

Behind bars: prison conditions in Tibet

Tibetan Centre for Human Rights and Democracy

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The Tibetan Centre for Human Rights and Democracy (TCHRD) is a non-governmental organisation founded in January 1996 and registered under the Indian Societies Registration Act on May 4, 1996. The Centre was established in response to a need for effective monitoring of the human rights situation in Tibet and the promotion of democracy in the Tibetan community. TCHRD relies primarily on testimonials provided by Tibetan refugees in India, in addition to sources within Tibet and other concerned human rights groups.

Introduction

The report "Behind bars: Prison Conditions in Tibet" has been collated primarily on the basis of 22 interviews that were conducted in the first half of 1998 in Dharamsala, India. All the interviewees are former Tibetan political prisoners who have been living in exile for periods ranging from 11 years to less than one year. They were chosen so as to provide accounts of a selection of prisons and time periods, although greater emphasis is given to Drapchi Prison and Gutsa Detention Centre as the penal institutions in which most prisoners are held. Accounts from the last ten years are emphasised to make the report relevant to the present treatment of political prisoners. The report is limited in its scope to the treatment received by political prisoners, as they are the only sample of prisoners readily available for interviews. While the information has been compiled solely on the basis of interviews, it has been cross-checked to the extent possible.

Medical treatment of political prisoners in Tibet

Former prisoners consistently complained that they were unable to get adequate or appropriate medical care. An alarming number of the interviewees had been released on medical parole into hospital care as the prison clinics were unable to provide them with sufficient care. The prisons appear to all have clinics, staffed by either doctors or nurses, but frequently the clinic staff seemed to simply dispense medicine rather than perform check-ups. Concerningly, the medicine that was handed out was often outdated and inappropriate for the symptoms complained of. Many former prisoners reported that the clinics only had one or two types of medicine and that no matter what symptoms they complained of they were given either painkillers or sleeping pills. Many of the interviewees believed that they received a lower standard of medical care because they were political prisoners.

The limited level of medical care available at the prisons was apparent from the way prisoners were treated if they developed a serious illness or complications. If they were lucky enough to receive treatment, and unfortunately some died from inadequate or belated treatment, the prisoners were taken to one of Lhasa's hospitals where they were kept until they showed signs of recovering. One example of a prisoner's death whilst in custody is that of Lhakpa Tsering, who died in December 1990, probably from inadequate medical care after

beatings that caused internal injuries. His death led to a protest that all the political prisoners at Drapchi Prison participated in. Several interviewees also reported the death of Tsamla, a Lhasa businesswoman in her thirties, who died on August 25, 1991, some months after her early release from a three-year sentence. The exact cause of her death is not known but she sustained damage to her internal organs, probably from repeated and brutal beatings whilst in prison. She had been sent to the hospital for exploratory surgery shortly before her release, which supposedly was for "good behaviour" but more likely was because prison authorities did not want her to die in prison.

A recent case of a political prisoner dying in prison is that of Ngawang Dekyi, a 25-year-old nun, who died on January 21, 1998 after being hospitalised for 16 days. Prior to being taken to Lhasa Regional Military Hospital on January 5, 1998, she had been serving a six-year prison sentence at Drapchi Prison. The *topden* who performed her sky burial reportedly said that: "From the injury marks it looked as though the deceased had received severe beatings and as a result blood had entered the circulatory veins of the brain, turning it red and blue. The red and blue colours on the shoulder blades also indicated severe beatings."¹ While Ngawang Dekyi was admitted to hospital, it was evidently too late to save her life.

Article 54 of the People's Republic of China (PRC) Prison Law stipulates:

"A prison shall be equipped with a medical installation as well as facilities for daily healthcare. It shall establish a system for the inmates' living and sanitation facilities."²

Similarly, Article 26 of the PRC Detention Centre Regulations provides:

"A detention centre shall be equipped with the necessary medical instruments and common pharmaceutical products. An inmate falling ill shall be given timely care; one in need of hospitalisation shall be given prompt treatment by the local hospital; one whose illness is serious may be released on bail pending trial, in accordance with the law."²

Prisoners who were hospitalised were generally accompanied to the hospital by prison guards and, in some cases, were even handcuffed to the hospital bed. If the hospitalised prisoners did not show any signs of improvement, their families were generally made to sign a document saying that they would take responsibility for them. Such "responsibility" meant paying for the total cost of their medical care from the date the responsibility letter was signed. A disturbing number of interviewees were hospitalised following beatings. In such cases it is even more abhorrent that prisoners' families were made to bear the financial burden of their medical care. If hospitalised prisoners did recover, they were returned to the prison from which they had been released on parole.

Prisoners seemed to generally suffer either from injuries resulting from beatings or from illnesses resulting from the unhygienic conditions they were kept in. Ex-prisoners also complained that they had a lot of difficulty digesting the normal prison food when they were ill but that they had nothing else to eat. A number of prisoners reported that when they were ill and hospitalised their families had difficulty recognising them. This is a clear indication of the poor health of many prisoners.

A further disturbing feature of prison life is the extraction of prisoners' blood. Almost all political prisoners who were interviewed reported that their blood was extracted and that none of them were asked for their consent to the procedure. The amount taken varied from approximately 200 ml. to over one litre. No one was given a satisfactory reason for the blood extraction – prisoners were sometimes told that they were having a check-up but the amount of blood taken and the fact that it was often only taken from Tibetan political prisoners rather than Chinese prisoners makes this questionable. Article 7 of the International Covenant on Civil and Political Rights provides: "... In particular, no one shall be subjected without his free consent to medical or scientific experimentation."

Given that none of the prisoners knew why their blood was extracted, and certainly never heard any results of the 'tests' it is possible that it was either taken for experimental purpose or to punish the prisoners. Either possibility is clearly inappropriate and the practice of extracting prisoners' blood should be stopped immediately.

Rule 22 of the UN's Standard Minimum Rules for the Treatment of Prisoners provides:

"22. (2) Sick prisoners who require specialist treatment shall be transferred to specialised institutions or to civil hospitals. Where hospital facilities are provided in an institution, their equipment, furnishings and pharmaceutical supplies shall be proper for the medical care and treatment of sick prisoners, and there shall be a staff of suitable trained officers."

Former prisoners routinely reported that they were not examined or checked in any manner when they complained of illness or injury. If the prison staff believed their complaints, they were simply given sleeping pills or painkillers, a far cry from the standards contemplated in the Rules.

Rather than receiving appropriate medicine, the prisoners were often given drugs that were many years past their 'use by' date.

A large number of the interviewees still suffer medical problems arising from injuries and illnesses that they sustained in prison.

References

1. Tibetan Centre for Human Rights and Democracy. Human Rights Update 1998;3(13).
2. UN Document CAT/C/20/Add. 5, 15 February, 1996. [Second periodic reports of States parties: China].

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Auspicious drawing

The auspicious drawing symbolizes the mutual dependence of religious doctrine and secular affairs. Similarly, it represents the union of wisdom and method, the inseparability of emptiness and dependent arising at the time of path, and finally, at the time of enlightenment, the complete union of wisdom and great compassion.

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