

Leading Tibetan businessman fights for life in prison as siblings seek to secure release



Table of contents

Executive Summary.....	3
Dorje Tashi: from outstanding Party member to life in prison.....	4
Torture testimony: ‘even Tibetan prison staff could not bear to watch’.....	5
A nightmare that is everywhere: China’s secret police and torture in ‘black jails’	6
A Tibetan ‘Red Roulette’: vengeance and corruption led to sentencing, family alleges	8
Fabrication of charges against other Tibetans leads to torture and long prison sentences	12
Rotating charges support evidence of fabrication.....	13
Failed appeals and conviction: “a sensitive case involving Tibet”	14
Courageous protests by Dorje Tashi’s sister appealing for access and his release	16
Recommendations	18

Executive Summary

A leading Tibetan businessman serving a sentence of life imprisonment in Tibet was repeatedly tortured whilst in custody in Tibet due to charges that were reportedly fabricated against him and his brother by a top official in the Chinese Communist Party.

Dorje Tashi, 50, one of Tibet's richest businessmen who had won multiple awards from the Chinese Communist Party, has provided the most detailed account of torture and interrogation known to have emerged from a Tibetan prisoner who is still incarcerated. As a member of Tibet's wealthy super elite, Dorje Tashi's case is a Tibetan 'Red Roulette' - similar to those of more well-known wealthy Chinese Party members such as businessman Desmond Shum who received death threats after revealing networks of wealth, power, corruption and vengeance in today's China.¹

This report covers new aspects of the case, detailing:

- The rejection of Dorje Tashi's appeals despite Chinese lawyers' legal opinions and the cursory treatment of the evidence, which supports the lawyer's allegations that the appeals court and the Supervision Commission were acting under political instructions;
- The glaring contradiction with a previous case involving Chinese defendants, who got shorter sentences, and the reported detention of a key witness until he gave evidence to suit the police;
- Evidence from inside the prison and other Tibetan sources point to the existence of a specialist team or unit in Beijing of the feared 'Guobao' or secret police, who carried out the most severe torture;
- The first 12 days of Dorje Tashi's torture and interrogation occurred outside of official detention centres, believed to have been a military camp in Lhasa - a 'black jail'. His mistreatment continued

after transfer to an official detention centre, although here security personnel attempted to prevent the interrogation team from excessive brutality.

International rights organisations have documented numerous cases of deaths following extreme torture in Tibet and China.

Fifteen years on, after exhausting official routes, Dorje Tashi's siblings have turned to bold public appeals and advocacy to demand justice for their brother. Dorje Tashi's elder sister Gonpo Kyi has staged sit-ins in front of the People's Court in Lhasa and in July released a video message saying: "It is 2023 and I am still prohibited from writing a letter to my brother."² In an open letter, Dorje Tashi's older brother Dorje Tseten (Duoji Cidan) - who served six years in prison - gave a forensic account of how powerful officials have distorted the facts of the case to frame him.

Officials in Tibet have been accused before of fabricating serious criminal charges against Tibetans for little or no apparent reason, leading to lengthy sentences for several members of a family. Karma Samdrub, who was, like Dorje Tashi, one of the wealthiest Tibetan businessmen in China, received a 15-year sentence for an 'unauthorised' purchase 12 years earlier of an antique carpet from a shop in Xinjiang, also an inexplicably severe sentence for a minor offence.³

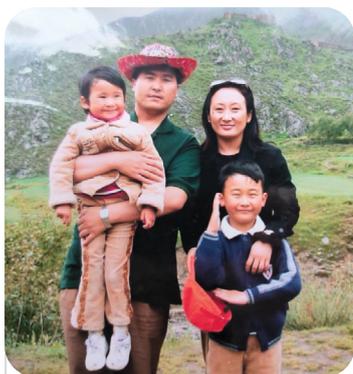
Turquoise Roof has consulted more than 12 documents relating to Dorje Tashi's case for this report, providing insights into the workings of the courts and lawyers in China. This includes eight statements by Dorje Tashi, his brother, or other family members; one court document; two statements by Chinese lawyers about the case, an interview with an informed Tibetan official, and interviews with several of Dorje Tashi's relatives now living in exile.

Dorje Tashi: from outstanding Party member to life in prison

Dorje Tashi (Chinese transliteration: Duoji Zhaxi) was born on 25 October 1973, in Labrang, Amdo (now Gansu province) and was once recognized as one of the “ten outstanding youth in Tibet” by the Chinese government. His company Tibet Manasarovar Group owned a chain of luxury hotels in Tibet, including the famous Yak Hotel in Lhasa. He met the then Chinese Party Secretary Hu Jintao and the then premier, Wen Jiabao, in 2005, two years after joining the Chinese Communist Party.⁴

In 2008, Dorje Tashi's company, the Shenhu Group (which grew from a company based in the Netherlands), was praised by Party officials for offering water and other support to security forces after protests in Lhasa⁵ and for having its more than 800 employees sign agreements “upholding the unity of the motherland and opposing the ethnic separatists”.⁶

A state media report described Dorje Tashi as “like an eagle above a snowy high plateau, leading the Shenhu Group to hover on the sky of history.”⁷ He was also known for his social welfare work; he gave donations to the widowed and elderly and the children of poor workers in Lhasa's Tsemonling nursery school, and mobilized funds and volunteers during earthquakes and floods in Shigatse. For his businesses and philanthropy, he received multiple awards from the CCP and the government of the Tibet Autonomous Region (TAR), the Gannan (Tibetan: Kanlho) Prefecture government in Gansu and the Shigatse Communist Youth League. He received the ‘Tibet May Fourth Youth Medal’ and was appointed as a chancellor of Jianhua Vocational High School in Nanchong City in Sichuan. A document submitted to the courts by his lawyer Wang Fei also described him as a former deputy to the 11th National People's Congress of Shigatse, the TAR.⁸



Dorje Tashi, his wife Tsekyi (Sonam Choedon) and two children. Image shared by relatives now in exile.



Dorje Tashi in his office prior to his imprisonment in 2008. Image shared by relatives now in exile.



Dorje Tashi (right, with child in his arms), his elder brother Dorje Tseten (left), with a relative, Kelsang, who is now in exile. Image shared by relatives now in exile.



Dorje Tashi's sister Gonpo Kyi, who has carried out courageous protests and issued video statements from Tibet on her brother's behalf, with their late mother. [Image shared by relatives now in exile.

The Chinese authorities have never released any information about the case, but in October 2018 lawyers acting for Dorje Tashi revealed that the court had convicted him for the crime of loan fraud. An expert legal opinion issued by a Beijing-based law firm commissioned by the family concluded that it was “impossible” for the evidence to be construed as a case of fraud or to merit a life sentence.⁹

Torture testimony: ‘even Tibetan prison staff could not bear to watch’

Dorje Tashi was detained in Lhasa, the Tibetan capital, in July 2008.¹⁰ After two years in detention,¹¹ the Lhasa Intermediate People’s Court sentenced him to life in prison at a secret trial and ordered the confiscation of all his property and funds.

In August 2021, an overseas Chinese human rights organisation¹² published a statement by Dorje Tashi in which the prisoner described in his own words how he was interrogated whilst in detention. The account, written in Chinese and verified by family members as genuine, describes six types of torture, beginning on the first or third day¹³ after he was detained. The first type involved sleep deprivation combined with intense questioning. Initially, this took place from 13 to 17 July, 2008, during which the prisoner was interrogated without sleep for 120 hours¹⁴ by teams each consisting of three to five security officers from the Tibet Autonomous Region (TAR) on four-hourly rotations during the day, and a team of two security operatives - apparently sent specially from Beijing - during the night.

The second form of torture began on 14 July and was carried out by the two security operatives from Beijing named as Liu and Ma from 8pm each night to the following morning. The operatives made him stand

on a chair, fixed his handcuffed arms to an iron bar above his head and then removed the chair.¹⁵ Dorje Tashi reported that he was suspended by the handcuffs for several hours each time so that “the hard iron handcuffs pierced through my skin and flesh...the pain was excruciating”, until he passed out. [They] shocked him into consciousness with an electric baton. The procedure continued all night for four nights until the daytime team resumed questioning each morning.

Dorje Tashi describes a third form of torture that began on day six of the interrogations (18 July 2008). The Beijing team cuffed his hands behind the interrogation chair, tied his legs to a cement block, put a plastic bag or sack over his head and slowly tightened it until he “felt extreme difficulty and desperation from shortness of breath [and] my heart and lungs almost explode out from my chest.” This process continued until he lost consciousness and the interrogators released the plastic sack. They repeated the process at least 12 times that night.

The Beijing team used a fourth form of torture, also on day six, in which they pushed the prisoner’s head back, inserted a straw into his nose and poured a heated fluid with chili powder into his nose, and then applied the plastic bag over his head and again tightened it. Dorje Tashi wrote that: “I felt that my head, eyes, and body were burning in fire [as if] death was coming soon.”

The interrogators carried out the process of repeated aerial suspension each night for ten days, by which time Dorje Tashi says he had been unable to swallow food or water for four days. On Day 11, 22 July 2008, he was moved to a different detention centre, and on the following day the two interrogators from Beijing again repeatedly suspended him by his wrists from a bar. They also used a fifth torture method: they applied high-voltage electric shocks to his body until “I could feel my entire body in convulsions, I fell down and my face and head hit the concrete floor heavily, and I lost consciousness. When I was awakened, my mouth was full of blood.”

On 28 July, the Beijing team used a sixth method: “With deep hatred, Mr Liu and Ma used the hard rubber mace repeatedly to beat my legs, and, soon after, my legs were swollen and purple, and I was carried back (unconscious) to the Detention Centre cell.”

At this point, the head of the facility intervened: “The guards recommended that I should be taken to the hospital for emergency care. However, the interrogation team ignored them. With tears in his eyes, the head of the detention centre sympathetically decided that his guards when ordered by Liu and Ma to bring me to the interrogation cell henceforth can only leave after locking the iron bar gate [which meant that Liu and Ma would be deprived of physical access to Dorje Tashi].”

This round of interrogations continued for a further 22 days, until 9 August, day 50, when he was finally charged with a crime. The interrogations continued for a number of weeks during which he was held in solitary confinement in a cell.

In his testimony, Dorje Tashi wrote: “With no sunlight at all, the detention centre was very dark and cold. Lit by a single bulb, there were several detainees sleeping side by side like worms on hard wooden planks. The hard and dirty quilts we were given had a terrible stench and were infested with lice. It was extremely cold in the cell during the winter.

“The sound of the dripping tap made the cold [feel] even worse. Ice formed on the sides of the bed and on the floor. Even saliva from one’s mouth quickly turned into ice. The detainees are fed twice a day. For lunch, it was noodle soup and rice porridge for dinner. The portion was very small, and the detainees felt hungry all the time. At night, armed police randomly show up and call out a detainee by his name. It was very hard to sleep.”

A report by a family member or close associate to the family’s lawyer says that over the following 13 years, as punishment for insisting on his innocence, Dorje Tashi was held for unknown periods in a confinement

cell with hands and feet shackled to the floor, and on frequent occasions was suspended by his hands from the door of his cell as a warning to other inmates.¹⁶ In September 2020, he wrote to his lawyer that he was “still held under special restrictive control measures [...] long-term without access to fresh air, or sunshine” and that his health was deteriorating, with intestinal problems, haemorrhoids, varicose veins and inadequate medication.

A nightmare that is everywhere: China’s secret police and torture in ‘black jails’

The statement by Dorje Tashi and other accounts by relatives imply the existence of a specialist police team or unit in Beijing from the Guobao or the secret police from which two officers were sent to Lhasa to conduct the interrogation of Dorje Tashi. The statement describes in detail these two interrogators, who carried out the torture procedures on him, usually at night. His description suggests that these men belonged to a specialist interrogation team in Beijing, familiar with extremely violent methods, from which they had been sent to Lhasa following the arrest of such a high profile prisoner.

“For Chinese dissidents, guobao means nightmare,” said Chinese writer Murong Xuecun, describing the Guobao as ‘secret police’. Describing his experience in 2014, Murong Xuecun wrote: “The guobao is rarely mentioned in news reports, and few people know the details of its budget and structure. It is everywhere, it is all-powerful, and it can make people suffer at any time.”¹⁷

A central Guobao team or unit specialising in interrogation techniques and torture sent from Beijing to Tibet has not been documented before. The two interrogators, whose surnames were given as Liu and

Ma, overruled repeated complaints from the local police and prison staff about their use of excess violence. In the end the two interrogators had to be deterred by local Tibetan prison officials from having physical access to the prisoner, whose survival appears to have been at risk, according to Dorje Tashi's statement.

A relative of Dorje Tashi who is now in exile said that when individuals from this unit come from Beijing or cities at provincial level, local officials and prison security "have no knowledge about when they are going to arrive and what they are looking for", and that they would normally only be deployed in high profile cases.

The two interrogators from Beijing reportedly told Dorje Tashi that they or their unit within the Public Security Bureau was not answerable to any other entity. They described themselves as "public security officers with a special mandate and with special powers" and said that China's legislature, the National People's Congress, legally speaking the supreme organ in the Chinese political system, "cannot interfere in our work as our mandate is specially empowered ... To tell you in simple words, even if we kill or handicap you, we are not liable under the law."¹⁸ The two men also claimed that after major unrest in Lhasa in March 2008, "We have killed people like you during investigation. Nobody can do anything about it. If you do not cooperate, you too will meet the same fate."

Human Rights Watch documented the prevalence of torture by police officials in its 2015 report, "Tiger Chairs and Cell Bosses",¹⁹ which noted 432 documented accounts of torture in China during 2014. Human Rights Watch and other international organisations have also documented cases in China where interrogation of detainees led to their deaths in custody,²⁰ as well as cases in Tibet where detainees have died while or shortly after detention as a result of interrogation. International organisations including the International Campaign for Tibet and Human Rights Watch have

documented many deaths following torture in Tibet.

Goshul Lobsang, 43, died at home on 19 March 2014, following severe torture during his imprisonment. Goshul Lobsang, who was accused of being an organizer of a protest in 2008, had been beaten so severely that he could not even swallow his food. Images of him in the days before his death showed him looking emaciated at his family home in Machu (Chinese: Maqu) county in the Kanlho (Gannan) Tibetan Autonomous Prefecture in Amdo, today a part of northwestern China's Gansu province. Pema Tsepak, 24, a resident of Punda town in the Dzogang county of Chamdo prefecture in the TAR, died after torture following his detention for participating in a peaceful protest in January, 2009. His family were told that he had committed suicide.²¹

All but one of the cases of torture or severe mistreatment studied in detail for the Human Rights Watch report in 2015 occurred outside of official detention centres, in a form of "black jails",²² as was initially the case with Dorje Tashi – his first 12 days of interrogation took place in an unnamed site, believed to have been a military camp in Lhasa.²³ However, his mistreatment continued after transfer on 22 July 2008 to an official detention centre,²⁴ although he says that detention centre managers repeatedly tried to stop the interrogation team from excessive brutality.

A Tibetan ‘Red Roulette’: vengeance and corruption led to sentencing, family alleges

In February 2020, Dorje Tashi’s elder brother, Dorje Tseten, published a detailed statement online²⁵ stating that the successive cases brought against Dorje Tashi had been fabricated by court officials and police at the instigation of a senior Tibetan official called Norbu Dondrub. The accusations that Norbu Dondrub, 62, arranged for false charges to be made against Dorje Tashi cannot be independently confirmed, but are supported by other statements by family members citing Dorje Tashi’s first-hand statements,²⁶ and by an interview by Human Rights Watch with a mid-ranking Tibetan official from Lhasa.²⁷

Dorje Tashi’s brother, Dorje Tseten, 55, was detained on the same day as his brother and given a five-year sentence²⁸ for having illegally crossed the border, although the maximum sentence in Chinese law for doing so is one year in prison.²⁹ According to relatives, he was not released for another year and effectively served six years.

At the time of Dorje Tashi’s detention and trial, Norbu Dondrub was president of the TAR Higher People’s Court and a judge; he had previously served as the head of Public Security in Lhasa (1998-2002) and as the Mayor of Lhasa (2002-2006), and from 2016 until January 2021 he was an executive vice-chairman of the TAR.³⁰ From October 2017 to October 2022, Norbu Dondrub was an alternate member of the CCP Central Committee. At the age of 62, his career, now much more marginal as head of Trade Unions in the TAR, now appears to be in decline.

Dorje Tashi and his family allege that Norbu Dondrub fabricated the case against Dorje Tashi in part because of jealousy over a love

affair between Dorje Tashi and a woman who was also Norbu Dondrub’s mistress.³¹ They also claim that Norbu Dondrub wanted to frame a case against his immediate superior in the Lhasa government, Gonpo Tashi, then Party Secretary of Lhasa,³² and a political rival, who was a close friend of Dorje Tashi’s. Norbu Dondrub therefore allegedly instructed the interrogators to get Dorje Tashi to confess to having bribed Gonpo Tashi, according to the allegations.³³

The statements by Dorje Tashi’s brother, and other statements attributed to Dorje Tashi,³⁴ say that Norbu Dondrub was joined in the conspiracy by two other leading senior police officials in Tibet: a Tibetan official called Dorje, former deputy director of the Shigatse (Rikaze) Municipal Public Security Bureau, and a Chinese official named Yang Guangming, former deputy director of the TAR Public Security Department.³⁵

According to Dorje Tashi, the two Tibetan officials made the initial accusations against him – namely, that he had been involved in funding Tibetan rioters – and subsequently instructed Yang Guanming to detain the two brothers for that offence, as well as to lead the 16-person team conducting the interrogation of Dorje Tashi.³⁶ Dorje Tashi also says that some two years later, when officials investigated his initial complaints, Norbu Dondrub told them that releasing Dorje Tashi “may not be conducive to stability in Tibet” – a very serious warning in the highly securitised political environment of Tibet that other officials may have felt unable to contest or ignore, given Norbu’s seniority in the region. This allegedly led the court to agree to give him a life sentence, and later led investigators from the Procuracy (China’s agency for judicial supervision and complaints) to reject Dorje Tashi’s formal complaints against Norbu Dondrub.³⁷

Dorje Tseten, in an internal complaint to China’s National Commission for Supervision, repeats these allegations in a separate document. He says that Norbu Dondrub used “his authority within the justice system in Tibet” at four points during the investigation

China's prison system in Tibet

In a political climate of tightened control, the Chinese system of prisons, detention centres and 'black jails' in Tibet is an almost impenetrable black box.

Lhasa, once Tibet's cultural and historic heart, has been remodelled as an urban hub of hyper-securitization at the same time as being promoted as an exotic destination for Chinese tourists. In one chilling juxtaposition, the five star InterContinental Lhasa Paradise overlooks the most notorious detention center in Lhasa, Gutsha, which has a reputation for brutal torture of Tibetan monks, nuns and laypeople under interrogation following peaceful political protests. (<https://savetibet.org/chinas-control-state-in-lhasa/>).

The push to advance tourism to Tibet has changed the dynamic of investment in Tibet, drawing more foreign companies such as British chain the InterContinental Hotels Group to enter the Tibetan economy. (Other globally branded hotels now in Lhasa include the Starwood St Regis and the 'Four Points' by Sheraton.)

The level of violence directed at Tibetan political prisoners in all detention facilities and prisons in Tibet is frequently extreme and has resulted in Tibetans being left with severe scars, including paralysis, the loss of limbs, organ damage, and serious psychological trauma. Since overwhelmingly peaceful protests against the Chinese government swept across Tibet in 2008, the Chinese authorities have adopted a harsher approach to suppressing dissent and there has been a significant spike in the number of Tibetan political prisoners in Tibetan areas of the PRC.

There is also evidence that since 2008 torture has become more widespread and directed at a broader sector of society. Although the PRC officially prohibits torture, it has become endemic in Tibet, a result both of a political emphasis on ensuring 'stability' and a



The site of Drapchi Prison (officially known as 'Tibet Autonomous Region Prison'), 30 November, 2023.

Source: Image © Planet Labs PBC

culture of impunity among officials, paramilitary troops and security personnel.

According to Tibetan sources, Dorje Tashi is currently being held in Drapchi, officially known as Tibet Autonomous Region Prison. Drapchi is named after its location about a mile from the center of the city, around one kilometer south of Sera monastery and two kilometers north of the holy Jokhang Temple. Before the newer and modernized Chushur (Chinese: Qushui) Prison was built, Drapchi was the main place of detention for judicially sentenced political prisoners in the Tibet Autonomous Region. It is not labeled as a prison on Google Earth. New satellite imagery of the prison reveals significant modernization and expansion of the prison in recent years. A former political prisoner at Drapchi said that when he was in prison in the late 1980s, he and other prisoners had been compelled to dig up trees and vegetation prior to the construction of greenhouses where they would later be forced to labour, growing vegetables. He said that the remains of numerous bodies were in the earth below Drapchi, from the killings in Lhasa during the uprising in March, 1959.

Since the protests of 2008 and subsequent crackdown, Drapchi and elsewhere in China's network of detention facilities in Tibet is even more impenetrable – which is why Dorje Tashi's testimony is so exceptional. Released prisoners are kept under tight surveillance and prevented from speaking about their ordeal, or about the welfare of other prisoners, to the outside world – and often even to close relatives. Relatives like Dorje Tashi's family are often prevented from visiting, and when they do, it is in conditions of tight security. Visitors to prisons in Tibet are also compelled to speak in Chinese, causing great distress to elderly relatives who only speak Tibetan and so cannot communicate with their loved ones.

See the International Campaign for Tibet's Submission to UN Committee Against Torture on China's actions in Tibet, November 16, 2015, <https://www.https://savetibet.org/icts-submission-to-un-committee-against-torture-on-chinas-action-in-tibet/>

into him and his brother:³⁸ to get the brothers detained and interrogated initially on political charges; to get new charges to be brought against them after the initial charges were dropped; to get the court to impose lengthy sentences on them; and to forestall an investigation into the court decision following the formal complaint by Dorje Tashi.

The case involved not just its principal target, Dorje Tashi. Dorje Tseten makes it clear in his statement that he too was detained by the Lhasa Public Security Bureau, on the same day as his brother, initially for the same offence, and later given a five-year prison sentence. According to relatives, two of the brothers' relatives, also brothers Dugkar Tashi and Tsultrim Gyatso were also detained, but these arrests are believed to be unconnected. Dugkar Tashi served six years in prison although he was sentenced to five. Details of the sentence served by Tsultrim are unclear, and have been reported as two years.³⁹

According to a formal statement by Dorje Tashi's lawyer in January 2020, a key witness for the defence was detained by police in November 2008 because case investigators considered he had a "bad attitude" when responding to their questions, implying that he had given answers favourable to Dorje Tashi. The witness was released only after 22 days in police detention after "cooperating" in the production of written testimonies.⁴⁰

Norbu Dondrub is known for strong statements criticising Tibetan monks, the exiled Tibetan leader the Dalai Lama, and critics of China's policies in Tibet. In 2011, he headed a year-long crackdown on monks and villagers at the famous monastery of Karma Gon in Chamdo that involved detentions, beatings, threats, political indoctrination, travel restrictions, and other abuses, apparently in an attempt to get local residents to provide information about participants in a small protest, and to intimidate the population from any future dissent or criticism of the government or the Party.⁴¹

One villager wrote in a diary at the time that Norbu Dondrub had told monks that "the PRC does not care whether there are monasteries or not" and that the PRC "follows the road of democracy, and officials, leaders and the common people all have the same rights."⁴²

In 2019, Norbu Dondrub told a press conference in Beijing, "The human rights situation in Tibet, I can tell everyone, is not just good, but very good."⁴³ He added, "The Dalai Lama attacking our human rights totally has ulterior motives. He tramples on human rights, and has no right, no qualifications, and is unworthy of talking about human rights."⁴⁴ In December 2019, while leading a delegation to Belgium, he "urged the Belgian side not to allow leaders of the Dalai group to visit Belgium, nor to provide any support for or facilitate the Dalai group's anti-China separatist activities", according to a Xinhua report.⁴⁵ Norbu Dondrub is currently Deputy Secretary and Deputy Director of the Party Group of the Standing Committee of the TAR People's Congress of the Autonomous Region and Chairman of the TAR Federation of Trade Unions.⁴⁶

Fabrication of charges against other Tibetans leads to torture and long prison sentences

This is not the first time officials in Tibet have been accused of fabricating serious criminal charges against Tibetans for little or no apparent reason, leading to lengthy sentences for several members of a family. In 2010, two other Tibetans, the brothers Rinchen Samdrub and Karma Samdrub, were also given extreme sentences for minor offences. According to numerous sources, Rinchen Samdrub was prosecuted and sentenced because he had criticised a senior police official in Chamdo, eastern TAR, for unauthorised hunting of endangered species near Rinchen Samdrub's village in Chamdo, where Rinchen headed a small environmental group.

His younger brother, Karma Samdrub appears to have been prosecuted because he had petitioned the authorities in Beijing about the persecution of his brother by the Chamdo police officials. Karma Samdrub, who was, like Dorje Tashi, one of the wealthiest Tibetan businessmen in China, received a 15-year sentence for the unauthorised purchase 12 years earlier of an antique carpet from a shop in Xinjiang, also an inexplicably severe sentence for a minor offence.⁴⁷

Karma Samdrub was also severely tortured. When his wife Dolkar Tso saw him later in court, she wrote that: "Only when he stood there [in the court] with his back to us, and started speaking, everyone's sadness just poured out. We all rather closed our eyes, we didn't want to look at this cold shadow, we just wanted to listen to this so very familiar voice – only this was really him, only this really managed to turn that poor fragile shadow into the person we remembered."

In her account, translated into English by

High Peaks Pure Earth,⁴⁸ Dolkar Tso said: "The account we heard [of his treatment in detention] exceeded our worst imaginations, we heard about hundreds of different cruel torture methods, maltreatment around the clock, hitherto unheard of torture instruments and drugs, hard and soft tactics, and even of fellow prisoners being grouped together to extract a confession. If he did not reveal certain details he would be mentally tormented. If he wanted to eat or go to the toilet he had to write an 'IOU', an 'IOU' (which had already amounted to 660,000 RMB or \$96,864 in the currency at that time). The 'purchased' food would first be crushed by people using their feet, there would be beatings for no reason, this was common and occurred too many times to count. He said in a sad voice that he had already prepared for death and he had written a letter to tell his relatives what to do. Two elderly interpreters had red eyes and started crying bitterly. The lawyer also almost started crying."

Four other members of the same family received sentences or were persecuted by police for even smaller offences at the same time:⁴⁹ younger brother Chime Namgyal received a 21-month sentence in a re-education-through-labour camp for the same offence as Rinchen Samdrub;⁵⁰ Sonam Choephel, a first cousin, was sent for one year's re-education through labor for "organizing petitions" in support of the three brothers;⁵¹ first cousin Rinchen Dorje was reported to have disappeared after having been taken away by police for questioning about his links to the case;⁵² and Tashi Topgyal, also a cousin, was taken away by a dozen or more police from his home in Lhasa on July 5, 2010, after searching for Rinchen Dorje.⁵³ Karma Samdrub's mother, who is in her seventies, was beaten unconscious by police led by an Party official from Chamdo prefecture called Chen Yue during the raid in which Rinchen Samdrub and Chime Namgyal were being taken into custody from the family home in August, 2009.⁵⁴

The sentencing of Dorje Tashi has not received the same level of attention as the sentencing of prominent businesspeople in

China to lengthy prison terms, coinciding with a government crackdown on the most successful private enterprises in China including the e-commerce company Ali-Baba Group and Didi, the ride hailing company. Agricultural tycoon Sun Dawu, sentenced in 2021 to 18 years in prison, is a notable recent example. Sun, 67, had in the past spoken out about politically sensitive topics - he was one of the few people to openly accuse the government of covering up an African swine flu outbreak in 2019. Unlike Sun, however, Dorje Tashi had stayed away from politics and had consistently been praised by the CCP.

Rotating charges support evidence of fabrication

Allegations that the cases against Dorje Tashi and Dorje Tseten were fabricated or malicious are supported by evidence that interrogators accused the two brothers of a new and unrelated crime each time they failed to extract or find any evidence to support a previous allegation. The interrogators initially detained both brothers “on suspicion of funding criminal activities endangering national security”, an extremely serious offence, alleging that they had secretly given funds to Tibetan rioters who ransacked parts of Lhasa during anti-Chinese protests in March 2008.

Dorje Tashi, who had been publicly praised over many years by the Chinese authorities for his support of the government and its policies, including during the protests and riots, denied these accusations, as did his brother. According to the statements by the older brother, this initial line of questioning against them was dropped⁵⁵ and their cases were transferred from the National Security section of the TAR Public Security Bureau to its Criminal Investigation unit. It then accused Dorje Tashi of attempting to bribe Gonpo Tashi and Dorje Tseten of illegally crossing the border.⁵⁶

On 19 August 2008, the Lhasa City Procuratorate formally re-charged Dorje Tashi, this time with bribery; Dorje Tseten was also formally charged (and later convicted) with the offence of illegal border-crossing. On 25 October 2008, after a further two months and six days of interrogation, when Dorje Tashi refused to confess to the bribery charges and no evidence was found to support them, the interrogators shifted to the accusation that he had evaded tax.⁵⁷ Subsequently, according to the statement by the elder brother, the interrogators and the prosecution agency dropped the previous accusations and instead alleged that Dorje Tashi had falsified his claim to ownership of a company in order to obtain a bank loan.

Despite denials by the prisoner, that became the charge used by the court for which he was convicted, while Dorje Tseten was convicted for the border offence. The successive changes in the charges levied against the brothers provide circumstantial support for their claims that the cases against them were fabricated.

Failed appeals and conviction: “a sensitive case involving Tibet”

On 26 July 2010, the Tibet High Court heard Dorje Tashi's appeal against his conviction. The High Court, of which Norbu Dondrub was then the president, rejected the appeal.⁵⁸ In 2013, with the help of a Chinese human rights lawyer, Dorje Tashi petitioned the TAR authorities responsible for supervision of criminal cases and malpractice by officials, including the Tibet Commission for Discipline Inspection and other agencies.⁵⁹ Allegedly, Norbu Dondrub advised the investigating officials from these agencies that “Dorje Tashi's release would never be conducive to maintain the stability in Tibet”,⁶⁰ and these investigations were aborted.

This led Dorje Tashi and his lawyer to file an appeal in 2013 to the national-level Supreme Court in Beijing.⁶¹ They included in the appeal documents Dorje Tashi's statement describing his torture, as well as other documents, and requested a retrial. The appeal did not receive a response until November 2019,⁶² six years later, when the request for a retrial was rejected. No reason was given.

In 2018, at the request of a Beijing law firm,⁶³ a group of six lawyers, former judges and law professors⁶⁴ produced a legal opinion concerning Dorje Tashi's conviction. It found that the evidence against him did not meet the legal definition of loan fraud and that the life sentence that the court had imposed on him was therefore not sustainable.

In January 2020, following the PRC Supreme Court's rejection of the 2013 appeal, a Beijing-based lawyer, Wang Fei, filed a complaint on behalf of Dorje Tashi's brother and sister with China's Supreme Procuracy, the body that oversees the conduct of China's courts and police. The complaint noted that the Supreme Court had not reviewed the case or given reasons for its

decision declaring that it would do so, and suggested that it might have been influenced by political factors: “It is understood that some judicial personnel have ‘revealed’ that the reason why the case has fallen into such an embarrassing situation is because this case was originally a sensitive case involving Tibet.”⁶⁵

The complaint also presented new evidence in support of Dorje Tashi. The original conviction had concerned documents presented by Dorje Tashi to a bank as collateral for a loan in 2004. The documents showed that a real estate development company affiliated to Dorje Tashi owned the rights to 22.7 acres of land, as well as other assets, which had previously been transferred to Dorje Tashi's company from another, related company. The prosecution argued that the major shareholder in that related company had been unaware of the transfer of these assets, and that the documents, the company, the land rights and the loan were therefore fraudulent.⁶⁶

Dorje Tashi's lawyer, in the 2020 complaint, presented evidence that the major shareholder had put his official seal on the land transfer agreement, had received a payment of 1.6m yuan for the transfer, and had not denied that he signed a document specifically agreeing to use of the land for the loan by Dorje Tashi's company. Dorje Tashi's lawyer also reported that he had himself interviewed a witness in 2019 who had testified to police in 2008 that the major shareholder had been present at meetings with the local authorities where the transfer of land rights was confirmed. The witness,⁶⁷ Dorje Tashi's lawyer discovered, had been detained by police during the initial investigation in November 2008 because of having a “bad attitude”, apparently because he had given answers favourable to Dorje Tashi.

The witness was held in a detention centre for 22 days, during which he “was asked to cooperate in the production of the testimonies and handwritten materials”. The lawyer argued that this raised doubts about

the reliability of other witness statements produced by the prosecution: “it cannot be ruled out that other witnesses were illegally detained and illegally made by the case investigators to provide testimony not favourable to Dorje Tashi. This is a reasonable doubt.” Based on these and other factors, the complaint called on the authorities to retry the case.

In January 2021, Dorje Tseten sent a complaint in his own name to the top body in China that is responsible for overseeing the conduct of government officials, China’s National Supervisory Commission, which by that time had merged with its Party equivalent, the Central Commission for Discipline Inspection. In September 2022, he published a public version of that complaint. Those complaints, besides restating the evidence that the conviction of Dorje Tashi was unsustainable, said that the case against Dorje Tashi had been fabricated by Norbu Dondrub and his associates.



Dorje Tashi’s brother, Dorje Tseten. Image shared by relatives in exile.

In these complaints, Dorje Tseten outlined the evidence supporting the allegations that Norbu Dondrub or others had interfered in the decisions of the police, prosecutors and the courts. Dorje Tseten pointed out that the bank involved had not suggested it was a victim of a crime and had never pressed for any criminal charges to be made against Dorje Tashi: the dispute over the loan was a civil matter. Secondly, the loan had been repaid in full including interest before the final court hearing.⁶⁸ Thirdly, Dorje Tashi had ample assets to repay the loan from other sources, if that had been necessary, so the bank would not have suffered any loss. Dorje Tseten also confirmed that the investigators and prosecutors had rotated successive charges against him and Dorje Tashi until they found one that could be tried in a court, and noted the legal opinion that even if the collateral for the bank loan had been improper, the case should have been tried as a lesser offence of embezzlement rather than fraud.

Dorje Tseten also noted that, even if Dorje Tashi had committed fraud, sentencing him to life in prison for a bank loan of 1.44m yuan was incompatible with sentencing in similar cases. In particular, in a notorious case five months before Dorje Tashi’s trial, a Chinese businesswoman and her husband had had received far shorter sentences from the same judges in the TAR High Court⁶⁹ for loan fraud involving 53m yuan⁷⁰ - and that had been the largest fraud case in the history of the TAR. These factors pointed to political interference in the case, and the complaints called for the Party and “the relevant departments to establish an investigation into Norbu Dondrub’s behaviour”.

Courageous protests by Dorje Tashi's sister appealing for access and his release

There have been no reports of any response by the authorities to the lawyer's complaint to the Supreme Procuracy in 2020 about the trial or to Dorje Tseten's complaints to the Party and the Government about political interference in his case and that of his brother. Dorje Tashi is held in the TAR Prison colloquially known as Drapchi Prison, in Lhasa, and his wife Tsekyi (also known as Sonam Choedon) reportedly has not been allowed to see him since December 2019.

Dorje Tashi's sister Gonpo Kyi (known as Gonte, Chinese transliteration: Gongbao Ji) courageously staged a peaceful protest in front of the Higher People's Court of the TAR in Lhasa on 19 December 2022 to call for her brother's release. Gonte stood for around 15 minutes with a placard on which 'Dorje Tashi is innocent' was written in Chinese before security officers removed her from the court gate. Video recordings showed a security officer trying to remove Gonte, and the videographer saying, "Dorje Tashi is innocent and his sister is here in front of the court demanding justice for him."⁷¹

Gonte had staged a sit-in in front of the People's Court in June 2022. In a public video statement that was subsequently posted on social media, she detailed what ensued between her and the court officials after the sit-in. She argued that her younger brother is innocent and declared that she would not stop coming in front of the court until Dorje Tashi receives justice.⁷²

Gonpo Kyi, Dorje Tashi's sister, stages a brave protest in front of the Higher People's Court of the Tibet Autonomous Region in Lhasa on 19 December, 2022. Her placard says: 'Dorje Tashi is innocent'.



6 Gonpo Kyi is dragged away by security police on 26 April, 2023, after she and her husband staged a sit-in protest outside the People's Court in Lhasa. Police covered her in a large black cloth as they took her away, according to footage uploaded by Radio Free Asia. She was beaten in custody and later released a video showing bruising on her arms as she lay on the floor of the police station. Image obtained by Radio Free Asia.

This year Gonte has posted additional video statements, most recently on 13 July. In the video, Gonpo Kyi says: “I cannot speak about my predicament and the truth. When I approach the prison or public security bureau, I am threatened with imprisonment and beatings instead of expressing my concern. Using this video is the only way I am able to clarify my concerns and plea.” After repeated appeals, Gonpo Kyi was allowed to talk to her brother once through a video call in 2021.

In a video posted on 3 May (2023), Gonpo Kyi again condemned the unjust verdict against her brother Dorje Tashi. In her petition, she demanded that its judges be held accountable and punished for not following the law. According to exile Tibetan sources, Gonpo Kyi and her spouse were apprehended by officers with the Public Security Bureau in Lhasa on 26 April and released the following night on 27 April. It is reported that they were subjected to physical abuse, rigorous interrogation, and warnings about such behaviour in the future, while they were detained. In response, Gonpo Kyi said, “I will protest until they kill me.”⁷³ As of February 2020, Dorje Tseten had reportedly been banned from leaving Lhasa by the Tibetan authorities because he had repeatedly petitioned for his younger brother.⁷⁴

In September 2022, in a submission to the UN Human Rights Council, the European Union called for the immediate and unconditional release of Dorje Tashi, among others.⁷⁵ The United States identified Dorje Tashi as a political prisoner in its 2021 Country Reports on Human Rights Practices.⁷⁶

A childhood friend and distant relative of Dorje Tashi, a former monk who now lives in India, told Turquoise Roof: “We Tibetans understand the crushing power of the Chinese state and it is remarkable to witness the courage of Dorje Tashi’s family in pressing for justice. They have put their own lives at risk in their efforts to save his. Dorje Tashi has endured inhumane and cruel treatment and he should not be in prison.

“There must be an urgent investigation into the senior officials named by the family, the flaws in the case detailed by the lawyers and what is clearly an unsafe conviction. We are deeply worried about Dorje Tashi’s current health condition and fear he may not survive continued imprisonment under such harsh conditions. He should be allowed to have medical treatment, and his wife and sister must be allowed access to see him.”

Recommendations

International governments should press the Chinese government for an immediate investigation into Dorje Tashi's case, urge the Chinese government to allow his family access to visit him, and enquire about his welfare and health. An investigation should cover the following:

- Dorje Tashi was tortured during interrogations in 2008 and was subsequently subjected to inhumane, cruel and degrading treatment while in custody, both in detention centres and in prison;
- a number of senior officials, including Norbu Dondrub and others, instigated officials to carry out the detention, investigation, prosecution and conviction with a view to ensuring imprisonment of the defendants, as well as interfering in subsequent appeals and investigations into the case;
- police investigating the cases tampered with at least one witness, detaining him in order to get more convenient testimony;
- the judges in the case convicted Dorje Tashi for loan fraud despite the reported facts that the loan was repaid in full, that the bank did not pursue any case against Dorje Tashi, that Dorje Tashi was as he claimed the legal owner of company presented as collateral for the loan, and that even if the loan collateral had been fabricated the case should in law have been tried as a lesser offence of embezzlement not fraud;
- the judges in the case imposed a life sentence in this case despite having imposed a 15-year sentence four months earlier on two persons convicted for the same offence in a case involving an amount 40 times greater than that in Dorje Tashi's case;
- relatives of the prisoner have not been allowed to visit him in recent years.

Endnotes

- 1 Shum revealed in his book 'Red Roulette' how he and his wife Duan Weihong (or Whitney) became billionaires, aided by relationships they formed with top members of China's Communist Party, the so-called Red Aristocracy – until Duan Weihong (by then his ex-wife) disappeared. 'Red Roulette: An Insider's Story of Wealth, Power, Corruption and Vengeance in Today's China', published 7 September 2021.
- 2 Tibet.net, 14 July 2023, <https://tibet.net/in-a-new-video-message-gonpo-kyi-keeps-up-struggle-for-dorjee-tashis-urgent-release/>
- 3 The court rejected Karma Samdrub's accounts of torture. See "China: Investigate Torture Allegations in Tibet Philanthropist Trial," Human Rights Watch news release, 23 June 2010, <http://www.hrw.org/en/news/2010/06/23/china-investigate-torture-allegations-tibet-philanthropist-trial> and International Campaign for Tibet, <https://savetibet.org/a-sharp-knife-above-his-head-the-trials-and-sentencing-of-three-environmentalist-brothers-in-tibet/>
- 4 The Guardian via AP, 12 August 2010, https://www.theguardian.com/world/2010/aug/12/tibet-businessman-dorjee-tashi-jailed?CMP=gu_com. Besides 'Shigatse Qinsangyuan Ecological Farming Comprehensive Development Company', he also owned the 'Shigatse Oasis Real Estate Development Company' according to High Peak Pure Earth's translation of the then-profile page of Dorje Tashi on the popular website TibetCul.com. Posted 11 November 2006: <https://highpeakspureearth.com/online-profile-of-tibetan-businessman-dorjee-tashi-sentenced-to-life-imprisonment/>
- 5 Several hundred overwhelmingly peaceful protests in Lhasa and across the plateau broke out in March 2008, a few months before the Beijing Olympics. The protests turned to rioting in Lhasa involving a small minority of Tibetans in the capital on 14 March 2008.
- 6 One of the documents studied for this report says that he was "president of Tibet Shenhu Group, Chairman of Tibet Shenhu Industrial Development Co., Ltd., Executive Director of Oasis Real Estate Development Co., Ltd. in Shigatse, Tibet.
- 7 China's state-run Ethnic Press in March 2009, cited by The Guardian, <https://www.theguardian.com/world/2010/aug/12/tibet-businessman-dorjee-tashi-jailed>
- 8 Lawyer's Statement of Complaint by Wang Fei on behalf of Dorje Tseten and sister, 6 January, 2020. 'Criminal complaint [concerning the case] of a former deputy of the 11th National People's Congress of Shigatse City', https://wqw2010.blogspot.com/2021/08/blog-post_18.html. Posted on Weiquanwang, 18 August 2021. The complaint is against the PRC Supreme Court.
- 9 The legal experts drew attention to a comparable case in 2010 in which two Chinese businessmen were each sentenced to 15 years for committing "loan fraud" involving a sum of 53 million yuan. The Chinese businessmen received lesser sentences, managed to get their sentences reduced and are now out of prison. <https://archive.vn/9JYvi>.
- 10 The date is given as 10 July in Dorje Tashi's own statement, but as 11 July in three documents based on court records.
- 11 A public complaint by Dorje Tashi's brother Dorje Tseten refers to "(2009) La [Lhasa] Xing Er Chu Zi No. 23 Criminal Judgment and (2010) Zang [TAR] Fa Xing Er Zhong Zi No. 10 criminal ruling of the Lhasa Intermediate People's Court and the Tibet Autonomous Region Higher People's Court". This may mean that Dorje Tashi was convicted in 2009 by the Intermediate Court but was sentenced in 2010, and that (presumably on appeal) this was confirmed by the TAR High Court in July 2010. It is not completely clear from the sources when he was moved out of detention and into Tibet Autonomous Region Prison, known as Drapchi, where he remains today, although it is most likely to have happened after he was sentenced in May 2010.
- 12 First received in May 2021 from a Tibetan exile source, and later published in Chinese by Weiquanwang on 18 August 2021. The International Campaign for Tibet published a report about it on 16 August, 2021, <https://savetibet.org/testimony-reveals-pre-trial-torture-of-tibetan-businessman-philanthropist/>
- 13 Sources are not clear on exactly which day it began, on the first or third day of detention.
- 14 Again, sources differ on exactly how many hours and when the sleep deprivation began.
- 15 This is described here: [https://ishr.org/torture-methods-in-the-peoples-republic-of-china/#:~:text=Hanging%20by%20the%20hands%20\(%E2%80%9CHanging%20Dup%20a%20cage%E2%80%9D\)%3A](https://ishr.org/torture-methods-in-the-peoples-republic-of-china/#:~:text=Hanging%20by%20the%20hands%20(%E2%80%9CHanging%20Dup%20a%20cage%E2%80%9D)%3A).
- 16 An account by a member of Dorje Tashi's family.
- 17 New York Times, 18 July 2014, <https://www.nytimes.com/2014/07/18/opinion/murong-xuecun-inside-a-beijing-interrogation-room.html>.
- 18 Dorje Tashi's testimony states: "Liu was yelling at me, 'What kind of Communist Party Member are you? Your status as CPPCC [Chinese People's Political Consultative Conference] member is useless, I have tamed tigers in Beijing [Xi Jinping pledged to crack down on tigers, powerful leaders, and flies, or lowly bureaucrats, in his 'anti-corruption' drive], so I can deal with you. After the 3.14 incident [rioting and crackdown] in Lhasa, we tortured many people to death like you, no one has the balls to interfere with what we are doing, if you don't cooperate, you will be another one of them'."
- 19 <https://www.hrw.org/report/2015/05/13/tiger-chairs-and-cell-bosses/police-torture-criminal-suspects-china>.
- 20 For cases of deaths in detention/interrogation in China, see <https://www.hrw.org/report/2015/05/13/tiger-chairs-and-cell-bosses/police-torture-criminal-suspects-china#497:~:text=unnatural%20deaths%20%5Bin%20detention%5D>, which highlights the case of Li Qiaoming and a "string" of such deaths in 2009.
- 21 All cases documented by the International Campaign for Tibet, <https://savetibet.org/torture-and-impunity-29-cases-of-tibetan-political-prisoners/>
- 22 Detention meaning pre-trial incarceration, not post-trial

imprisonment.

23 According to his torture testimony.

24 A footnote by the International Campaign for Tibet in their report states that this was Seitru ('sizhidui' or 'Number Four unit').

25 https://wqw2010.blogspot.com/2020/02/blog-post_87.html?spref=tw Public complaint by Dorje Tseten against Norbu Dondrub, Yang and Dorje, published by Weiquanwang September 2022 in Chinese and by the International Campaign for Tibet in English.

26 This is based on messages from family members of Dorje Tashi to his lawyer.

27 This interview was shared with Turquoise Roof and is unpublished. The official told Human Rights Watch that Dorje Tashi had not been involved in anything political, just business, and that his life sentence was inexplicable on the basis of the evidence against him. The official also confirmed that all his businesses were confiscated although the official believed his wife still ran the Yak Hotel.

28 Another source told the International Campaign for Tibet that he received a six year sentence.

29 Article 322 of the Criminal Code (1997; this article not amended): Article 322. Whoever violates the laws and regulations controlling secret crossing of the national boundary (border), and when the circumstances are serious, shall be sentenced to not more than one year of fixed-term imprisonment and criminal detention or control. (It's not clear if this applies only to those organising secret crossing) Law of the People's Republic of China on Penalties for Administration of Public Security, 2005, http://www.npc.gov.cn/zgrdw/englishnpc/Law/2007-12/13/content_1384114.htm

30 His resume is at: <https://zh.m.wikipedia.org/zh-hans/%E7%BD%97%E5%B8%83%E9%A1%BF%E7%8F%A0> (Tibetan: འཇམ་འགྲོ་མཚོ་; Chinese: 阿杰卓措). Norbu Dondrub is pictured here on a visit to Belgium: http://www.xinhuanet.com/english/2019-12/15/c_138633345.htm.

31 The allegation of revenge over an affair is made by Dorje Tashi in a note to lawyer and by Dorje Tseten in an internal complaint, but not in Dorje Tseten's public complaint.

32 Resume at: <https://baijiahao.baidu.com/s?id=1722823673294854496&wfr=spider&for=pc>

33 The Tibetan official interviewed anonymously by Human Rights Watch in March 2017, who said he was fully informed about the case, reported similar details, saying that Norbu Dondrub "had a bad relationship with Gonpo Tashi [...] So then Dorje Tashi got [into] trouble [because] he used to have a very good relationship with Gonpo Tashi - they called each other brothers, and for sure they made some money. So Norbu Dondrub attacked Dorje Tashi as a friend of Gonpo Tashi, knowing his background."

34 Received by Turquoise Roof from sources close to the family in Tibet.

35 Dorje allegedly held a grudge against Dorje Tashi and Dorje Tseten because the two brothers had refused a demand by him in 2004 to gift him a property and shares in their business as a bribe.

36 Additional note to lawyer citing Dorje Tashi. Dorje Tashi claims in that note that "Yang Guanming clearly told me that Norbu Dhondup asked him to do the job, and he had no choice to ignore and resist."

37 Additional note to lawyer citing Dorje Tashi. "After the court's decision to give me life sentence, the officials from State Discipline Inspection and Supervision also visited me in prison to further investigation, and again, Norbu Dondrub falsely reported the delegation that my release may not conducive to the stability in Tibet to Supreme Court and Persecutor of PRC, and continue to make effort to higher officials in order to lock me behind bars for life."

38 The four interventions were: firstly, 'funding rioters' allegation made by TAR Guobao (secret police): "Norbu Dondrub was already the Head of the Higher People's Court of Tibet Autonomous Region. Yang Guangming and Dorje thought the chance had come and the conditions were ripe and they reported to the [TAR] Department of Public Security: "Dorje Tseten and Dorje Tashi financially supported the riots." This is repeated by Dorje Tashi as "with the direct instruction of Norbu Dondrub, Yang Guanming, the deputy director of the Public Security Department of Tibet Autonomous Region came to arrest me, and he led a special team to conduct eight-day rotation brutal torture.... Yang Guanming clearly told me that Norbu Dhondup asked him to do the job, and he had no choice to ignore and resist." Secondly, bribery charge investigated by PSB and charged by Procuracy: "The direction of torture changed to Dorjee Tsedan sneaking across the border and Dorji Tashi offering bribes, and Luobu Dunzhu, then president of the Higher People's Court of the Tibet Autonomous Region, ordered and plotted [so that] on 19 August 2008, the Lhasa City Procuratorate arrested Dorji Tashi on charges of bribery." Thirdly, border crossing and loan fraud charges tried by TAR Intermediate Court: "At that respect, Dorje Tseten and Dorje Tashi should be released, but on the contrary, Norbu Dondrub [used his] authority within the justice system in Tibet, Lhasa Intermediate People's Court decided to give five years imprisonment to Dorje Tseten for the crime of smuggling across the border." Fourthly, rejection of Trial Evidence/Appeal by TAR Supreme Court: "The Supreme Court was also fully aware it was an unjust case, due to Norbu Dondrub's invisible effort [...] in Tibet Autonomous Region that "Dorje Tashi's release would never be conducive to maintain the stability in Tibet." This is repeated later by Dorje Tashi, referring to Norbu Dondrub's interference with the State Commission rather than the Supreme Court, which might have been a later incident: "After court's decision to give me life sentence, the officials from State Discipline Inspection and Supervision also visited me in prison to further investigation, and again, Norbu Dondrub falsely reported the delegation that my release may not conducive to the stability in Tibet to the Supreme Court and Prosecutor of the PRC, and continue to make effort to higher officials in order to lock me behind bars for life." The public complaint by Dorje Tseten summarises the same allegations in general form: "I report Norbu Dondrub, ... Yang Guangming, ... and Dorjee, the former deputy director of the Public Security Department of Shigatse (Rikaze), Tibet, for distorting the facts under the pretext of politics, making up the facts and perverting the law in the case of Tibetan private

entrepreneur Dorjee Tashi's loan fraud case" and notes that "we made real-name complaints" concerning them.

39 According to relatives of the family in exile and the International Campaign for Tibet, 16 August 2021, <https://savetibet.org/testimony-reveals-pre-trial-torture-of-tibetan-businessman-philanthropist/>

40 "According to An Jianhua, after he testified in favour of Dorje Tashi on November 6, 2008, the investigators thought he had a "bad attitude" and detained him in the detention centre of the Tibet Public Security Bureau for 22 days. During this period, he was asked to cooperate in the production of the testimonies on November 18 and November 19, 2008 and the handwritten materials on November 22, which also caused the lack of authenticity and accuracy of the contents of these materials. Based on this, it cannot be ruled out that other witnesses, even including Xin Xianjun, were illegally detained and illegally made by the case investigators to provide testimony not favourable to Dorje Tashi. This is a reasonable doubt." Lawyer's Statement of Complaint by Wang Fei, Jan 6 2020. "Criminal complaint of the former deputy of the 11th National People's Congress of Shigatse City". https://wqw2010.blogspot.com/2021/08/blog-post_18.html. Posted on WeiQuanWang, Aug 18, 2021. The complaint is against the PRC Supreme Court; it's not clear who the complaint is addressed to, but probably central Supervisory organs.

41 <https://www.hrw.org/report/2016/05/22/relentless-detention-and-prosecution-tibetans-under-chinas-stability-maintenance#:~:text=detentions%2C%20beatings%2C%20threats.>

42 "Norbu Dondrup angrily retorted, 'If you know what is good for you, you'd better be quiet, or I will close the monastery down today! The PRC does not care whether there are monasteries or not!' He continued by saying that the PRC follows the road of democracy, and officials, leaders and the common people all have the same rights. Appendix I, Karma Gon Documents, p. 12. https://www.hrw.org/sites/default/files/report_pdf/tibet0516web_appendixi.pdf#page=12.

43 <https://www.ft.com/content/b94ce6da-5061-11e9-b401-8d9ef1626294>

44 <https://www.euronews.com/2019/03/27/china-says-tibet-human-rights-critics-bewitched-by-dalai-lama>

45 <http://www.npc.gov.cn/englishnpc/c2766/201912/dc5324cb52b54cedb32b35657a630d72.shtml>.

46 According to this report of 27 November 2022: <https://mp.weixin.qq.com/s/ZbzRABQW68r39zfMsCBGuw> .

47 International Campaign for Tibet, 4 August, 2010, <https://savetibet.org/a-sharp-knife-above-his-head-the-trials-and-sentencing-of-three-environmentalist-brothers-in-tibet/>

48 Written on June 22, 2010 and posted on her blog a day later. <https://highpeakspureearth.com/praying-a-blogpost-by-dolkar-tso-wife-of-karma-samdrup/> Chinese transliteration of her name is Zhengga Cuo.

49 <https://tchrd.org/six-family-members-arbitrarily-detained-and-sentenced-over-their-activism/>

50 Earlier press coverage named him as Jigme instead of Chime. "In the November 13, 2009 decision that led to Jigme [Chime] Namgyal's sentence, the RTL management committee from Changdu prefecture alleged that he had set up an illegal environmental organization that "illegally collected three digital disks of information and video footage about the environment, the natural resources and the religion of Changdu prefecture ... provided pictures and material for the illegal publication 'Forbidden Mountain, Prohibited Hunting' ... privately collected some propaganda material from the Dalai clique ... and organized the local residents into irregular petitioning of the authorities... therefore severely interfering with state power organizations at the local level and effectively harming social stability." The description of the charges suggests that Jigme Namgyal was a cause of potential embarrassment to the local authorities rather than a threat to national security, according to Human Rights Watch <http://www.hrw.org/en/news/2010/06/10/china-drop-charges-against-tibetan-environmental-philanthropist>.

51 According to information received from Tibetan sources at the time on Sonam Choephel: "Last year [2009] 20 people from Karma's village went to Beijing to appeal Rinchen Samdrup's case. They were captured and sent back to Chamdo and detained there for more than 40 days and subjected to torture during interrogation. Sonam Choephel was considered the organizer of the Beijing petition and sentenced to one and half years of reeducation through labour." See also the above TCHRD report <https://tchrd.org/six-family-members-arbitrarily-detained-and-sentenced-over-their-activism/>.

52 Tibetan sources inside Tibet sent the following message to researchers for Human Rights Watch at the time about Rinchen Dorje: "He speaks Chinese. When Karma was purchasing Tibetan collections in Xinjiang in 1998, he acted as Karma's interpreter. He became a monk in 2001 in Ganzi county and went on retreats to the holy mountain nearby Xinlun (Nyarong) county for many years. He is well respected by many local peoples. By the end of March this year, he was arrested by police from the retreat cave and sent to Korla, in Xinjiang. The police falsely accused him of being a "thief." His relatives went to Xinjiang and tried to find out more about his situation. They only found a record of treatment for burns in a hospital, but they cannot find him. The hospital said he already left the hospital. Relatives went to the jail and asked about his real situation. The jail personnel told them that Rinchen Dorje was trying to escape and was shocked by an electric fence. He was then sent to the TAR. Rinchen Dorje is from Yushu in Qinghai province. His family in the TAR cannot find him. Nobody knows where he is being detained. His relatives fear that he has disappeared forever. His injury resulted from when he tried to escape. The result was that he was electrocuted on the hip by an electric fence. He has now been sent back to Tibet." See also http://woeser.middle-way.net/2010/07/blog-post_08.html

53 "On 5 July 2010, the sixth member of the Samdrup family was arbitrarily deprived of his personal freedom. Tashi Topgyal, a teacher in his early thirties, was seized by a dozen Chinese security personnel from a home in Lhasa, where he had traveled seeking information on the whereabouts of Rinchen Dorjee. According to reports, Topgyal had traced Rinchen to a hospital in Xinjiang. Chinese Police explained that Rinchen's burns were the result of electric prods used on him during an alleged escape attempt" <https://tchrd.org/six-family-members-arbitrarily-detained-and-sentenced-over-their-activism/>

their-activism/. See also http://woeser.middle-way.net/2010/07/blog-post_08.html "Tashi Topgyal [Zaxi Duoqia]: The son of the husband of Karma's father's sister [ie, Karma's cousin], the half-brother of Karma Dorjee with the same father but different mother. A Tibetan-language teacher, just-turned 30. Taken away by a dozen or more police from his home in Lhasa on July 5, 2010, with no current information available."

54 International Campaign for Tibet, 24 June 2010, <https://savetibet.org/fears-for-three-environmentalist-brothers-as-gaunt-karma-samdrup-on-trial-after-torture/>

55 While the interrogators dropped the accusation of funding rioters and instead pursued the bribery charge, they continued to view the latter charge as in part a political offence, since they only cleared him of political crimes on 25 October 2008.

56 Internal complaint by Dorje Tseten against Norbu Dondrub and Dorje, January 2021, 'To State Commission for Discipline Inspection and Supervision', and additional note to lawyer quoting Dorje Tashi on reasons for fabrication of charges against him by Norbu Dondrub, Dorje and Yang. Probably written in 2013.

57 Torture Statement by Dorje Tashi, probably written around 2013 received by Tibetan exile sources and verified by Dorje Tashi relatives in exile.

58 26 July 2008, according to '(2010) Zang Fa Xing Er Zhong Zi No. 10 criminal ruling of the Tibet Autonomous Region Higher People's Court', from the public complaint by Dorje Tseten.

59 This was probably the Tibet Commission for Discipline Inspection or the TAR branch of the Ministry of Supervision (it still existed in 2013), or both. Dorje Tashi's brother, Dorje Tseten, wrote in his public complaint: "A few years ago, we made real-name complaints to the Central Commission for Discipline Inspection, the supervisory organs, and the Tibet Commission for Discipline Inspection".

60 Internal Complaint by Dorje Tseten against Norbu Dondrub and Dorje, January 2021. An additional note to the lawyer quoting Dorje Tashi at length on reasons for fabrication of charges against him by Norbu Dondrub, Dorje and Yang states that: "Norbu Dhondup falsely reported the delegation that my release may not be conducive to the stability in Tibet to the Supreme Court and Prosecutor of the PRC."

61 The application number of this complaint was (2013) Criminal Supervision No. 00095-1. Relating to Supreme People's Court of the PRC Notice of dismissal of appeal/complaint (request for retrial), (2013) Criminal Justice Procedure No, 00095-1. 19 November 2019.

62 Ibid.

63 Beijing Zhengxin Law Firm, Legal Opinion.

64 Gao Guijun, former chief judge of the Fifth Criminal Division of the Supreme People's Court; Zhou Guangquan, Professor of Law School of Tsinghua University, Doctoral Supervisor; Li Hong, Professor of Law School of Tsinghua University, Doctoral Supervisor; Zhang Ling, professor and doctoral supervisor of the School of

Criminal Justice, China University of Political Science and Law; Ruan Qilin, professor and doctoral supervisor of the School of Criminal Justice, China University of Political Science and Law; and Peng Mo, former Director of the Public Prosecution Department of the Supreme People's Procuratorate.

65 "Both the complainant and his family are deeply disappointed and puzzled by the persistence of the case in this negative state. It is understood that some judicial personnel have 'revealed' that the reason why the case has fallen into such an embarrassing situation is because this case was originally a sensitive case involving Tibet that depoliticized political cases. Similar statements are particularly difficult to accept. The complainant Dorjee Tashi himself has never participated in any 'political case', so how can it be said that 'political cases are not politicized'? Are all the wrong cases in Tibet possible to cover up problems such as unclear facts, insufficient evidence, and errors in the application of law that could not be ignored on the grounds of 'political sensitivity'? According to China's Criminal Procedure Law, 'no one shall be found guilty without a judgment by a people's court in accordance with the law'. That is to say, as long as there is no evidence to prove that the complainant Dorjee Tashi is involved in a crime against national security.) Lawyer's Statement of Complaint to the TAR Procuracy by Wang Fei on behalf of Dorje Tseten and his sister, Jan 6 2020. "Criminal complaint [concerning the case] of the former deputy of the 11th National People's Congress of Shigatse City". https://wqw2010.blogspot.com/2021/08/blog-post_18.html. Posted on Weiquanwang, Aug 18, 2021. The complaint is against the PRC Supreme Court. It says to the TAR Procuracy, but elsewhere it says it is addressed to the Supreme Procuracy, which is more likely ("Dorje Tashi is now appealing to the Supreme People's Procuratorate, represented by lawyers Wang Fei and Wang Haochen from Beijing Zebo Law Firm").

66 The new company affiliated to Dorje Tashi was the Qinsangyuan Company; the related company was Sangyuan Ecological Breeding Comprehensive Development Zone (also referred to as the 'Qinsangyuan Development Zone'); the major shareholder in the latter was called Xin Xianjun, according to several sources.

67 Named as An Jianhua.

68 The full sum was repaid through an intermediary company on 8 July 2008, two days before the detention, according to the lawyer's Statement of Complaint to the TAR Procuracy by Wang Fei on behalf of Dorje Tseten and his sister, 6 January 2020. "Criminal complaint [concerning the case] of the former deputy of the 11th National People's Congress of Shigatse City". https://wqw2010.blogspot.com/2021/08/blog-post_18.html. Posted on Weiquanwang, 18 August 2021. "First of all, although Qinsangyuan Company delayed repaying the loan from the Agricultural Bank of Shigatse, Shigatse Shenhu Hotel, which is controlled by Dorje Tashi, had already paid for the debt owed by Qinsangyuan Company on July 8, 2008, that is, before the case came out. The loan expressed to the Agricultural Bank of Shigatse that it was willing to undertake the obligation of repayment of principal and interest." Doc 2 says "the 1.44 million yuan of combined principal and interest were returned to the bank after the second-instance judgment" (July 2010).

69 The presiding judge Yang Tingyi and the acting judge Li Ruihong.

70 On the case of He Xingyou and his wife Yang Shengli, see <http://www.hezong.com.cn/article.php?id=823> “the largest loan fraud case of 50 million yuan since the establishment of the Tibet Autonomous Region” (25 April 2008). He and his wife Yang had their appeal heard in Feb 2010; Dorje’s initial trial was in May 2010. Their legal firm persuaded the appeal judges to reduce their life sentences to 15 year sentences: “After accepting the entrustment of the second instance, the defender carefully verified the relevant evidence materials and carefully analyzed the case. He found that some problems in the case and the findings of the first instance were in dispute. The defender put forward his defense opinions seriously and rigorously. On February 10, 2010, a final judgement was made, which revoked the first-instance judgement and sentenced Yang Shengli to 15 years in prison.”

71 International Campaign for Tibet, 21 December 2022, and Tibetan media sources, <https://savetibet.org/imprisoned-tibetan-businessmans-sister-stages-brave-protest-outside-lhasa-court/>

72 The videos can be viewed at: <https://savetibet.org/family-of-famous-imprisoned-tibetan-businessman-campaign-for-justice/>

73 Central Tibetan Administration, 14 July 2023, <https://tibet.net/in-a-new-video-gonpo-kyi-keeps-up-struggle-for-dorjee-tashis-urgent-release/>

74 Dorje Tashi’s brother has been banned from leaving Lhasa by the Tibetan ‘stability maintenance’ department because he has repeatedly petitioned for his younger brother. Introduction by Weiquanwang to the Supreme People’s Court of the PRC Notice of dismissal of appeal/complaint (request for retrial), (2013) Criminal Justice Procedure No, 00095-1. 19 November 2019.

75 From the European Union’s statement during the 51st session (Sept. 12 to Oct. 7, 2022) of the UN Human Rights Council: “The EU continues to closely monitor the situation and calls for the immediate and unconditional release of, among others, Pastor Cao Sanqiang, Chang Weiping, Chen Jianfang, Chen Yunfei, Cheng Yuan, Ding Jiayi, Dorjee Tashi, Fang Bin, Gao Zhisheng, Guo Quan, Guo Feixiong, Go Sherab Gyatso, Huang Qi, Huang Xueqin, Li Qiaochu, Li Yuhua, Qin Yongmin, Qin Yongpei, Rinchen Tsultrim, Tang Jitian, Tiyp Tashpolat, Sakharov Prize laureate Ilham Tohti, Wang Bingzhang, Wang Jianbing, Pastor Wang Yi, Wang Li, Wang Zang, Wu Gan, Xu Qin, Xu Na, Xu Zhiyong, Yang Maodong, Pastor Zhang Chunlei and Zhang Zhan as well as the EU citizen Gui Minhai whose right to consular access must be respected.” https://www.eeas.europa.eu/delegations/un-geneva/hrc-51-eu-statement-item-4-general-debate-human-rights-situations-require_en?s=62#:~:text=Yuan%2C%20Ding%20Jiayi%2C-,Dorjee%20Tashi,-%2C%20Fang%20Bin%2C%20Gao

76 From the US State Department report for 2021: “Many political prisoners remained either in prison or under other forms of detention after release at year’s end, including writer Yang Maodong (pen name: Guo Feixiong); Uyghur scholars Ilham Tohti, Rahile Dawut, and Hushtar Isa, brother of Uyghur World Congress president Dolkun Isa; Tibetan Dorje Tashi; activists Wang Bingzhang, Chen Jianfang, and Huang Qi; Taiwan pro-democracy activist Lee Ming-Che; pastors Zhang Shaojie and Wang Yi; Falun Gong practitioner Bian Lichao; Catholic Auxiliary Bishop of Shanghai Thaddeus Ma Daqin; rights lawyers Xia Lin, Gao Zhisheng, Xu Zhiyong, Li Yuhua, and Yu Wensheng; blogger Wu Gan; citizen journalist Zhang Zhan; Shanghai

labour activist Jiang Cunde; and others.”

<https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/china/#:~:text=Many%20political%20prisoners,Cunde%3B%20and%20others.>

