

Denial of Tibetan people's rights on their Native Land

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Overview:

Being one of the earth's most environmentally sensitive and a unique bio-geographical zone, a healthy Tibetan Plateau benefits the entire Asian sub-continent. Over the past five decades, the landscapes on the Tibetan Plateau have experienced much environmental negligence and degradation, caused mainly by natural phenomenon (such as climate warming, earthquakes) and due to human interference (resource extraction, unskillful policy implementations and infrastructure developments). This article will look into the latter human-induced cause and examine how such degradations are actually affecting the daily lives of the local residents who have from ages been the natural guardians of these landscapes.

(i) Resource Extraction:

China boastfully refers to Tibet as 'Xizang' which literally means the western treasure house. The Plateau's rich natural resources became a resource curse for the local residents and its ecosystem. Since late 60's, these resources have been exploited in various scales and mostly under very poor environmental norms and regulations. The mining not only undermines the sanctity of the local landscapes but also creates social tension and distrust when standard corporate policies are not followed.

Wherever possible, the Tibetan communities try to put forward their grievances in numerous petitions to higher authorities against the miners: they are either ignored or harassed. After failing to respond adequately, the local residents then resort to street protests that are immediately suppressed by heavy armed forces. Unlike the protests related to environmental negligence and accidents in many parts of China, those that occur in Tibet are classified as political and the protestors are immediately clamped down. It also appears that the Administrative Litigation Law (ALL)¹ which has been successfully adopted in other parts of China remains invalid in Tibetan areas. In the frequent protests by Tibetan villagers, quite often their immediate concern has been the damages done by the miners to the local streams, rivers, landscapes and pasture land.

Over the past two years (2010 -2011), there have been more than 12 protests against mining activities that Environment Desk² has documented and many more remains unknown³. With the recent announcement of more than 3000 potential mining sites and many precious mineral deposits in Tibet, it is very likely that there will be more such protests in the future if the attitude of miner's and the local cadre remains unchanged. The state itself is fervently involved in tapping these resources, as it is evident from the budget in the 12 Five Year Plan for improving the resource extraction economy

¹ ALL: Administrative Litigation Law was adopted in the year 1989, this law allows parties to bring suit when their 'legitimate rights and interests' are infringed by a specific administrative act of an administrative organ or its personnel. The APL has often been used by plaintiffs asserting that local governments have illegally taken land or imposed taxes.

² EDD- DIIR, Central Tibetan Administration, Dharamsala -INDIA

³ <http://tibet-edd.blogspot.in/2011/12/tibetan-resistance-to-destructive.html>

infrastructures such as highways, railway lines, and hydropower plants⁴. These infrastructures will facilitate smooth operation and transportation of mineral ores to various smelters located in distant mainland China in addition to the large-scale migration of Chinese workers.

So far, copper, chromium, gold and iron are the four minerals of primary interest to Chinese and other foreign miners. These are being mined to different extents at various locations throughout the Tibetan Plateau. A recent Chinese official media report claimed to have found more than 7.9 million tons of copper and 100,000 tons of Molybdenum deposits in Kyung-lung (Ch: Qulong) in Meldro Ghongkar county⁵.

The extractive industries are now mining from those sites that are considered holy and revered by the local residents. Such mindless activities are further fueling the flame of frustration and it sets a constant reminder to many youngsters that the land they have lived and worshipped for many generations could be destroyed within few days by showing a piece of paper proclaiming mining rights. This is not the end; the mining activities leads to the destruction of the grazing pastures, pollution and diversion of the local water source, building of hydro powers plants to get energy and exodus of migrant workers who in their leisure engage in hunting the wildlife including some endangered species. As mentioned above it is truly a resource curse for the local residents in its worse form. There is no mentioning of any post mining activities being conducted in rehabilitating the mining sites as required by the standard norms, there could be only two possible answers; either the resource is boundless or they simply don't care.

It is also true that such activities are happening right under the nose of those judicial personnel who are fully aware of the standard environmental norms and laws as stipulated in the PRC constitution and Law of Regional National Autonomy [Article 9ⁱ and 26ⁱⁱ (under the general principles of PRC constitution) and Article 27ⁱⁱⁱ, 28^{iv}, 45^v & 66^{vi} of 'Law of Regional National Autonomy'].

(ii) End to Pastoral Nomadism

Background: For centuries, the Tibetan nomads (drogpas) and herders have lived successfully with their herds using only their centuries-old local knowledge and by keeping a mobile lifestyle. For some social scientists, nomadism, while often ridiculed as primitive or even 'incomplete' by outsiders, is in fact a highly sophisticated adaptation for harnessing energy captured in the grasslands of the region. The implementations of different grassland and land-use policies in the name of development have severely affected not only these grasslands but also the lives of the 'drogpas'.⁶

The vital role played by the 'drogpas' in maintaining these pastures are acknowledged only in research articles, while the policy makers often fail to understand these intricate relations since they judge everything in black and white. The current grassland rehabilitation policy that is implemented throughout Tibet referred to as the '**Restore Grassland Policy**' or '*tuimu buanco*' in Chinese, (*meaning closing pasture to restore grasslands*) restricts the mobility of the nomads and blames their livestock for overgrazing these grasslands. In fact the actual degradation or overgrazing of these grasslands started during the commune system 50 years ago when all the herds were collectivized. In recent years, moving

⁴ Dan Harris, *ChinaLawBlog*,

http://www.chinalawblog.com/2011/03/chinas_12th_five_year_plan_infrastructure_infrastructure_infrastructure_did_we_say_infrastructure.html

⁵ *Tibet Policy Institute, Central Tibetan Administration, April 2011 (Tibetan)*

⁶ *EDD-COP15 Briefing papers, Environment and Development Desk, DIIR, Central Tibetan Administration, Dharamsala, HP, India. Available online, <http://tibet.net/publications/>*

the nomads from the grasslands to state built housings is being largely intensified in all parts of Tibet and has now become the central measure in protecting these grasslands.

What Science says: Field observations conducted on these grasslands have revealed positive connections between the grazing herds of the nomads and the grasslands. The researchers say that abandoning and depopulating these grasslands will lead to the domination of the invasive species, diminution of biodiversity, and cause more harm to the grassland. China's own scientists have now learned through patient observation that the grasslands of Tibet, when grazed moderately and intermittently actually maintain a higher biodiversity and healthier pastures.^{7,8,9,10,11,12}

According to the latest 2011 Qinghai Statistical Year Book, the area of Amdo region (Ch: Qinghai) affected by drought increased from 108 thousand hectares in 2007 to 158 thousand in 2010. Technically, it should be the other way round, which clearly shows that the current policy of removing the herds 'to protect the grasslands' is failing badly in terms of what was initially projected.

We have roughly found that total number of people being moved or lured to these concrete settlements under the different name tags (ecological migrants or comfortable housings projects) sums to approximately 3.2 million in whole of Tibet (including Amdo and Kham province).¹³ According to the Chinese state media - Xinhua (2011), another 185,500 families are expected to move into new homes by 2013. These figures in other words indicates the number of peoples whose life style are now directly under the control and mercy of the central command and nothing more.

Status quo: Joblessness and alcoholism amongst the youth are prevalent in those new settlements where the elders are often seen cherishing their past lives and reliving only in their memories. Whereas the younger ones are scavenging waste to earn little extra money.^{14,15,16} From our recent interactions with 'drogpas' and herders who fled into exile (India) and from those documented research papers conducted inside Tibet, we came to know that the current policy of forced 'villagization' is in fact a very strategic move (from the state) to have all the mobile pastoral wanderers in tight leash and to have open access to pastures for extractive industries without facing any resentment. It also favors the central state

⁷ John Isom, *Tibet's Nomadic Pastoralists: Tradition, Transformation and Prospects*, http://www.iwgia.org/publications/search-pubs?publication_id=402

⁸ J. Marc Foggin, *Depopulating the Tibetan Grasslands, National Policies and Perspectives for the Future of Tibetan Herders in Qinghai Province, China, Mountain Research and Development Vol 28 No 1 Feb 2008: 26–31*, doi:10.1659/mrd.0972.

⁹ Breivik, Irene. 2007. *THE POLITICAL ECOLOGY OF GRASSLAND CONSERVATION IN QINGHAI PROVINCE, CHINA: DISCOURSE, POLICIES AND THE HERDERS*. MA thesis, Norwegian University of Life Sciences, Department of International Environment and Development Studies, NORAGRIC <http://www.case.edu/affil/tibet/tibetanNomads/documents/IreneBreivikpoliticsgrasslands.pdf>

¹⁰ John Isom, *Tibet's Nomadic Pastoralists: Tradition, Transformation and Prospects*, http://www.iwgia.org/publications/search-pubs?publication_id=402

¹¹ Julia A. Klein, John Harte and Xin-Quan Zhao, *Experimental warming, not grazing, decreases rangeland quality on the Tibetan Plateau, Ecological Applications, 17-2, (2007)*.

¹² Tony Lovell and Bruce Ward, *Regenerating grasslands (2009)*, <http://www.guardian.co.uk/environment/2009/jul/13/manchester-report-grasslands>

¹³ Tibet Policy Institute, Central Tibetan Administration, April 2011 (Tibetan)

¹⁴ Matt Perrement, 'Resettled Tibetans "can't live on charity forever"', *China Development Brief, Reporting the latest news on China's social development*. <http://www.surmang.org/pdf/pah1.pdf>

¹⁵ EDD-COP15 Briefing papers, Environment and Development Desk, DIIR, Central Tibetan Administration, Dharamsala, HP, India. Available online, <http://tibet.net/publications/>

¹⁶ EDD nomads interview transcripts

in boasting that they have invested such amounts in upbringing the lifestyles of local residents. For many anthropologist and scholars, the term development has nothing to do with external materialistic life, it is the freedom to chose and to lead the life one values and respects. Given the choice of livelihood, almost all the residents of these newly constructed concrete settlements would love to roll back to their previous lifestyle without a second thought, even it if meant to live without a two bedroom house.

In his own words, Prof. Olivier De Schutter (the UN Special Rapporteur on the Right to Food) after his mission to the PRC (15 -23 December 2010) and having seen the conditions of the newly settled ‘drogpas’ and herders in the new concrete camps. He has mentioned strongly against the policy of settling the herders. Again on 6 March, 2012 at the UN Human Right Council in Geneva, he spoke about his concerns regarding those people living in the "new socialist" villages.^{17,18}

For PRC, another aspect of development where more income could be generated from Tibet is the tourism industry, which is now further enhanced by the railway networks connecting different places in Tibet. According to the latest information, around 49 million travelled in the railway line linking Gormo to Lhasa since its opening in 2006. It is estimated that passengers on the railway have increased at 10.3 percent annually.¹⁹ It is indeed good news for the travel agencies, hotels and the street shops but sadly almost all of them are owned by Han Chinese and those who have good ‘Guanzi’ (the connection). This boom in tourism industry is has adversely affected the local Tibetan guides, who are now required to sit for an exam to earn a new tour guide license from the tourism authority/ department, the implication of which is very clear. Our Desk recently came across a sad documentary film and a short report about the ‘drogpas’ of Mogru town (south of Kokonor Lake), highlighting the impacts of tourism and how the state authorities are impounding lands owned by the ‘drogpas’ and local herders.

The Chinese tourists who visits Mogru town liked to be photographed with Tibetan children of the Mogru clan, who must dress as if they are timeless nomads, people without history, forever smiling. Perhaps not even knowing that the land of the clan was taken to build the tourist facilities, and the Mogru Tibetans have no source of income other than posing for happy tourist snaps. Attempts by the Mogru Tibetans to petition Beijing and seek justice have come to nothing. The film could be viewed from this [link](#) or

http://dl.dropbox.com/u/59960676/Nomads_of%20Mogru_Clan.mp4

Refer to this posting for more information;

<http://tibet-edd.blogspot.in/2012/02/last-of-mogru-nomadic-clan-documentary.html>

(iii) Damming and Polluting Rivers:

Rivers originating from Tibet flows to more than ten countries and play a vital role in the environmental services and socioeconomic aspects of each country. These rivers enable the Tibetan Plateau to become a strategic platform in exercising its dominance over the lower riparian states.

So far China has dammed every major river and its tributaries in Tibet, and has unveiled plans to construct even more dams in the coming years. In its 12 Five Year Plan (2011 -2015), hydropower

¹⁷ UN – A/HRC/19/59/Add.1 Human Right Council 19 Session, Agenda item 3.

¹⁸ UN Special Rapporteur challenges China’s forced resettlement policy in Tibet,

<http://tibet.net/2012/03/07/un-special-rapporteur-challenges-chinas-forced-resettlement-policy-in-tibet/>

¹⁹ Tibet Policy Institute, Central Tibetan Administration, April 2011 (Tibetan)

projects are to be prioritized and those that are not completed during its previous five year plan are now scheduled.

Meng Si²⁰ mentioned that, China's green NGOs believe hydropower projects could bring economic development, but not necessarily to the benefit of local people. They believe that today's insufficiently transparent policymaking mechanisms are maximizing the interests of hydropower industry, officials and a small number of experts, while driving ecological destruction, affecting local livelihoods and increasing the risk of geological disasters. According to an article in Huffington Post, Catriona Luke, a South Asia writer for newstatesman.com writes that for China, Tibet's rivers are proving as rich resources for hydroelectric and geo-political power as its mineral wealth. But frenzied dam construction projected until 2020 means that a prehistoric irrigation system that dates back 30 to 40 million years is coming to an end.²¹

Not only are these rivers and tributaries dammed for generating energy but some are also polluted with chemicals and other toxins dangerous for human consumption. For instance, the tap water of Kumbum monastery in Amdo (Ch: Qinghai) detected high concentrations of lead (Pb) due to a mining activity in the upstream river²². This is not an isolated episode; similar cases of chemicals from mining polluting the drinking water supply are common in watersheds where mining activities are prevalent.

Conclusion

Any development in Tibet should be based on the approach, 'listening to the land and listening to the people'. The land and its resources must be used within its capabilities and ecological limits; and any policy implementation and developmental activities must respect the cultural tradition of Tibetan, which is based on centuries-old practice of sustainable use.

The local Tibetans should be the major stakeholder for any development activities and their grievances (if any) resulting from such development activities should not be suppressed, instead should be channeled to find ways to take care of their interests.

The experiences and intimate knowledge of pastoral nomads should be incorporated into rangeland management practices. There should be a principle of collaborative management attending to the needs of the pastoral nomads and herders alike.

A healthy and sustainable Tibetan Plateau is important as it would benefit the entire Asian continent and would further enhance peace and harmony within the region, especially between two major super powers (India and China).

²⁰ Meng Si is the managing editor of Chinadialogue's Beijing office

²¹ Huffington Post; Catriona Luke, 'China Will Have Mastery of Asia's Water Tap by 2020', http://www.huffingtonpost.co.uk/catriona-luke/china-will-have-mastery-o_b_917158.html

²² <http://www.thetibetpost.com/en/news/tibet/1910-tibetans-in-amdo-suffer-lead-exposure-from-chinese-factories>

ⁱ **Article 9:***[...the state ensures the rational use of natural resources and protects rare animals and plants. Appropriation or damaging of natural resources by any organization or individual by whatever means is prohibited.]*

ⁱⁱ **Article 26:***[The state protects and improves the environment in which people live and the ecological environment. It prevents and controls pollution and other public hazards...]*

ⁱⁱⁱ **Article 27:***[...destruction of grasslands and forests by any organization or individual by whatever means shall be prohibited. Reclamation of land from grasslands or forests by destroying grass or trees shall strictly be prohibited.]*

^{iv} **Article 28:***[In accordance with legal stipulation, the organs of self-government of national autonomous areas shall manage and protect the natural resources of these areas...]*

^v **Article 45:***The organs of self-government of national autonomous areas shall protect and improve the living environment and the ecological environment and shall prevent and control pollution and other public hazards, so as to bring about the coordinated development of population, resources and environment.*

^{vi} **Article 66:***[...while exploiting resources and undertaking construction in national autonomous areas, the organizations or individuals shall take effective measures to protect and improve local living and ecological environment and to prevent and control pollution and other public hazards.]*
