

Death penalty for Tibetan after death of wife in Ngaba

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The Chinese state media Xinhua reported on August 16 that the Intermediate People's Court in Ngaba (Aba) Tibetan and Qiang Autonomous Prefecture had sentenced a Tibetan man, 32-year old Dolma Kyab (Chinese transliteration: Drolma Gya), to death for 'killing his wife and burning her body to make it look as if she had self-immolated.' Full details of the circumstances of Kunchok Wangmo's death are not known. The imposition of the death penalty is rare in Tibet and there are concerns that the verdict may have been influenced by political circumstances.

The death penalty for 'homicide' was handed down by the Intermediate People's Court in Ngaba (Chinese: Aba) Tibetan and Qiang Autonomous Prefecture in Sichuan (the Tibetan area of Amdo) on August 15. According to Xinhua, "The court found that at 11 p.m. on March 11, Drolma Gya choked his 29-year-old wife Kunchok Wangmo to death with a scarf in their apartment in Zoige [Tibetan: Dzoge] County following an argument over his drinking." The Xinhua report also stated that Dolma Kyab "burned the body because he believed an apparent self-immolation would help him cover up the crime, as well as preserve his dignity and that of their daughter." (Global Times, [Man sentenced to death after faking wife's self-immolation](#)).

According to Chinese law, the case must now be reviewed by a higher court. If a first trial by an intermediate people's court hands down the death penalty, the first appeal is conducted by a High People's Court' and also by the Supreme People's Court. The higher courts have the power to change the verdict, including to impose a death sentence suspended for two years, which generally means life imprisonment. If the death penalty is upheld without reprieve, the execution is generally carried out shortly afterwards.

The circumstances of the case are still unclear due to the oppressive political environment and climate of fear in the area. According to some Tibetan sources, which could not be confirmed, Kunchok Wangmo set fire to herself late at night and died. Even while the details are not known, the authorities in Ngaba quickly sought to frame a case against Dolma Kyab, accusing him of killing his wife. Radio Free Asia and other Tibetan sources reported that on the morning after Kunchok Wangmo's death, security officials came to the family home and offered substantial bribes for Dolma Kyab to say that she had committed suicide due to family problems. The same sources say that his arrest followed his refusal to do so, although full details of the circumstances are not known.

The Xinhua report makes no mention of any evidence in this case other than a 'confession' by Dolma Kyab. It is known that torture is frequently used to extract confessions in China, and that Tibetan prisoners are often tried secretly behind closed doors without legal counsel of their own choosing. Bhuchung Tsering, ICT's Interim President, said: "The news of this death sentence raises serious questions, particularly in such a politically-charged environment. Given the secretive nature of the detention and trial of Dolma Kyab, it appears that he may not have received a fair trial and due process."

The International Campaign for Tibet called upon governments to seek an urgent review of the case.

The Chinese authorities have launched an aggressive new drive to criminalize self-immolations in Tibet. In January, a Tibetan monk named Lobsang Kunchok was given a suspended death sentence, and his nephew Lobsang Tsering sentenced to ten years for "intentional homicide" connected to the self-immolation of eight Tibetans in Ngaba (Chinese: Aba) - although five of the self-immolations never occurred (ICT report, [Distress at death sentence for Tibetan accused of 'inciting 'self-immolation'](#)). The severe sentences were the first to be imposed against individuals who have allegedly 'incited' or 'coerced' Tibetans to self-immolate.

The sentencing and elaborate propaganda efforts surrounding the trial of Lobsang Kunchok and Lobsang Tsering (news of the alleged conspiracy was covered in the official press and state television) demonstrated a hard line and more systematic response by the authorities to recast the self-immolations as criminal acts and attribute blame for the self-immolations to 'outside forces.'