

who were sentenced for "conspiring to split the country" and "leaking state secrets". The government replied: the three had been found guilty of plotting against national unity, after an investigation and trial by the People's Intermediate Court in Shigatse district; in collusion with separatists abroad they had engaged in activities jeopardizing national unity and threatening social stability and the development of Tibet; were also found guilty of divulging state secrets in breach of the rules on security; and all three voluntarily admitted to their crimes. Since the case involved state secrets the Court decided that the trial would not be public and informed the accused of the grounds for its decision at the commencement of the proceedings. Two of the defendants declined the services of lawyers and represented themselves. The government stated: citizens enjoy freedom of religious belief; legislation guarantees the right to participate in normal religious activities and the legitimate rights of the followers of a religion; the law prohibits anyone from using religion to engage in any activities that disturb the social order or jeopardize state security; and, the charges and convictions of the three had nothing to do with religious beliefs.

**Sale of children, child prostitution, child pornography, Special Rapporteur on the:**

(E/CN.4/1998/101, paras. 6, 21)

The report refers to investigations by the Italian authorities that led to the dissolution of an international paedophile ring. In one case a 12-year-old child was allegedly sold by her parents in China for approximately US\$58,000 and was being trafficked to the United States. The report refers to the possibility that there is a Japanese organized group which allegedly sends Chinese children to the United States for prostitution and paedophilia.

**Torture, Special Rapporteur on:**

(E/CN.4/1998/38, paras. 49–50;  
E/CN.4/1998/38/Add.1, paras. 67–78)

One case transmitted to the government concerned a group of 14 Roman Catholics from Xiao County, Anhui province, who were detained in April 1996 while visiting local authorities to petition for the return of confiscated church property. Information indicated that police beat the petitioners, and that three of them were beaten for refusing to acknowledge being involved in an illegal religion. Another case related to detention for political activities considered to "endanger national security", and assignment to three years of re-education through labour. Information indicated that the person refused to acknowledge guilt and submission to the law in writing and, as a consequence, was kicked, punched and beaten by prison officers, and further that fellow prisoners were said to have been offered reductions in their sentences if they succeeded in extracting the required report from the man through beatings.

Concerning Tibet, the cases transmitted involved, *inter alia*: two students at Dhanak Lomthen High School in Dranang, who were reprimanded by police for stating that Tibet was not a province of China and demanding

more Tibetan teachers, noting that following their expulsion from school, together with 31 other students who had joined their protest, police officers reportedly took the students to a storeroom, branded three students on the bridge of the nose with a hot iron rod, took two of those branded to Lokha prison and held them for three months, and beat them regularly; a teacher at a school in Siling which emphasizes Tibetan language and culture, who was arrested one month after the school had been opened with official permission in June 1993, noting the teacher was repeatedly interrogated as to whether the school had received funding and instructions from the Tibetan "Government in exile" in India; a 16-year-old girl, who was reportedly arrested at her home following the arrest of the headmaster of her school and interrogated at the police station as to whether the headmaster had taught her to demand independence for Tibet; a teacher who protested in March 1994 to the authorities in Meldrogongkar that students were not receiving sufficient instruction in the Tibetan language, led a demonstration for this purpose and was arrested together with 60 other demonstrators, noting the teacher was detained for six months, with his hands and feet shackled, released without having been taken to court, and forbidden from resuming his teaching duties; and a nun who was arrested after she had affixed a poster declaring Tibetan independence and a Tibetan flag to the main government building in Lhoka district, convicted of being a "counter revolutionary", sentenced to a three-year prison term, released for medical reasons, and forbidden to resume her life as a nun.

The Special Rapporteur also sent an urgent appeal on behalf of three persons detained at Shuanghe labour camp, who allegedly began hunger strikes in protest at extensions of their sentences. The government acknowledged the detentions and stated that the extension of the sentences was the result of the prisoners either "instigating social disorder" or because of a serious infringement of the centre's regulations. An appeal was also made on behalf of two brothers detained at the Dafeng penal farm in Jiangsu province near Shanghai. The government stated that the brothers had been committed to, respectively, three and two years of re-education through labour for "reproducing and distributing pornography". The government stated that they never suffered beating, could be visited by their families according to the regulations, were given regular medical check-ups, and on various occasions given leave to seek medical treatment in a hospital.

An urgent appeal was also sent on behalf of a Buddhist monk from Gongkar Choede monastery, near Lhasa, who was arrested in June 1997 after having declared his support for the Dalai Lama. The monk was said to have been beaten during arrest and in detention.

**Toxic wastes and products, Special Rapporteur on:** (E/CN.4/1998/10, paras. 45–48)

The report refers to information indicating that more than 40,000 tons of mixed plastics have been imported to Jiangxi province, China, from German companies