng [?a restaurant?], on Bayi Road, Chengdong District, Xining City. The criminal suspect Zhaxi Dongzhi confessed without reservation to the criminal behavior of colluding with others to produce 3000 copies of the album of reactionary songs "Torture without Trace" for marketing in Henan county, Zeku county, Tongde county, Gande county, Banma county and Dari county in Qinghai province, in Luqu county in Gansu province, and in Aba county, Hongyuan county and in Ruo'ergai county in Sichuan province.

Upon receiving Henan County Public Security Bureau's report of Zhaxi Dongzhi's crime of incitement to split the nation, this Re-education Through Labor Management Committee convened a collegial group to verify the case. From April 16, 2009 onwards, the criminal suspect Zhaxi Dongzhi performed in Tibetan the reactionary song "1958," the lyrics and music for which were written by someone else, which incites "Tibet independence," and which states clearly that 1958 was a year of horror, a year of strife among the Tibetan people, and a year when a great enemy arrived in Tibetan areas. The year 2008 was a year that shook the world, a year when the people were massacred by the black earth. These songs twist the facts and are reactionary in nature. "Torture without Trace," the album of reactionary "Tibet independence" songs by the criminal suspect Zhaxi Dongzhi clearly states, Tibetans were invaded and have no freedom, and there's pain in having our own mineral wealth taken. Such opinions flagrantly contradict historical facts. In the song "Unable To Meet," it clearly states "I cannot raise the Snow Lion flag," which is an expression of the strong desire to hang the "Tibet independence" flag in Tibetan areas, which is reactionary in nature. In the "Tibet independence" song "For That I Shed My Tears," it states that Tibetan people have no freedom. In the "Tibet independence" song "No Regrets," it states of wanting to sing a song to say Tibetans have no rights, and that even if he were shot dead there would be no regrets. These songs forcefully propagandized "Tibet independence" opinion, harmed state security, and seriously disrupted the stability of



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social order in Tibetan areas. Because the writer of the "Tibet independence" songs' words and music has escaped,

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interrogation of the criminal suspect Zhaxi Dongzhi was pursued. Zhaxi Dongzhi fully confessed without reservation to the acts of performing, copying, transporting, distributing and broadcasting "Tibet independence" propaganda goods. This committee has ascertained the facts are true that Zhaxi Dongzhi on numerous occasions performed "Tibet independence" songs, conspired with other to produce discs, and to market 3000 discs of "Tibet independence" songs in 11 counties in the three provinces of Qinghai, Gansu and Sichuan.

Following examination and verification, the evidence confirming that the criminal suspect Zhaxi Dongzhi broke the law is: translations of "Tibet independence" songs, "Tibet independence" discs, posters advertising "Tibet independence" songs, on-the-spot investigative diagrams, photographs and records of "Tibet independence" songs being performed, the testimony of witnesses, the criminal suspect's confession, and an itemized list of confiscated goods and documents, etc.

In accordance with regulations contained within Article 10, Clause 1, Item 1 and Item 4, and Article 13 of the State Council's "Implementation Measures for Re-education Through Labor," it is hereby decided to commit Zhaxi Dongzhi to one year and three months re-education through labor. Prior to the decision on re-education through labor, the individual committed to re-education, Zhaxi Dongzhi, had been held in criminal detention. For each day held in criminal detention, a day is taken off re-education through labor. The period of re-education through labor is [therefore] limited to run from December 3, 2009 to March 2, 2011.

If this decision is contested, an administrative review by the Huangnan Prefecture People's Government or the Qinghai Province Re-education Through Labor Committee (address: Rule of Law Office, Public Security Department, Qinghai Province) may be applied for within 60 days of receipt of this certificate of decision; or, an administrative suit can be brought to Tongren County People's Court within three months of receipt of this certificate of decision.

Huangnan Prefecture Re-education Through Labor Management Committee.  
January 5, 2010.

## **Torture without Trace: song lyrics**

Reproduced below are lyrics to two of Tashi Dhondup's songs, which are published at [High Peaks, Pure Earth](#).

The first song expresses his sadness about the lack of freedoms of the Tibetan people, while "1958-2008" compares the repression of Tibet from March, 2008 onwards with the crushing of resistance to the Chinese takeover in Amdo, eastern Tibet, in 1958.

## **Torture Without Trace**

First, a sad tune for my brother hasn't returned from afar  
Second, the pain because there is no harmony for people  
Third, the occupation and denial of freedom for Tibetans  
This is all torture without trace

First, the regret as our ancestral wealth is lost to outsiders  
Second, the pain that we aren't the owners of our resources  
Third, the practice of sterilisation to wipe out our race  
This is all torture without trace  
This is all torture without trace

First, the hurt from being denied my parents' love  
Second, the failure to hear the inner voices of my people  
Third, the grief that our mountains are belittled  
This is all torture without trace  
Third, the grief that our mountains are belittled  
This is all torture without trace

## **1958 - 2008**

Hey!

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The year of 1958,  
is when the black enemy entered Tibet,  
is when lamas were put in prison.

That time was terrifying  
That time was terrifying

Hey!  
The year of 1958,  
is when Tibetan heroes were put in prison,  
is when innocent Tibetans were put in prison.

That time was terrifying  
That time was terrifying

Hey!  
The year of 2008,  
is when innocent Tibetans were tortured,  
is when the earth destroyed people's lives.

That time was terrifying  
That time was terrifying

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**[1]** The first translation into English of the full text of the Panchen Lama's 1962 "70,000 Character Petition" was published by the Tibet Information Network, now closed, as: "A Poisoned Arrow: The Secret Report of the 10th Panchen Lama." At the time he wrote the Petition to Mao, the 10th Panchen Lama was the most senior religious leader remaining in Tibet. Believed to be the most extensive internal criticism of Chinese Communist policies ever submitted to the leadership, Mao Zedong reacted by denouncing the report as "a poisoned arrow shot at the Party" and its author as "a reactionary feudal overlord." Two years later the 10th Panchen Lama was condemned as an enemy of the people, and spent most of the following 14 years in prison or under house arrest. Written four years before the start of the Cultural Revolution, the Petition argues that China's policies were leading to the eradication of religion, the decline of Tibetan culture and potentially to the elimination of Tibetans as a distinct nationality.

**[2]** The authorities also issued directives on coverage of the earthquake, saying that state media should reduce coverage of the consequences of the earthquake, not focus too much on the role of Tibetan Buddhist monks in helping the victims, and prioritise coverage of the Shanghai Expo. (Reporters without Borders, rsf.org, April 30, [http://en.rsf.org/shanghai\\_en.html](http://en.rsf.org/shanghai_en.html)).

**[3]** The revised State Secrets Law, passed on April 29 by the Standing Committee of the National People's Congress, China's legislature, will take effect on October 1, 2010.

**[4]** An essay in the collection reads: "Shikalo [Jakpalo] a man in his forties from Charo Xiang in Ngaba county, was beaten to death on false charges. His precious life has fizzled out. This father and cornerstone of his household leaves behind him a widow and [five] orphans, weeping inside. This life-demeaning disaster has ruined life for one household." For a full report on the death of Jakpalo, see: [Deaths of two Tibetans after torture](#).

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