



International Resolutions and Recognition on Tibet (1959 to 2004)

PREFACE

This compilation of international resolutions on Tibet gives an overall view of the increasing support the cause of Tibet is receiving from the world community.

The content of these documents gives us increasing hope and courage in our struggle to bring freedom to the six million Tibetans under Chinese rule. They form an invaluable source of reference to nearly five decades of global initiatives on Tibet—starting from the UN General Assembly Resolution in 1959.

The case of Tibet has never been more prominent in international fora as it is today, and the current debate on Tibet shows the serious human rights situation in Tibet.

This growing support by governments, parliaments and international legal experts is largely the result of His Holiness the Dalai Lama's own ethical diplomacy, the determination of the Tibetan people, the untiring work of Tibet support groups world-wide, and the sense of justice among politicians, decision-makers and human rights activists around the world. It is also a reflection of the global momentum of the new political climate after the end of the Cold War and the restoration of freedom in many parts of the world.

His Holiness the Dalai Lama's exhortation that finally truth and justice will prevail has never seemed more self-evident in all our years in exile.

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NORWEGIAN NOBEL COMMITTEE PEACE PRIZE ANNOUNCEMENT

Oslo

5 October 1989

The Norwegian Nobel Committee has decided to award the 1989 Nobel Peace Prize to the 14th Dalai Lama, Tenzin Gyatso, the religious and political leader of the Tibetan people.

The Committee wants to emphasise the fact that the Dalai Lama in his struggle for the liberation of Tibet consistently has opposed the use of violence. He has instead advocated peaceful solutions based upon tolerance and mutual respect in order to preserve the historical and cultural heritage of his people.

The Dalai Lama has developed his philosophy of peace from a great reverence for all things living and upon the concept of universal responsibility embracing all mankind as well as nature.

In the opinion of the Committee the Dalai Lama has come forward with constructive and forward-looking proposals for the solution of international conflicts, human rights abuses, and global environmental problems.

UNITED STATES CONGRESS

S. Con. Res. 75

Washington, DC

5 October 1989

To congratulate His Holiness the XIV Dalai Lama of Tibet for being awarded the 1989 Nobel Peace Prize.

For the Senate: Mr. Pell (for himself and Mr. Helms, Mr. Biden, Mr. Pressler, Mr. Simon, Mr. Sarbanes, and Mr. Stanford) submitted the following concurrent resolution;

For the House: Mr. Rose (for himself, Mr. Levine of California, Mr. Gilman, Mr. Lantos, Mr. Porter, Mr. Levin of Michigan, and Mr. Douglas) submitted the following concurrent resolution; which was referred to the Committee on the Post Office and Civil Service.

RESOLUTION

Whereas His Holiness the XIV Dalai Lama of Tibet is the spiritual mentor to millions of Buddhists throughout the world and the leader of the Tibetan people;

Whereas His Holiness the XIV Dalai Lama of Tibet has persistently promoted justice, offered hope to the oppressed, and upheld the rights and dignity of all men and women regardless of faith, nationality, or political views;

Whereas His Holiness the XIV Dalai Lama is a world leader who has admirably and with dedication advanced the cause of regional and world peace through adherence to the doctrines of non-violence and universal responsibility;

Whereas His Holiness the XIV Dalai Lama has, through his example, his teachings, and his travels, furthered mutual understand-

ing, respect, and unity among nations and individuals; and

Whereas the Norwegian Nobel Committee has awarded His Holiness the XIV Dalai Lama of Tibet the 1989 Nobel Peace Prize;

Now, therefore, be it *Resolved by the Senate (the House of Representatives concurring)*, That the Congress—

Commends His Holiness the Dalai Lama for furthering the just and honourable causes that he has championed, expresses its support for those causes, and congratulates him for being awarded the 1989 Nobel Peace Prize.

UN GENERAL ASSEMBLY
Resolution 1353 (XIV)
New York
21 October 1959

The General Assembly,

Recalling the principles regarding fundamental human rights and freedoms set out in the Charter of the United Nations and in the Universal Declaration of Human Rights adopted by the General Assembly on 10 December 1948,

Considering that the fundamental human rights and freedoms to which the Tibetan people, like all others, are entitled include the right to civil and religious liberty for all without distinction,

Mindful also of the distinctive cultural and religious heritage of the people of Tibet and of the autonomy which they have traditionally enjoyed,

Gravely concerned at reports, including the official statements of His Holiness the Dalai Lama, to the effect that the fundamental human rights and freedoms of the people of Tibet have been forcibly denied them,

Deploring the effect of these events in increasing international tension and embittering the relations between peoples at a time when earnest and positive efforts are being made by responsible leaders to reduce tension and improve international relations,

1) Affirms its belief that respect for the principles of the Charter of the United Nations and of the Universal Declaration of Human Rights is essential for the evolution of a peaceful world order based on the rule of law;

2) Calls for respect for the fundamental human rights of the Tibetan people and for their distinctive cultural and religious life.

UN GENERAL ASSEMBLY
Resolution 1723 (XVI)
New York
20 December 1961

The General Assembly,

Recalling its resolution 1353 (XIV) of 21 October 1959 on the question of Tibet,

Gravely concerned at the continuation of events in Tibet, including the violation of the fundamental human rights of the Tibetan people and the suppression of the distinctive cultural and religious life which they have traditionally enjoyed,

Noting with deep anxiety the severe hardships which these events have inflicted on the Tibetan people, as evidenced by the large-scale exodus of Tibetan refugees to the neighbouring countries,

Considering that these events violate fundamental human rights and freedoms set out in the Charter of the United Nations and the Universal Declaration of Human Rights, including the principle of self-determination of peoples and nations, and have the deplorable effect of increasing international tension and embittering relations between peoples,

- 1) Reaffirms its conviction that respect for the principles of the Charter of the United Nations and of the Universal Declaration of Human Rights is essential for the evolution of a peaceful world order based on the rule of law;
- 2) Solemnly renews its call for the cessation of practices which deprive the Tibetan people of their fundamental human rights and freedoms, including their right to self-determination;
- 3) Expresses the hope that Member States will make all possible efforts, as appropriate, towards achieving the purposes of the present resolution.

UN GENERAL ASSEMBLY
Resolution 2079 (XX)
New York
1965

The General Assembly,

Bearing in mind the principles relating to human rights and fundamental freedoms set forth in the Charter of the United Nations and proclaimed in the Universal Declaration of Human Rights,

Reaffirming its resolutions 1353 (XIV) of 21 October 1959 and 1723 (XVI) of 20 December 1961 on the question of Tibet,

Gravely concerned at the continued violation of the fundamental rights and freedoms of the people of Tibet and the continued suppression of their distinctive cultural and religious life, as evidenced by the exodus of refugees to the neighbouring countries,

- 1) Deplores the continued violation of the fundamental rights and freedoms of the people of Tibet;
- 2) Reaffirms that respect for the principles of the Charter of the United Nations and of the Universal Declaration of Human Rights is essential for the evolution of a peaceful world order based on the rule of law;
- 3) Declares its conviction that the violation of human rights and fundamental freedoms in Tibet and the suppression of the distinctive cultural and religious life of its people increase international tension and embitter relations between peoples;
- 4) Solemnly renews its call for the cessation of all practices which deprive the Tibetan people of the human rights and fundamental freedoms which they have always enjoyed;
- 5) Appeals to all States to use their best endeavours to achieve the purposes of the present resolution.

**UN SUB-COMMISSION ON PREVENTION OF
DISCRIMINATION AND PROTECTION
OF MINORITY RIGHTS**

Resolution 1991/10

Geneva

23 August 1991

1) At its forty-third session, the Sub-Commission on Prevention of Discrimination and Protection of Minorities adopted, on 23 August 1991, resolution 1991/10 entitled “Situation in Tibet,” as follows:

“The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Guided by the principles of the Charter of the United Nations, the International Bill of Human Rights and other international instruments in the field of human rights,

Concerned at the continuing reports of violations of fundamental human rights and freedoms which threaten the distinct cultural, religious and national identity of the Tibetan people,

1) Calls upon the Government of the People’s Republic of China fully to respect the fundamental human rights and freedoms of the Tibetan people;

2) Requests the Secretary-General to transmit to the Commission on Human Rights information on the situation in Tibet provided by the Government of China and by other reliable sources.”

EUROPEAN PARLIAMENT

Strasbourg

14 October 1987

The European Parliament,

A) Gravely concerned by the recent disturbances in Lhasa which are reported to have caused many deaths,

B) Recalling that both during the early days of the Chinese occupation in the 1950s and during the Cultural Revolution the Tibetan religion and culture were brutally repressed,

C) Noting the policy of tolerance which has been shown in recent times by the Chinese authorities towards the Tibetan Buddhist religion by the reconstruction of certain monasteries, as well as the growing participation of Tibetans in the administration of the Autonomous Regions,

D) Having regard to the new legal provisions of 1984 concerning the status of autonomous regions in China,

E) Calling attention to the Dalai Lama's five-point programme on the status of Tibet and relations between the Chinese and Tibetan people,

1) Urges the Chinese Government to respect the rights of the Tibetans to religious freedom and cultural autonomy,

2) Considers that the Dalai Lama's five-point programme could well form the basis of a settlement,

3) Instructs its President to forward this resolution to the Commission, the Council and the Government of the People's Republic of China.

EUROPEAN PARLIAMENT
Strasbourg
15 March 1989

**In a Joint Motion for a Resolution on Human Rights
in Tibet**

The European Parliament,

A) having regard to recent demonstrations in Tibet at which the Chinese security forces opened fire and numbers of people were killed and many others injured,

B) having regard to the fact that on 7 March China declared martial law in Tibet, so that all demonstrations, petitions and public meetings have been outlawed,

C) noting further that all foreigners and journalists have been expelled,

D) believing that the conflict in Tibet should not be resolved by force,

E) noting the Chinese Government's change of policy in relation to Tibet in the 1980s by which they tolerate Buddhism, and have re-opened some monasteries, but religious teaching and the study of Buddhist philosophy is severely restricted,

1) Strongly condemns the violent repressive measures and in particular the use of arms, which have taken place in the Tibetan capital, and calls for the lifting of martial law;

2) Deplores the loss of life resulting from these disturbances and expresses its deepest sympathies with the families affected;

3) Urges the Government of the People's Republic of China to now hold the postponed discussions on the future of Tibet with the Dalai Lama;

4) Calls for a resumption of talks between all parties concerned and calls on the Chinese Government to resume a conciliatory policy towards Tibet which will respect the autonomous status of this region

within the framework of Chinese constitutional practice;

5) Requests the Foreign Ministers of the Twelve and Commission to use their good offices with the parties concerned to promote a just solution to the problems of Tibet;

6) Instructs its President to forward this resolution to the Commission, the Council, the Foreign Ministers meeting in European Political Co-operation, the Government of the People's Republic of China and the Dalai Lama.

EUROPEAN PARLIAMENT
Strasbourg
September, 1991

5(b) RESOLUTION B3-01332, 0139, 0169 and 0188/92 on human rights in China and Tibet

The European Parliament,

A) having regard to the most recent report by Amnesty International concerning the continuing violations of human rights in China and Tibet and the large number of political detainees still in prison,

B) drawing attention to the increased persecution of those who practise their religious faith: Buddhists, Catholics, Protestants and Moslems,

C) mindful of the problem of overpopulation in China, to which a solution should be sought with full respect for human rights, and therefore shocked by the reports that women are sometimes forced to have abortions,

D) having regard to the declaration by the Council of Ministers of 17 December 1991 on relations with China to the effect that the Twelve and the Commission would refrain from taking any trade initiatives in co-operation with China,

E) having regard to its previous resolutions on violations of human rights in China and its resolution of 22 November 1991 concerning the links between human rights, democracy, democracy and development,

1) Calls for the release of all those whose only offence is to practise their religious faith in accordance with Article 36 of the Chinese Constitution of 1982 or who peacefully advocate the establishment of democratic rights;

2) Calls on the Chinese Government to ensure that forced abortions cease immediately and that those responsible are brought to trial;

3) Appeals in particular for the release of :

(a) the Catholic Bishop Paul Li Thenrong who, although sentenced to 15 years' imprisonment in 1957, was incarcerated until 1980 and was re-arrested on 20 November 1991;

(b) Lobsang Tsondrue, a monk, Terpa Wangdrak, a monk, Terpa Phulchung, an accountant, Bhu Panpa, an artist, all Tibetans who are detained in harsh conditions for long terms of imprisonment for such offences as possessing a Tibetan flag, possessing posters calling for Tibetan independence or for taking part in peaceful demonstrations, and Tamdin Sithat, a 45-year-old Tibetan, who was sentenced to 12 years' imprisonment in 1984 by the Chinese authorities, apparently because he had in his possession a statement by the Dalai Lama;

4) Expresses its concern at the conditions in which prisoners are held, in particular, the medical treatment available, which seems often to be almost non-existent;

5) Calls on all the Member States to adhere strictly to the position adopted by the Council of Ministers on 17 December 1991;

6) Instructs its President to forward this resolution to the Commission, Council, European Political Co-operation and to the Government of the People's Republic of China and the Dalai Lama.

EUROPEAN PARLIAMENT
Strasbourg
19 November 1992

The European Parliament,

A) Whereas the Permanent Peoples' Tribunal being held from 16 to 20 November in Strasbourg will take a decision on the human rights situation in Tibet,

B) mindful of the information obtained at the public hearing on Tibet organised by the European Parliament on 24 and 25 April 1990,

C) whereas the human rights situation in Tibet has not improved since then, with particular regard to culture, education and the right to health,

- 1) Calls for the immediate release of all Tibetan political prisoners;
- 2) Asks the Chinese Government to allow the International Red Cross to visit prisons and talk with prisoners;
- 3) Instructs its President to forward this resolution to the Council, the Commission, the Dalai Lama and the Chinese authorities.

EUROPEAN PARLIAMENT
Strasbourg
15 December 1992

The European Parliament,

— having regard to the motions for resolutions:

A) by Mrs. Muscardini and others on human rights and EEC economic activity in China (B3-046/90)

B) by Mr. Aglietta and Mr. Langer on the situation in Tibet (B3-1375/90)

C) by Mr. Coates and others on the situation in Tibet (B3-1557/90), having regard to its resolution of 15 October 1987, 16 March 1989, 15 March 1990 and 13 February 1992,

— expressing its grave concern at the violations of fundamental human rights of the Tibetan people, as referred to in the United Nations resolutions 1353 (XIV), 1723(XVI) and 2079 (XX),

— expressing its concern, mindful of Resolution 1991/10 of 23 August 1991 of the United Nations Sub-Commission on the Prevention of Discrimination and Protection of Minorities, at violations of fundamental human rights and freedoms that threaten the distinct cultural, religious and national identity of the Tibetan people,

— having regard to the UN Secretary-General's note on "The Situation in Tibet" (E/CN.4/1992/37) presented to the 48th session of the Commission on Human Rights,

— having regard to draft resolution L.49 of 27 February 1992 on "The Situation in Tibet" introduced by Portugal on behalf of the Member States and co-sponsored by Austria, Costa Rica, Finland, Iceland, Liechtenstein, Norway, Panama and Switzerland, expressing concern at the human rights violation and calling upon the Government of China to "ensure the full observance of human rights and fundamental freedoms of the Tibetans,"

— having regard to the information acquired during the

hearing on human rights in Tibet held by the European Parliament on 24 and 25 April 1990,

— having regard to the experience of the European parliament's delegation during its stay in Lhasa from 20 to 23 September 1991 and especially to the fact that the freedom of movement of the individual members of the delegations was restricted and that they were prevented from obtaining information outside the official programme for the visit, discussions with individual members of the Tibetan population and religious dignitaries being consistently prevented by the presence of security forces in large numbers,

— having regard to the report of the Chairman of the Delegation for Relations with the People's Republic of China of 4 November 1991 on the delegation's visit to the Peoples Republic of China from 20 to 23 September 1991,

— having regard to the report of the Committee on Foreign Affairs and Security (A3-0369/92),

A) recognising that the Tibetans are a people according to international law,

B) noting that self-determination, a fundamental principle enshrined in Article 1(2) and 55 of the United Nations Charter, is affirmed as a right of peoples in Article 1 of the United Nations Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights:

“All peoples have the right to self-determination. By virtue of this right, they freely determine their political status and freely pursue their economic, social and cultural development.”

C) recalling, however, that in his determination to secure the human rights of Tibetans by peaceful means, the Dalai Lama has made clear that he does not insist that Tibet should become totally independent;

D) noting with deep anxiety the continued denial of the Tibetans people's right to self-determination, in spite of the

fact that according to the relevant international law, a broad range of possibilities are available to pave the way for the attainment of this right;

E) considering insufficient the legal autonomy currently granted to the Tibet Autonomous Region (TAR) by the Chinese Government, and regretting that even this limited autonomy exists only in law but not in fact and that the economy is managed and local natural resources are exploited with insufficient regard to the needs and priorities of the Tibetan people;

F) noting with concern that traditional Tibet has been arbitrarily divided into five parts and that a large part of the former territory and population of Tibet has been incorporated into the adjacent provinces of Sichuan, Yunnan, Gansu and Qinghai;

G) deploring the continued violation of the fundamental human rights and freedoms of the Tibetans, including both civil and political rights and economic, social and cultural rights;

H) particularly concerned by the encouragement given to the resettlement of Chinese in Tibet, which marginalises the Tibetan culture and threatens the identity of the Tibetans as a distinctive people and their ability to participate effectively in any political process both currently and if Tibet were to become democratic in the future;

I) distressed by the continued violations by China of its international obligations, as evidenced by the prevalence of mass executions, political detention and torture;

J) extremely concerned by the continued military occupation of Tibet by Chinese troops and armed police and the reported deployment of Chinese nuclear missiles, which pose a threat to peace and stability in this region and, in addition, divert urgently needed resources from regional, national and local

development projects;

K) deploring the destruction wrought on the natural environment of Tibet by a mistaken agricultural policy, a politically motivated immigration policy and the ruthless exploitation of the country's natural resources, which contravenes the UN Declaration of the Rights of Peoples to Sovereignty over Natural Resources and has resulted in major deforestation around the upper reaches of Asia's greatest rivers, with catastrophic implications for the future of the region;

L) particularly concerned by the attacks on Tibetan culture, such as discrimination against the Tibetan language in government and in the education system, and the strict supervision of monasteries and religious observance, in open disregard of long standing Tibetan traditions and customs despite nominal autonomy;

M) noting with concern the discriminatory nature of the health and education system in Tibet, which places in jeopardy the future of an entire people;

N) noting that most of the Tibetan population lives outside the TAR: while the TAR has 2.2 million inhabitants according to official figures of the Chinese authorities, a further 2.5-4 million Tibetans live outside the TAR in the Tibetan Autonomous Prefectures of Hainan, Haibei, Huanghan, Gannan, Golok, Yushu, Ngapa (Aba), Garze and Dechen and in the "Mongolian, Tibetan, Kazakh Autonomous Prefecture of Haixi"; the fate of these people must also be taken into account as the Tibetan people strive to gain independence;

O) convinced that the traditional wisdom and culture of the Tibetan nation and its spiritual leadership will find a gentle and peaceful way to assert and attain their rights.

1) Condemns the human rights violations inflicted on the

Tibetan people and calls on the People's Republic of China to respect human rights as defined in international law;

2) Demands the release of all political prisoners and a halt to torture and intimidation in Tibet, and urges the Chinese government to invite a neutral and impartial institution such as the International Committee of the Red Cross to visit all detention facilities and prisoners;

3) Calls for an immediate halt to the environmental degradation and economic exploitation perpetrated by the Chinese in Tibet, and insists that the management of the natural resources and the economy be entrusted to the local Tibetan authorities;

4) Appeals for an end to discrimination against Tibetans in health and education services, further efforts to improve the health and education levels of the Tibetan population and genuine improvement of the health and education facilities available to the Tibetan population;

5) Calls for the immediate reversal of policies that encourage the mass transfer of Chinese to Tibet in violation of the Tibetan people's rights to self-determination which implies the right for the Tibetan people to decide democratically on levels and patterns of immigration and the promotion of Tibetan as the language of government and education in Tibet;

6) Recommends that, in the highly sensitive area of birth control policy, a sensible, culturally and socially acceptable settlement be found, taking into account the convictions of the Tibetan population and the country's special situation;

7) Advocates the termination of all measures restricting the Tibetans' freedom of movement within the TAR even after the lifting of martial law (e.g. the occasional blockading of individual cities or areas); notes in particular that the freedom on monks to travel is restricted, the aim obviously being to prevent contacts between monasteries;

8) Welcome the recent visits to Tibet permitted for Aus-

tralian, Swiss, Austrian and other delegations, but regrets the selective and conditional nature of access to Tibet, particularly the refusal of permission to the rapporteur of the European Parliament's Political Affairs Committee to visit Tibet in his official capacity; deplores interference in the composition of delegations and the limits imposed on the freedom of movement of delegation members and on what foreign delegation members may observe while in Tibet; condemns in particular the persecution of Tibetans who talk to delegation members without permission or supply information to foreign delegation members which deviates from that prescribed by the Chinese authorities;

9) Abhors the censorship of communications and the limitations imposed on journalists, including denial of entry and expulsion, and the confiscation of documents and films from Western travellers and journalists;

10) Declares its solidarity with the numerous Tibetans serving long prison sentences for expressing or publishing their political opinions;

11) Welcomes the recent openness of the Chinese government in supplying information about the numbers of political prisoners (those held for 'counterrevolutionary offences') in Drapchi prison and hopes figures will be published for other categories of prisoners, e.g. prisoners being 'held for investigation' in Public Security Bureau detention and interrogation camps such as Gutsa and New Seitu and also political prisoners in 'reform and re-education through labour' camps at Sangyip and Powo Tramu and other unacknowledged prison camps;

12) Demands the full involvement of Tibetans, with international observation, in the reconstruction of all culturally sensitive sites, particularly the Potala Palace, which should be made a UNESCO "World Heritage Site";

13) Regrets that the various constructive initiative of the Dalai Lama's government in exile have not been acknowledged as a basis for serious negotiations; considers that a willingness to reconsider the

Dalai Lama's five-point plan of 1987 might offer a renewed prospect of a peaceful and acceptable solution of the Tibetan question, and appeals to the Chinese Government to reconsider its refusal of the Dalai Lama's October 1991 request to visit Tibet, and in a positive spirit, to invite him to visit Tibet in 1993;

14) Urges the resumption of negotiations between the Tibetan Government-in-Exile and the Chinese authorities;

15) Urges the genuine self-determination be considered in these negotiations and, as a first step and sign of goodwill, recommends the incorporation of all Tibetan territories into a single administrative and political unit;

16) Is aware that Tibet will not find its way to democracy by its own efforts and that, on the termination of its one-sided dependence on the People's Republic of China, economic support measures will be needed to enable the country to use its natural resources independently and to bring its economic and political isolation to an end;

17) Calls upon the commission to make the granting of assistance to China conditional on the observance of basic human rights and freedoms, particularly in Tibet, and to report on the situation in Tibet annually;

18) Urges the Commission to ensure in its relations with China that an appropriate percentage of funds, projects and scholarships is allocated to Tibet;

19) Insists that EEC-funded or supported projects in Tibet must genuinely serve the interest of the Tibetan people and involve a majority of Tibetans at all levels and that where this cannot be achieved immediately, provisions must be made for Tibetans to be trained in order to replace the Chinese managers, experts and technicians sent to the country;

20) Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member states, the government of the People's Republic of China, the Dalai Lama and the Secretary-General of the United Nations.

**CONFERENCE OF EUROPEAN
PARLIAMENTARIANS
Palace of Westminster
London
3-4 May 1993**

STATEMENT OF ACTION

GENERAL

- 1) The Conference of European Parliamentary agrees that measure must be taken urgently to safeguard the very existence of Tibet and to end its illegal occupation by China, which is the basis of all Tibet's problems.
- 2) The Conference totally rejects China's repeated assertions that 'Tibet is an integral part of the motherland', endorsing the conclusions of the Conference of International Lawyers held in London and the Strasbourg Permanent Peoples' Tribunal, that Tibet prior to its occupation enjoyed independent status in International Law, a view expressed thirty years previously by the Legal Enquiry Committee of the International Commission of Jurists.
- 3) There should be powerful representations...authorities by National and European Parliamentary groups in respect of each of the action points endorsed by the Conference.
- 4) National and European Parliaments should urge their Governments' representatives to take effective action on behalf of Tibet at the UN Commission on Human Rights and other relevant international forums.
- 5) The Dalai Lama and the democratically elected Tibetan Government-in-Exile should be given the fullest international support and the opportunity to address the UN General Assembly, especially in recognition of the non-violent approach of the Tibetan people in expressing their desire for independence.
- 6) The Conference draws attention to Britain's unique relationship

with Tibet, reflected in various treaties prior to 1950, placing a particular responsibility on the British Government with regard to Tibet to persuade the Chinese Government to enter into negotiations in good faith with the Dalai Lama and the Tibetan Government-in-Exile without any preconditions.

TRADE

7) While accepting that China should in no way be isolated in its international trade, National and European Parliamentary representations should urge that China's Most Favoured Nation economic status with the USA and its economically advantageous status with the European Community (the Trade Co-operation Agreement, GSP benefits, financial and technical co-operation etc.) be made conditional on the terms contained in Bill S.806 currently before the US Senate introduced on 22nd April 1993, which includes conditions both on Tibet and Hong Kong.

8) The use of forced labour by the Chinese authorities, effecting many Tibetans, to gain a business advantage in world markets, is unacceptable.

9) Direct Parliamentary representations will be made to companies undertaking joint business ventures with China in Tibetan regions, requesting them to adopt the Human Rights Business Ethics policies followed by, for example, the Royal Dutch Shell Company in China and the general principles embodied in the Tibetan Government-in-Exile's guidelines on aid and development.

ECONOMIC AND FINANCIAL AID

10) All economic and development aid to Tibet (including the programmes of the World Bank, the IMF, the World Food Programme and other international agencies) should be for the benefit of Tibetans, should not promote further population transfers of Chinese settlers and workers into Tibet and should refer to guidelines on aid and development in Tibet issued by the Tibetan Government-in-Exile.

CULTURE

11) The accelerating growth of Chinese settlers and workers, which threatens to reduce the Tibetan people to a minority in their own country (as has already happened in Manchuria, Inner Mongolia and Eastern Turkestan), must be halted. The current policy of enforced abortion on Tibetan women must cease forthwith.

12) The Conference deplors the massive destruction of Tibet's cultural heritage and urges that any restoration of that heritage should be in full consultation with local Tibetan people and the Tibetan Government-in-Exile, under the supervision of UNESCO.

HUMAN RIGHTS

13) It is to the disadvantage of the community of nations to allow China, soon to be a major economic power, to pursue unrestrained policies of oppression.

14) National and European Parliamentarians will call for the implementation of UN General Assembly Resolutions calling for the restoration of Tibet's Human Rights, including the right to self-determination; and for the immediate and unconditional release of all political prisoners, and for the International Committee of the Red Cross (and other international Human Rights organisations) to be permitted to inspect prisons and other places of detention in Tibet.

ENVIRONMENT

15) The Conference expresses deep concern at the degradation of the Tibetan environment and the exploitation of its natural resources for the benefit of China alone, and condemns the siting within Tibet of nuclear installations, and calls on China to permit research by independent international organisations on the consequences of the continuing destruction of Tibet's fragile eco-system.

EUROPEAN PARLIAMENT
Strasbourg
24 June 1993

4 (E) B3-0858, 0862, 0872, 0903 and 0929/93

Resolution on repression in Tibet and the exclusion of the Dalai Lama from the World Conference on Human Rights.

The European Parliament,

A) Concerned about the recent and numerous arrests in Tibet, both subsequent to demonstrations in the last few weeks, and prior to the visit by the delegation of EC Ambassadors on 16 May 1993 in an apparent attempt to prevent contact between political dissidents and the EC delegation,

B) having regard to the statement of concern issued by EPC on 1 June following the visit of the EC diplomats to Tibet from 16 to 23 May,

C) shocked by the exclusion of the Dalai Lama from addressing the UN world Conference on Human Rights in Vienna, in spite of the protests by the Austrian Government which had invited him,

D) recalling that the Dalai Lama has made it clear that he is calling for respect for the human rights and cultural autonomy of the Tibetans and not for the political independence of Tibet,

E) recalling its previous resolutions on the abuse of human rights in Tibet,

1) Deplores the brutal suppression of the demonstrations and the harsh treatment of political prisoners in Tibet;

2) Calls for the immediate release of and a guarantee of physical safety for all those arrested if not charged with internationally recognisable criminal offences, including Gendun Rinchen, Lobsang Yonten and Damchoe Pemo, who are being held incommunicado;

3) Calls on the Chinese Government to allow the presence of foreign observers at the trials of any of those arrested who are brought to trial;

4) Calls on the EC Ambassadors to China to draw up an in-depth report on their visit to Tibet and to forward this report to the European Parliament;

5) Asks EPC to use its good offices to exert pressure on the Chinese Government to lift the ban on foreign journalists travelling to Tibet and to abolish the 1987 law forbidding foreigners to watch or take photographs of demonstrations;

6) Calls for independent investigations into the brutal suppression of the demonstrations and for free access for international humanitarian agencies such as Amnesty International and suggests that the European Parliament's Subcommittee on Human Rights and its Delegation for relations with the PRC explore the possibility of sending a European Parliament human rights mission to investigate the human rights situation in Tibet, accompanied by independent experts and their own Tibetan interpreters;

7) Deeply regrets that the Dalai Lama's planned address to the United Nations World Conference on Human Rights in Vienna was cancelled as a result of Chinese pressure;

8) Recalls the Chinese interest in developing its trade relations with the EC and its political relations with the Member States, and urges the Commission to make all future economic and commercial agreements with the People's Republic of China conditional upon respect for human rights in China in the Tibetan region;

9) Calls for an economic development policy which benefits Tibetans rather than stimulating the influx of Chinese into Tibet;

10) Calls for a resumption of negotiations between the Dalai Lama and the Chinese authorities, and a democratic, genuinely autonomous solution for Tibet;

11) Instructs its President to forward this resolution to the Commission, Council and European Political Co-operation, to the

governments and parliaments of the Member States, Austria and the People's Republic of China, and the Secretary-General of the UN and the Dalai Lama.

EUROPEAN PARLIAMENT
Strasbourg
15 September 1993

B3 1257/RC1

The European Parliament,

— having regard to the statement of concern issued by the EPC [Political Committee] on 1st June;

— recalling its earlier resolutions and in particular that of 24th June 1993;

— having regard to the statement of concern of Amnesty International;

A) Aware of the deplorable violation of human rights in Tibet and the huge number of political prisoners, including 107 apparently arrested during the period April to July 1993 for taking part in demonstrations for independence or calling for the release of dissidents;

B) Recalling the arrest of Gendun Rinchen and other Tibetan human rights activists before the arrival of a delegation of EC Ambassadors in Tibet last May, in an apparent attempt by the Chinese authorities to prevent contacts with the EC Delegation and in particular to prevent them receiving information about political prisoners;

C) Concerned about the fact that Gendun Rinchen since being arrested is being detained incommunicado and is accused of “stealing state secrets”, a charge which can carry the death sentence;

D) Gravely concerned by the reports of the arrest and maltreatment by the police of Damchoe Pemo who, when 20 weeks pregnant, miscarried, having been forced to remain standing for at least 12 hours and having been beaten with electric batons;

E) Gravely concerned by the reports that the village of Kymishi in Gongkar County in the Lhoka Prefecture has been surrounded by hundreds of Chinese soldiers who have set up machine gun posts and that 35 people in the village have been arrested;

F) Convinced that the relations between EC and China should not be determined only by economic interests, but should be dependant on respect for human rights and democracy;

- 1) Calls on the Chinese authorities to release forthwith all those detained solely for exercising their right to freedom of expression and to ensure that Tibetan detainees are protected from torture and ill treatment and are granted access to relatives and to a lawyer of their choice;
- 2) Supports the courageous activity of Gendun Rinchen and his combatants in support of the respect of human rights and in particular the situation of the political prisoners in Tibet;
- 3) Recalls its demand to the Commission to make all future economic and commercial agreements with the People's Republic of China dependant upon respect for human rights in China and in the Tibetan region;
- 4) Takes the view that the Olympic Games should not be held in Peking in the year 2000, unless significant progress is made in ensuring respect for human rights by the Chinese regime;
- 5) Instructs its delegation to China to insist on discussing the question of the violation of human rights, especially in Tibet, during its forthcoming visit to the People's Republic;
- 6) Instructs its President to transmit this resolution to the Commission, the council, the EPC, and to the Governments of the People's Republic of China and of the Tibet Autonomous Region.

EUROPEAN PARLIAMENT

Strasbourg

17 May 1995

B4-0768/95/RC1

B4-0826/95/RC1

The European Parliament,

— having regard to the proposal for support by the European Union of the Panam Integrated Rural Development Project in Tibet,

— having regard to the Commission notice 93/C, 63/02 of 5 March 1993 concerning an open and structured dialogue between the Commission and special interest groups promoting greater transparency in dealings with the Commission,

— having regard to the views expressed by the Commission during its meeting with the Dalai Lama in June 1994 that the best solution to the situation in Tibet is through constructive dialogue between the Tibetan Government-in-Exile and the Government of the People's Republic of China (PRC),

— having regard to its resolutions of 15 October 1987(1), 16 March 1989(2), 15 March 1990(3), September 1991(4), 13 February 1992(5), 15 December 1992(6), 25 June 1993(7) and 17 September 1993(8),

A) noting and supporting previous resolutions calling for economic aid which genuinely serves the interests of the Tibetan people,

B) noting the objective for the Panam Rural Integrated Project of increasing the food surplus produced by the region for distribution to other parts of Tibet, in particular those with a non-Tibetan population,

C) particularly concerned by encouragement given to the settlement of Chinese in Tibet which marginalises Tibetan culture and threatens the identity of the Tibetans as a distinctive people and their

ability to participate effectively in any political process,

D) concerned also that during its assessment of the Panam Project the Commission did not adequately consult either the local population or special interest groups with extensive expertise of development work in Tibet as demanded by the Commission's own policy of open and structured dialogue with such special interest groups,

E) recognising that Tibetans are a people under the international law and that in accordance with the United Nations Charter and the UN Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights they have a right to self-determination,

F) noting with increasing concern the continued violations of the fundamental human rights and freedoms of the Tibetan people, and the major crackdown by the PRC on religious expression and on supporters of Tibetan independence,

G) shocked at the news of the recent death of Gyaltzen Kel-sang, the Buddhist nun recently released after one and a half year's detention, as a result of ill-treatment during imprisonment, and concerned for the health of others suffering injury or illness as a result of ill-treatment whilst in custody,

H) appalled by the fact that she was the tenth political prisoner since 1987 to die shortly after leaving prison and the fourth woman to die within four years,

I) noting the hosting of the forthcoming United Nations Fourth World Conference for Women by the PRC and the reports of obstacles being placed in the way of legitimate activity at the conference by non-governmental organisations and specifically the barring of Tibetan and Taiwanese women from the conference and the complimentary NGO Forum,

J) noting reports of coercive contraceptive methods being used against Chinese and Tibetan women to enforce the government policy limiting numbers of children in a family.

1) Calls on the Commission to recognise that the Panam Project has been proposed by the PRC as part of a scheme

to feed the new Chinese settlers in Tibet by local means and that it is therefore against the interests of the Tibetan people because it encourages the settlement of Chinese citizens and forces the economic integration of Tibet into China;

2) Calls on the Commission to re-deploy resources from the Panam Project to aid which will better serve the Tibetan people;

3) Urges the Commission to regard its own findings of difficulty in consulting the population of Panam county as further evidence of the problems of managing projects in Tibet and to accept the conclusion that development aid must be channelled into small local projects;

4) Urges the Commission to support non-governmental organisations engaged in these types of local projects;

5) Calls on the Commission to ensure in future that any proposals relating to Tibet are the subject of a full and open consultation process conducted with a view to providing the transparency necessary to allow special interest groups to participate in that process;

6) Calls upon the Commission to make the granting of aid to China conditional on respect for fundamental human rights and freedoms, particularly in Tibet;

7) Urges the PRC to enter into the postponed discussions on the future of Tibet with the Dalai Lama and the Tibetan Government-in-Exile;

8) Strongly urges the Foreign Ministers of the Member States and the Commission to urge that a substantive dialogue without pre-conditions takes place between the Tibetan Government-in-Exile and the Chinese Government in order to find a constructive solution to the situation in Tibet;

9) Calls on the PRC authorities to release forthwith all those detained solely for exercising their right to freedom and

expression in China and Tibet and to ensure that all detainees are protected from torture and ill-treatment, are granted access to relatives and a lawyer of their choice, and are provided with full health care for injury or illness accrued as a result of detention;

10) Appeals to the Government of the PRC to acknowledge its responsibility to ensure that the Fourth World Conference for Women allows proper facilities for the NGO Forum; women from Tibet, Taiwan, Western Sahara and elsewhere should be given full access;

11) Calls on the PRC to abandon policy and legislation which encourages the authorities to force women to use birth control methods, including abortion and sterilisation, by economic or other means;

12) Instructs its President to forward this resolution to the Commission, the Council, the governments and parliaments of the Member States, the government of the People's Republic of China, the Secretary General of the United Nations and the Dalai Lama.

EUROPEAN PARLIAMENT

Strasbourg

18 May 1995

The European Parliament,

A) recognising the importance of the UN Fourth Conference on Women to be held in Beijing in September 1995,

B) stressing that the emancipation of women is inseparably linked to the struggle for the promotion of and defence of human rights and that economic and political rights are integral to these human rights, and stressing also that women are the driving force behind peace and the future development of mankind,

C) recognising the important role played by NGOs at conferences of this kind, the high qualifications of the NGOs accredited to this Conference and the fact that this important role has been acknowledged by the UN,

D) shocked by reports that Taiwanese and Tibetan women will not be allowed to take part,

E) shocked by reports that groups with views which do not coincide with those of the Chinese Government, such as lesbian groups and local Chinese groups, will be excluded,

F) gravely concerned at the reported decision of the Chinese authorities to place the NGO Forum far away from the World Conference, on a site that does not have a meeting place able to hold more than 1,700 people, although 40,000 participants are expected,

G) gravely concerned that telecommunications, hotel, interpretation, translation and transport facilities seem utterly inadequate for a conference of this kind and scale,

H) gravely concerned at reports of strict customs procedures and controls with regard to the import of written and audio-visual materials by participants of both conferences,

1) Calls on the Chinese Government to allow women from Taiwan and Tibet who are accredited to NGOs to

attend the conferences;

2) Urges the Chinese Government to guarantee freedom of speech and press and to lift any exclusion of categories of women because of their views, origin or sexual orientation;

3) Urges the Chinese Government to relocate the NGO Forum at a site close enough to the official conference to allow easy communication between the two and to provide the necessary facilities;

4) Calls on the Commission and the Council to use their influence to urge the Chinese Government and the UN Secretary-General to provide, as requested, adequate facilities and democratic procedures for holding this conference;

5) Warns that the exclusion of women because of their views, geographical origin or sexual orientation will confirm the image of the repressive character of the Chinese regime;

6) Points out that if the effectiveness of the conference is reduced by the obstacles placed in the way of NGOs, no further UN conferences should be held in China in the future;

7) Calls on the Commission and the Council to consider supporting a move of both the official and NGO conferences to a proposed venue in Australia if China fails to respond to the requests;

8) Instructs its President to forward this resolution to the Commission, the Council, the Council of Europe, the government of the Member States, the Secretary-General of the UN, the special advisory group for the UN Secretary-General, and the Government of the People's Republic of China.

EUROPEAN PARLIAMENT

Strasbourg

13 July 1995

Resolution on the situation in Tibet and the disappearance of the six-year old Panchen Lama

The European Parliament,

A) gravely concerned at reports of the abduction of a six-year old Tibetan boy, Gedhun Choekyi Nyima, and his parents, by the Chinese authorities shortly after he had been recognised by the Dalai Lama as the latest reincarnation of Tibet's second most important spiritual leader, the Panchen Lama, who died in 1989;

B) considering that, throughout its history, Tibet succeeded in maintaining a national, cultural and religious identity distinct from China until this began to be eroded following the Chinese invasion;

C) reaffirming the illegal nature of the invasion and occupation of Tibet by the People's Republic of China; whereas, before the invasion by China in 1950, Tibet was recognised de facto by many countries and whereas it is an occupied territory according to the principles laid down by international law and the resolutions of the United Nations;

D) condemning the attempt made by the Chinese authorities to destroy the Tibetan identity inter alia by a policy of large-scale settlement of ethnic Chinese in Tibet, forced sterilisation of females, abortions, political, religious and cultural persecution and the Sinicisation of the Tibetan administration;

E) recalling its earlier resolutions on the occupation of Tibet and the repression of its people by the Chinese authorities;

1) Calls on the Chinese authorities to ensure that Gedhun Choekyi Nyima and his family will be immediately released and allowed to return to their village;

- 2) Calls on the Chinese Government to put an end to its violations of human rights, ensure respect for the fundamental rights of the peoples and individuals in Tibet and put an end to officially-encouraged population transfers of ethnic Chinese in Tibet;
- 3) Invites the Commission and the Council to intervene with the Chinese authorities to stress how the continued oppression of the Tibetan people damages relations between the European Union and the People's Republic of China;
- 4) Calls on the Institutions of the European Union on the one hand to support any move to settle the Sino-Tibetan problem by means of a political dialogue and, on the other, on the Chinese Government and the Tibetan Government-in-exile to begin negotiations along those lines, and, in this context, expresses its support for the efforts of the Dalai Lama to restore by peaceful means the cultural and religious freedom of the Tibetan people, as well as their political autonomy;
- 5) Expresses its support for the Tibetan people and calls on the European Parliament to establish permanent contacts with the Tibetan Parliament-in-exile;
- 6) Instructs its President to forward this resolution to the Commission, the Council, the government of China, His Holiness the Dalai Lama and the Parliament-in-exile of Tibet and the UN Secretary-General.

EUROPEAN PARLIAMENT
Strasbourg
14 December 1995

18(b) B4-1499. 1516. 1522, 1544 and 1556/95

**Resolution on the selection of the Panchen Lama and religious
freedom in Tibet**

The European Parliament,

A) deploring generally the Chinese authorities' relentless persecution of Tibetan Buddhist monks,

B) noting that the Government of the People's Republic of China has announced the selection of a new Panchen Lama, attempting to overrule the Dalai Lama's choice of five months ago, thereby disregarding the religious traditions of the Tibetan people and politicising an issue that has always been a strictly religious matter throughout the history of Tibet,

C) stressing that this action by the Chinese is liable to create serious unrest in Tibetan society,

D) recalling that on 14 May 1995 the Dalai Lama, freely exercising the powers he enjoys by virtue of his spiritual role, had already recognised Gedhun Choekyi Nyima as being the new reincarnation of the Panchen Lama,

E) whereas Gedhun Choekyi Nyima and his parents, as well as the monk who identified him as the Panchen Lama, have not been seen in public since July 1995,

F) expressing its dismay that the actions of the Chinese authorities represent a further erosion of the principle of freedom of religion,

G) having regard to the riots which followed the government's decision and the ruthlessness with which they were quelled,

1) Condemns China's intervention in the nomination of

the candidate for the title of Panchen Lama, which is strictly a religious matter, as well as the forced appointment of the candidate imposed by the Chinese authorities;

- 2) Urges the Chinese authorities to respect the wishes of the Tibetan people by accepting the Panchen Lama as recognised by the Dalai Lama;
- 3) Requests the Government of the People's Republic of China immediately to allow Union diplomats to meet Gedhun Choekyi Nyima and his parents, as well as the monk mentioned above, in order to ensure that they are safe;
- 4) Calls on the Chinese authorities to undertake not to pressure or intimidate Gedhun Choekyi Nyima and his family in any way, particularly as regards his freedom to perform his spiritual role as the Panchen Lama and thus his free access to the education necessary for this role;
- 5) Calls on the Chinese authorities to accord full freedom of movement and worship to Tibetan monks, and to respect the Tashi Lumpo monastery, the historical seat of the Panchen Lama;
- 6) Calls on the representatives of the Council and the Commission to exert strong diplomatic or other pressure on the Chinese authorities to put an end to their unacceptable treatment of the Tibetan people;
- 7) Believes that the final decision to proceed with the European Union's Panam project in Tibet should not be taken until such time as the requests in this resolution are met;
- 8) Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States, the Dalai Lama, the Government of the People's Republic of China and the Tibetan Government in exile.

EUROPEAN PARLIAMENT
Strasbourg
18 April 1996

On the resolution on China and Tibet submitted to the United Nations Commission on Human Rights and the position of the EU countries

The European Parliament,

— having regard to the 52nd session of the United Nations Commission on human rights,

A) recalling the Vienna declaration and the United Nations Action Plan reaffirming the requirement that all Member States should promote and protect human rights and fundamental freedoms and respect the undertakings given in international conventions,

B) whereas the human rights situation in the People's Republic of China, particularly in occupied Tibet, is still very serious, as highlighted in the reports by Amnesty International and Human Rights Watch Asia, and whereas the situation in occupied Tibet is growing worse,

C) welcoming the decision by the European Union to submit a resolution on human rights violations in the People's Republic of China and Tibet,

D) having regard to its previous resolutions on the human rights situation in China and Tibet,

1) Calls on the Member States of the European Union to use all the diplomatic means available to them, while making a determined effort to gain support from other members of the UN Human Rights Commission, in order to ensure that a resolution on the human rights situation in China and Tibet is approved by the UN Human Rights Commission and that it takes account of previous resolutions adopted by the European Parliament;

- 2) Calls on the Member States of the Union to work in co-operation with the United States of America in presenting and supporting the resolution;
- 3) Calls on the Council to inform Parliament and its Committee on Foreign Affairs on the strategy followed and the results obtained by the Union at the United Nations Commission on Human Rights;
- 4) Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States and the member countries of the United Nations Commission on Human Rights and the Tibetan Government in exile.

EUROPEAN PARLIAMENT

Strasbourg

23 May 1996

Resolution on human rights in Tibet

The European Parliament,

— recalling its earlier resolutions on the situation in Tibet,

A) gravely concerned by reports from Beijing and Lhasa that the Chinese authorities of occupied Tibet have widened a ban on pictures of the Dalai Lama from monasteries and temples to include schools and private homes, whereas pictures of the Dalai Lama in Tibet had been allowed since 1979,

B) deploring that, according to these reports, house-to-house searches are being made to check for possession of photographs of the Dalai Lama,

C) noting the reports of death and serious injury of a number of Tibetans as a result of violent suppression of the resulting protest,

- 1) Deplores China's increasing policy of repression and intimidation, as well as their continued policy of transferring population, in Tibet;
- 2) Calls on the Chinese authorities to respect the freedom of religion of the Tibetan people;
- 3) Urges the Chinese authorities to ensure that all those injured are allowed access to medical treatment without fear of arrest or intimidation;
- 4) Instructs its Delegation for Relations with China to raise these issues with their counterparts during the upcoming meeting in Beijing in an appropriate manner;
- 5) Instructs its President to forward this resolution to the Commission, the Council, the Government of the People's Republic of China and the Tibetan Government in Exile.

EUROPEAN PARLIAMENT
Strasbourg
19 February 1997

**Resolution on the 53rd Session of the UN Commission on
Human Rights**

The European Parliament,

— having regard to Article J. 1(2) of the Treaty on European Union and Article 130u of the EC Treaty, which establish the promotion of human rights as an objective of the CFSP,

— having regard to its resolution of 12 December 1996 on human rights throughout the world in 1995-1996 and the Union's human rights policy,

— having regard to its resolution of 27 March 1996 on the 52nd session of the UN Commission on Human Rights,

— having regard to its previous resolutions on the abolition of the death penalty, and to its resolution of 17 May 1995 on the functioning of the Treaty on European Union with a view to the 1996 Intergovernmental Conference—implementation and development of the Union, in which it called for an article specifically referring to a ban on capital punishment to be incorporated into the Treaty,

— having regard to its previous resolutions on the People's Republic of China,

A) whereas the Final Act of the Vienna Human Rights Conference (July 1993) reaffirmed the universality, indivisibility and interdependence of human rights,

B) whereas a number of Union Member States are currently members of the UN Commission on Human Rights,

- 1) Calls on the Council and the Member States to pursue vigorously those human rights cases referred to in its resolutions, and in particular the human rights situation in Burma, China, Columbia, East Timor, Indonesia, Iran, Iraq,

Nigeria, Sudan and Turkey;

2) Calls on the Council and the Member States to make China a main priority for the forthcoming session of the UN Commission on Human Rights in view of China's worsening human rights record and to oppose any attempt to prevent the UN Commission from discussing the situation in China, while making every effort to gain support for this resolution from other members of the UN Commission on Human Rights;

3) Calls on the EU Working Party on Human Rights to begin drafting a resolution on China forthwith and suggests that it include points such as the release of China's political prisoners, a guarantee in writing that international humanitarian organisations will be allowed regular and confidential access to detainees in Chinese prisons, the abolition of arbitrary administrative detention and the holding of fair trials in line with international standards, the repealing of laws on crimes of 'counter-revolution', and the signing of the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights;

4) Calls, further, on the EU and the Member States to employ all political and diplomatic means to ensure that a resolution on the human rights situation in occupied Tibet and in Inner Mongolia and East Turkestan, which takes account of the resolutions adopted by the European Parliament, is adopted by the UN Commission on Human Rights;

5) Proposes that the EU should submit a draft of an International Convention against Impunity at the forthcoming session of the UN Commission on Human Rights;

6) Urges the adoption of improved legal standards concerning the protection of children against sexual abuse,

exploitative labour practices, and the consequences of war;

7) Calls on all Member States to support a resolution urging a universal moratorium on executions during the 1997 session of the UN Commission on Human Rights as a first step towards the abolition of the death penalty for all crimes by the year 2000;

8) Calls for the adoption of the UN Draft Declaration on the Rights of Indigenous Peoples by the UN Commission on Human Rights, as agreed by all parties involved, including indigenous peoples;

9) Calls on the Council and the Member States to help improve the effectiveness of the UN Human Rights Centre, both through continued reforms and the provision of necessary financial resources;

10) Calls on the UN Commission on Human Rights to discuss the allegations of human rights abuses in connection with some oil companies and some other transnational companies;

11) Asks the Council Presidency to submit a written report to Parliament on the Council's activities during the forthcoming session of the UN Commission on Human Rights;

12) Instructs its President to forward this resolution to the Council, the Commission, and the states, which are members of UN Commission on Human Rights.

EUROPEAN PARLIAMENT
Strasbourg
13 March 1997

The European Parliament,

— recalling its previous resolutions on Tibet,

A) whereas the Chinese authorities continue their repression in occupied Tibet,

B) whereas His Holiness the Dalai Lama proposes to start negotiations on the future of Tibet between the Chinese Government and the Tibetan Government in exile, notably on autonomy and self-government for the Tibetan people,

C) whereas the three UN General Assembly resolutions passed in 1959, 1961 and 1965 acknowledged Tibet's right to self-determination,

- 1) Reiterates its condemnation of the continuing human rights violations by the Chinese authorities in Tibet;
- 2) Supports the Dalai Lama's proposal on negotiations on the future of Tibet and invites the Chinese Government to react in an official and positive way to this proposal;
- 3) Asks the Council, the Member States and the Commission to do everything possible in the framework of the relations between the Union and the Republic of China and the United Nations in order to bring the two sides together with a view to reaching an agreement which satisfies the legitimate requests of the Tibetan people;
- 4) Calls on the governments of the Member States to have the question of Tibet's occupation and de-colonisation placed on the agenda of the UN General Assembly;
- 5) Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States, the Government of the People's Republic of China, His Holiness the Dalai Lama, the Tibetan Government in exile and the United Nations.

EUROPEAN PARLIAMENT
Strasbourg
16 June 1997

Resolution on the Commission communication on a long term policy for China-Europe relations (COM(95)0279-C4-0288/95)

The European Parliament,

— having regard to the Commission communication, COM(95)0279 - C4-0288/95,

— having regard to the Council Conclusions on this communication approved on 4 December 1995,

— having regard to the opinion of the Economic and Social Committee,

— having regard to the discussions between its Delegation for relations with the People's Republic of China and the Delegation of the National People's Congress,

— having regard to its previous resolutions on China, Tibet, East Turkestan (Xinjiang), Taiwan, Hong Kong and Macao,

— having regard to its resolutions of 13 November 1996 on the World Trade Organisation(WTO), 14 June 1995 on the communication from the Commission Towards a new Asia Strategy, 9 February 1994 on relations between the European Union and the People's Republic of China, 28 May 1993 on the inclusion of China and Taiwan in the General Agreement on Tariffs and Trade (GATT), and on GATT Membership for Taiwan,

— having regard to the report of the Committee on Foreign Affairs, Security and Defence Policy and the opinion of the Committee on External Economic Relations (A4-0198/97),

A) whereas it is important for both the EU and China to have a co-operative rather than a confrontational relationship, developing mutual economic interests and encouraging China's fuller participation in dialogue based upon the principle of 'not just business as usual,

but also politics as usual’,

B) whereas the effects of developments in China over the long term either on its population of 1.2 billion, the EU or the world as a whole are unpredictable,

C) whereas the relationship with China must be based on the objectives of the common foreign and security policy as laid down in the Treaty on European Union, which include the development and consolidation of democracy and the rule of law, and respect for human rights and fundamental freedoms,

D) whereas this can in no way be interpreted as an act of interference in Chinese domestic affairs but rather as a positive action in support of universal values on which common international institutions have been founded,

E) whereas practically all government critics in China have been detained or jailed; whereas the human rights situation in general has shown no signs of improvement over the past years,

F) whereas the EU signed a five-year trade and co-operation agreement with the People’s Republic of China in 1985 which has been tacitly renewed from year to year since 1990; whereas an arms embargo, still in force, and diplomatic isolation followed the brutal suppression of the democracy movement in 1989,

G) noting the rapid rise in EU/China trade and also the limitations caused by China’s fragmented internal trade, regional inequality, protectionism, arbitrary tolls and transit fees and poor communications infrastructure,

H) noting the results of the questionnaire of members of the Europe China Business Association ‘Trading and Investing in China - China and the World Trade Organisation’ and its statement that ‘China still has a long way to go to adopt commonly accepted practices of international trade, to open its markets, to allow foreign companies to operate freely and to create networks of distribution’,

I) having regard to the experience of the European Union in creating a single market of 370 million people based on the har-

monisation of primarily commercial laws and standards, resulting in economic growth, its experience in assisting the adaptation to these standards of the former command economies of Central and Eastern Europe and the ex-Soviet Union, as well as the current development of a free trade area embracing 12 Mediterranean countries, resulting in an integrated market of some 700 million people,

J) whereas, because of the size of China, the manner in which China's economy develops will have a decisive impact not only on the environment in China itself but on the environment in the whole world and, hence, also in Europe; whereas if China were to reach Western levels of consumption and pollution this would require a more equitable sharing of the global environmental space which would give China more and the West, including the EU, less room for exploitation and pollution than today,

K) noting the political and economic guidelines which have, since 1978, transformed the internal and external position of China,

L) whereas China's impressive economic growth in recent years is creating a need for gradual political and institutional reform regulating in a more democratic way the fundamental rights and duties of both citizens and the machinery of government,

M) noting the reliance of China's rulers on the People's Liberation Army (PLA) in maintaining the political status quo; nevertheless recognising that, through its pervasive financial, commercial and industrial operations, unique to China's 'socialist market economy', the PLA has also become an agent and beneficiary of economic transition; noting also that the PLA will, owing to its concentration of power, impede the transition to a market economy and democracy until it relinquishes that role,

N) noting with disquiet the increases in Chinese defence spending, with the establishment of a blue-water navy and the modernisation of its nuclear forces, increases which have encouraged higher defence spending throughout the region and increased risks of conflict,

O) noting that in 1996 the Criminal Procedure Law and the Administrative Punishment Law were revised; noting however that these laws fall short of international fair trial standards and are partly countered by other laws promulgated since the late 1980s, including the Martial Law adopted in 1996, which criminalise a broad range of activities seen as a threat to the established political, economic and social order,

P) whereas widespread illegal practices by law enforcers, the lack of independence of the judiciary and the arbitrary application of law cause numerous human rights violations and although efforts are apparently being made to curb some of these practices, there is still serious cause for concern about the human rights situation in China,

Q) whereas, as a result of remaining legislation which conflicts with international standards and of the inadequate implementation of modernised laws, there are still serious and systematic human rights violations in China, with increasing and large-scale use of the death penalty even for minor crimes and with a large number of people detained for the peaceful expression of political or religious views, many in labour camps producing goods which may be exported to the EU, violating the provisions of the Generalised System of Preferences,

R) having regard to the continuing repression of ethnic and religious groups, and in particular the Tibetan, Uighur and Mongolian peoples, and the increasing colonisation of their territories,

S) deploring strongly the fact that, contrary to the wish expressed in Parliament's resolution of 20 February 1997 on the 53rd session of the UN Commission on Human Rights, the Council and Commission were unable to defend a joint position on the issue of serious human rights violations in China at the meeting of the UN Human Rights Commission in Geneva,

T) having regard to the award of its Sakharov Prize for freedom of expression for 1996 to Wei Jingsheng,

U) convinced that human rights tend to be better understood and better protected in societies open to the free flow of trade, invest-

ment, people and ideas,

V) whereas the Sino-British Joint Declaration of 1984 states that “the provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights as applied to Hong Kong shall remain in force”, with Article 39 of the Basic Law adding that they “shall be implemented through the laws of the Hong Kong Special Administrative Region”,

W) whereas the application of the same international covenants to Macao was negotiated and agreed in a Memorandum of Understanding in October 1992 between Portugal and China, which voiced no reservations whatsoever; whereas Article 40 of the Basic Law states that the provisions in question shall be implemented through the laws of the Macao Special Administrative Region,

X) whereas the trade and co-operation agreement between Macao and the EC contains a clause under which democratic principles and human rights are regarded as a prerequisite for co-operation,

I. Co-operation

- 1) Welcomes the Commission’s communication; endorses its strategy and programme of activities in China including antipoverty, the welfare of children, environmental and agricultural reform, business and cultural links and most particularly the development of civil society, democracy and the rule of law, and calls for the necessary financial and human resources to make them fully effective;
- 2) Recognises the importance of promoting the People’s Republic of China’s full involvement in the system of international political, economic and commercial relations and calls for consideration to be given to holding regular summit meetings between the EU and China;
- 3) Invites the National People’s Congress to join in a reconciliation based on the recognition of historic misunderstandings and to move forward to an agenda of shared experience for the fulfilment of the hopes and needs of the people of China and Europe;
- 4) Is convinced that better mutual understanding between Europe and

the People's Republic of China also depends on closer inter-parliamentary relations; to this end, invites the National People's Congress and its inter-parliamentary delegation to step up its contacts and meetings in order to promote dialogue and exchanges of views;

5) Calls on the Council and Commission to enter into direct negotiations with the authorities of the People's Republic of China as soon as possible with a view to signature of a framework economic and trade co-operation agreement at a level that reflects the potential of relations between the European Union and the People's Republic of China; draws attention to the fact that in its external economic and trade relations the Union also attaches importance to human rights and the relevant human rights clause, which must include the possibility of suspending the agreement in the event of serious, widespread and persistent human rights violations;

6) Confirms its wish to see China as a full member of the World Trade Organisation, on the basis of the conditions already set down;

7) Calls on the Commission and the Council Presidency, under Article J7 of the TEU, given the importance of China as a partner, to provide a six-monthly assessment of discussions with China following the human rights dialogue, of the state of mutual trade and China's compliance with international instruments, including steps towards WTO and OECD membership;

8) Insists on the need for the EU and its Member States to closely co-ordinate both their political and economic policies on China, in particular in the United Nations and other international organisations; underlines moreover the need to co-ordinate EU policy with the United States and Japan;

9) Considers that the role of non-governmental organisations should be developed to complement and support EU and other projects in China, and asks China to legislate on their right of establishment and allow the expansion of their efforts in the country;

10) Calls for the application on a wide scale of EU expertise in remedying environmental degradation resulting from industrial expansion

and its consequent pollution, and calls for China's full support for international environmental initiatives;

11) Calls on the Commission and Member States to develop special programmes for environmental co-operation in order to shape the process of economic, and especially industrial, development in such a way that the environment—air, water and soil—is polluted to the minimum; in so doing, account should also be taken of special financial conditions (liabilities and guarantees) for environmental investments, such as the transfer of know-how and the development of environmentally-friendly model factories in sympathy with the local economy;

12) Considers that the EU should continue and expand its programmes of human resources development in China, including action in the field of legal co-operation such as the training of lawyers and judges and work in the field of trade and commercial law, and intensify its programme of educational and cultural exchanges;

13) Asks the Commission to establish training schemes for professional qualifications in areas where European standards provide a model of global validity, such as compliance with environmental norms, information technology, accountancy, law, insurance, banking and securities market skills;

14) Requests the Commission and the Member States to support the establishment in Beijing of an office representing the commercial interests of the EU, and urges the development of a code of conduct, covering economic and social aspects, for EU companies doing business in China;

15) Calls on the Commission to offer its expertise, together with that of the Member States and their relevant professional, commercial and labour organisations, in a task force to assist in the development of China's internal market, according to the principle of sustainable development;

16) Notes that the EU-supported China Europe International Business School in Shanghai has proved to be a highly successful venture

- which is strengthening business links between the EU and China;
- 17) Invites the National People's Congress gradually to undertake a programme of legislative reform compatible with the development of a market economy comprising the freedom of movement within China of people, capital, goods and services, and providing specific guarantees for the rights and activities of foreign investors;
 - 18) Endorses the principle of 'one country, two systems'; but urges China nevertheless to accept the stimulus which should be provided by Hong Kong's model of free trade and the rule of law;
 - 19) Urges the introduction of constitutional democracy in China on the basis of universal principles including the rule of law, freedom of opinion, freedom of association, respect for and protection of privacy, integrity of the person, the right to a fair trial, the right to own, fructify and dispose of property of all kinds and the extension of full private property rights to agricultural holdings to ensure optimum investment and efficiency;

II. International Issues

- 20) Is convinced of the need for the EU to take full advantage of its opportunities for fruitful dialogue with China, as in the ASEAN Regional Forum and ASEM (the Asia-Europe Meeting);
- 21) Welcomes China's adherence to the Nuclear Non-Proliferation Treaty, the Comprehensive Test Ban Treaty and the Convention on Chemical Weapons;
- 22) Deplores the role played by China in the development of nuclear arms in Pakistan, and in other territories, and in the supply of chemical weapons and missiles to Iran;
- 23) Calls on China to cease its political, military and economic support for the Burmese military junta;
- 24) Welcomes the agreements between China and its neighbours regarding frontier disputes but notes with disquiet that the 'Strategic Alliance' with Russia may lead to unprecedented arms sales to China;
- 25) Sees no justification for the lifting of the EU arms embargo im-

posed on China in 1989 and calls on the Council to ascertain from Member States the extent to which it is being respected, and report thereon to the Parliament;

26) Calls on China to adopt a total ban on anti-personnel mines, and to take part in the Ottawa process aimed at speedily concluding an international treaty on this issue;

27) Welcomes the constructive role played by China in finding agreement on North Korea's nuclear programme and urges China, the United States, South Korea and North Korea to achieve a formal peace agreement; asks China to increase its pressure on North Korea to ensure that it undertakes political and economic reforms at a very early date since they alone can save it from the spiral of destitution in which it currently finds itself;

28) Calls on China, as a member of the UN Security Council, to have recourse to the mechanisms of the UN to resolve regional territorial and sovereignty questions;

III. Human Rights

29) Welcomes the revision of certain laws, such as the Criminal Procedure Law and the Administrative Punishment Law, but considers them insufficient to establish full respect for human rights in China;

30) Calls on China to sign and ratify without reservations the International Covenant on Civil and Political Rights, and its two optional protocols, and the International Covenant on Economic, Social and Cultural Rights, and welcomes its stated intention to sign the latter;

31) Calls on China to abolish the death penalty, and to that end asks it to proclaim forthwith a moratorium on executions;

32) Considers that the twice-yearly human rights EU-China dialogue, established in 1995, should be maintained; requests that the Commission inform Parliament before each meeting of the issues to be discussed and afterwards on the outcome;

33) Calls on the Chinese Government to release all those imprisoned or otherwise detained for the peaceful expression of cultural, political

or religious views;

34) Calls on the Chinese Government to allow Wei Jingsheng, the winner of the Sakharov Prize, to be received by the European Parliament;

35) Calls on the National People's Congress to repeal its laws that are incompatible with the development of a genuine state governed by the rule of law that respects individual rights, and urges it to reform new provisions on 'endangering state security' to bring them into conformity with international standards, as well as to repeal laws on state security and state secrets, and to ensure protection against arbitrary detention, unfair trial and torture;

36) Calls on the Chinese Government to set up an independent review commission to assess the cases of some 2,700 persons convicted under the laws on 'counterrevolution', now repealed;

37) Calls on China to follow international practice in allowing humanitarian organisations regular and confidential access to those held in prisons, detention centres and labour camps and to guarantee adequate medical care for all detainees;

38) Calls on China to expand co-operation with international human rights mechanisms, especially the UN special rapporteurs, and to allow regular access to Tibet, East Turkestan (Xinjiang) and Inner Mongolia by foreign observers;

39) Condemns China's occupation of Tibet and calls on the Chinese Government to accept the Dalai Lama's proposal which, without raising independence as a preliminary issue, calls for the resumption of negotiations on the basis of recognition of the cultural and religious autonomy of the Tibetan people and its right to self-government;

40) Welcomes the open invitation given to members of European Parliament by representatives of the National People's Congress to visit Tibet and "see for themselves";

41) Calls on the authorities of the People's Republic of China to open a political dialogue with all interested parties which will enable the conditions to be created for a peaceful resolution of the problems in

East Turkestan (Xinjiang) and Inner Mongolia;

42) Calls for an improvement of China's labour standards with a phased achievement of international norms, partly in consultation with independent trade unions to be established, possibly linked to membership of the OECD, and, in particular, for EU and other non-Chinese partners in joint ventures to fulfil the international standards for working conditions;

43) Calls on the Commission to open investigations into forced labour and prison labour in China, pursuant to Articles 9, 10 and 11 of Council Regulations on the Generalised System of Preferences, No 3281/94 and 1256/96;

44) Condemns the reaction to the sponsors of a resolution in the UN Human Rights sub-committee in 1997 critical of China's record and asks other Member states to show solidarity with Denmark, Ireland and the Netherlands, which have been threatened with sanctions by the Chinese Government;

IV. Hong Kong, Macao and Taiwan

45) Considers that the future of Hong Kong and Macao and the maintenance of their political, social and economic freedom is a matter of determining importance for the EU, having regard to the Sino-British Declaration of 1984 and the Sino-Portuguese Declaration of 1987;

46) Recalls the undertaking given in the Sino-British Declaration that "the Hong Kong Special Administrative Region will enjoy a high degree of autonomy, except in foreign and defence affairs" for a period of 50 years;

47) Notes that Article 14 of the Basic Law of the Hong Kong Special Administrative Region states that "military forces stationed by the Central People's Government in the Hong Kong Special Administrative Region for defence shall not interfere in the local affairs of the Region";

48) Notes that, under Article 14 of the Basic Law of Macao, the central government is responsible for defence, which does not entail the

stationing of troops, as the Government of the Macao Special Administrative Region is responsible for maintaining law and order;

49) Welcomes the Chinese Government's undertaking not to seek to introduce the death penalty in Hong Kong or Macao;

50) Insists on the full implementation of bilateral agreements on Hong Kong and Macao;

51) Condemns the Chinese Government's decision to dissolve Hong Kong's elected Legislative Council, and repudiates the legitimacy of the Provisional Legislative Council;

52) Notes the assurance given by the Chinese minister responsible for Hong Kong and Macao, Lu Ping, in the European Parliament, that there will be free, multi-party elections in Hong Kong during the first part of 1998 with no restrictions on the participation of any political party;

53) Highlights the provision in the Macao Basic Law for the Legislative Assembly, which has been elected by majority voting by direct and indirect suffrage since 1976, to remain in office as the first assembly after the transfer of sovereignty, and notes the undertakings given by the Chinese authorities in this connection;

54) Regrets the decision of the Standing Committee of the National People's Congress to introduce laws restricting freedom of assembly and limiting political freedoms and to repeal parts of the Hong Kong Bill of Rights Ordinance 1991, in contravention of the Basic Law;

55) Voices serious concern at the anti-democratic nature of China's legislation on security and at the provision banning political associations and organisations from having international links which, under Article 23 of its Basic Law, the Macao Special Administrative Region must draw up following the transfer of sovereignty;

56) Resolves to monitor closely the situation in Hong Kong and Macao, given the international importance involved, after the handovers, and in particular the following points:

- independence of the judiciary,
- rapid progress to elect the first Legislative Council of the Hong

Kong Special Administrative Region,

- continuation of the elected Legislative Assembly of Macao and the reinforcement of its democratic character, continuation of the practice of making regular and timely reports under the International Covenant on Civil and Political Rights and under the International Covenant for Economic, Social and Cultural Rights to the relevant UN bodies,

- preservation of and compliance with the current rules on freedom of speech, freedom of the press, the right of assembly, the right to demonstrate and freedom for political parties and associations to operate internally and externally,

- guaranteed freedom of action for humanitarian and human rights organisations,

- a ban on the death penalty and on extradition to countries which impose the death penalty or life imprisonment, no discrimination among residents on grounds of nationality, ethnic origin, language or any other factor,

- continuation of an independent civil service appointed on merit, completion of the process of enshrining in local Macao law the Portuguese legal system and the international conventions and regulations in force in the territory, and its translation into Chinese, independence of the Macao judicial system and training and completion of a local staff of judges, public prosecutors and civil servants with a knowledge of Chinese and Portuguese;

57) Calls on the Commission to produce an annual report covering political and economic developments in Hong Kong and Macao, and welcomes its Declaration on Hong Kong of April 1997;

58) Resolves to liaise closely with the United States Congress, further to the 1992 US Hong Kong Act, and urges the Commission to coordinate its external trade policy with the US Administration in the light of developments in Hong Kong;

59) Calls on Member States to admit with the right of permanent residence those at risk from political discrimination in Hong Kong;

- 60) Notes the commitment of Beijing and Taipei to eventual reunification but also declares that pressing this at present would lead to conflict;
- 61) Urges China to develop peaceful relations with the 22 million inhabitants of Taiwan so as to promote stability in the region and calls on it to give a public undertaking that it will not under any circumstances resort to force in its disputes with Taiwan;
- 62) Calls on the Council to exert pressure on the People's Republic of China so that it acknowledges Taiwan's need to achieve better representation within international organisations in the fields of human and labour rights, economic affairs, the environment and development co-operation;
- 63) Requests the Commission to open an information office in Taipei in line with Parliament's resolution;
- 64) Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States, the Government of the People's Republic of China and the Chinese National People's Congress.

EUROPEAN PARLIAMENT
Strasbourg
16 January 1998

**Resolution on the Appointment of an EU Special
Representative for Tibet**

The European Parliament,

— having regard to its previous resolutions on the People's Republic of China and Tibet,

A) whereas it has repeatedly called on the Council and the Commission to draw up a common foreign policy with regard to China and particularly the situation in Tibet,

B) reiterating its concern about the fate of the Panchen Lama, Gedhun Choeky Nyima, and his family,

C) recalling the controversies caused by the EU's first project in Tibet, the Panam Project, which reportedly does not permit NGO access to the region,

D) welcoming the release of the Chinese dissident Wei Jingsheng, winner of the Sakharov Prize in 1996,

1) Calls on the Council and Commission to appoint an EU special representative for Tibet responsible for doing everything possible to carry out the Union's demands as regards the civil and political rights situation in Tibet, with remit to monitor developments there;

2) Calls on the Council and Commission to take the necessary steps to obtain full information about the fate of the Panchen Lama, Gedhun Choekyi Nyima, and his family, and to take all possible initiatives to act upon Parliament's repeated requests for the release of Mr Nawang Choephel, as well as Wang Dan and Mr Hada;

3) Welcomes the decision by the Chinese authorities to reopen the human rights dialogue with the European Union

and the announcement that China is willing to sign the International Covenant on Civil and Political Rights;

4) Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States, the Government of the People's Republic of China and the Tibetan Government in exile.

EUROPEAN PARLIAMENT

Strasbourg

13 May 1998

Resolution on Tibet

The European Parliament,

— having regard to its earlier resolutions on the People's Republic of China and Tibet,

A) whereas six Tibetan activists, Dawa Gyalpo, Dawa Tsering, Karma Sichoe, Palzom, Yundung Tsering and Kunsang, went on hunger strike in New Delhi on the 39th anniversary of the Tibetan insurrection against the Chinese, and, on the 49th day of the strike, the Indian police decided to detain the six pursuant to a law forbidding suicide,

B) deeply shocked by the fact that, when the police intervened, Thupten Ngodup, an elderly Tibetan who had been looking after the strikers from the start, set fire to himself as a sign of protest and later died in a New Delhi hospital,

C) having regard to the six hunger strikers' calls to the United Nations for: (a) the resumption of talks on Tibet on the basis of the resolutions of 1959, 1961 and 1965; (b) the appointment of a special rapporteur to investigate the situation in Tibet and an envoy to promote action aimed at finding a peaceful solution to the Tibetan problem; and (c) China to promote a referendum under UN auspices in order to ascertain the wishes of the Tibetan people;

D) noting that five other Tibetans have embarked on a hunger strike unto death,

E) whereas such actions reflect the desperation felt by the Tibetan people after forty years of Chinese occupation,

F) noting the visit which the troika of EU ambassadors to China made to Tibet between 1 and 10 May, which is part of the EU-China dialogue on human rights, with the aim of collecting information on

the social, economic and political situation in Tibet,

- 1) Calls on the Council and Commission, within the scope of their respective powers, to take steps to ensure the appointment of a special UN rapporteur on Tibet;
- 2) Calls on the Member States to take steps to ensure that the Tibet question is included without delay on the agenda for the next session of the UN General Assembly;
- 3) Endorses the request made to the United Nations Secretary-General by 1,300 members of parliament from around the world that he meet the Dalai Lama as a first step in a UN-sponsored process of mediation between the Chinese Government and the Tibetan Government in exile;
- 4) Calls on the Chinese government to open political negotiations with the Dalai Lama about the future of Tibet;
- 5) Deplores the Council's and the Commission's failure to take action on its call for the appointment of an EU representative for Tibet (resolution B4-0076 of 15 January 1998) and calls on the Council to make that appointment without further delay;
- 6) Considers that the steps taken by the European Union to secure the release of the Panchen Lama, an eight year old Tibetan currently held in a secret place by the authorities of the People's Republic of China;
- 7) Calls on the Council to report to the European Parliament on the EU troika's visit to Tibet at the earliest opportunity;
- 8) Asks its parliamentary delegation to raise the Tibet issue on the occasion of the next delegation visit in June;
- 9) Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States, the United Nations Secretary-General, the President of the United Nations General Assembly, the Government of the People's Republic of China and the Tibetan Government-in-Exile.

EUROPEAN PARLIAMENT
Strasbourg
20 January 2000

B5-0050, 0064, 0079 and 0083/2000

Resolution on the human rights situation in China

The European Parliament

- having regard to article 11(1) of the Treaty on European Union and Article 177 of the EC Treaty, which establish the promotion of human rights as an objective of the CFSP,
- having regard to its resolution of 12 June 1997 on a long-term policy for China-Europe relations* and its resolution of 8 October 1998 on the European Union and Hong-Kong: beyond 1997**,
- having regard to its previous resolutions on the violations of human and minority rights and religious freedom in China,
- having regard to the conclusions of the EU-China Summit held in Beijing on 21 December 1999,

A) whereas the human rights situation in China has continued to deteriorate with an increasingly high number of executions, further suppression of organised political dissent, intensification of controls on unregistered churches and interference in the process of appointment of Roman Catholic bishops, the official banning of the Falun Gong movement and harassment of ethnic minority groups, especially Tibetans, Mongolians and Uighurs,

B) whereas China has made no progress in ratifying the International Covenant on Civil and Political Rights nor the International Covenant on Economic, Social and Cultural Rights,

C) whereas, with regard to Hong Kong, the undertakings relating to freedom of expression, political freedom and the rule of law, given by China in the Hong Kong Basic Law and the hand over of power, are being infringed, for instance through the request of the

NPC Standing Committee to reinterpret parts of the Basic Law after the judgement of the Hong Kong Court of Final Appeal,

D) whereas the flight of Tibet's Karmapa Lama to Dharamsala is indicative of religious repression,

E) whereas Chinese Vice-Premier Wu Bangguo and Vice-Minister Long Yongtu will visit Brussels on 25 January 2000 to discuss China's accession to the WTO with EU representatives,

F) whereas the 56th Session of the UN Commission on Human Rights is scheduled for 20 March 2000 in Geneva,

1) Urges the Chinese Government to respond to international calls for improvement in the human rights situation and to guarantee democracy, freedom of expression, freedom of the media and political and religious freedom in China, in particular in Hong Kong and Macao, as well as in Tibet;

2) Calls on the Commission, the Council and the Member States to continue to exert pressure on China to improve her human rights record in accordance with international standards and to make clear to the Chinese Government that progress in EU-China relations, including China's WTO accession, is linked to such an improvement;

3) Urges the Commission, the Council and the Member States to raise specifically the issue of religious persecution, since there is an increasing trend towards violations of freedom of religion;

4) Calls on the Council to join efforts with the USA and co-sponsor a resolution on China at the forthcoming session of the UN Human Rights Commission and to work actively, through high-level diplomatic lobbying, to encourage the other members in the Human Rights Commission to do likewise, while discouraging countries represented in Geneva from voting for a no-action motion on China, which would prevent the Human Rights Commission from even discussing the situation in that country;

- 5) Urges the Chinese Government to ratify the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights;
- 6) Calls on the Council to inform Parliament and its Committee on Foreign Affairs on the strategy pursued and the results obtained by the EU at the UN Human Rights Commission;
- 7) Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the Member countries of the UN Human Rights Commission and the Government of the People's Republic of China.

* OJ C 200, 30.6.1997, p. 158.

** OJ C 328, 26.10.1998, p. 186

EUROPEAN PARLIAMENT
Strasbourg
13 April 2000

The European Parliament,

— having regard to its earlier resolutions on the occupation of Tibet and the repression of its people by the Chinese authorities,

A) whereas respect for human rights is a prominent priority of EU policies and one of the founding principles of the Union,

B) whereas the Peking government is refusing to allow Mrs Mary Robinson, the United Nations High Commissioner for Human Rights, to have access to Tibet,

C) pointing out that informal talks under way between the Chinese Government and the Tibetan religious authorities have not led to an improvement in the human rights situation in Tibet, particularly freedom of expression,

D) having regard to His Holiness the Dalai Lama's appeal to the international community to act for a peaceful solution of the Tibetan problem,

E) having regard to the conclusions on China issued by the Council during the General Affairs Council meeting of 20 March 2000,

F) having regard to the 56th session of the United Nations Commission on Human Rights,

G) deeply concerned by the fact that the EU-China Human Rights dialogue has not produced enough progress on the ground and reiterating the importance it attaches to the opportunity presented by the EU-China Human Rights dialogue and Co-operation programme, which foresees joint work on the promotion and respect of human rights and fundamental freedoms in China,

H) deeply concerned by the fact that the Tibetan cultural and spiritual heritage is threatened with extinction, inter alia by a large-

scale transfer of ethnic Chinese to Tibet and the continuing and widespread restrictions on fundamental freedoms, notably freedom of assembly, expression, association and religion,

- 1) Condemns the ongoing discrimination of the Tibetan people by the People's Republic of China on religious, political, educational, language and cultural grounds;
- 2) Calls on the Chinese government to open the dialogue, without pre-conditions, on the future of Tibet, with the Dalai Lama and on the basis of his five-point peace plan:
(1) Transformation of the whole of Tibet into a zone of peace;
(2) Abandonment of China's population-transfer policy; (3) Respect for the Tibetan people's fundamental human rights and democratic freedoms; (4) Restoration and protection of Tibet's natural environment; (5) Commencement of earnest negotiations on the future autonomous status of Tibet;
- 3) Calls on the Commission and the Council to express publicly their concerns about the situation in Tibet and in China and to raise them in meetings with China at all levels and expects the Council to abandon its "no action" approach to China, which is preventing the human rights situation in China from being discussed;
- 4) Urges the Council to take the initiative, at the current session of the UN Human Rights Commission in Geneva, on the adoption of a resolution expressing concern at the serious human rights violations perpetrated in China, including the continual oppression of Tibet;
- 5) Instructs its President to forward this resolution to the Council, the Commission, the government of China, His Holiness the Dalai Lama and the Parliament in exile of Tibet.

EUROPEAN PARLIAMENT

Strasbourg

6 July 2000

Western China Poverty Reduction Project and the future of Tibet B5-0608, 0610, 0617, 0621 and 0641/2000

The European Parliament,

- having regard to its previous resolutions on Tibet,
- having regard to the lack of progress in the EU-China human rights dialogue,

A) whereas on 7 July 2000 the World Bank is expected to take a final decision on its support for the Western China Poverty Reduction Project,

B) recalling that Tibet was invaded and occupied in 1949 and 1950 by the Chinese armed forces,

C) recalling that, whilst the ‘seventeen-point agreement’ signed in Beijing under duress by the Tibetan authorities sanctioned the annexation of Tibet by the People’s Republic of China, it also guaranteed Tibet’s full autonomy and, in particular, the continuity of its political system and full respect for religious freedom,

D) recalling the Lhasa uprising against the Beijing regime on 10 March 1959, which resulted in the deaths and imprisonment of thousands of Tibetans and the exile of the Dalai Lama and tens of thousands of other Tibetans,

E) recalling the establishment in 1965 of the Tibet Autonomous Region (TAR) by the Beijing authorities and considering that no genuine autonomy has existed there since China occupied the country,

F) recalling the repeated attempts at restarting the dialogue with the Beijing authorities made by the Dalai Lama, notably through the ‘five-point plan’ presented to the US Congress in 1987 and the ‘Strasbourg proposal’ presented to the European Parliament in 1988,

G) concerned that China has shown no readiness to take part in a dialogue to negotiate the future of Tibet,

H) recalling the award of the Nobel Peace Prize in 1989 to the Dalai Lama and his appeal to the international community to encourage a peaceful settlement of the Tibetan question,

I) recalling Tibet's designation in 1992 as a 'Special Economic Zone' and the resulting large-scale transfer of Chinese settlers to Tibet which, in the space of a few years, has made the Tibetans a minority in their own country,

J) whereas the proposed Western China Poverty Reduction Project may lead to a further relocation of ethnic Chinese into the Tibetan areas and may violate the World Bank's own policies regarding indigenous peoples, involuntary resettlement and the environment,

1) Calls on the Council, the Commission and the Member States to do all they can to start up negotiations between the Government of the People's Republic of China and the Dalai Lama on a new status for Tibet which guarantees full Tibetan autonomy in all areas of political, economic, social and cultural life, the only exceptions being defence and foreign policy;

2) Calls on the governments of the Member States to give serious consideration to the possibility of recognising the Tibetan Government in exile as the legitimate representative of the Tibetan people if, within three years, the Beijing authorities and the Tibetan government in exile have not, through negotiations organised under the aegis of the Secretary-General of the United Nations, signed an agreement on a new Statute for Tibet;

3) Asks the Commission and the Council to urge the World Bank to suspend its decision on the Western China Poverty Reduction Project and to examine all the effects this project could have on Tibet's ethnic, cultural and social balance;

- 4) Urges the World Bank to publish the Inspection Panel report and Recommendation on the Western China Poverty Reduction Project before the vote of the World Bank Board;
- 5) Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the governments and parliaments of the applicant countries, the President and Prime Minister of the People's Republic of China, the Dalai Lama and the Tibetan government and parliament in exile.

EUROPEAN PARLIAMENT
Strasbourg
15 February 2001

**Human rights: Religious freedoms in the People's Republic of
China B5-0106, 0116, 0124, 0142 and 0145/2001**

The European Parliament,

— having regard to its previous resolutions on the human rights situation in China, on Tibet and on the Union's priorities and recommendations for the March 2001 session of the UN Human Rights Commission in Geneva,

— having regard to the conclusions of the EU-PRC summit meeting of 21 December 1999 and the Council conclusions of 22 January 2001 on the EU-PRC dialogue on human rights,

— having regard to Article 18 on freedom of religion of the United Nations Universal Declaration of Human Rights,

A) whereas, in its report (COM(2000)552 final) on the implementation of the communication building a comprehensive partnership with China, the Commission notes that the situation in China has regressed in terms of respect for civil, political and religious rights, a finding which is endorsed in the conclusions of the General Affairs Council of 22 January 2001,

B) whereas, ever since making it compulsory for places of worship to be registered in 1994, the authorities of the PRC have been unceasing in their efforts to further limit the exercise of the freedom of religion,

C) whereas State control over religion is already evident in the restricted number of religions that are officially recognised, and whereas any religious activity that has not been registered by the official associations is regarded as illegal,

D) whereas, although the zeal with which the policy of repressing religious activity is enforced varies depending on the attitude of

the local governments, in the supposedly autonomous Region of Tibet that policy is pursued systematically and implacably,

E) whereas the religious, cultural and national heritage of the Tibetan people is threatened with extinction,

F) whereas the Falun Gong organisation was officially declared illegal in China on 22 July 1999, an arrest warrant was issued for its founder, Li Hung-Zhi on 29 July, and in the last two years, according to reports, some 50,000 members of the Falun Gong movement have been arrested, of whom almost 25,000 are now in prison, have been sent to forced labour camps or have been forcibly committed to mental hospitals, while to date 137 of them have died after being ill-treated or tortured in the course of their arrest or detention,

G) noting that since 1989, when the Vatican set up its own Bishops Conference, tensions between the authorities in Beijing and the non-official Catholic Church have increased significantly and many prominent members of the clergy of the non-official Catholic Church are still in prison, or have had restrictions placed on their freedom of movement, as a result of their refusal to support the official Church,

H) drawing attention to the policy of expulsion and systematic arrest of foreign Protestant priests and the harassment to which members of unregistered Protestant churches are subjected by the administrative authorities,

I) condemning the destruction of mosques and the arrest of persons who have taught the Koran without having received prior authorisation from the authorities,

1) Calls on China to release all those detained or imprisoned for peacefully exercising their internationally recognised rights to freedom of belief, religion and conscience;

2) Calls for the constitutional right to freedom of religion and belief to be fully guaranteed, together with the exercise of the associated rights of freedom of conscience, freedom of expression, freedom of association and freedom of assembly;

- 3) Regrets that, after having signed the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, the PRC has still not finalised the ratification and implementation processes;
- 4) Reiterates its condemnation of the continued and severe violation of human rights in Tibet and the ongoing discrimination practised against the Tibetan people by the PRC authorities on the basis of race or ethnic origin or religious, cultural or political beliefs;
- 5) Invites the PRC government to allow Falun Gong practitioners to practise their fundamental right to freedom of conscience, expression, association and assembly in accordance with the PRC constitution;
- 6) Calls for the European Union and its Member States to submit a resolution to the United Nations Commission on Human Rights at its meeting in Geneva to condemn all violations of religious rights and, in particular, those directed against Tibetan and Mongolian monks, certain Christian churches and certain Muslim communities and adherents of the Falun Gong movement;
- 7) Instructs its President to forward this resolution to the Council, the Commission, the parliaments of the Member States, the Office of the UNHC for Human Rights and the PRC Government and Parliament.

EUROPEAN PARLIAMENT

Strasbourg

5 July 2001

B5-0487, 0498, 0505 and 0524/2001

Beijing's application to host the 2008 Olympic Games

The European Parliament,

— having regard to its previous resolutions on the situation in the People's Republic of China (PRC),

— having regard to the conclusions of the General Affairs Council of 19 March 2001, in which the Council expressed its concern at the serious human rights violations in the PRC,

— recalling the city of Beijing's bid to host the 2008 Olympic Games,

— recalling that the Charter of the Olympic Games states that Olympism has as a goal 'to place sport at the service of the harmonious development of humankind, with the object of creating a peaceful society with the preservation of human dignity',

A) whereas the repression of freedom of opinion and freedom to hold demonstrations in favour of democracy that has been practised for decades, is continuing in the PRC, despite international protests,

B) having regard to the repression of religious, ethnic and other minorities, in particular Tibetans, Uighurs and Mongolians and the Falun Gong movement,

C) having regard to the frequent imposition of capital punishment, leading to over a thousand reported executions in China every year, as well as the widespread use of torture on the part of the Chinese police and military forces,

D) recalling that the PRC has still not ratified the International Covenant on Civil and Political Rights,

E) whereas the Chinese authorities have taken no significant initiatives on respect for human rights, despite the ongoing political

dialogue between the EU and the PRC,

F) concerned with regard to environmental and animal welfare issues in the PRC,

G) stressing that the plans relating to Beijing's bid to host the 2008 Olympic Games would involve the destruction of a large part of the old city and the obligatory transfer of the inhabitants to the surrounding areas,

H) recalling that the International Olympic Committee is due to designate, on 13 July 2001 in Moscow, the city that will host the 2008 Olympic Games,

1) Invites the International Olympic Committee to establish guidelines to include respect for human rights and democratic principles to be applied as a general rule to host countries of Olympic Games,

2) Regrets that the PRC clearly fails to uphold universal human, civil and political rights, including freedom of religion and therefore believes that this negative record and the repression in Tibet as well as in Uighouristan and in South Mongolia, make it inappropriate to award the 2008 Olympic Games to Beijing;

3) Urges the International Olympic Committee in any case to make a thorough environmental impact assessment with regard in particular to the recurrent water shortages, the impact of mass tourism and the social repercussions in the region surrounding Beijing;

4) Invites the International Olympic Committee to reconsider Beijing's candidacy when the authorities of the PRC have made a fundamental change in their policy on human rights, and the promotion of democracy and the rule of law;

5) Instructs its President to forward this resolution to the Council, the Commission, the Presidents of the parliaments of the Member States, and to the International Olympic Committee.

EUROPEAN PARLIAMENT
Strasbourg
19 December 2002

Resolution on the Human Rights Situation of Tibetans

The European Parliament,

— Recalling its earlier resolutions on Tibet and the human rights situation in China;

A) Whereas on 2 December 2002 the Kardze (Ganzi) Intermediate People's Court in the Kardze Tibetan Autonomous Prefecture of Sichuan Province sentenced Tenzin Delek, an influential Buddhist lama, to death with a two year suspension and sentenced his attendant, Lobsang Dhondup, to death pronounced to be immediate;

B) Whereas Tenzin Delek and Lobsang Dhondup had been arrested on 7 April 2002 following a bombing incident in Chengdu, the capital of Sichuan Province, which took place on 3 April 2002;

C) Whereas Tenzin Delek is accused for "causing explosions" and "inciting separatism" and Lobsang Dhondup for "inciting separatism", "causing explosions" and "illegal possession of guns and ammunition";

D) Whereas Tenzin Delek was reportedly held incommunicado for eight months from the time of his arrest until the time of the trial;

E) Whereas Tenzin Delek and Lobsang Dhondup have not been proven guilty;

F) Whereas this is the first reported case for many years of death sentences being passed against Tibetans for alleged political offences;

G) Whereas the Chinese Government has received representatives of His Holiness the Dalai Lama recently;

1) Reiterates its support for the rule of law and urges the Chinese government to immediately commute the death sentences given to Tenzin Delek and Lobsang Dhondup;

- 2) Expresses its dismay about the imprisonment and isolation of Tenzin Delek and Lobsang Dhondup for eight months from the time of their arrest until the time of the trial;
- 3) Urges the authorities to guarantee that the two men will not be ill-treated in detention, asks for an immediate review of the case and calls on the Chinese authorities to do all in its power to ascertain that international human rights and humanitarian law standards are being respected and, in particular, to guarantee internationally recognised legal proceedings for those who have been arrested;
- 4) Underlines the importance of the fight against terrorism, but this must go hand in hand with the rule of law;
- 5) Welcomes the release of Ngawang Sangdrol and Jigme Sangpo, Tibet's longest serving prisoners of conscience and urges the Chinese authorities to continue with prisoners releases;
- 6) Calls on the Government of China to continue dialogue between the government and the representatives of the Dalai Lama;
- 7) Calls on the EU to make its financial aid available in the light of progress towards the human rights situation of Tibetan ethnic minority in China, especially in Tibet region;
- 8) Instructs its President to forward this resolution to the Council, the Commission, the UN Secretary-General and the government of China.

EUROPEAN PARLIAMENT FORUM
“Situation in Tibet and the European Union
Response to Sino-Tibetan Dialogue”
Brussels
12 November 2003

The participants of the European Parliament Forum on Tibet, which includes Members of the European Parliament from all Member States of the European Union, Members of National Parliaments and of Candidate States gathered in Brussels on 12 November 2003 to consider the situation in Tibet and the European Union response to Sino-Tibetan dialogue, are unanimously resolved in:

A) Deploring the continuing violation of the individual and collective rights of the Tibetan people, including the right of self-determination as affirmed in UN Resolution 1723 (XVI), and the ongoing repression of the Tibetan people’s political and religious beliefs by the government of the People’s Republic of China (PRC);

B) Noting the longstanding commitment of the Dalai Lama and the Tibetan Government in Exile to non-violence and their consistent efforts to ensure a peaceful, negotiated solution for Tibet through dialogue with the government of the Peoples’ Republic of China;

C) Welcoming the renewed contact between envoys of the Dalai Lama and Chinese officials in September 2002 and in May-June 2003;

D) Recalling the European Parliament resolution of 19 December 2002 which urges the Chinese Government to immediately commute the death sentence handed down to Tibetan Buddhist leader, Tenzin Delek Rinpoche;

E) Welcoming that in the 13 October 2003 European Union policy paper, the European Council highlighted encouraging dialogue between the Dalai Lama and the government of the Peoples’ Republic of China to find a mutually acceptable solution to the issue

of Tibet as a European Union priority for political dialogue with the government of the Peoples' Republic of China;

F) Regretting that, despite these policy commitments, the EU-China Summit of 30 October 2003 failed to address the issue of Tibet and that the European Union human rights dialogue with the PRC has not had any positive effect on the situation in Tibet;

G) Recognising the constructive impact of the work of European Union Special Representatives in promoting the resolution of conflicts in various regions of the world;

H) Recalling the European Parliament resolutions of 15 January 1998 and 11 April 2002, the requests by the Dalai Lama in his 24 October 2001 address to the European Parliament and his letters of 11 March 2002 to the Foreign Ministers of all European Union Member States, and the request by the international coalition of Tibet Support Groups in their recent communique to the heads of the European Council, Commission and Parliament, for the appointment of a European Union Special Representative for Tibet;

I) Commending the allocation in the 2003 and 2004 European Union budgets for the appointment of a European Union Special Representative for Tibet;

J) Recalling the European Parliament resolution of 6 July 2000, specifically its call for governments of the Member States to give serious consideration to the possibility of recognising the Tibetan Government in Exile as the legitimate representative of the Tibetan people;

- 1) Calls for the European Council and Commission to implement the existing European Union budget allocation to immediately appoint a high-level European Union Special Representative for Tibet, whose mandate is to promote substantive dialogue between the government of the People's Republic of China and the Dalai Lama or his representatives and whose term is directly linked to notable progress in this;
- 2) Calls for the release of all political prisoners, including

Tenzin Delek Rinpoche, who is under a death sentence and could be executed by China as soon as April 2004;

3) Calls on the European Union to prominently raise the issue of Tibet during the EU-China human rights dialogue session in Beijing on 26 November 2003 and during future EU/China Summits;

4) Calls for the European Union and all European governments to use every opportunity to strongly impress upon the government of the PRC to build on the re-establishment of contact with the representatives of the Dalai Lama and to immediately embark upon earnest and sincere negotiations with the object of finding a just and lasting political solution;

5) Recommends that, in light of the renewed contact between Dharamsala and Beijing, the European Parliament reviews any progress made, invites the Dalai Lama to address the Parliament about the deteriorating situation in Tibet and the status of discussions with the PRC, and reconsiders whether to implement the 6 July 2000 resolution which proposed to recognise the Tibetan Government in Exile as the legitimate representative of the Tibetan people;

6) Recommends that the European Parliament hold an expert European Parliament Hearing on Tibet to examine the serious issues of population transfer, economic marginalisation, and development and environmental degradation, which the Tibetan people are facing today;

7) Urge China to drop all preconditions to negotiations and to issue a clear commitment to continue the present contact with representatives of the Dalai Lama with the aim of leading to substantive dialogue;

8) Instructs the Chair of this Forum to forward this resolution to the Council, the Commission, the UN Secretary-General, the Government of China, the Dalai Lama

and the Tibetan Government-in-Exile, as well as the governments of the Member States of the Council of Europe. *[1} Reference to Tibet in this document means the three provinces of U-Tsang, Kham and Amdo.*

EUROPEAN PARLIAMENT
Strasbourg
18 November 2004

The following resolution tabled by 5 political groups was passed in the European Parliament on 18 November 2004.

Resolution on Tibet, the case of Tenzin Delek Rinpoche

The European Parliament,

— recalling its earlier resolutions on Tibet and the human rights situation in China, and its annual reports on human rights in the world

— recalling its resolution adopted on the 19th of December 2002 on the cases of Tenzin Delek Rinpoche and Lobsang Dhondup

A) whereas on 2 December 2002 the Kardze (Ganzi) Intermediate People's Court in the Kardze Tibetan Autonomous Prefecture of Sichuan Province sentenced Tenzin Delek Rinpoche, an influential Buddhist lama, to death, suspended for two years, and his attendant, Lobsang Dhondup, was executed on 26 January 2003, in both cases for alleged political offences,

B) whereas both had been arrested in early April 2002 following a bombing incident in Chengdu, the capital of Sichuan Province, on 3 April 2002,

C) whereas Tenzin Delek Rinpoche was charged with 'causing explosions' and 'inciting separatism' and his guilt has not been proven,

D) whereas Tenzin Delek is reportedly being held incommunicado from his arrest until today, and has reportedly been tortured for several months,

E) seriously concerned by the fact that the period of suspension of Tenzin Delek Rinpoche's execution will expire on 2 December 2004,

F) whereas at the request of the European Council, the Council currently is re-examining the embargo on arms sales to China, which was decided and implemented in 1989,

G) whereas the Government of the PRC recently received representatives of His Holiness the Dalai Lama,

1) Reiterates its call for the abolition of the death penalty, calls for an immediate moratorium on capital punishment in China and urges the Chinese authorities to immediately commute the death sentence handed down to Tenzin Delek Rinpoche;

2) Strongly condemns the execution on 26 January 2003 of Lobsang Dhondup;

3) Calls on the Chief Prosecutor of the Sichuan Provincial People's Procuratorate and the Governor of the Sichuan Provincial People's government to do their utmost to prevent the execution of Tenzin Delek Rinpoche;

4) Urges the authorities to guarantee that Tenzin Delek Rinpoche will not be ill-treated in detention, asks for an immediate review of the case and calls on the Chinese authorities to do all in their power to establish that international human rights and humanitarian law standards are being respected and, in particular, to guarantee internationally recognised legal proceedings for persons arrested;

5) Calls on the European Union and its Member States to urge the Government of the People's Republic of China to respect the religious rights and freedom of the Tibetan people, in particular to prevent the execution of Tenzin Delek Rinpoche and to call for a new and fair trial;

6) Calls on the Commission and the Council to express their concerns about Tenzin Delek Rinpoche's case during the forthcoming EU-China Summit;

7) Welcomes the release of Ngawang Sangdrol and Jigme

Sangpo, Tibet's longest-serving prisoners of conscience, and urges the Chinese authorities to continue with prisoner releases;

8) Calls on the Government of the People's Republic of China to step up the ongoing dialogue with the Representatives of the Dalai Lama with the aim of reaching a mutually acceptable solution to the issue of Tibet without further delay;

9) Re-iterates, in this respect, its call to the Council to appoint an EU Special Representative for Tibetan Affairs so as to contribute effectively to the peaceful resolution of this issue;

10) Instructs its President to forward this resolution to the Council, the Commission, the UN Secretary General, the Chinese Government, the Governor of Sichuan Province and the Chief Prosecutor of the Sichuan Provincial People's Procuratorate.

UNITED STATES CONGRESS

S. Con. Res. 129

Washington, D.C.

16 September 1988

The concurrent resolution (S. Con. Res. 129) expressing the support of the Congress for the Dalai Lama and his proposal to promote peace, protect the environment, and gain democracy for the people of Tibet, was considered and agreed to.

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. FINDINGS

The Congress makes the following findings:

- 1) The Congress has previously expressed its concern regarding the policies of the People's Republic of China in Tibet, including the violation of Tibetan human rights, and has called on the Chinese Government to ameliorate the situation.
- 2) The Dalai Lama presented a five-point peace plan for the restoration of peace and human rights in Tibet during his visit to the Congress in September 1987. This peace plan has received considerable international support.
- 3) The Dalai Lama has now prepared a proposal for a democratic system of government for the people of Tibet founded on law, by agreement of the people of Tibet, for the common good and protection of themselves and their environment.
- 4) The proposal of the Dalai Lama recognises that the primary responsibility for the conduct of the foreign affairs, and the exclusive responsibility for the defence, of Tibet will remain with the Government of the People's Republic of China, in order to fulfil its defence responsibility, will be permitted to maintain a restricted number of military bases in Tibet, but these bases must be located away from

population centres.

5) The proposal of the Dalai Lama contains important measures to ensure and enhance the human rights of the Tibetan people to include the following:

A) Specific steps will be taken to fulfil the goal of transforming the Tibetan plateau into a peace sanctuary. These steps include convening a regional security conference to determine ways to reduce regional tensions and eventually to demilitarise the Tibetan plateau and bordering regions.

B) Tibet will be founded on a constitution, or basic law, which will provide for a democratic form of government, with an independent judiciary, and a popularly elected chief executive and legislative assembly. The basic law will contain a bill of rights which will guarantee individual human rights and democratic freedoms as expressed in the Universal Declaration of Human Rights.

C) The basic law of Tibet will ensure the protection of the natural resources of the plateau by requiring the passage of strict laws to protect wild life and plant life and by effectively converting almost the entire area of Tibet into national park lands or biospheres.

D) During an interim period, following the signing of an agreement based on the proposal, Tibet will be governed according to a transitional agreement providing for a gradual reorganisation of the administration of Tibet, the restoration of human rights to Tibetans, and the return of the People's Republic of China of Chinese recently settled through inducement and involuntary placement by the People's Republic of China in Tibet.

E) In order to create an atmosphere of trust conducive to fruitful discussions, the Government of the People's Republic of China should respect the human rights of the people of Tibet and not engage in a policy of transferring Chinese persons to Tibet.

F) Before ratification of any agreement, the proposal will be submitted to the Tibetan people in a popular referendum.

6) The Dalai Lama has asked the Government of the People's Republic

of China and other concerned governments to study carefully, and respond constructively to, the substance of the proposal.

SECTION 2. EXPRESSION OF CONGRESSIONAL SUPPORT FOR THE DALAI LAMA AND HIS PROPOSAL FOR TIBETAN DEMOCRACY

The Congress—

- 1) Commends the Dalai Lama for his past efforts to resolve the problems of Tibet through negotiation with the People's Republic of China, and for dissuading the Tibetan people from using violence to regain their freedom;
- 2) Commends the Dalai Lama for his new proposal in his continued quest for peace, and expresses its support for the trust of his proposal;
- 3) Calls on the leaders and the Government of the People's Republic of China to respond positively to the proposal of the Dalai Lama, and to enter into earnest discussions with the Dalai Lama, or his representatives, to resolve the question of Tibet along the lines proposed by the Dalai Lama; and
- 4) Calls on the President and the Secretary of State to express the support of the United States Government for the thrust of the proposal of the Dalai Lama, and to use their best efforts to persuade the leaders and the Government of the People's Republic of China to enter into discussions with the Dalai Lama, or his representatives, regarding the proposal of the Dalai Lama and the question of Tibet.

UNITED STATES CONGRESS

S. Res. 82

Washington, D.C.

15 March 1989

Expressing the concern of the Senate for the ongoing human rights abuses in Tibet

Mr. Pell (for himself, Mr. Helms, Mr. Murkowski, Mr. Kennedy, Mr. Kerry, Mr. Simon, Mr. Moynihan, and Mr. Chaffee) submitted the following resolution; which was ordered to be placed on the calendar;

Whereas for the past four decades, repressive actions by the Chinese have resulted in the deaths of as many as one million Tibetans, the destruction of a large part of Tibet's unique cultural heritage, the flight of the Dalai Lama and tens of thousands of Tibetans from their homeland;

Whereas despite a short period (1978-1982) when a Chinese policy attempt was initiated to address the grievances of the Tibetan people, recent reports issued by credible human rights organisations, including Asia Watch and Amnesty International, and the international press confirm mounting human rights violations in Tibet, including arbitrary arrest and detention, the use of excessive force on peaceful demonstrators, restrictions on religious freedoms, torture, and a systematic pattern of discrimination;

Whereas Congress passed, and President Reagan signed into law on 22 December 1987, legislation stating that "the Government of the People's Republic of China should respect internationally recognised human rights and end human rights violations against Tibetans... and should actively reciprocate the Dalai Lama's efforts to establish a constructive dialogue on the future of Tibet";

Whereas on 16 September 1988, the United States Senate unanimously passed S. Con. Res. 129 commending the Dalai Lama for his efforts to resolve the problems of Tibet through negotiations, supporting his proposal to promote peace, protect the environment,

and gain democracy for the people of Tibet, and calling on the Government of the People's Republic of China to enter into discussions to resolve the question of Tibet along the lines proposed by the Dalai Lama;

Whereas on 21 September 1988, the Chinese Government welcomed negotiations with the Dalai Lama and stated: "the venue of the talks can be Beijing, Hong Kong, or any of the Chinese embassies and consulates abroad. Should the Dalai Lama find these places inconvenient, he can choose any place at his discretion provided that no foreigners participate in the talks";

Whereas the Chinese Government has yet to accept negotiations with representatives of the Dalai Lama, and no such negotiations have taken place;

Whereas Tibetans continue to demonstrate in support of human rights and democratic freedoms in Tibet. On 5, 6 and 7 March 1989, at least 30 and, according to some reports, as many as 60 people died and hundreds were injured when Chinese authorities fired on unarmed Tibetan demonstrators in Lhasa;

Whereas Chinese officials in Beijing have declared martial law in the Tibetan capital of Lhasa and its environs. Western tourists in Lhasa during these demonstrations have reported random mass arrests and mistreatment of Tibetans by Chinese authorities;

Now therefore, be it *Resolved*, That the Senate

- 1) Condemns the recent use of violence against unarmed Tibetan demonstrators on 5, 6, and 7 March 1989;
- 2) Expresses sympathy for those Tibetans who have suffered and died as a result of Chinese policies in Tibet over the past four decades;
- 3) Urges the People's Republic of China to respect internationally recognised human rights and end human rights violations in Tibet;
- 4) Urges the People's Republic of China to lift the govern-

ment-imposed restrictions on foreign press and human rights monitoring groups in Tibet;

5) Urges the Administration to propose that a United Nations observer team monitor the situation in Tibet;

6) Urges the United States to make the treatment of the Tibetan people an important factor in its conduct of relations with the People's Republic of China;

7) Urges the United States, through the Secretary of State, to address and call attention to, in the United Nations and in other international forums, the rights of the Tibetan people;

8) Supports the efforts of the Dalai Lama and others to resolve peacefully the situation in Tibet; and

9) Calls upon the Government of the People's Republic of China to meet with representatives of the Dalai Lama to begin initiating constructive dialogue on the future of Tibet.

UNITED STATES CONGRESS

H. Con. Res. 63

Washington, D.C.

16 May 1989

Whereas on 5, 6, and 7 March 1989, Tibetans engaged in peaceful demonstrations in Lhasa were fired on by Chinese authorities, reportedly killing 30 to 60 persons and injuring hundreds;

Whereas on 8 March 1989, martial law was declared in Lhasa and its environs, and there were subsequent reports of mass arrests and mistreatment of Tibetans by Chinese authorities;

Whereas despite some Chinese efforts to address the grievances of the Tibetan people, reports issued by the International press and credible human rights organisations, including Asia Watch and Amnesty International, confirm mounting allegations of very serious violations of human rights in Tibet, including arbitrary arrest and detention, the use of excessive force on peaceful demonstrators, restrictions on religious freedoms, torture, and a systematic pattern of discrimination;

Whereas the government of the People's Republic of China has endorsed the Universal Declaration of Human Rights and has expressed its concern about human rights conditions in other countries, including South Africa and the United States;

Whereas Congress passed, and President Reagan signed into law on 22 December 1987, legislation stating that "the Government of the People's Republic of China should respect internationally recognised human rights and end human rights violations against Tibetans ... and should actively reciprocate the Dalai Lama's efforts to establish a constructive dialogue on the future of Tibet";

Whereas although both the Government of the People's Republic of China and the Dalai Lama has declared an intention to enter into negotiations concerning the situation in Tibet, no talks yet have taken place; and

Whereas the Dalai Lama has called on Tibetans to refrain from violence; “There is no justification for violence—to use guns, or to stone people, or to burn houses,”;

Now therefore, be it *Resolved by the House of Representatives (the Senate concurring)*, That the Congress—

1) Condemns the use of excessive and lethal force by the Chinese authorities in Tibet against individuals engaged in the peaceful expression of their political beliefs;

2) Urges the People’s Republic of China to exercise restraint in response to future peaceful demonstrations, to respect internationally recognised human rights, and to end human rights violations in Tibet;

3) Urges the People’s Republic of China to lift martial law in Lhasa and its environs at the earliest possible date and to admit foreign journalists and human rights monitors to Tibet;

4) Urges the People’s Republic of China to allow representatives of respected international humanitarian organisations to have access to prisons in Tibet;

5) Consistent with section 1243 of Public Law 100-204, urges the President to continue to make respect for human rights (including the treatment of Tibetans) an important factor in United States conduct of relations with the People’s Republic of China;

6) Urges the executive branch, through the Secretary of State, to call attention to violations of human rights in Tibet; and

7) Supports all efforts, including those of the Dalai Lama, to peacefully resolve the situation in Tibet and urges both sides to pursue a constructive dialogue for a peaceful resolution of the situation as early as possible.

UNITED STATES CONGRESS

S.J. Res. 275

Washington, D.C.

5 April 1990

Designating 13 May 1990, as the “National Day in Support of Freedom and Human Rights in China and Tibet”

Mr. Pell (for himself, Mr. Helms, Mr. Kennedy, Mr. Kassebaum, Mr. Kerry, Mr. D’Amato, Mr. Dodd, Mr. Humphrey, Mr. Durenberger, Mr. Decocini, Mr. Simon, Mr. Riegle, Mr. Matsunaga, Mr. Gore, Mr. Wallop, Mr. Wilson)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

Whereas the United States supports the legitimate and democratic aspirations for freedom of peoples throughout the world;

Whereas student and citizen groups throughout the world have taken great risks in pursuit of reform;

Whereas the Chinese government responded to the Chinese students with violence, killing many;

Whereas the non-violent resistance of the people of Tibet to the Chinese government has also been met with violence;

Whereas Chinese students and the Tibetan people follow the tradition of the Dalai Lama’s and Mahatma Gandhi’s doctrine of non-violence, and have inspired the world;

Whereas student organisations throughout the United States and around the world have declared 13 May 1990 as an international day of fasting in support of democratic reforms in China and Tibet; and

Whereas this effort is being undertaken in the hope of bringing the current tragedies in China and Tibet to be a peaceful end, and in the hope that productive dialogue will replace an atmosphere of suspicion and reprisal;

Now, therefore, be it Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled,

That the president is authorised and requested to issue a proclamation designating 13 May 1990, as the “National Day in support of Freedom and Human Rights in China and Tibet,” and calling on the people of the United States to observe such a day with appropriate ceremonies and activities.

UNITED STATES CONGRESS

S. Res. 19

Washington, D.C.

11 March 1991

Expressing the sense of the Senate regarding United States opposition to the prison sentence of Tibetan ethnomusicologist Ngawang Choephel by the Government of the People's Republic of China.

Mr. MOYNIHAN (for himself, Mr. HELMS, Mr. LEAHY, Mr. JEFFORDS, Mr. DODD, Mr. FEINGOLD, Mr. WELLSTONE, Mr. D'AMATO, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Mr. LIEBERMAN, Mr. HARKIN, Mr. LUGAR, Mr. LEVIN, Mr. MACK, Mr. WYDEN, Mr. COATS, Mr. INOUE, Mr. MCCAIN, Mr. REED, Mr. BINGAMAN, Mr. BIDEN, Mr. BRYAN, Mr. HATCH, and Mr. DORGAN) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Whereas the Chinese Government sentenced Ngawang Choephel to an 18 year prison term plus 4 years subsequent deprivation of his political rights on 26 December 1996, following a secret trial;

Whereas Mr. Choephel is a Tibetan national whose family fled Chinese oppression to live in exile in India in 1968;

Whereas Mr. Choephel studied ethnomusicology at Middlebury College in Vermont as a Fulbright Scholar, and at the Tibetan Institute of Performing Arts in Dharamsala, India;

Whereas Mr. Choephel returned to Tibet in July 1995 to prepare a documentary film about traditional Tibetan performing arts;

Whereas Mr. Choephel was detained in August 1995 by the Chinese authorities and held incommunicado for over a year before

the Government of the People's Republic of China admitted to holding him, and finally charged him with espionage in October 1996;

Whereas there is no evidence that Mr. Choephel's activities in Tibet involved anything other than purely academic research;

Whereas the Government of the People's Republic of China denies Tibetans their fundamental human rights, as reported in the State Department's Country Reports on Human Rights Practices, and by human rights organisations including Amnesty International and Human Rights Watch, Asia;

Whereas the Government of the People's Republic of China is responsible for the destruction of much of Tibetan civilisation since its invasion of Tibet in 1949;

Whereas the arrest of a Tibetan scholar, such as Mr. Choephel who worked to preserve Tibetan culture, reflects the systematic attempt by the Government of the People's Republic of China to repress cultural expression in Tibet;

Whereas the Government of the People's Republic of China, through direct and indirect incentives, has established discriminatory development programs which have resulted in an overwhelming flow of Chinese immigrants into Tibet, including those areas incorporated into the Chinese provinces of Sichuan, Yunnan, Gansu, and Qinghai, and have excluded Tibetans from participation in important policy decisions, which further threatens traditional Tibetan life;

Whereas the Government of the People's Republic of China withholds meaningful participation in the governance of Tibet from Tibetans and has failed to abide by its own constitutional guarantee of autonomy for Tibetans;

Whereas the Dalai Lama of Tibet has stated his willingness to enter into negotiations with the Chinese and has repeatedly accepted the framework Deng Xiaoping proposed for such negotiations in 1979;

Whereas the United States Government has not developed an effective plan to win support in international fora, such as the United

Nations Commission on Human Rights, to bring international pressure to bear on the Government of the People's Republic of China to improve human rights and to negotiate with the Dalai Lama;

Whereas the Chinese have displayed provocative disregard for American concerns by arresting and sentencing prominent dissidents around the time that senior United States Government officials have visited China; and

Whereas United States Government policy seeks to foster negotiations between the Government of the People's Republic of China and the Dalai Lama, and presses China to respect Tibet 's unique religious, linguistic, and cultural traditions:

Now, therefore, be it *Resolved*, That it is the sense of the Senate that —

1) Ngawang Choephel and other prisoners of conscience in Tibet, as well as in China, should be released immediately and unconditionally;

2) to underscore the gravity of this matter, in all official meetings with representatives of the Government of the People's Republic of China, United States officials should request Mr. Choephel's immediate and unconditional release;

3) the United States Government should take prompt action to sponsor and promote a resolution at the United Nations Commission on Human Rights regarding China and Tibet which specifically addresses political prisoners and negotiations with the Dalai Lama;

4) an exchange program should be established in honour of Ngawang Choephel, involving students of the Tibetan Institute of Performing Arts and appropriate educational institutions in the United States; and,

5) the United States Government should seek access for internationally recognised human rights groups to monitor human rights in Tibet.

UNITED STATES CONGRESS
S. Res. 107
Washington, D.C.
18 April (Legislative day, 9 April) 1991

Expressing the sense of the Senate concerning freedom and human rights for Tibet.

Mr. Moynihan (for himself, Mr. Pell, Mr. Helms, Mr. Mitchell, Mr. Dole, Mr. Cranston, and Mr. Kennedy) introduced the following resolution; which was considered and agreed to.

RESOLUTION

Whereas, during the past four decades, repressive actions by the Chinese government have resulted in the deaths of as many as one million Tibetans, the destruction of a large part of Tibet's unique cultural heritage, the flight of the Dalai Lama and tens of thousands of Tibetans from their homeland;

Whereas the United States Department of State, human rights organisations, including Amnesty International and Asia Watch, and the international press continue to report human rights violations in Tibet, including the use of excessive force on peaceful demonstrations, arbitrary arrest and detention, unfair trials, torture and death from torture, the restriction of religious practices, and systematic pattern of discrimination, among other violations;

Whereas the Government of the People's Republic of China continue to imprison Tibetans for the peaceful expression of their political, cultural and religious views, including Tamdim Sithar, Yulo Dawa Tsering, Turing Chungdak, Ngawang Puchung, Tseten Norgye, Lhakpa Tsering, Dawa Dolma, Tenzin Phuntsog, Ayal Tsering and Ngawang Youdon; and

Whereas in 1960 the International Commission of Jurists'

Report on Tibet stated that Tibet demonstrated from 1913 to 1959 the conditions of statehood as generally accepted under international law:

Now, therefore, be it *Resolved*, That—

a) the Senate commends the President for his historic meeting with His Holiness the Dalai Lama of Tibet;

b) it is the sense of the Senate that the Government of the People's Republic of China should know that as the Tibetan people and His holiness the Dalai Lama of Tibet go forward on their journey towards freedom the Congress and the people of the United States stand with them; and

c) it is the sense of the Senate that all Americans are united on the goals of freedom and human rights for Tibet.

UNITED STATES CONGRESS

H. Con. Res. 145

Washington, D.C.

21 May (Legislative Day, 25 April), 1991

To express the sense of the Congress that Tibet, including those areas incorporated into the Chinese provinces of Sichuan, Yunnan, Gansu and Qinghai that have historically been a part of Tibet is an occupied country under established principles of international law whose true representatives are the Dalai Lama and the Tibetan Government in exile as recognised by the Tibetan people.

CONCURRENT RESOLUTION

Whereas Tibet has maintained throughout its history a distinctive national, cultural, and religious identity separate from that of China;

Whereas Chinese archival documents and traditional dynastic histories, including those pertaining to periods of Manchu and Mongol rule, never refer to Tibet being made “an integral part” of China;

Whereas several countries, including Mongolia, Bhutan, Nepal, British India, and Czarist Russia recognised Tibet as an independent nation or dealt with Tibet independently of any Chinese Government;

Whereas in 1949-50, China launched an armed invasion of Tibet in contravention of international law;

Whereas at the time of Chinese occupation, Tibet possessed all the attributes of statehood under international law including a defined territory and population, an independent government, and the ability to conduct domestic affairs and independent international relations, as found in 1960 by International Commission of Jurists;

Whereas it is the policy of the United States to oppose aggression and other illegal uses of force by one country against the sover-

eignty of another as a manner of acquiring territory, and to condemn violation of international law, including the illegal occupation of one country by another;

Whereas in the 1950s and 1960s the United States repeatedly condemned what it characterised as China's aggression against Tibet and actively supported the United Nations in both condemning China and calling for Tibet's right to self-determination in General Assembly Resolutions 1353 (1959), 1723 (1961) and 2079 (1965);

Whereas on 16 December 1961, at the United Nations, United States Ambassador Plimpton summarised the official United States' position on Tibet, stating: "The United States believes that our objectives must include the restoration of human rights of the Tibetan people and their natural right of self-determination";

Whereas China's illegal occupation of Tibet continues to this day; and

Whereas the United States should not condone aggression by accepting China's claim to sovereignty over Tibet:

Now, therefore, be it *Resolved by the Senate (the House of Representatives concurring)*, That

It is the sense of the Congress that Tibet, including those areas incorporated into the Chinese provinces of Sichuan, Yunnan, Gansu and Qinghai, is an occupied country under the established principles of international law whose true representatives are the Dalai Lama and the Tibetan Government-in-exile as recognised by the Tibetan people.

UNITED STATES CONGRESS

S. Res. 271

Washington, D.C.

18 March 1992

Whereas, in the Foreign Relations Authorisation Act, Fiscal Years 1992 and 1993, signed into law by President Bush on 28 October 1991, Congress declared Tibet to be an occupied country whose true representatives are the Dalai Lama and the Tibetan Government in exile;

Whereas, in this Act, Congress declared that “it is the policy of the United States to oppose aggression and other illegal uses of force by one country against the sovereignty of another as a manner of acquiring territory, and to condemn violations of international law, including the illegal occupation of one country by another”;

Whereas the Department of State, in its February 1992 “Country Report on Human Rights Practices in 1991” annual report, cited “persistent abuses in Tibet”, “frequent credible reports from Tibetan refugees of torture and mistreatment in penal institutions in Tibet”, “harsh sentences for political activities”, and religious and cultural persecution of six million Tibetans;

Whereas the people of Tibet have been long denied their rights to self-determination;

Whereas human rights abuses have been routine and harsh in occupied Tibet since the People’s Republic of China invaded Tibet in 1949-1950;

Whereas the United Nations General Assembly passed resolutions condemning China’s human rights abuses in Tibet in 1959, 1961, and 1965;

Whereas a Sub-commission of Independent Experts of the United Nations Commission on Human Rights passed Resolution 1991/10 (“Situation in Tibet”, 23 August 1991), condemning recent Chinese human rights abuses in Tibet, including executions, torture, denial of national, religious and cultural identity;

Whereas twenty-two countries, led by the European Community as the main sponsor, formally submitted a resolution (“Situation in Tibet”, 27 February 1992) to the full United Nations Commission on Human Rights’ annual meeting in Geneva in February-March 1992;

Whereas this resolution (“Situation in Tibet”, February 27, 1992) declared its concern “at continuing reports of violations of human rights and fundamental freedoms in Tibet which threaten the distinct cultural, religious and ethnic identity of the Tibetans”, acknowledged United Nations reports on torture, summary or arbitrary executions, religious intolerance and enforced or involuntary disappearances, called “on the Government of the People’s Republic of China to take measures to ensure the full observance of human rights and fundamental freedoms of the Tibetans”; and invited “the Government of the People’s Republic of China to continue to respond to requests by special rapporteurs for information” and requested “the Secretary-General to submit a report to the Commission on Human Rights at its forty-ninth session on the situation in Tibet;

Whereas an altered text was offered implying China’s sovereignty over Tibet;

Whereas, due to a procedural motion, this altered resolution was not acted on in the United Nations Commission on Human Rights; and

Whereas the United States should take a firm stand against human rights abuses wherever they occur, and should also speak out against the illegal occupation of Tibet;

Now, therefore, be it *Resolved*, That it is the sense of the Senate that—

1) the United States Government should support resolutions like the European Community-led resolution on the “Situation in Tibet”, submitted to the United Nations Commission on Human Rights;

2) the United States Government should vigorously condemn Beijing's human rights abuses in occupied Tibet in all appropriate international forums; and

3) the United States Government should raise human rights abuses in Tibet with senior officials of the People's Republic of China.

UNITED STATES CONGRESS

H. Con. Res. 106

Washington, D.C.

27 May 1993

Urging the President to raise, at the highest levels of the Government of the People's Republic of China, the issue of Chinese population transfer into Tibet in an effort to bring about an immediate end to that government's policy on this issue.

Mr. Ackerman (for himself, Mr. Gilman, Mr. Porter, and Mr. Lantos)

CONCURRENT RESOLUTION

Whereas the most critical issue for the Tibetan people today is the transfer of Chinese population into Tibet, which is reducing the Tibetans to a minority in their own country;

Whereas this population transfer is a combination of the direct transfer of Chinese by the Government of the People's Republic of China and government-induced relocation;

Whereas the rate of population transfer has now reached the point where the distinct identity of the Tibetan people and their civilization are being overwhelmed;

Whereas the transfer of Chinese population into Tibet threatens the cultural, religious, and national identity of the Tibetan people and violates their human rights;

Whereas the State Department's Country Reports on Human Rights Practices for 1992 states that the 'massive influx into Tibet of Han Chinese. . .already affects ethnic mixture in Lhasa', and in 1992 Asia Watch stated that the movement of Chinese into Tibet 'has increased in recent years. . .because of incentives directly offered by the government';

Whereas Tibetans have already been reduced to a minority of the population in all major Tibetan towns and cities;

Whereas new Chinese towns and cities, exclusively inhabited by Chinese settlers, are being built at an increasing rate;

Whereas Chinese population transfer results in widespread discrimination against Tibetans and in marginalisation of Tibetans in political and economic spheres;

Whereas the Government of the People's Republic of China sends Chinese settlers to Tibet and induces Chinese to relocate in Tibet by offering incentives such as wage, pension, and tax benefits, interest-free or low-interest loans, housing assistance, and assured employment for family members who move to Tibet;

Whereas on 28 October 1991, the Congress enacted section 355 of the Foreign Relations Authorisation Act, Fiscal Years 1992 and 1993, which expresses the sense of the Congress that Tibet is an illegally occupied country whose true representatives are the Tibetan government in exile and His Holiness the Dalai Lama;

Whereas His Holiness the Dalai Lama's efforts to achieve a peaceful negotiated solution to the problem of the transfer of Chinese into Tibet have not been reciprocated by the Government of the People's Republic of China:

Now, therefore, be it *Resolved by the House of Representatives (the Senate concurring)*, That

the Congress urges the President to raise, at the highest levels of the Government of the People's Republic of China, the issue of Chinese population transfer into Tibet in an effort to bring about an immediate end to that government's policy on this issue.

UNITED STATES CONGRESS

H. Res. 188

Washington, D.C.

26 July 1993

To express the sense of the House of Representatives that the Olympics in the Year 2000 should not be held in Beijing or elsewhere in the People's Republic of China

IN THE HOUSE OF REPRESENTATIVES

Mr. LANTOS (for himself, Mr. GINGRICH, Mr. HOYER, Mr. GILMANN, Ms. PELOSI, Mr. PORTER, Mrs. MORELLA, Mr. SMITH of New Jersey, Mr. LEWIS of Georgia, and Mr. TORRES) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Whereas the International Olympic Committee is now in the process of determining the venue of the Olympic Games in the year 2000;

Whereas the government of the city of Beijing and the People's Republic of China have made a proposal to the International Olympic Committee that the Summer Olympic in the year 2000 be held in Beijing;

Whereas the State Department's *Country Reports on Human Rights Practices for 1992* specifies that the Chinese "government's human rights practices have remained repressive, falling far short of internationally accepted norms", "torture and degrading treatment of detained and imprisoned persons persisted", "conditions in all types of Chinese penal institutions are harsh and frequently degrading", and the Chinese "government still has not satisfactorily accounted for the thousands of persons throughout the country" who were arrested or

held in “detention during the investigation” or “administrative detention” status for activities related to the “1989 pro-democracy demonstrations”;

Whereas the government of China has failed to respect civil liberties and, according to the State Department’s Country Reports on Human Rights Practices for 1992, “freedom of speech and self-expression remain severely restricted”;

Whereas the government of China has engaged in massive transfers of population in order to marginalise the Tibetans inside Tibet and has engaged in systematic suppression of the Tibetan people, their culture and religion;

Whereas the government of China has imposed tighter control over religious practice and engaged in greater repression of religion;

Whereas the government of China does not permit the establishment of independent Chinese organisations that publicly monitor or comment on human rights conditions in China, and the Chinese authorities have refused requests by international human rights delegations to meet with political prisoners and former detainees and have expelled foreign visitors who have indicated an interest in monitoring human rights conditions;

Whereas workers in China are denied the right to organise independent trade unions and to bargain collectively, and products manufactured by forced labour have been exported to the United States;

Whereas in the spring 1989, then Mayor of Beijing, Chen Xitong, called for a crackdown on pro-democracy demonstrators in Tiananmen Square, and on 20 May 1989, signed a martial law decree authorising the entry of troops in the city;

Whereas Chen Xitong is currently chairman of the Beijing 2000 Olympic Bid Committee; and Mr. Chen has assured the International Committee in China’s formal application, that “neither now, or in the future, will there emerge in Beijing organisations opposing Beijing’s bid” to host the Olympics, thus boasting of the Chinese re-

gime's determination to crush dissent; and

Whereas holding the Olympic games in countries, such as the People's Republic of China, which engages in massive violations of human rights serves to shift the focus from the high ideals behind the Olympic tradition and is counterproductive for the Olympic movement;

Now, therefore, be it *Resolved* That the House of Representatives—

1) Strongly opposes the holding of the Olympic Summer Games in the year 2000 in the city of Beijing or elsewhere in the People's Republic of China and urges the International Olympic Committee to find another, more suitable venue for the Games;

2) Urges the United States Representatives to the International Olympic Committee to vote against holding the Olympic Summer Games in the year 2000 in the city of Beijing or elsewhere in the People's Republic of China; and

3) Directs the Clerk of the House of Representatives to transmit a copy of this resolution to the Chairman of the International Olympic Committee and to United State's Representatives to the International Olympic Committee with the request that it be circulated to all members of the Committee.

UNITED STATES CONGRESS

S. Res. 169

Washington, D.C.

8 September 1995

Expressing the sense of the Senate welcoming His Holiness the Dalai Lama on his visit to the United States.

Mr. THOMAS (for himself, Mr. HELMS, Mr. PELL, Mr. D'AMATO, Mr. MACK, and Mrs. FEINSTEIN) submitted the following resolution; which was considered and agreed to

RESOLUTION

Whereas historically Tibet has demonstrated those attributes which under international law constitute statehood: it has had a defined territory and a permanent population; it has been under the control of its own government; and it has engaged in, or had the capacity to engage in, formal relations with other states;

Whereas beginning in 1949 Tibet was forcibly and coercively invaded and occupied by the People's Republic of China;

Whereas under the principles of international law Tibet is an occupied country and its true representatives continue to be His Holiness the Dalai Lama and the Tibetan Government-in-exile, which the Congress has recognised on several occasions;

Whereas the Tibetan people are historically, territorially, and culturally distinct from the Chinese population in the People's Republic of China and were forcibly incorporated into the People's Republic of China;

Whereas the Tibetan people are entitled to the right of self-determination as recognised in 1961 by the United Nations General Assembly in Resolution No. 1723;

Whereas instead of being afforded that right they have been

subjected to repressive actions on the part of the Government of the People's Republic of China, which have resulted in the deaths of countless Tibetans, the destruction of over 6,000 temples and monasteries as well as much of Tibet 's unique cultural and spiritual patrimony, the flight of the Dalai Lama and over 100,000 Tibetans from their homeland, the establishment in Tibet by the Chinese of a consistent and well-documented pattern of human rights abuses including numerous violations of the United Nations Declaration on Human Rights, and the settlement of thousands of Chinese in Tibet in an effort to reduce Tibetans to being a minority in their own land; and

Whereas this September His Holiness the Dalai Lama will be making his first extended visit to Washington, DC, since 1993:

Now, therefore, be it Resolved, That the Senate—

1) warmly welcomes His Holiness the Dalai Lama to the United States;

2) urges the President to meet with His Holiness the Dalai Lama during his visit to discuss substantive issues of interest to our two respective governments, and to continue to encourage the Government of the People's Republic of China to meet with the Dalai Lama or his representatives to discuss a solution to the present impasse in their relations; and

3) urges His Holiness the Dalai Lama to remind the Tibetan people that, as they move forward in their struggle toward preserving their culture and regaining their freedom, the Congress and the American people stand with them.

(Legislative day, September 5, 1995)

UNITED STATES CONGRESS

S.J. Res. 43

Washington, D.C.

13 December 1995

Expressing the sense of Congress regarding Wei Jingsheng; Gedhun Choekyi Nyima, the next Panchen Lama of Tibet; and the human rights practices of the Government of the People's Republic of China.

IN THE SENATE OF THE UNITED STATES

Mr. Helms (for himself, Mr. Thomas, Mr. Mack, Mr. Feingold, Mr. Pell, Mr. Moynihan, and Mr. Simon) introduced the following joint resolution; which was read twice and referred to the Committee on Foreign Relations

Reported by Me. Helms, wit an amendment to the preamble

JOINT RESOLUTION

Whereas on 21 November 1995, the Government of the People's Republic of China formally arrested Wei Jingsheng, who is known internationally as the father of the democracy movement in China;

Whereas the Government of the People's Republic of China has held Wei Jingsheng incommunicado and without charge since April 1994 and has rebuffed international calls to release him;

Whereas Wei Jingsheng has spent all but 6 months of the last 16 years in detention because of his unwavering support for freedom of speech and the development of democracy in China;

Whereas at an October 1995 meeting in New York between President Clinton and President Jiang Zemin of China, the Administration urged the Government of the People's Republic of China to

release political prisoners and specifically included Wei Jingsheng and others among such prisoners;

Whereas the treatment of Wei Jingsheng by the Government of the People's Republic of China raises concern over the future of other jailed dissidents in China, including Wang Dan, a student leader in the 1989 pro-democracy movement in China;

Whereas on 14 May 1995, His Holiness the Dalai Lama announced recognition of 6-year-old Gedhun Choekyi Nyima as the next Panchen Lama;

Whereas recognition of the successor to the Panchen Lama in Tibet has always been within the authority of the Dalai Lama;

Whereas for the first time in Tibetan history, the Government of the People's Republic of China has imposed on Tibet its own candidate for a new Panchen Lama and has rejected the new Panchen Lama selected by the Dalai Lama;

Whereas Gedhun Choekyi Nyima and his family have been missing for 6 months and are reportedly being held by authorities of the Government of the People's Republic of China;

Whereas Chatrel Rinpoche, who is the head of the original search committee for the new Panchen Lama and who refused to denounce the Dalai Lama's selection of the new Panchen Lama, is also missing and believed to be held by authorities of the Government of the People's Republic of China;

Whereas the Panchen Lama is one of the highest-ranking religious official of Tibetan Buddhism;

Whereas the rejection of the Dalai Lama's selection of Panchen Lama by the Government of the People's Republic of China, and the selection of its own candidate for Panchen Lama, is seen by many Tibetans as politicising a purely religious affair and as a violation of fundamental Tibetan human rights;

Whereas since the invasion of Tibet in 1949, the Government of the People's Republic of China has taken any expression by the Tibetan people of their distinct religious or cultural identity as a direct

challenge to that government's political control of Tibet;

Whereas Chinese officials have repeatedly maintained that the Tibet Autonomous Region is entitled to manage its own cultural and religious affairs, and the intervention of Chinese government authorities in the selection of the next Panchen Lama is a clear violation of the principle:

Whereas for 3 consecutive years, the United States has been a primary sponsor of resolutions criticising the human rights practices of the Government of the People's Republic of China in China and Tibet at the annual meetings of the United Nations Human Rights Commission in Geneva;

Whereas these resolutions call upon the Government of the People's Republic of China to take measures to ensure the observance of all human rights, invite that government to co-operate with all special rapporteurs and working groups, and request the Secretary General of the United Nations to prepare a report for the United Nations Human Rights Commission on the human rights situation in China and Tibet;

Whereas at the March 1995 meeting of the United Nations Human Rights Commission in Geneva, the resolution lost by only 1 vote;

Whereas it is important to maintain international pressure on the Government of the People's Republic of China in order to induce that government to respect internationally-recognised standards of human rights; and

Whereas in May 1994, the President of the United States pledged strong support for efforts at international forums to criticise the human rights practices of the Government of the People's Republic of China:

Now, therefore, be it *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the United States Government should—

- 1) press for the immediate and unconditional release of Wei Jingsheng and other political prisoners by the Government of the People's Republic of China;
- 2) urge the Government of the People's Republic of China to respect the wishes of the Tibetan people by supporting the selection of the new Panchen Lama by His Holiness the Dalai Lama;
- 3) work to ensure the safety of the new Panchen Lama as selected by the Dalai Lama; and
- 4) sponsor and aggressively push for the passage of a resolution regarding the human rights situation in China at the annual meeting of the United Nations Human Rights Commission in Geneva scheduled for March 1996.

UNITED STATES CONGRESS

S. Res. 19

Washington, D.C.

11 March 1997

Expressing the sense of the Senate regarding United States opposition to the prison sentence of Tibetan ethnomusicologist Ngawang Choephel by the Government of the People's Republic of China.

IN THE SENATE OF THE UNITED STATES

21 January 1997

Mr. MOYNIHAN (for himself, Mr. HELMS, Mr. LEAHY, Mr. JEFFORDS, Mr. DODD, Mr. FEINGOLD, Mr. WELLSTONE, Mr. D'AMATO, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Mr. LIEBERMAN, Mr. HARKIN, Mr. LUGAR, Mr. LEVIN, Mr. MACK, Mr. WYDEN, Mr. COATS, Mr. INOUE, Mr. MCCAIN, Mr. REED, Mr. BINGAMAN, Mr. BIDEN, Mr. BRYAN, Mr. HATCH, and Mr. DORGAN) submitted the following resolution; which was referred to the Committee on Foreign Relations

4 March 1997

Reported without amendment

11 March 1997

Considered and agreed to

RESOLUTION

Whereas the Chinese Government sentenced Ngawang Choephel to an 18 year prison term plus 4 years subsequent deprivation of his political rights on 26 December 1996, following a secret trial;
Whereas Mr. Choephel is a Tibetan national whose family fled Chi-

nese oppression to live in exile in India in 1968;

Whereas Mr. Choephel studied ethnomusicology at Middlebury College in Vermont as a Fulbright Scholar, and at the Tibetan Institute of Performing Arts in Dharamsala, India;

Whereas Mr. Choephel returned to Tibet in July 1995 to prepare a documentary film about traditional Tibetan performing arts;

Whereas Mr. Choephel was detained in August 1995 by the Chinese authorities and held incommunicado for over a year before the Government of the People's Republic of China admitted to holding him, and finally charged him with espionage in October 1996;

Whereas there is no evidence that Mr. Choephel's activities in Tibet involved anything other than purely academic research;

Whereas the Government of the People's Republic of China denies Tibetans their fundamental human rights, as reported in the State Department's Country Reports on Human Rights Practices, and by human rights organisations including Amnesty International and Human Rights Watch, Asia;

Whereas the Government of the People's Republic of China is responsible for the destruction of much of Tibetan civilisation since its invasion of Tibet in 1949;

Whereas the arrest of a Tibetan scholar, such as Mr. Choephel who worked to preserve Tibetan culture, reflects the systematic attempt by the Government of the People's Republic of China to repress cultural expression in Tibet;

Whereas the Government of the People's Republic of China, through direct and indirect incentives, has established discriminatory development programs which have resulted in an overwhelming flow of Chinese immigrants into Tibet, including those areas incorporated into the Chinese provinces of Sichuan, Yunnan, Gansu, and Qinghai, and have excluded Tibetans from participation in important policy decisions, which further threatens traditional Tibetan life;

Whereas the Government of the People's Republic of China withholds meaningful participation in the governance of Tibet from

Tibetans and has failed to abide by its own constitutional guarantee of autonomy for Tibetans;

Whereas the Dalai Lama of Tibet has stated his willingness to enter into negotiations with the Chinese and has repeatedly accepted the framework Deng Xiaoping proposed for such negotiations in 1979;

Whereas the United States Government has not developed an effective plan to win support in international fora, such as the United Nations Commission on Human Rights, to bring international pressure to bear on the Government of the People's Republic of China to improve human rights and to negotiate with the Dalai Lama;

Whereas the Chinese have displayed provocative disregard for American concerns by arresting and sentencing prominent dissidents around the time that senior United States Government officials have visited China; and

Whereas United States Government policy seeks to foster negotiations between the Government of the People's Republic of China and the Dalai Lama, and presses China to respect Tibet's unique religious, linguistic, and cultural traditions:

Now, therefore, be it Resolved, That it is the sense of the Senate that—

1) Ngawang Choephel and other prisoners of conscience in Tibet, as well as in China, should be released immediately and unconditionally;

2) to underscore the gravity of this matter, in all official meetings with representatives of the Government of the People's Republic of China, United States officials should request Mr. Choephel's immediate and unconditional release;

3) the United States Government should take prompt action to sponsor and promote a resolution at the United Nations Commission on Human Rights regarding China and Tibet which specifically addresses political prisoners and negotiations with the Dalai

Lama;

4) an exchange program should be established in honour of Ngawang Choephel, involving students of the Tibetan Institute of Performing Arts and appropriate educational institutions in the United States; and,

5) the United States Government should seek access for internationally recognised human rights groups to monitor human rights in Tibet.

UNITED STATES CONGRESS

H. Res. 364

Washington, D.C.

12 February 1998

Urging the introduction and passage of a resolution on the human rights situation in the People's Republic of China at the 54th Session of the United Nations Commission on Human Rights.

IN THE HOUSE OF REPRESENTATIVES

Mr. SMITH of New Jersey (for himself, Mr. GILMAN, Mr. GEPHARDT, Mr. WOLF, Ms. PELOSI, Mr. ROHRBACHER, Mr. LANTOS, Mr. FRANK of Massachusetts, Ms. NORTON, Mr. UNDERWOOD, Mr. BURTON of Indiana, Mr. TIERNEY, and Mr. CLAY) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Whereas the State Department's Country Reports on Human Rights Practices for 1997 state that '[t]he Government [of China] continued to commit widespread and well-documented human rights abuses, in violation of internationally accepted norms,' including extra-judicial killings, the use of torture, arbitrary arrest and detention, forced abortion and sterilisation, the sale of organs from executed prisoners, and tight control over the exercise of the rights of freedom of speech, press, and religion;

Whereas, according to the State Department, 'Serious human rights abuses persisted in minority areas [controlled by the Government of China], including Tibet and Xinjiang [East Turkestan], where tight controls on religion and other fundamental freedoms continued and, in some cases, intensified [during 1997]';

Whereas, according to the 1997 Country Reports, the Government of China enforces its 'one-child policy' using coercive measures including severe fines of up to several times the annual income of the average resident of China and sometimes punishes non-payment by destroying homes and confiscating personal property;

Whereas, according to the 1997 Country Reports, as part of the Chinese Government's continued attempts to expand state control of religion, 'Police closed many 'underground' mosques, temples, and seminaries,' and authorities 'made strong efforts to crack down on the activities of the unapproved Catholic and Protestant churches' including the use of detention, arrest, and 'reform-through-education' sentences;

Whereas, each year since 1990, the United States has participated in an unsuccessful multilateral effort to gain passage of a United Nations Commission on Human Rights resolution addressing the human rights situation in China;

Whereas the Government of China has mounted a diplomatic campaign each year to defeat the resolution and has succeeded in blocking commission consideration of such a resolution each year except 1995, when the United States engaged in a more aggressive effort to promote the resolution;

Whereas China's opposition to the resolution has featured an attack on the principle of the universality of human rights, which the United States, China, and 169 other governments reaffirmed at the 1993 United Nations World Conference on Human Rights;

Whereas United States leadership is critical to the possibility of success for that resolution;

Whereas, in 1994, when the President announced his decision to delink Most Favoured Nation (MFN) status for China from previously announced human rights conditions, the Administration pledged that the United States would 'step up its efforts, in co-operation with other states, to insist that the United Nations Human Rights Commission pass a resolution dealing with the serious human rights

abuses in China' as part of the Administration's 'new human rights strategy';

Whereas a failure vigorously to pursue the adoption of such a resolution would constitute an abandonment of the 'expanded multilateral agenda' that the Administration promised as part of its 'new human rights strategy' toward China;

Whereas Chinese democracy advocate and former political prisoner Wei Jingsheng has stated that '[t]his [United Nations Commission on Human Rights] resolution is a matter of life and death for democratic reform in China'; and

Whereas a broad coalition of human rights organisations, including Amnesty International USA, Lawyers Committee for Human Rights, Human Rights Watch, Physicians for Human Rights, International Human Rights Law Group, International League for Human Rights, Jacob Blaustein Institute for the Advancement of Human Rights, Minnesota Advocates for Human Rights, and the Robert F. Kennedy Memorial Centre for Human Rights, have stressed 'the critical importance of a multilateral effort to pursue a resolution on China at this year's session of the [United Nations Commission on Human Rights]':

Now, therefore, be it *Resolved*, That

the House of Representatives urges the President to initiate an immediate and determined United States effort to secure passage of a resolution on human rights violations in China at the 54th Session of the United Nations Commission on Human Rights.

UNITED STATES CONGRESS

S. Res. 187

Washington, D.C.

12 March 1998

**Expressing the sense of the Senate regarding the human rights
situation in the People's Republic of China.**

IN THE SENATE OF THE UNITED STATES

2 March 1998

Mr. MACK (for himself, Mr. WELLSTONE, Mr. HELMS, Mr. THOMAS, Mr. FEINGOLD, Mr. ABRAHAM, Mrs. BOXER, Mr. MOYNIHAN, Mr. ASHCROFT, Mr. HUTCHINSON, Mr. LEAHY, Mr. BROWNBACK, Mr. DURBIN, and Ms. MOSELEY-BRAUN) submitted the following resolution; which was referred to the Committee on Foreign Relations

11 March 1998

Reported by Mr. HELMS, without amendment

12 March 1998

Considered and agreed to

RESOLUTION

Whereas the annual meeting of the United Nations Commission on Human Rights in Geneva, Switzerland, provides a forum for discussing human rights and expressing international support for improved human rights performance;

Whereas according to the United States Department of State and international human rights organisations, the Government of the People's Republic of China engages in widespread human rights violations; and

Whereas President Clinton pledged that the United States would step up its efforts in co-operation with other states to insist that the United Nations Commission on Human Rights pass a resolution dealing with the serious human rights abuses in the People's Republic of China:

Now, therefore, be it *Resolved*, That
it is the sense of the Senate that the United States should introduce and make all efforts necessary to pass a resolution criticising the People's Republic of China for its human rights abuses in China and Tibet at the annual meeting of the United Nations Commission on Human Rights.

UNITED STATES CONGRESS

H. Con. Res. 283

Washington, D.C.

22 May 1998

Expressing the sense of the Congress concerning the December 1997 report on Tibet of the International Commission of Jurists and on United States policy on Tibet.

IN THE HOUSE OF REPRESENTATIVES

Mr. BERMAN (for himself, Mr. PORTER, Mrs. MALONEY of New York, Mr. PAYNE, Mr. ABERCROMBIE, Mr. LANTOS, Mr. ROHRABACHER, Mrs. LOWEY, Mr. GILMAN, Mr. WOLF, Mr. COX of California, Mr. SMITH of New Jersey, Ms. LOFGREN, Mr. KENNEDY of Massachusetts, and Ms. PELOSI) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Whereas the International Commission of Jurists is a non-governmental organisation founded in 1952 to defend the rule of law throughout the world and to work toward the full observance of the provisions of the Universal Declaration of Human Rights;

Whereas in 1959, 1960, and 1964 the International Commission of Jurists examined Chinese policy in Tibet, violations of human rights in Tibet, and the position of Tibet in international law;

Whereas these findings were presented to the United Nations General Assembly, which adopted three resolutions (in 1959, 1961, and 1965) calling on the People's Republic of China to ensure respect for the fundamental human rights of the Tibetan people and for their distinctive cultural and religious life, and to cease practices which de-

prive the Tibetan people of their fundamental human rights and freedoms, including their right to self-determination;

Whereas in December 1997, the International Commission of Jurists issued a fourth report on Tibet, examining human rights and the rule of law, including self-determination;

Whereas the President of the United States has repeatedly indicated his support for substantive dialogue between the Government of the People's Republic of China and the Dalai Lama or his representatives; and

Whereas on 31 October 1997, the Secretary of State appointed a Special Co-ordinator for Tibetan Issues to oversee United States policy regarding Tibet:

Now, therefore, be it *Resolved by the House of Representatives (the Senate concurring)*, That the Congress—

1) expresses grave concern regarding the findings of the report of the International Commission of Jurists on Tibet issued in December 1997, that—

A) repression in Tibet has increased steadily since 1994, resulting in heightened control on religious activity, a denunciation campaign against the Dalai Lama unprecedented since the Cultural Revolution, an increase in political arrests, suppression of peaceful protests, and an accelerated movement of Chinese people to Tibet; and

B) in 1997, a senior office of the People's Republic of China labelled the Tibetan Buddhist culture, which has flourished in Tibet since the seventh century, as a 'foreign culture' in order to facilitate indoctrination of Tibetans in Chinese socialist ideology and the process of national and cultural integration;

2) supports the recommendations contained in the report referred to in paragraph (1) that—

A) call on the People's Republic of China—

i) to enter into discussions with the Dalai Lama or his representatives on a solution to the question of Tibet;

- ii) to ensure respect for the fundamental human rights of the Tibetan people; and
- iii) to end those practices which threaten to erode the distinct cultural, religious, and national identity of the Tibetan people and, in particular, to cease policies which result in the movement of Chinese people to Tibetan territory;

B) call on the United Nations General Assembly to resume its debate on the question of Tibet; and

C) call on the Dalai Lama or his representatives to enter into discussions with the Government of the People's Republic of China on a solution to the question of Tibet;

3) commends the appointment by the Secretary of State of a United States Special Co-ordinator for Tibetan Issues—

A) to promote substantive dialogue between the Government of the People's Republic of China and the Dalai Lama or his representatives;

B) to co-ordinate United States Government policies, programs, and projects concerning Tibet;

C) to consult with the Congress on policies relevant to Tibet and the future and welfare of all Tibetan people, and to report to the Congress in accordance with the requirements of section 536(a) of the Foreign Relations Authorisation Act, Fiscal Years 1994 and 1995 (Public Law 103-236); and

D) to advance United States policy which seeks to protect the unique religious, cultural, and linguistic heritage of Tibet, and to encourage improved respect for Tibetan human rights;

4) calls on the People's Republic of China to release from detention the 9-year-old Panchen Lama, Gedhun Choekyi Nyima, to his home in Tibet from which he was taken on 17 May 1995, and to allow him to pursue his religious studies without interference and according to tradition; and

5) calls on the President, as a central objective of the 1998 presidential summit meeting with Jiang Zemin in Beijing, to work to-

ward securing an agreement to begin substantive negotiations between the Government of the People's Republic of China and the Dalai Lama or his representatives.

UNITED STATES CONGRESS

S. Con. Res. 103

Washington, D.C.

17 September 1998

Expressing the sense of the Congress in support of the recommendations of the International Commission of Jurists on Tibet and on United States policy with regard to Tibet.

IN THE HOUSE OF REPRESENTATIVES

18 September 1998

Referred to the Committee on International Relations

CONCURRENT RESOLUTION

Whereas the International Commission of Jurists is a non-governmental organisation founded in 1952 to defend the Rule of Law throughout the world and to work towards the full observance of the provisions in the Universal Declaration of Human Rights;

Whereas in 1959, 1960, and 1964, the International Commission of Jurists examined Chinese policy in Tibet, violations of human rights in Tibet, and the position of Tibet in international law;

Whereas in 1960, the International Commission of Jurists found 'that acts of genocide has been committed in Tibet in an attempt to destroy the Tibetans as a religious group, and concluded that Tibet was at least 'a de facto independent State' prior to 1951 and that Tibet was a 'legitimate concern of the United Nations even on the restrictive interpretation of matters 'essentially within the domestic jurisdiction' of a State';

Whereas these findings were presented to the United Nations General Assembly, which adopted three resolutions (1959, 1961, and 1965) calling on the People's Republic of China to ensure respect for the fundamental human rights of the Tibetan people and for their dis-

inctive cultural and religious life, and to cease practices which deprive the Tibetan people of their fundamental human rights and freedoms including their right to self-determination;

Whereas in December 1997, the International Commission of Jurists issued a fourth report on Tibet, examining human rights and the rule of law, including self-determination;

Whereas the President has repeatedly indicated his support for substantive dialogue between the Government of the People's Republic of China and the Dalai Lama or his representatives; and

Whereas on 31 October 1997, the Secretary of State appointed a Special Co-ordinator for Tibetan Issues to oversee United States policy regarding Tibet:

Now, therefore, be it Resolved by the Senate (the House of Representatives concurring), That Congress—

1) expresses grave concern regarding the findings of the December 1997 International Commission of Jurists report on Tibet that—

A) repression in Tibet has increased steadily since 1994, resulting in heightened control on religious activity; a denunciation campaign against the Dalai Lama unprecedented since the Cultural Revolution; an increase in political arrests; suppression of peaceful protests; and an accelerated movement of Chinese to Tibet; and

B) in 1997, the People's Republic of China labelled the Tibet an Buddhist culture, which has flourished in Tibet since the seventh century, as a 'foreign culture' in order to facilitate in doctrination of Tibetans in Chinese socialist ideology and the process of national and cultural extermination;

2) supports the recommendations contained in the report referred to in paragraph (1) that—

A) call on the People's Republic of China—

(i) to enter into discussions with the Dalai Lama or his representatives on a solution to the question of Tibet;

(ii) to ensure respect for the fundamental human rights of the Tibetan people; and

(iii) to end those practices which threaten to erode the distinct cultural, religious and national identity of the Tibetan people and, in particular, to cease policies which result in the movement of Chinese people to Tibetan territory;

B) call on the United Nations General Assembly to resume its debate on the question of Tibet based on its resolutions of 1959, 1961, and 1965; and

C) call on the Dalai Lama or his representatives to enter into discussions with the Government of the People's Republic of China on a solution to the question of Tibet;

3) commends the appointment by the Secretary of State of a United States Special Co-ordinator for Tibetan Issues—

A) to promote substantive dialogue between the Government of the People's Republic of China and the Dalai Lama or his representatives;

B) to co-ordinate United States Government policies, programs, and projects concerning Tibet;

C) to consult with the Congress on policies relevant to Tibet and the future and welfare of all Tibetan people, and to report to Congress in partial fulfilment of the requirements of section 536(a) of the Public Law 103-236; and

D) to advance United States policy which seeks to protect the unique religious, cultural, and linguistic heritage of Tibet, and to encourage improved respect for Tibetan human rights;

4) calls on the People's Republic of China to release from detention the 9-year old Panchen Lama, Gedhun Cheokyi Nyima, to his home in Tibet from which he was taken on 17 May 1995, and to allow him to pursue his religious studies without interference and according to tradition;

5) commends the President for publicly urging President Jiang Zemin, during their recent summit meeting in Beijing, to en-

gage in dialogue with the Dalai Lama; and

6) calls on the President to continue to work to secure an agreement to begin substantive negotiations between the Government of the People's Republic of China and the Dalai Lama or his representatives.

UNITED STATES CONGRESS

S. Res. 45

Washington, D.C.

12 February 1999

Expressing the sense of the Senate regarding the human rights situation in the People's Republic of China.

IN THE SENATE OF THE UNITED STATES

Mr. HUTCHINSON (for himself, Mr. WELLSTONE, Mr. MACK, Mr. FEINGOLD, Mr. ABRAHAM, Mr. LEAHY, Mr. HELMS, Mr. TORRICELLI, Mr. LOTT, Mr. INHOFE, Mr. SESSIONS, Mr. ASHCROFT, Mr. DEWINE, Mr. KYL, Mr. BROWNBACK, and Mr. LUGAR) submitted the following resolution; which was referred to the Committee on Foreign Relations.

RESOLUTION

Whereas the annual meeting of the United Nations Commission on Human Rights in Geneva, Switzerland, provides a forum for discussing human rights and expressing international support for improved human rights performance;

Whereas, according to the United States Department of State and international human rights organisations, the Government of the People's Republic of China continues to commit widespread and well-documented human rights abuses in China and Tibet and continues the coercive implementation of family planning policies and the sale of human organs taken from executed prisoners;

Whereas such abuses stem from an intolerance of dissent and fear of civil unrest on the part of authorities in the People's Republic of China and from a failure to adequately enforce laws in the People's Republic of China that protect basic freedoms;

Whereas such abuses violate internationally accepted norms of conduct enshrined by the Universal Declaration of Human Rights;

Whereas the People's Republic of China recently signed the International Covenant on Civil and Political Rights, but has yet to take the steps necessary to make the covenant legally binding;

Whereas the President decided not to sponsor a resolution criticising the People's Republic of China at the United Nations Human Rights Commission in 1998 in consideration of commitments by the Government of the People's Republic of China to sign the International Covenant on Civil and Political Rights and based on a belief that progress on human rights in the People's Republic of China could be achieved through other means;

Whereas authorities in the People's Republic of China have recently escalated efforts to extinguish expressions of protest or criticism and have detained scores of citizens associated with attempts to organise a legal democratic opposition, as well as religious leaders, writers, and others who petitioned the authorities to release those arbitrarily arrested; and

Whereas these efforts underscore that the Government of the People's Republic of China continues to commit serious human rights abuses, despite expectations to the contrary following two summit meetings between President Clinton and President Jiang in which assurances were made regarding improvements in the human rights record of the People's Republic of China:

Now, therefore, be it *Resolved*, That

it is the sense of the Senate that at the 55th Session of the United Nations Human Rights Commission in Geneva, Switzerland, the United States should introduce and make all efforts necessary to pass a resolution calling upon the People's Republic of China to end its human rights abuses in China and Tibet.

UNITED STATES CONGRESS

S. Res. 60

Washington, D.C.

9 March 2000

Recognising the plight of the Tibetan people on the forty-first anniversary of Tibet's 1959 Lhasa Uprising and calling for serious negotiations between China and the Dalai Lama to achieve a peaceful solution to the situation in Tibet

In the Senate of the United States

10 March 1999

Mr. Mack (for himself, Mr. Moynihan, Mr. Lott, Mr. Brownback, Mr. Wellstone, Mr. Helms, Mr. Grassley, Mr. Abraham, Mr. Ashcroft, and Mr. Feingold) submitted the resolution "recognising the plight of the Tibetan people on the fortieth anniversary of Tibet's attempt to restore its independence and calling for serious negotiations between China and the Dalai Lama to achieve a peaceful solution to the situation in Tibet"; which was referred to the committee on the Judiciary

9 March 2000

House of Mr. GRAMS (for Mr. MACK) proposed an amendment to this resolution (S. Res. 60); as follows:

Committee discharged; considered, amended, and agreed to

RESOLUTION

Whereas during the period of 1949-1950, the newly established communist government of the People's Republic of China sent an army to invade Tibet;

Whereas the Tibetan army was ill equipped and outnumbered, and the People's Liberation Army overwhelmed Tibetan defences;

Whereas, on 23 May 1951, a delegation sent from the capital city of Lhasa to Peking to negotiate with the Government of the People's Republic of China was forced under duress to accept a Chinese-drafted 17-point agreement that incorporated Tibet into China but promised to preserve Tibetan political, cultural, and religious institutions;

Whereas during the period of 1951-1959, the failure of the Government of the People's Republic of China to uphold guarantees to autonomy contained in the 17-Point Agreement and the imposition of socialist reforms resulted in widespread oppression and brutality;

Whereas on 10 March 1959, the people of Lhasa, fearing for the life of the Dalai Lama, surrounded his palace, organised a permanent guard, and called for the withdrawal of the Chinese from Tibet and the restoration of Tibet's independence;

Whereas on 17 March 1959, the Dalai Lama escaped in disguise during the night after two mortar shells exploded within the walls of his palace and, before crossing the Indian border into exile two weeks later, repudiated the 17-Point Agreement;

Whereas during the "Lhasa uprising" begun on 10 March 1959, Chinese statistics estimate 87,000 Tibetans were killed, arrested, or deported to labour camps, and only a small percentage of the thousands who attempted to escape to India survived Chinese military attacks, malnutrition, cold, and disease;

Whereas for the past forty years, the Dalai Lama has worked in exile to find ways to allow Tibetans to determine the future status of Tibet and was awarded the Nobel Peace Prize for his efforts in 1989;

Whereas it is the policy of the United States to support substantive dialogue between the Government of the People's Republic of China and the Dalai Lama or his representatives;

Whereas the State Department's 1999 Country Report on

Human Rights Practices finds that “Chinese government authorities continued to commit serious human rights abuses in Tibet, including instances of torture, arbitrary arrest, detention without public trial, and lengthy detention of Tibetan nationalists for peacefully expressing their political or religious views”;

Whereas President Jiang Zemin pointed out in a press conference with President Clinton on 27 June 1997, that if the Dalai Lama recognises that Tibet is an inalienable part of China and Taiwan is a province of China, then the door to negotiate is open;

Whereas all efforts by the U.S. and private parties to enable the Dalai Lama to find a negotiated solution have failed;

Whereas the Dalai Lama has specifically stated that he is not seeking independence and is committed to finding a negotiated solution within the framework enunciated by Deng Xiaoping in 1979; and

Whereas China has signed but failed to ratify the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights:

Now, therefore, be it *Resolved*, That it is the sense of the Senate that—

1) 10 March 2000 should be recognised as the Tibetan Day of Commemoration in solemn remembrance of those Tibetans who sacrificed, suffered, and died during the Lhasa uprising, and in affirmation of the inherent rights of the Tibetan people to determine their own future; and

2) 10 March 2000 should serve as an occasion to renew calls by the President, Congress, and other United States Government officials on the Government of the People’s Republic of China to enter into serious negotiations with the Dalai Lama or his representatives until such a time as a peaceful solution, satisfactory to both sides, is achieved.

UNITED STATES CONGRESS

H. Res. 56

Washington, D.C.

26 February 2001

Urging the appropriate representative of the United States to the United Nations Commission on Human Rights to introduce at the annual meeting of the Commission a resolution calling upon the People's Republic of China to end its human rights violations in China and Tibet, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. LANTOS (for himself, Mr. WOLF, Ms. PELOSI, Mr. SMITH of New Jersey, Mr. JACKSON of Illinois, Mr. FRANK, Mr. CAPUANO, Mr. MCGOVERN, and Ms. RIVERS) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Whereas the annual meeting of the United Nations Commission on Human Rights in Geneva, Switzerland, provides a forum for discussing human rights and expressing international support for improved human rights performance;

Whereas, according to the Department of State and international human rights organisations, the Government of the People's Republic of China continues to commit widespread and well-documented human rights abuses in China and Tibet;

Whereas the People's Republic of China has yet to demonstrate its willingness to abide by internationally accepted norms of freedom of belief, expression, and association by repealing or amending laws and decrees that restrict those freedoms;

Whereas the Government of the People's Republic of China continues to ban and criminalise groups it labels as cults or heretical organisations;

Whereas the Government of the People's Republic of China has repressed unregistered religious congregations and spiritual movements, including Falun Gong, and persists in persecuting persons on the basis of unauthorised religious activities using such measures as harassment, prolonged detention, physical abuse, incarceration, and closure or destruction of places of worship;

Whereas authorities in the People's Republic of China have continued their efforts to extinguish expressions of protest or criticism, have detained scores of citizens associated with attempts to organise a peaceful opposition, to expose corruption, to preserve their ethnic minority identity, or to use the Internet for the free exchange of ideas, and have sentenced many citizens so detained to harsh prison terms;

Whereas Chinese authorities continue to exert control over religious and cultural institutions in Tibet, abusing human rights through instances of torture, arbitrary arrest, and detention of Tibetans without public trial for peacefully expressing their political or religious views;

Whereas bilateral human rights dialogues between several nations and the People's Republic of China have yet to produce substantial adherence to international norms; and

Whereas the People's Republic of China has signed the International Covenant on Civil and Political Rights, but has yet to take the steps necessary to make the treaty legally binding:

Now, therefore, be it *Resolved*, That it is the sense of the House of Representatives that—

1) at the 57th Session of the United Nations Human Rights Commission in Geneva, Switzerland, the appropriate representative of the United States should solicit co-sponsorship for a resolution calling upon the Government of the People's Republic of China

to end its human rights abuses in China and Tibet, in compliance with its international organisations; and

2) the United States Government should take the lead in organising multilateral support to obtain passage by the Commission of such resolution.

UNITED STATES CONGRESS

H. Res. 357

Washington, D.C.

5 March 2002

Expressing the sense of the House of Representatives regarding the recognition of the authorities of Tibet who are currently exiled in Dharamsala, India, as the legitimate representatives of Tibet.

IN THE HOUSE OF REPRESENTATIVES

Mr. ROTHMAN (for himself, Mr. PAYNE, Mr. WOLF, Mr. BROWN of Ohio, Ms. CARSON of Indiana, Mrs. MINK of Hawaii, Mr. ROHRABACHER, Mr. KUCINICH, Ms. MCCARTHY of Missouri, Ms. BALDWIN, Ms. ROS-LEHTINEN, Mr. MCGOVERN, Mr. ABERCROMBIE, Mr. TOWNS, Ms. PELOSI, Ms. RIVERS, Ms. KILPATRICK, Mr. HILLIARD, Mr. DIAZ-BALART, Mr. WYNN, Mr. PALLONE, Mr. DEFAZIO, Mr. DAVIS of Illinois, Mr. EVANS, Ms. KAPTUR, Mr. HINCHEY, Mr. PASCRELL, Ms. ROYBAL-ALLARD, Mr. TIERNEY, Mr. STARK, Mr. MENENDEZ, Ms. LEE, Ms. SOLIS, Mrs. JONES of Ohio, Mr. CAPUANO, Mr. SHERMAN, Ms. MCCOLLUM, Ms. JACKSON-LEE of Texas, Mr. FRANK, Ms. WOOLSEY, Mr. SANDERS, and Mr. WEXLER) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Whereas for more than 1,000 years Tibet has maintained a sovereign national identity that is distinct from the national identity of China;

Whereas armed forces of the People's Republic of China invaded and occupied Tibet in 1949 and 1950;

Whereas the Seventeen Point Agreement, which was signed under duress by representatives of the Tibetan Government on 23 May 1951, guaranteed the political autonomy of Tibet;

Whereas the Lhasa Uprising against the People's Republic of China on 10 March 1959, led to the death and imprisonment of thousands of Tibetans and to the exile of the Dalai Lama, Tibet's spiritual and temporal leader;

Whereas in 1959, 1961, and 1965 the United Nations General Assembly passed resolutions expressing concern about the situation in Tibet, one of which called for 'the cessation of practices which deprive the Tibetan people of their fundamental human rights and freedoms, including their right to self-determination';

Whereas the People's Republic of China has failed to provide Tibetans in Tibetan autonomous areas any genuine political autonomy;

Whereas in 1992 the People's Republic of China designated Tibet as a special economic zone for the express purpose of encouraging Chinese resettlement in Tibet, which would in time make Tibetans a minority in their own homeland;

Whereas the People's Republic of China appears unwilling to negotiate a new agreement with Tibet that would guarantee genuine political autonomy to Tibetans;

Whereas the Dalai Lama has repeatedly endorsed a compromise that would guarantee Tibetans broad autonomy within the People's Republic of China;

Whereas the authorities of Tibet who live in exile in Dharamsala, India, administer all matters pertaining to exiled Tibetans, including the preservation and development of Tibetan culture and education, and the struggle to restore the freedom of Tibet; and

Whereas the exiled authorities of Tibet are organised according to modern democratic principles, which stands in stark contrast to the autocratic rule presently exercised over Tibet by the People's Republic of China:

Now, therefore, be it *Resolved*, That

it is the sense of the House of Representatives that the President should give serious consideration to recognising the authorities of Tibet who are currently exiled in Dharamsala, India, as the legitimate representatives of Tibet, if such authorities and the Government of the People's Republic of China have not signed, within 3 years of the date of the adoption of this resolution, an agreement that provides for the political autonomy of Tibet.

UNITED STATES CONGRESS

H. Res. 157

Washington, D.C.

20 March 2003

Expressing the sense of the House of Representatives regarding several individuals who are being held as prisoners of conscience by the Chinese Government for their involvement in efforts to end the Chinese occupation of Tibet.

IN THE HOUSE OF REPRESENTATIVES

Mr. UDALL of New Mexico (for himself, Ms. KAPTUR, Mr. ROHRABACHER, Mr. SMITH of New Jersey, and Mr. WOLF) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Whereas for more than 1,000 years Tibet has maintained a sovereign national identity that is distinct from the national identity of China; Whereas armed forces of the People's Republic of China invaded Tibet in 1949 and 1950 and have occupied it since then;

Whereas according to the United States Department of State and international human rights organisations, the Government of the People's Republic of China continues to commit widespread and well-documented human rights abuses in China and Tibet;

Whereas the People's Republic of China has yet to demonstrate its willingness to abide by internationally accepted norms of freedom of belief, expression, and association by repealing or amending laws and decrees that restrict those freedoms;

Whereas the Chinese Government has detained hundreds of Tibetan nuns, monks and lay persons as prisoners of conscience for

their efforts in speaking out against the Chinese occupation of Tibet;

Whereas on 14 October 1989, Phuntsog Nyidron, a Tibetan Buddhist nun, and 5 other nuns from the Michungri Nunnery were arrested in Lhasa after chanting some slogans and marching in a procession as part of a peaceful demonstration that they organised to protest the Chinese occupation of Tibet;

Whereas Phuntsog Nyidron and the other nuns were kicked, beaten and given electric shocks on their hands, shoulders, breasts, tongue, and face while in Chinese custody;

Whereas in 1993, Phuntsog Nyidron and 13 other nuns secretly recorded songs about Tibetan independence and smuggled the recordings out of Drapchi prison;

Whereas the Chinese Government charged Phuntsog Nyidron with 'spreading counter-revolutionary propaganda' for her role in recording and smuggling out the taped songs and, on 9 October 1993, extended her prison sentence to 17 years, one of the longest reported sentences of any female Tibetan political prisoner;

Whereas Phuntsog Nyidron was awarded the Reebok Human Rights Award in 1995;

Whereas Phuntsog Nyidron is just one of many individuals whom the Chinese Government has held as a prisoner of conscience;

Whereas the Chinese Government continues to imprison individuals as prisoners of conscience for their involvement in peaceful protests against the brutal Chinese occupation of Tibet; and

Whereas the Chinese Government continues to exert control over religious and cultural institutions in Tibet, abusing human rights through torture, arbitrary arrest, and detention without public trial of Tibetans who peacefully expressed their political or religious views:

Now, therefore, be it *Resolved*, That

it is the sense of the House of Representatives that the Government of the People's Republic of China should, as a gesture of goodwill and in order to promote human rights, immediately release all prisoners of conscience, including Phuntsog Nyidron.

UNITED STATES CONGRESS

S. Res. 212

Washington, D.C.

8 September 2003

Welcoming His Holiness the Fourteenth Dalai Lama and recognising his commitment to non-violence, human rights, freedom, and democracy.

Mrs. FEINSTEIN (for herself, Mr. DASCHLE, Mr. SMITH of New Hampshire, Mr. WARNER, Mr. ALLEN, Ms. SNOWE, Ms. COLLINS, and Mr. SPECTER) submitted the following resolution; which was referred to the Committee on Foreign Relations.

Committee discharged; considered and agreed to

RESOLUTION

Welcoming His Holiness the Fourteenth Dalai Lama and recognising his commitment to non-violence, human rights, freedom, and democracy.

Whereas for over 40 years in exile, His Holiness the Fourteenth Dalai Lama has used his position and leadership to promote compassion and non-violence as a solution to not only the present crisis in Tibet, but to other long-running conflicts around the world;

Whereas the Dalai Lama was awarded the Nobel Peace Prize in 1989 in recognition of his efforts to seek a peaceful resolution to the situation in Tibet, and to promote non-violent methods for resolving conflict;

Whereas the Dalai Lama has been a strong voice for the basic human rights of all peoples, particularly freedom of religion;

Whereas the Dalai Lama has personally promoted democratic self-government for Tibetans in exile as a model for securing freedom

for all Tibet, including relinquishing his political positions and turning these authorities over to elected Tibetan representatives;

Whereas the Dalai Lama seeks a solution for Tibet that provides genuine autonomy for the Tibetan people and does not call for independence and separation from the People's Republic of China;

Whereas the envoys of the Dalai Lama have travelled to China and Tibet twice in the past year to begin discussions with Chinese authorities on a permanent negotiated settlement of the Tibet issue;

Whereas the successful advancement of these discussions is in the strong interest of both the Chinese and Tibetan people; and

Whereas it is the policy of the United States to support substantive dialogue between the Government of the People's Republic of China and the Dalai Lama or his representatives:

Now, therefore, be it *Resolved*, That it is the sense of the Senate that—

1) the visit of the Dalai Lama to the United States in September 2003 is warmly welcomed;

2) the Dalai Lama should be recognised and congratulated for his consistent efforts to promote dialogue to peacefully resolve the Tibet issue and to increase the religious and cultural autonomy of the Tibetan people; and

3) all parties to the current discussions should be encouraged by the Government of the United States to deepen these contacts in order to achieve the aspirations of the people of Tibet for genuine autonomy and basic human rights.

UNITED STATES CONGRESS

S. Res. 483

Washington, D.C.

7 December 2004

Expressing the sense of the Senate regarding the detention of Tibetan political prisoners by the Government of the People's Republic of China.

IN THE SENATE OF THE UNITED STATES

Mr. BROWNBACK (for himself and Mr. BINGAMAN) submitted the following resolution; which was read twice and referred to the Committee on

RESOLUTION

Whereas, for more than 1,000 years, Tibet has maintained a sovereign national identity that is distinct from the national identity of China; Whereas armed forces of the People's Republic of China invaded Tibet in 1950, according to the memoirs of the Dalai Lama and other sources;

Whereas, according to the Department of State and international human rights organisations, the Government of the People's Republic of China continues to commit widespread and well-documented human rights abuses in Tibet;

Whereas the People's Republic of China has yet to demonstrate its willingness to abide by internationally accepted standards of freedom of belief, expression, and association by repealing or amending laws and decrees that restrict those freedoms;

Whereas the Government of the People's Republic of China has detained hundreds of Tibetan nuns, monks, and lay persons as political prisoners for speaking out against China's occupation of Tibet

and for their efforts to preserve Tibet's distinct national identity;

Whereas Phuntsog Nyidron was arrested on 14 October 1989, together with 5 other nuns, for participating in a peaceful protest against China's occupation of Tibet;

Whereas, on 26 February 2004, following a sustained international campaign on her behalf, the Government of the People's Republic of China released Phuntsog Nyidron from detention after she served more than 14 years of her 16-year sentence;

Whereas Tenzin Delek, a prominent Tibetan religious leader, and 3 other monks were arrested on 7 April 2002, during a nighttime raid on Jamyang Choekhorling monastery in Nyagchu County, Tibetan Autonomous Prefecture;

Whereas, following a closed trial and more than 8 months of incommunicado detention, Tenzin Delek and another Tibetan, Lobsang Dhondup, were convicted of inciting separatism and for their alleged involvement in a series of bombings on 2 December 2002;

Whereas Lobsang Dhondup was sentenced to death and Tenzin Delek was sentenced to death with a 2-year suspension;

Whereas the Government of the People's Republic of China told senior officials of the United States and other governments that the cases of Lobsang Dhondup and Tenzin Delek would be subjected to a "lengthy review" by the Supreme People's Court prior to the death sentences being carried out;

Whereas the Supreme People's Court never carried out this review, and Lobsang Dhondup was executed on 26 January 2003;

Whereas the Government of the People's Republic of China has failed to produce any evidence that either Lobsang Dhondup or Tenzin Delek were involved in the crimes for which they were convicted, despite repeated requests from officials of the United States and other governments;

Whereas the Government of the People's Republic of China continues to imprison Tibetans for engaging in peaceful efforts to protest China's repression of Tibetans and preserve the Tibetan identity;

Whereas Tibetan political prisoners are routinely subjected to beatings, electric shock, solitary confinement, and other forms of torture and inhumane treatment while in Chinese custody;

Whereas the Government of the People's Republic of China continues to exert control over religious and cultural institutions in Tibet, abusing human rights through the torture, arbitrary arrest, and detention without fair or public trial of Tibetans who peacefully express their political or religious views or attempt to preserve the unique Tibetan identity; and

Whereas the Government of the People's Republic of China has paroled individual political prisoners for good behaviour or for medical reasons in the face of strong international pressure, but has failed to make the systemic changes necessary to provide minimum standards of due process or protections for basic civil and political rights:

Now, therefore, be it *Resolved*, That it is the sense of the Senate that—

1) the Government of the People's Republic of China is in violation of international human rights standards by detaining and mistreating Tibetans who engage in peaceful activities to protest China's repression of Tibetans or promote the preservation of a distinct Tibetan identity;

2) sustained international pressure on the Government of the People's Republic of China is essential to improve the human rights situation in Tibet and secure the release of Tibetan political prisoners;

3) the Government of the United States should—

A) raise the cases of Tenzin Delek and other political prisoners at every opportunity with officials from the People's Republic of China; and

B) work with other governments concerned about human rights in China, including the Tibet Autonomous Region and

other Tibetan areas, to encourage the release of political prisoners and promote systemic improvement of human rights in China; and

4) the Government of the People's Republic of China should, as a gesture of goodwill and in order to promote human rights, immediately release all political prisoners, including Tenzin Delek.

UNITED STATES
PUBLIC LAW 100-204
Foreign Relations Authorisation Act
Fiscal Years 1988 and 1989
Washington, D.C.
22 December 1987

(EXCERPT)

**This Act was approved and signed by President Ronald Reagan of
the United States of America on 22 December 1987.**

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1777) to authorise appropriations for fiscal years 1988 and 1989 for the Department of State, the United States Information Agency, the Voice of America, the Board for International Broadcasting, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS

a) **SHORT TITLE**—This Act may be cited as the “Foreign Relations Authorisation Act, Fiscal Years 1988 and 1989.”

b) **TABLE OF CONTENTS**—The table of contents for this Act is as follows:

TITLE 1—THE DEPARTMENT OF STATE

PART A—Authorisation of Appropriations; Allocations of Funds; Restrictions

Sec 101—Administration of Foreign Affairs

Sec 102—Contributions to International Organisations and Conferences

Sec 103—International Commissions

Sec 104—Migration and Refugee Assistance

Sec 105—Other Programs

SEC 1243. HUMAN RIGHTS VIOLATIONS IN TIBET BY THE PEOPLE'S REPUBLIC OF CHINA

A) Findings—The Congress finds that—

1) on 1 October 1987, Chinese police in Lhasa fired upon several thousand unarmed Tibetan demonstrators, which included hundreds of women, children, and Tibetan Buddhist monks, killing at least six and wounding many others;

2) on 27 September 1987, a peaceful demonstration in Lhasa calling for Tibetan independence and the restoration of human rights in Tibet, which was led by hundreds of Tibetan monks, was violently broken up by Chinese authorities and 27 Tibetan Buddhist monks were arrested;

3) in the wake of His Holiness the Dalai Lama's five point peace plan, which was presented to the members of the United States Congress during his visit to Washington in September 1987, Chinese authorities in Tibet staged, on 24 September 1987, a mass political rally at which three Tibetans were given death sentences, two of whom were executed immediately;

4) beginning 7 October 1950, the Chinese Communist army invaded and occupied Tibet;

5) since that time, the Chinese Government has exercised dominion over the Tibetan people, who had always considered themselves as in-

- dependent, through the presence of a large occupation force;
- 6) over 1,000,000 Tibetans perished from 1959 to 1979 as a direct result of the political instability, executions, imprisonment, and wide scale famine engendered by the policies of the People's Republic of China in Tibet;
 - 7) after 1950, particularly during the ravages of China's Cultural Revolution, over 6,000 monasteries, the repositories of 1,300 years of Tibet's ancient civilisation, were destroyed and their irreplaceable national legacy of art and literature either destroyed, stolen, or removed from Tibet;
 - 8) the exploitation of Tibet's vast mineral, forest, and animal reserves has occurred with limited benefit to the Tibetan people;
 - 9) Tibet's economy and education, health, and human services remain far below those of the People's Republic of China as a whole;
 - 10) the People's Republic of China has encouraged a large influx of Han-Chinese into Tibet, thereby undermining the political and cultural traditions of the Tibetan people;
 - 11) there are credible reports of many Tibetans being incarcerated in labour camps and prisons and killed for the non-violent expression of their religious and political beliefs;
 - 12) His Holiness the Dalai Lama, spiritual and temporal leader of the Tibetan people, in conjunction with the 100,000 refugees forced into exile with him, has worked tirelessly for almost 30 years to secure peace and religious freedom in Tibet, as well as the preservation of the Tibetan culture;
 - 13) in 1959, 1961, and 1965, the United Nations General Assembly called upon the People's Republic of China to end the violations of Tibetans' human rights;
 - 14) on 24 July 1985, 19 Members of the Congress signed a letter to President Li Xiannian of the People's Republic of China expressing support for direct talks between Beijing and representatives of His Holiness the Dalai Lama and the Tibetans in exile, and urging the Government of the People's Republic of China "to grant the very rea-

sonable and justified aspirations of His Holiness the Dalai Lama and his people every consideration;”

15) on 27 September 1987, the chairman and ranking minority member of the Senate Foreign Relations Committee, the chairman and ranking minority member of the House Foreign Affairs Committee, and the co-chairman of the Congressional Human Rights Caucus signed a letter to his Excellency Zhao Ziyang, the Prime Minister of the People’s Republic of China, expressing their “grave concern with the present situation in Tibet and welcome(d) His Holiness the Dalai Lama’s (five point) peace proposal as a historic step toward resolving the important question of Tibet and alleviating the suffering of the Tibetan people...(and) express(ing) their full support for his proposal;” and

16) there has been no positive response by the Government of the People’s Republic of China to either of these communications.

B) STATEMENT OF POLICIES—It is the sense of the Congress that—

1) the United States should express sympathy for those Tibetans who have suffered and died as a result of fighting, persecution, or famine over the past four decades;

2) the United States should make the treatment of the Tibetan people an important factor in its conduct of relations with the People’s Republic of China;

3) the Government of the People’s Republic of China should respect internationally recognised human rights and end human rights violations against Tibetans;

4) the United States should urge the Government of the People’s Republic of China to actively reciprocate the Dalai Lama’s efforts to establish a constructive dialogue on the future of Tibet;

5) Tibetan culture and religion should be preserved and the Dalai Lama should be commended for his efforts in this regard;

6) the United States, through the Secretary of State, should address

and call attention to the rights of the Tibetan people, as well as other non-Han-Chinese within the People's Republic of China such as the Uighurs of Eastern Turkestan (Xinjiang), and the Mongolians of Inner Mongolia;

7) the President should instruct United States officials, including the United States Ambassadors to the People's Republic of China and India, to pay greater attention to the concerns of the Tibetan people and to work closely with all concerned about human rights violations in Tibet in order to find areas in which the United States Government and people can be helpful; and

8) the United States should urge the People's Republic of China to release all political prisoners in Tibet.

C) TRANSFER OF DEFENCE ARTICLES—With respect to any sale, licensed export, or other transfer of any defence articles or defence services to the People's Republic of China, the United States Government shall, consistent with United States law, take into account the extent to which the Government of the People's Republic of China is acting in good faith and in a timely manner to resolve human rights issues in Tibet.

D) MIGRATION AND REFUGEE ASSISTANCE—Within 60 days after the date of the enactment of this Act, the Secretary of State shall determine whether the needs of displaced Tibetans are similar to those of displaced persons and refugees in other parts of the world and shall report that determination to the Congress. If the Secretary makes a positive determination, of the amounts authorised to be appropriated for the Department of State for "Migration and Refugee Assistance" for each of the fiscal years 1988 and 1989, such sums as are necessary shall be made available for assistance for displaced Tibetans. The Secretary of State shall determine the best means for providing such assistance.

E) SCHOLARSHIPS—For each of the fiscal years 1988 and

1989, the Director of the United States Information Agency shall make available to Tibetan students and professionals who are outside Tibet no less than 15 scholarships for study at institutions of higher education in the United States.

**UNITED STATES
PUBLIC LAW 101-246
H.R. 3792
Washington, D.C.
16 February 1990**

An Act

**To authorise appropriations for fiscal years 1990 and 1991 for
the Department of State, and for other purposes.**

Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS

- A) **SHORT TITLE.** —This Act may be cited as the “Foreign Relations Authorisation Act, Fiscal years 1990 and 1991”.
- B) **TABLE OF CONTENTS.** —The table of contents for the Act is as follows:

SEC. 225, SCHOLARSHIPS FOR TIBETANS AND BURMESE

A) **ALLOCATION OF SCHOLARSHIPS.** —Of the funds authorised to be appropriated by section 221 for each of the fiscal years 1990 and 1991, not less than 30 scholarships shall be made available to Tibetan students and professionals who are outside Tibet, and not less than 15 scholarships shall be made available to Burmese students and professionals who are outside Burma.

B) **WAIVER.** —Subsection (a) shall not apply to the extent that the Director of the United States Information Agency determines that there are not enough qualified students to fulfil such allocation requirement.

SEC. 224. VOICE OF AMERICA BROADCASTS TO TIBET

A) ESTABLISHMENT OF SERVICE. —No later than 90 days after the date of enactment of this Act, the Director of the United States Information Agency shall establish, through the Voice of America, a service to provide Voice of America Tibetan language programming to the people of Tibet.

B) Amount of Programming. —For each of the fiscal years 1990 and 1991, programming broadcasts to the people of Tibet pursuant to this section shall occur for not less than two hours each day.

C) REPORT. —As soon as possible in the fiscal year 1990, the Director of the United States Information Agency shall submit to the Congress a comprehensive written report detailing the implementation of the programming provided for in this section.

D) AUTHORISATIONS OF APPROPRIATIONS. —In addition to funds otherwise available under subsection (e), there are authorised to be appropriated to the Voice of America for purposes of carrying out this section \$1,000,000 for each of the fiscal years 1990 and 1991.

E) TRANSFER AUTHORITY. —The Director of the United States Information Agency may transfer to Voice of America Tibet Service such amounts appropriated for the “Television and Film Service” for each of the fiscal years 1990 and 1991 as exceed the amounts authorised to be appropriated for each such fiscal year for such service.

UNITED STATES
Public Law 101-513
Washington, D.C.
5 November 1990

An Act

**Making appropriations for foreign operations, export financing,
and related programs for the fiscal year ending 30 September
1991, and for other purposes.**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated for foreign operations, export financing, and related programs for the fiscal year ending 30 September 1991, and for other purposes, namely;

MIGRATION AND REFUGEE ASSISTANCE

For purposes, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorised by law, a contribution to the International Committee of the Red Cross and assistance to refugees, including contributions to the Intergovernmental Committee for Migration and the United Nations High Commissioner for Refugees; salaries and expenses for personnel and dependants as authorised by the Foreign Service Act of 1980; allowances as authorised by section 3109 of title 5, United States Code: \$485,648,000; Provided, That not less than \$45,000,000 shall be available for Soviet, Eastern European and other refugees resettling in Israel: Provided further, That not less than \$500,000 shall be made available for Tibetan refugees.

UNITED STATES
Public Law 101-649
Washington, D.C.
29 November 1990

SEC. 134. TRANSITION FOR DISPLACED TIBETANS

A) IN GENERAL. —Notwithstanding the numerical limitations in sections 201 and 202 of the Immigration and Nationality Act, there shall be made available to qualified displaced Tibetans described in subsection (b) 1,000 immigrant visas in the 3-fiscal-year period beginning with fiscal year 1991.

B) QUALIFIED DISPLACED TIBETANS DESCRIBED. —A alien described in this subsection is an alien who—

- 1) is a native of Tibet, and
- 2) since before the date of the enactment of this Act, has been continuously residing in India and Nepal.

For purposes of paragraph (1), an alien shall be considered to be a native of Tibet if the alien was born in Tibet or is the son, daughter, grandson, or granddaughter of an individual born in Tibet.

C) DISTRIBUTION OF VISA NUMBERS. —The Secretary of State shall provide for making immigrant visas provided under subsection (b) (or described in subsection (d) as the spouse or child of such an alien) in an equitable manner, giving preference to those aliens who are not firmly resettled in India or Nepal or who are most likely to be resettled successfully in the United States.

D) DERIVATIVE STATUS FOR SPOUSES AND CHILDREN. —A spouse or child (as defined in section 101 (b) (1) (A), (B), (C), (D), or (E) of the Immigration and Nationality Act shall, if not otherwise entitled to an immigrant status and the immediate issuance of a visa under this section, be entitled to the same status, and the same order of consideration, provided under this section, if accompanying, or following to join, his spouse or parents.

UNITED STATES
PUBLIC LAW 102-138
H.R. 1415
Foreign Relations Authorisation Act
Fiscal Years 1992 and 1993
Washington, D.C.
28 October 1991

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE

This Act may be cited as the “Foreign Relations Authorisation Act, Fiscal Years 1992 and 1993”.

SEC. 355. CHINA’S ILLEGAL CONTROL OF TIBET

It is the sense of the Congress that—

- 1) Tibet, including those areas incorporated into the Chinese provinces of Sichuan, Yunnan, Gansu and Qinghai, is an occupied country under the established principles of international law;
- 2) Tibet’s true representatives are the Dalai Lama and the Tibetan Government in exile as recognised by the Tibetan people;
- 3) Tibet has maintained throughout its history a distinctive and sovereign national, cultural, and religious identity separate from that of China and, except during periods of illegal Chinese occupation, has maintained a separate and sovereign political and territorial identity;
- 4) historical evidence of this separate identity may be found in Chinese archival documents and traditional dynastic histories, in United States’ recognition of Tibetan neutrality during World War II, and in the fact that a number of countries, including the United States, Mongolia, Bhutan, Sikkim, Nepal, India, Japan, Great Britain and Russia, recognised Tibet as an independent nation or dealt with

Tibet independently of any Chinese government;

5) in 1949-50, China launched an armed invasion of Tibet in contravention of international law;

6) it is the policy of the United States to oppose aggression and other illegal uses of force by one country against the sovereignty of another as a manner of acquiring territory, and to condemn violations of international law, including the illegal occupation of one country by another; and

7) numerous United States declarations since the Chinese invasion have recognised Tibet's right to self-determination and the illegality of China's occupation of Tibet.

**UNITED STATES
PUBLIC LAW 102-391
H.R. 5368
Washington, D.C.
6 October 1992**

An Act

**Making appropriations for foreign operations, export financing,
and related programs for the fiscal year ending 30 September
1993 and for other purposes.**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for foreign operations, export financing, and related programs for the fiscal year ending 30 September 1993, and for other purposes

...

MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorised by law, a contribution....

Provided further, That not less than \$1,500,000 shall be available for Tibetan refugees ...

**UNITED STATES
PUBLIC LAW 103-87
Foreign Operations, Export Financing, and Related Pro-
grams Appropriation Bill, 1994
10 June 1993**

Committed to the Committee of the whole House on the State of
the Union and ordered to be printed

Mr. Obey, from the Committee on Appropriations,
submitted the following

REPORT
together with
MINORITY VIEWS
(To accompany H.R. 2295)

TIBETAN REFUGEES

The people of Tibet continue to live under a repressive and brutal occupation by China. The Chinese government is engaging in a regimen of population transfer, using economic and other incentives to encourage Chinese to move into Tibet and displace indigenous Tibetans and dilute Tibet's unique traditional culture. The situation in Tibet has resulted in tens of thousands of refugees fleeing into India, a country which has little ability to assist them. The Committee recommends that best efforts be undertaken to provide \$2,000,000 in refugee assistance for Tibetan refugees.

UNITED STATES
PUBLIC LAW 103-236
Foreign Relations Authorisation Act
Fiscal Years 1994 and 1995
Washington, D.C.
25 April 1994

Mr. HAMILTON, from the committee of conference,
submitted the following

CONFERENCE REPORT
[To accompany H.R. 2333]

(Excerpt)

**PART B—USIA AND RELATED AGENCIES AUTHORITIES
AND ACTIVITIES**

SEC. 221. USIA OFFICE IN LHASA, TIBET.

a) Establishment of Office. —The Director of the United States Information Agency shall seek to establish an office in Lhasa, Tibet, for the purpose of—

- (1) disseminating information about the United States;
- (2) promoting discussions on conflict resolution and human rights;
- (3) facilitating United States private sector involvement in educational and cultural activities in Tibet; and
- (4) advising the United States Government with respect to Tibetan public opinion.

(b) Report by the Director of USIA. — Not later than April 1 of each year, the Director of the United States Information Agency shall submit a detailed report on developments relating to the implementation of this section to the Committee on Foreign Relations of the

Senate and the Committee on Foreign Affairs of the House of Representatives.

TITLE III — UNITED STATES INTERNATIONAL BROADCASTING ACT

SEC. 301. SHORT TITLE

This title may be cited as the “United States International Broadcasting Act of 1994”.

SEC. 309. RADIO FREE ASIA

(a) Authority —

(1) Grants authorised under section 305 shall be available to make annual grants for the purpose of carrying out radio broadcasting to the following countries: The People’s Republic of China, Burma, Cambodia, Laos, North Korea, Tibet, and Vietnam.

(2) Such broadcasting service shall be referred to as “Radio Free Asia”.

(b) Functions —Radio Free Asia shall —

(1) provide accurate and timely information, news, and commentary about events in the respective countries of Asia and elsewhere; and

(2) be a forum for a variety of opinions and voices from within Asian nations whose people do not fully enjoy freedom of expression.

SEC. 513. POLICY REGARDING THE CONDITIONS WHICH THE GOVERNMENT OF THE PEOPLE’S REPUBLIC OF CHINA SHOULD MEET TO CONTINUE TO RECEIVE NON-DISCRIMINATORY MOST-FAVOURED-NATION TREATMENT

(a) Finding — The Senate makes the following findings:

(1) In an Executive Order of 28 May 1993, the President established conditions for renewal of most-favoured-nation (MFN) status for the People’s Republic of China in 1994.

(2) The Executive Order requires that in making a recom-

mendation about the further extension of MFN status to China, the Secretary of State shall not recommend extension unless the Secretary determines that—

(A) extension will substantially promote the freedom of emigration objectives of section 402 of the Trade Act of 1974; and

(B) China is complying with the 1992 bilateral agreement between the United States and China concerning prison labour.

(3) The Executive Order further requires that in making a recommendation, the Secretary of State shall determine whether China has made overall, significant progress with respect to—

(A) taking steps to begin adhering to the Universal Declaration of Human Rights;

(B) releasing and providing an acceptable accounting for Chinese citizens imprisoned or detained for the non-violent expression of their political and religious beliefs, including such expression of religious beliefs in connection with the Democracy Wall and Tiananmen Square movements;

(C) ensuring humane treatment of prisoners, such as by allowing access to prisons by international humanitarian and human rights organisations;

(D) protecting Tibet's distinctive religious and cultural heritage; and

(E) Permitting international radio and television broadcasts into China.

(4) The Executive Order further requires the Executive Branch to resolutely pursue all legislative and executive actions to ensure that China abides by its commitments to follow fair, non-discriminatory trade practices in dealing with United States businesses, and adheres to the Nuclear Non-proliferation Treaty, the Missile Technology Control Regime guidelines and parameters, and other non-proliferation commitments.

(5) The Chinese government should co-operate with international efforts to obtain North Korea's full, unconditional compliance

with the Nuclear Non-proliferation Treaty.

(6) The President has initiated an intensive high-level dialogue with the Chinese government which began last year with a meeting between the Secretary of State and the Chinese Foreign Minister, including a meeting in Seattle between the President and the President of China, meeting in Beijing with the Secretary of the Treasury, the Assistant Secretary for Human Rights and others, a recent meeting in Paris between the Secretary of State and the Chinese Foreign Ministry, and recent meetings in Washington with several Under Secretaries and their Chinese counterparts.

(7) The President's efforts have led to some recent progress on some issues of concern to the United States.

(8) Notwithstanding this, substantially more progress is needed to meet the standards in the President's Executive Order.

(9) The Chinese government's overall human rights record in 1993 fell far short of internationally accepted norms as it continued to repress critics and failed to control abuses by its own security forces.

(b) Sense of Senate — It is the sense of the Senate that the President of the United States should use all appropriate opportunities, in particular more high-level exchanges with the Chinese government, to press for further concrete progress toward meeting the standards of continuation of MFN status as contained in the Executive Order.

SEC. 536. REPORTING REQUIREMENTS ON OCCUPIED TIBET

(a) REPORT ON UNITED STATES-TIBET RELATIONS — Because Congress has determined that Tibet is an occupied sovereign country under international law and that its true representatives are the Dalai Lama and the Tibetan Government in exile—

(1) it is the sense of the Congress that the United States should seek to establish a dialogue with those recognised by Congress as the true representatives of the Tibetan people, the Dalai Lama, his representatives and the Tibetan Government in exile, concerning the situ-

ation in Tibet and the future of the Tibetan people and to expand and strengthen United States-Tibet cultural and educational relations, including promoting bilateral exchanges arranged directly with the Tibetan Government in exile; and

(2) not later than 6 months after the date of enactment of this Act, and every 12 months thereafter, the Secretary of State shall transmit to the Chairman of the Committee on Foreign Relations and the Speaker of the House of Representatives a report on the state of relations between the United States and those recognised by Congress as the true representatives of the Tibetan people, the Dalai Lama, his representatives and the Tibetan Government in exile, and on conditions in Tibet.

(b) SEPARATE TIBET REPORTS —

(1) It is the sense of the Congress that whenever a report is transmitted to the Congress on a country-by-country basis there should be included in such report, where applicable, a separate report on Tibet listed alphabetically with its own state heading.

(2) The reports referred to in paragraph (1) include, but are not limited to, reports transmitted under sections 116 (d) and 502B(b) of the Foreign Assistance Act of 1961 (relating to human rights).

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2333) to authorise appropriations for the Department of State, the United States Information Agency, and related agencies, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendment struck all of the House bill after the

enacting clause and inserted a substitute text.

The House recedes from its disagreement to the amendment of the Senate with an amendment that is a substitute for the House bill and the Senate amendment. The differences between the House bill, the Senate amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clerical changes.

USIA OFFICE IN LHASA, TIBET

The Senate amendment (sec. 219) directs the Director of the United States Information Agency to establish an office in Lhasa, Tibet, for the purposes of disseminating information about the United States, promoting discussions on conflict resolution and human rights, facilitating private sector involvement in educational and cultural activities in Tibet, and advising the United States Government with respect to Tibetan public opinion.

The House bill contains no such provision.

The conference substitute (sec. 221) is similar to the Senate amendment, but states that the Secretary of State and the Director of the United States Information Agency shall seek to establish such an office and requires an annual report on developments relating to the implementation of this section.

The committee of conference believes that a U.S. presence in Lhasa and other Tibetan areas is an important policy priority, for it permits more accurate understanding of the situation in Tibet and facilitates Tibetans' exposure to information about the United States and participation in USIA activities. The committee on the conference urges the Director of USIA to make every effort to establish the office, and even in advance of the opening of a Lhasa office, to enhance the Agency's programming for Tibet.

EDUCATIONAL AND CULTURAL EXCHANGES WITH TIBET

The House bill (sec. 243) directs the United States Information Agency to establish programs of educational and cultural exchange between the United States and the people of Tibet.

The Senate amendment contains no such provision.

The conference substitute (sec. 236) is identical to the House bill. The people of Tibet intended to be the beneficiaries of such programs are people of Tibetan heritage, within Tibet and in exile, rather than Chinese immigrants or temporary Chinese workers in Tibet. The conferees recognise that the USIA has already established a Fulbright program for Tibetans in Nepal and India. This highly successful program should be expanded in size and in scope to include Tibetans in other countries. USIA should also establish a presence in Dharamsala to expand such programs and to consult with the Tibetan leadership there on the design of programs in Tibet.

The committee of conference notes that the Tibetan people in Tibet suffer a lack of access to educational and cultural exchanges. There is, therefore, a need for a specific program for the Tibetan people in Tibet (Tibetan Autonomous Region and all Tibetan autonomous prefectures incorporated in Sichuan, Yunnan, Gansu and Qinghai provinces), with particular emphasis on training programs, educational exchanges, and scientific research. In designing such a program, the USIA should consult with US non-governmental organisations such as the Tibet Fund and the International Campaign for Tibet, to ensure that such programs are appropriate, and should verify that the programs are for persons of Tibetan heritage and not for Chinese immigrants or temporary Chinese workers in Tibet.

REPORTING REQUIREMENTS ON OCCUPIED TIBET

The Senate amendment (Sec. 702) expresses the sense of Congress that the United States should seek to establish a dialogue with the Dalai Lama and the Tibetan Government-in-Exile; requires that, six

months from the date of enactment of the Act and every 12 months thereafter, the Secretary of State shall transmit a report to Congress on such dialogue; and requires that wherever a report is transmitted to the Congress on a country-by-country basis there shall be included in such report, where applicable, a separate report on Tibet listed alphabetically with its own state heading.

The House bill contains no comparable provision.

The conference substitute (sec.) is similar to the Senate amendment except it states that it is the sense of Congress that Tibet should be the subject of a separate report in reports compiled on a country-by-country basis.

UNITED STATES
Foreign Relations Authorisation Act
Fiscal Years 1996 and 1997
8 March 1996

Mr GILMAN, from the committee of conference,
submitted the following

CONFERENCE REPORT
[To accompany H.R. 1561]

EXCERPT

SEC. 1303. SPECIAL ENVOY FOR TIBET

(a) UNITED STATES SPECIAL ENVOY FOR TIBET—

The president should appoint within the Department of State a United States Special Envoy for Tibet, who shall hold office at the pleasure of the President.

(b) RANK —A United States Special Envoy for Tibet appointed under section (A) shall have the personal rank of ambassador and shall be appointed by and with the advice and consent of the Senate.

(c) SPECIAL FUNCTIONS —The United States Special Envoy for Tibet should be authorised and encouraged—

(1) to promote substantive negotiations between the Dalai Lama or his representatives and senior members of the Government of the People's Republic of China;

(2) to promote good relations between the Dalai Lama and his representatives and the United States Government, including meeting with members or representatives of the Tibetan government-in-exile; and

(3) to travel regularly throughout Tibet and Tibetan refugee settlements.

(d) DUTIES AND RESPONSIBILITIES —The United States

Special Envoy for Tibet should—

- (1) consult with the Congress on policies relevant to Tibet and the future and welfare of all Tibetan people;
- (2) co-ordinate United States Government policies, programs, and projects concerning Tibet; and
- (3) report to the Secretary of State regarding the matters described in section 536 (a) (2) of the Foreign Relations Authorisation Act, Fiscal Years 1994 and 1995 (Public Law 103-236)

SEC. 1408. CONDUCT OF CERTAIN EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

In carrying out programs of educational and cultural exchange in countries whose people do not fully enjoy freedom and democracy (including but not limited to China, Vietnam, Cambodia, Tibet, and Burma), the Director of the United States Information Agency shall take appropriate steps to provide opportunities for participation in such programs to human rights and democracy leaders of such countries.

SEC. 1410. EDUCATIONAL AND CULTURAL EXCHANGES AND SCHOLARSHIPS FOR TIBETANS AND BURMESE

(a) ESTABLISHMENT OF EDUCATIONAL AND CULTURAL EXCHANGE FOR TIBETANS —The Director of the United States Information Agency shall establish programs of educational and cultural exchange between the United States and the people of Tibet. Such programs shall include opportunities for training and, as the Director considers appropriate, may include the assignment of personnel and resources abroad.

(b) SCHOLARSHIPS FOR TIBETANS AND BURMESE—

(1) For each of the fiscal years 1996 and 1997, at least 30 scholarships shall be made available to Tibetan students and professionals shall be made available to Tibetan students and professionals who are outside Tibet, and at least 15 scholarships shall be made available to

Burmese students and professionals who are outside Burma.

(2) WAIVER —Paragraph (1) shall not apply to the extent that the Director of the United States Information Agency determines that there are not enough qualified students to fulfil such allocation requirement.

(3) SCHOLARSHIP DEFINED —For the purposes of this section, the term “scholarship” means an amount to be used for full or partial support of tuition and fees to attend an educational institution, and may include fees, books, and supplies, equipment required for courses at an educational institution, living expenses at a United States educational institution, and travel expenses to and from, and within, the United States.

SEC. 1411. INITIATION OF BROADCASTS BY RADIO FREE ASIA

Section 309 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6208) is amended by adding at the end the following new subsection:

(j) Not later than 180 days after the date of the enactment of the Foreign Relations Authorisation Act, Fiscal Years 1996 and 1997, Radio Free Asia shall initiate regular broadcasts to the People’s Republic of China, Burma, Cambodia, Laos, North Korea, Tibet, and Vietnam. Such broadcasts shall be conducted under the name ‘Radio Fee Asia’ and shall provide accurate and timely information, news, and commentary about events in the respective countries of Asia and elsewhere, and shall be a forum for a variety of opinions and voices from within Asian nations whose people do not fully enjoy freedom of expression.

EDUCATIONAL AND CULTURAL EXCHANGE AND SCHOLARSHIPS FOR TIBETANS AND BURMESE

The House bill (sec. 2405) requires USIA to provide 30 scholarships for Tibetans and 15 scholarships for Burmese. It also requires USIA to

establish exchange programs for Tibetans and Burmese.

... This exchange program also targets exiled Tibetans living in India and Nepal. Thirty percent of the program costs are met by private organisations. In accepting the scholarship, all of the Tibetans agree to return to India and Nepal to work toward improving the conditions and future opportunities for their fellow refugees.

TITLE XVII — CONGRESSIONAL STATEMENTS

SEC. 1702. DECLARATION OF CONGRESS REGARDING UNITED STATES GOVERNMENT HUMAN RIGHTS POLICY TOWARD CHINA

(a) FINDINGS —The Congress makes the following findings:

(1) According to the 1994 State Department Country Reports on Human Rights Practices, there continue to be “widespread and well-documented human rights abuses in China, in violation of internationally accepted norms... (including) arbitrary and lengthy incommunicado detention, torture, and mistreatment of prisoners. The regime continued severe restrictions on freedoms of speech, press, assembly and association, and tightened control on the exercise of these rights during 1994. Serious human rights abuses persisted in Tibet and other areas populated by ethnic minorities”.

(2) The President, in announcing his decision on Most Favoured Nation trading status for China in May 1994, stated that, “China continues to commit very serious human rights abuses. Even as we engage the Chinese on military, political, and economic issues, we intend to stay engaged with those in China who suffer from human rights abuses. The United States must remain a champion of their liberties”.

(b) SENSE OF CONGRESS —It is the sense of the Congress that the President should take the following actions:

(1) Decline the invitation to visit China until and unless there is dramatic overall progress on human rights in China and Tibet and communicate to the Government of China that such a visit

cannot take place without such progress. Indications of overall progress would include the release of hundreds of political, religious, and labour activists, an agreement to allow unhindered confidential access to prisoners by international humanitarian agencies; enactment of major legal reforms such as an end to all restrictions on the exercise of freedom of religion, revocation of the 1993 state security law, and the abolition of all so-called “counter-revolutionary” crimes; and an end to forced abortion, forced sterilisation, and the provision by government facilities of human fetal remains for consumption as food; and a decision to allow unrestricted access to Tibet by foreign media and international human rights monitors.

(2) Seek to develop an agreement on a multilateral strategy to promote human rights in China. Such an agreement should include efforts to encourage greater co-operation by the Government of China with the human rights rapporteurs and working groups of the United States Human Rights Commission, as well as bilateral and multilateral initiatives to secure the unconditional release of imprisoned peaceful pro-democracy advocates such as Wei Jingshen.

(3) Extend an invitation to the Dalai Lama to visit Washington, District of Columbia, in 1996.

(c) UNITED STATES GOVERNMENT HUMAN RIGHTS POLICY TOWARD CHINA —It shall be the policy of the United States Government to continue to promote internationally recognised human rights and worker rights in China and Tibet. The president shall submit the following reports on the formulation and implementation of United States human rights policy toward China and the results of that policy to the appropriate congressional committees:

(1) Not later than 90 days after the date of enactment of the Act, the President shall report on the status of the “new United States Human Rights policy for China” announced by the President on May 26, 1994, including an assessment of the implementation and effectiveness of the policy in bringing about human rights improvements in China and Tibet, with reference to the following specific initiatives

announced on that date:

(A) High-level dialogue on human rights.

(B) Voluntary principles in the area of human rights for the United States businesses operating in China.

(C) Increased contact with and support for groups and individuals in China promoting law and reform and human rights.

(D) Increased exchanges to support human rights law reform in China.

(E) The practice of all United States officials who visit China to meet with the broadest possible spectrum of Chinese citizens.

(F) Increased efforts to press United States views on human rights in China at the United Nations, the United Nations Human Rights Commission, and other international organisations.

(G) A plan of international actions to address Tibet's human rights problems and to promote substantive discussions between the Dalai Lama and the Chinese Government.

(H) An information strategy for promoting human rights by expanding Chinese and Tibetan language broadcasts on the Voice of America and establishing Radio Free Asia.

(I) Encouraging the Chinese Government to permit international human rights groups to operate in and visit China.

The report required by this paragraph shall also assess the progress, if any, of the People's Republic of China toward ending forced abortion, forced sterilisation, and other coercive population control practices.

(2) Not later than 120 days after the date of enactment of this Act, the President shall report on the status of the Chinese Government compliance with the United States laws prohibiting the importation into the United States of forced labour products, including (but not limited to) a complete assessment and report on the implementation of the Memorandum of Understanding signed by the United States and China in 1992. The report shall include (but not be limited to) the following:

(A) All efforts made by the United States Customs Service from 1992 until the date of the report to investigate forced labour exports and to conduct unannounced unrestricted inspections of suspected forced labour sites in China, and the extent to which Chinese authorities co-operated with such investigations.

(B) Recommendations of what further steps might be taken to enhance United States effectiveness in prohibiting forced labour exports to the United States from China.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1561) to authorise appropriations for the Department of State, the United States Information Agency, and related agencies, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

SPECIAL ENVOY FOR TIBET

The House bill (sec. 2302) requires the establishment of a Special Envoy to Tibet within the State Department. The Special Envoy is authorised to promote substantive negotiations between the Dalai Lama or his representatives and senior members of the Chinese government. Through this special envoy, the US demonstrates its continued support for His Holiness the Dalai Lama in his quest for a peaceful resolution to the situation in Tibet through negotiations with the Chinese government.

The Senate amendment (sec. 608) is virtually identical.

The conference substitute (sec. 1303) permits the Secretary to establish a Special Envoy to Tibet. Following are committee of conference findings on this issue.

FINDINGS:

- (1) The Government of the People's Republic of China withholds meaningful participation in the government of Tibet from Tibetans and has failed to abide by its own constitutional guarantee of autonomy for Tibetans.
- (2) The Government of the People's Republic of China is responsible for the destruction of much of Tibet's cultural and religious heritage since 1959 and continues to threaten the survival of Tibetan culture and religion.
- (3) The Government of the People's Republic of China, through direct and indirect incentives, has established discriminatory development programs which have resulted in an overwhelming flow of Chinese immigrants into Tibet, including those areas incorporated into the Chinese provinces of Sichuan, Yunnan, Gansu, and Qinghai in recent years, and have excluded Tibetans from participation in important policy decisions, further threatening traditional Tibetan life.
- (4) The Government of the People's Republic of China denies Tibetans their fundamental human rights, as reported in the Department of State's Country Reports on Human Rights Practices for 1995.
- (5) The President and the Congress have determined that the promotion of human rights in Tibet and the protection of Tibet's religion and culture are important elements in United States-China relations and have urged senior members of the Government of the People's Republic of China to enter into substantive negotiations on these matters with Dalai Lama or his representatives.
- (6) The Dalai Lama has repeatedly stated his willingness to begin substantive negotiations without preconditions.
- (7) The Government of the People's Republic of China has failed to respond in a good faith manner by reciprocating a willingness to begin negotiations without preconditions, and no substantive negotiations have begun.

UNITED STATES
PUBLIC LAW 103-306
Foreign Operations, Export Financing, and Related Pro-
grams Appropriation Bill, 1995
23 May 1994

Committed to the Committee of the whole House on the State of
the Union and ordered to be printed

Mr. Obey, from the Committee on Appropriations,
submitted the following

REPORT
(To accompany H.R. 4426)

TIBETAN REFUGEES

The people of Tibet continue to live under a repressive and brutal occupation by China. The Chinese government is engaging in a regimen of population transfer, using economic and other incentives to encourage Chinese to move into Tibet and displace indigenous Tibetans and dilute Tibet's unique traditional culture. The situation in Tibet has resulted in tens of thousands of refugees fleeing into India, a country which has little ability to assist them. The Committee recommends that best efforts be undertaken to provide \$2,000,000 in refugee assistance for Tibetan refugees.

UNITED STATES
PUBLIC LAW 104-107
Foreign Operations, Export Financing, and
Related Programs Appropriation Bill, 1996
15 June 1995

Committed to the Committee of the whole House on the State of
the Union and ordered to be printed

Mr. CALLAHAN, from the Committee on Appropriations,
submitted the following

REPORT
together with
MINORITY VIEWS
(To accompany H.R. 1868)

MIGRATION AND REFUGEE ASSISTANCE

The Committee is concerned that the State Department makes every effort to ensure that a potential increase in refugees from Tibet and Bosnia can be handled within available funding. Since 1991, the United States has provided humanitarian assistance for Tibetan refugees living in exile, and the Committee would expect that such support be continued. In addition, conditions in the former Yugoslavia may result in the need for the United States to accept an increase in the number of Bosnian refugees.

**UNITED STATES
PUBLIC LAW 107-288
H.R. 1646: Tibetan Policy Act of 2002, and
Other Provisions
Foreign Relations Authorisation Act
Fiscal Year 2003
Washington, D.C.
23 January 2002**

An Act

To authorise appropriations for the Department of State for fiscal year 2003, to authorise appropriations under the Arms Export Control Act and the Foreign Assistance Act of 1961 for security assistance for fiscal year 2003, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ‘Foreign Relations Authorisation Act, Fiscal Year 2003’.

SEC. 115. MIGRATION AND REFUGEE ASSISTANCE.

c) **TIBETAN REFUGEES IN INDIA AND NEPAL**— Of the amount authorised to be appropriated by subsection (a), \$2,000,000 for the fiscal year 2003 is authorised to be available for humanitarian assistance, including food, medicine, clothing, and medical and vocational training, to Tibetan refugees in India and Nepal who have fled Chinese-occupied Tibet.

SEC. 222. EXTENSION OF REQUIREMENT FOR SCHOLARSHIPS FOR TIBETANS AND BURMESE.

Section 103(b)(1) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104-319; 22 U.S.C. 2151 note) is amended by striking ‘for the fiscal year 2000’ and inserting ‘for the fiscal year 2003’.

TITLE VI—Miscellaneous Provisions

Subtitle B—Tibet Policy

SEC. 611. SHORT TITLE.

This subtitle may be cited as “Tibetan Policy Act of 2002”.

SEC. 612. STATEMENT OF PURPOSE.

The purpose of this subtitle is to support the aspirations of the Tibetan people to safeguard their distinct identity.

SEC. 613. TIBET NEGOTIATIONS.

a) POLICY. —

1) IN GENERAL. —The President and the Secretary should encourage the Government of the People’s Republic of China to enter into a dialogue with the Dalai Lama or his representatives leading to a negotiated agreement on Tibet.

2) COMPLIANCE. —After such an agreement is reached, the President and the Secretary should work to ensure compliance with the agreement.

b) PERIODIC REPORTS. — Not later than 180 days after the date of the enactment of this Act, and every 12 months thereafter, the President shall transmit to the appropriate congressional committees a report on—

1) the steps taken by the President and the Secretary in accordance with subsection (a)(1); and

2) the status of any discussions between the People’s Republic of China and the Dalai Lama or his representatives.

SEC. 614. REPORTING ON TIBET.

Whenever a report is transmitted to Congress under section 116 or 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2151m, 2304) or under section 102(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6412(b)), Tibet shall be included in such report as a separate section.

SEC. 615. CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE’S REPUBLIC OF CHINA.

Section 302(h) of the U.S.-China Relations Act of 2000 (Public Law 106-286), relating to the Congressional-Executive Commission on the People’s Republic of China, is amended—

1) by striking “shall include specific information” and inserting the following: “shall include—“(1) specific information”;

2) by striking the period at the end and inserting “and”; and

3) by adding at the end the following:

“(2) a description of the status of negotiations between the Government of the People’s Republic of China and the Dalai Lama or his representatives, and measures taken to safeguard Tibet’s distinct historical, religious, cultural, and linguistic identity and the protection of human rights.”

SEC. 616. ECONOMIC DEVELOPMENT IN TIBET.

a) DECLARATIONS OF POLICY. —It is the policy of the United States to support economic development, cultural preservation, health care, and education and environmental sustainability for Tibetans inside Tibet. In support of this policy, the United States shall use its voice and vote to support projects designed in accordance with the principles contained in subsection (d) that are designed to raise the

standard of living for the Tibetan people and assist Tibetans to become self-sufficient.

b) INTERNATIONAL FINANCIAL INSTITUTIONS. — The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to use the voice and vote of the United States to support projects in Tibet, if the projects are designed in accordance with the principles contained in subsection (d).

c) EXPORT-IMPORT BANK AND TDA. —The Export-Import Bank of the United States and the Trade and Development Agency should support projects proposed to be funded or otherwise supported by such entities in Tibet, if the projects are designed in accordance with the principles contained in subsection (d).

d) TIBET PROJECT PRINCIPLES. —Projects in Tibet supported by international financial institutions, other international organisations, non-governmental organisations, and the United States entities referred to in subsection (c), should—

1) be implemented only after conducting a thorough assessment of the needs of the Tibetan people through field visits and interviews;

2) be preceded by cultural and environmental impact assessments;

3) foster self-sufficiency and self-reliance of Tibetans;

4) promote accountability of the development agencies to the Tibetan people and active participation of Tibetans in all project stages;

5) respect Tibetan culture, traditions, and the Tibetan knowledge and wisdom about their landscape and survival techniques;

6) be subject to on-site monitoring by the development agencies to ensure that the intended target group benefits;

7) be implemented by development agencies prepared to use Tibetan as the working language of the projects;

8) neither provide incentive for, nor facilitate the migration and settlement of, non-Tibetans into Tibet; and

9) neither provide incentive for, nor facilitate the transfer of ownership of, Tibetan land or natural resources to non-Tibetans.

SEC. 617. RELEASE OF PRISONERS AND ACCESS TO PRISONS.

The President and the Secretary, in meetings with representatives of the Government of the People's Republic of China, should—

1) request the immediate and unconditional release of all those held prisoner for expressing their political or religious views in Tibet;

2) seek access for international humanitarian organisations to prisoners in Tibet to ensure that prisoners are not being mistreated and are receiving necessary medical care; and

3) seek the immediate medical parole of Tibetan prisoners known to be in serious ill health.

SEC. 618. ESTABLISHMENT OF A UNITED STATES BRANCH OFFICE IN LHASA, TIBET.

The Secretary should make best efforts to establish an office in Lhasa, Tibet, to monitor political, economic, and cultural developments in Tibet.

SEC. 619. REQUIREMENT FOR TIBETAN LANGUAGE TRAINING.

The Secretary shall ensure that Tibetan language training is available to Foreign Service officers, and that every effort is made to ensure that a Tibetan-speaking Foreign Service officer is assigned to a United States post in the People's Republic of China responsible for monitoring developments in Tibet.

SEC. 620. RELIGIOUS PERSECUTION IN TIBET.

a) HIGH-LEVEL CONTACTS. —Pursuant to section 105 of the International Religious Freedom Act of 1998 (22 U.S.C. 6414), the United States Ambassador to the People's Republic of China should—

1) meet with the 11th Panchen Lama, who was taken from his home on 17 May 1995, and otherwise ascertain information concerning his whereabouts and well-being; and

2) request that the Government of the People's Republic of China release the 11th Panchen Lama and allow him to pursue his religious studies without interference and according to tradition.

b) PROMOTION OF INCREASED ADVOCACY. — Pursuant to section 108(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6417(a)), it is the sense of Congress that representatives of the United States Government in exchanges with officials of the Government of the People's Republic of China should call for and otherwise promote the cessation of all interference by the Government of the People's Republic of China or the Communist Party in the religious affairs of the Tibetan people.

SEC. 621. UNITED STATES SPECIAL CO-ORDINATOR FOR TIBETAN ISSUES.

a) UNITED STATES SPECIAL CO-ORDINATOR FOR TIBETAN ISSUES. —There shall be within the Department a United States Special Co-ordinator for Tibetan Issues (in this section referred to as the “Special Co-ordinator”).

b) CONSULTATION. —The Secretary shall consult with the chairmen and ranking minority members of the appropriate congressional committees prior to the designation of the Special Co-ordinator.

c) CENTRAL OBJECTIVE. —The central objective of the Special Co-ordinator is to promote substantive dialogue between the Government of the People's Republic of China and the Dalai Lama or his representatives.

d) DUTIES AND RESPONSIBILITIES. —The Special Co-ordina-

tor shall—

- 1) co-ordinate United States Government policies, programs, and projects concerning Tibet;
- 2) vigorously promote the policy of seeking to protect the distinct religious, cultural, linguistic, and national identity of Tibet, and pressing for improved respect for human rights;
- 3) maintain close contact with religious, cultural, and political leaders of the Tibetan people, including regular travel to Tibetan areas of the People's Republic of China, and to Tibetan refugee settlements in India and Nepal;
- 4) consult with Congress on policies relevant to Tibet and the future and welfare of the Tibetan people;
- 5) make efforts to establish contacts in the foreign ministries of other countries to pursue a negotiated solution for Tibet; and
- 6) take all appropriate steps to ensure adequate resources, staff, and bureaucratic support to fulfil the duties and responsibilities of the Special Co-ordinator.

PRESIDENT OF THE UNITED STATES

Executive Order 12850

Washington, D.C.

28 May 1993

Title 3

The President

Conditions for renewal of Most-Favoured-Nation Status for the People's Republic of China in 1994

Whereas the Congress and the American people have expressed deep concern about the appropriateness of unconditional most-favoured-nation (MFN) trading status for the People's Republic of China (China);

Whereas, I share the concerns of the Congress and the American people regarding this important issue, particularly with respect to China's record on human rights, nuclear non-proliferation, and trade;

Whereas, I have carefully weighed the advisability of conditioning China's MFN status as a means of achieving progress in these areas;

Whereas, I have concluded that the public interest would be served by continuation of the waiver of the application of sections 402 (a) and (b) of the Trade Act of 1974 (19 U.S.C. 2432 (a) and 2432 (b)) (Act) on China's MFN status for an additional 12 months with renewal thereafter subject to the conditions below;

Now, therefore, by the authority vested in me as President by the Constitution and law of the United States of America, it is hereby ordered as follows;

Section 1. The Secretary of State (Secretary) shall make a recommendation to the President to extend or not to extend MFN status to

China for the 12-month period beginning 3 July 1994.

A) In making this recommendation the Secretary shall not recommend extension unless he determines that;

— extension will substantially promote the freedom of emigration objectives of section 402 of the Act; and

— China is complying with the 1992 bilateral agreement between the United States and China concerning prison labour.

B) In making this recommendation the Secretary shall also determine whether China has made overall, significant progress with respect to the following:

—taking steps to begin adhering to the Universal Declaration of Human Rights;

—releasing and providing an acceptable accounting for Chinese citizens imprisoned or detained for the non-violent expression of their political and religious beliefs, including such expression of beliefs in connection with the Democracy Wall and Tiananmen Square movements;

—ensuring humane treatment of prisoners, such as by allowing access to prisons by international humanitarian and human rights organisations;

—protecting Tibet's distinctive religious and cultural heritage; and

—permitting international radio and television broadcasts into China.

Section 2. The Secretary shall submit his recommendation to the President before 3 June 1994.

Section 3. The Secretary, and other appropriate officials of the United States, shall pursue resolutely all legislative and executive actions to ensure that China abides by its commitments to follow fair, non-discriminatory trade practices in dealing with U.S. businesses, and adheres to the Nuclear non-proliferation Treaty, the Missile Technology Control Regime guidelines and parameters, and other non-proliferation commitments.

Section 4. This order does not create any right or benefit, substantive or procedural, enforceable by any person or entity against the United States, its officers, or employees.

**UNITED STATES
THE WHITE HOUSE
OFFICE OF THE PRESS SECRETARY
28 May 1993**

Report to Congress Concerning Extension of Waiver Authority for
the People's Republic of China

Conditions for the renewal of MFN status in 1994

...In considering extension of MFN, we will take into account whether there has been overall, significant progress by China with respect to the following:

— Respecting the fundamental human rights recognised in the Universal Declaration of Human Rights, for example, freedoms of expression, peaceful assembly and association,

— Complying with China's commitment to allow its citizens, regardless of their political views, freedom to emigrate and travel abroad (excepting those who are imprisoned, have criminal proceedings pending against them, or have received court notices concerning civil cases),

— Providing an acceptable accounting for and release of Chinese citizens imprisoned or detained for peaceful expression of their political views, including the Democracy Wall and Tiananmen Square activists,

— Taking effective steps to ensure that forced abortion and sterilisation are not used to implement China's family planning policies,

— Ceasing religious persecution, particularly by releasing leaders and members of religious groups detained or imprisoned for expression of their religious beliefs,

— Taking effective actions to ensure that prisoners are not being mistreated and are receiving necessary medical treatment, such as

by granting access to Chinese prisons by international humanitarian organisations,

— Seeking to resume dialogue with the Dalai Lama or his representatives, and taking measures to protect Tibet's distinctive religious and cultural heritage,

— Ceasing the jamming of Voice of America broadcasts.

AUSTRALIAN PARLIAMENT
Canberra
6 December 1990 and 6 June 1991

Passed by the Senate on 6 December 1990, and the House of
Representatives on 6 June 1991

That:

the Senate (6 December, 1990)

the House of Representatives (6 June, 1991)

A) expresses its deep concern about the current situation in

Tibet;

B) recognises that human rights abuses have been committed in Tibet by the People's Republic of China since 1959 and that human rights abuses are reportedly continuing;

C) endorses Resolutions No. 1353 of 1959, No. 1723 of 1961 and No. 2079 of 1965 of the United Nations General Assembly, and recognises that they remain relevant today;

D) endorses the call for the cessation of practices which deprive the Tibetan people of their fundamental human rights and freedoms;

E) commends the Dalai Lama and his representatives for consistently rejecting the use of violence, and notes that this was acknowledged in the awarding of the 1989 Nobel Peace Prize to the Dalai Lama;

F) endorses the representations made by the Australian Government and by members of this Parliament to the People's Republic of China on alleged human rights abuses, generally and in Tibet;

G) calls on the Government of the PRC to:

i) recognise the fundamental human rights and freedoms of the Tibetan people as set out in the Universal Declaration of Human Rights and the International Human Rights Covenants, including the right to practice their culture and religious traditions without fear of persecution, arrest or

torture;

ii) enter into earnest discussions, without preconditions, with the Dalai Lama and his representatives with a view to reducing the tension in Tibet; and

iii) respond to representations made by the Australian Government and by members of this parliament on allegations of human rights abuses, and the human rights situation in general in Tibet; and

H) calls on the Australian Government to continue to make representations to, and seek responses from, the Government of the People's Republic China on allegations of human rights abuses in Tibet.

AUSTRALIAN SENATE

Canberra

10 November 1994

Tibet—human Rights

Senator Bourne, by leave, moved— That the Senate—

a) notes that, during the week beginning 6 November 1994, the Chairman of China's National People's Congress, Mr Qiao Shi, is on an official visit to Australia;

b) recognises that during the 1989 pro-democracy protests, Mr Qiao Shi served as head of China's security services;

c) expresses its concern that the human rights situation in Tibet appears to have deteriorated and that the Tibetan people continue to be denied their fundamental human rights and freedoms;

d) endorses the representations made by the Australian Government and by members of this Parliament to the People's Republic of China on human rights abuses in Tibet;

e) urges the Chinese Government to recognise the fundamental human rights and freedoms of the Tibetan people and to enter into genuine dialogue, without preconditions, with His Holiness the Dalai Lama with a view to achieving a long-term solution in Tibet;

f) calls on all Australian Government Ministers to continue raising issues of human rights and the situation in Tibet in their discussions with representatives of the Chinese Government and to ensure that they understand the depth of the Australian community's feelings about these matters; and

g) requests from the Chinese Government a commitment that it will not deny visas to exiled Tibetan women from any part of the world who wish to attend the United Nations World Conference on Women which is due to be held in Beijing in 1995.

AUSTRALIAN SENATE
Canberra
14 November 1994

Senator Reid amended her notice of motion by leave and, pursuant to notice of motion not objected to as a formal motion, moved —

That the Senate—

a) calls for the immediate release of the Gari Fourteen, a group of Buddhist nuns from Gari nunnery who are detained within the Chinese prison system in Tibet;

b) notes reports that these young nuns and other Tibetan political prisoners are subjected to routine torture, are used as forced labour and have limited access to medical treatment;

c) acknowledges that whilst it is alleged that 12 of the nuns were arrested for taking part in a pro-independence rally on 14 June 1993, there are no witnesses to a rally that day, and no evidence exists that it ever occurred; and

d) calls on the leaders of the People's Republic of China to comply with both the United Nations Universal Declaration of Human Rights and the Convention Against Torture.

AUSTRALIAN SENATE
Canberra
29 June 1995

That the senate—

A) notes:

1) that the United Nations (UN) Secretariat is alleged to have prohibited any reference to His Holiness the Dalai Lama in a book to be published to mark the 50th anniversary of the UN; and

2) the statement alleged to have been censored from the book was a statement made by the Dalai Lama in support of the Universal Declaration of Human Rights at the 1993 World Conference on Human Rights in Vienna, namely, 'It is in the inherent nature of human beings to yearn for freedom, equality and dignity and they have an equal right to achieve that... Brute force, no matter how strongly applied, can never subdue the basic desire for freedom and dignity'; and

B) calls on the Minister for Foreign Affairs (Senator Gareth Evans), if it is the case that such censoring has occurred, to use his influence to urge the UN not to mar the 50th anniversary of the UN by such censorship.

AUSTRALIAN SENATE
Canberra
29 June 1995

That the senate—

A) notes that the United Nations 4th Conference on Women is to be held in Beijing in September 1995;

B) supports the right of all women, including Tibetan women, to take part in the Non-Governmental Organisation (NGO) conference to be held at the same time;

C) is concerned

1) at the reports that the NGO Forum is to be held at a considerable distance from the World Conference at a site that cannot accommodate the approximately 20,000 participants expected at the forum,

2) at reports that telecommunication, hotel, interpretation and transport facilities are inadequate for a conference of this kind and scale, and

3) at reports of strict customs procedures and controls with regard to the importation of written and audio-visual materials by participants of both conferences; and

D) calls on the Minister for Foreign Affairs (Senator Gareth Evans) to continue

1) to make representations to the Chinese Government and to the conference secretariat to allow women from Tibet who are accredited to NGOs to attend the conference, and

2) urge the Chinese Government to ensure that adequate arrangements are put in place to enable the NGO conference to proceed with adequate facilities and democratic procedures.

AUSTRALIAN SENATE
Canberra
30 November 1995

That the Senate:

A) notes that China has announced the selection of a new Panchen Lama in an attempt to overrule the Dalai Lama's choice of five months ago;

B) expresses:

1) dismay that China's actions represent a further erosion of the international principle of freedom of religion;

2) expresses support for the candidate recognised by His Holiness the Dalai Lama as being the only legitimate Panchen Lama; and

C) urges China to respect the wishes of the Tibetan people by supporting the Panchen Lama as recognised by the Dalai Lama.

(Senator Bourne moved the resolution)

AUSTRALIAN SENATE
Canberra
17 September 1996

That the Senate:

A) recalls the Notice of Motion on Tibet passed by the Senate, in toto, on 6 December 1990; and further notes:

- a) the ongoing human rights abuses of the Tibetan people by the People's Republic of China on religious, political, educational, language and cultural grounds and calls for the cessation of any practices which would deprive the Tibetan people of their fundamental human rights and freedoms;
- b) the Dalai Lama's affirmation of a commitment to non-violence and negotiation to solve conflict, as exemplified in His Holiness' receipt of the Nobel Peace Prize in 1989;
- c) the People's Republic of China's appointment of a rival Panchen Lama (the second most holy position in the Tibetan religious order), in the place of the Tibetan proclaimed reincarnation of the Panchen Lama, Gedhun Choekyi Nyima, is contrary to freedom of religious practice, as enshrined within the Universal Declaration of Human Rights and other human rights instruments;
- d) the concerns of Amnesty International for the safety, welfare and location of Gedhun Choekyi Nyima and his family;
- e) the Dalai Lama's proposal at Strasbourg in 1989 to undertake dialogue with China, and the People's Republic of China's refusal to meet with the Dalai Lama;
- f) reports by Amnesty International that there are 650 Tibetan prisoners of conscience, some of whom are as young as twelve, and that the torture of detainees and severe beatings are common.

AUSTRALIAN SENATE

Canberra

5 March 1997

That the Senate:

A) notes:

- 1) the arrest and incarceration of Tibetan Ngawang Choephel, a Fulbright Scholar, who was sentenced to 18 years' imprisonment by the Chinese Government for allegedly spying while carrying out field research as an ethnomusicologist,
- 2) that Ngawang Choephel was denied access to legal representation, and that his family and friends have not been allowed to communicate with him since his arrest,
- 3) that Ngawang Choephel's whereabouts remain unknown; and

B) calls on the Federal Government to:

- 1) urgently raise the issue of Ngawang Choephel's arrest and incarceration with the Chinese Government,
- 2) reiterate Australia's concern about continuing human rights abuses in China, including in Tibet,
- 3) reiterate Australia's belief that the distinct Tibetan culture, religious practices and ethnic heritage should be protected,
- 4) seeks immediate information from the Chinese Government on Ngawang Choephel's whereabouts and well-being, and
- 5) register Australia's concern about Ngawang Choephel's sentence.

AUSTRALIAN SENATE

Canberra

29 May 1997

That the Senate:

1) Notes the United States' policy on Tibet as outlined by Jeffrey Bader, US Deputy Assistant Secretary for East Asia and Pacific Affairs, on 13 May 1997; viz:

“The United States encourages China and the Dalai Lama to hold serious discussions aimed at resolution of differences at an early date, without preconditions ... We have consistently asserted that any questions surrounding Tibet and its relationship to Chinese authorities in Beijing should be resolved by direct dialogue between the Tibetans, in particular the Dalai Lama, and the Chinese.”

2) Urges the Australian Government to emulate this policy.

3) Calls on the People's Republic of China and the Tibetans, in particular the Dalai Lama, to enter into direct dialogue about the future of Tibet.

AUSTRALIAN SENATE
Canberra
24 November 1997

That the Senate

- 1) Notes the appointment of Mr. Gregory B. Craig as US Special Co-ordinator for Tibet on 31 October 1997 and that he
 - a) will travel to all Tibetan regions (not just TAR) as well as visit Tibetan communities in India and Nepal
 - b) will be provided with adequate resources, staff and bureaucratic support for the mission; and
 - c) will have a direct chain of command to the Under Secretary for Political Affairs.
- 2) Welcomes the US Government's commitment that
 - a) "a central objective will be to promote substantive dialogue between the Chinese government and the Dalai Lama or his representatives"
 - b) The Special Co-ordinator's focus will be to advance the protection of human rights in Tibet and "to preserve the unique religious, cultural, and linguistic heritage of Tibetans".
- 3) Call on the Australian Government to emulate this constructive move by the USA and to appoint in a similar role an Australian Co-ordinator for Tibet.

AUSTRALIAN SENATE

Canberra

7 April 1998

That the Senate expresses concern and sympathy for the Tibetan patriots who are on a hunger strike and facing death in India to draw international attention to the plight of their homeland.

(Senator Bob Brown moved the resolution)

WEST GERMAN BUNDESTAG

Bonn

15 October 1987

The parliamentary parties of the CDU/CSU (Christian Democrats), SPD (Social Democrats), FDP (Liberals) and DIE GRÜNEN (Green Party) propose a motion on Human Rights Violations in Tibet.

Parliament may pass the following:

Despite some liberalising steps on the part of the Chinese Government, which are to be commended, there are still violations of Human Rights on the part of the Government of the People's Republic of China going on.

With growing concern the German Parliament notes that the situation in Tibet has changed for the worse during the last weeks.

The German Parliament asks the Federal Government to support that:

1) The Government of the People's Republic of China should respect internationally accepted Human Rights and should put an end to the violations of Human Rights towards Tibetans,

2) The Government of the People's Republic of China should react positively to the efforts of the Dalai Lama to come to a constructive dialogue,

3) The significant wishes of the Tibetan People should be recognised to preserve Tibetan culture and religion and find out ways to enable the German people and the Government to help,

4) All political prisoners in Tibet should be freed,

5) The Federal Government, in consultation with the High Commissioner for Refugees of the United Nations, should find out what active help may be necessary and appropriate to specially preserve the cultural identity of Tibetan refugees,

6) A fair number of scholarships be given to Tibetan youths, students and scholars in German schools, universities and other institutes of learning.

(Translated from German)

GERMAN BUNDESTAG

Bonn

19 June 1996

The members of Parliament... (22 names from the CDU/CSU, SPD, Greens and FDP) propose a motion to improve the human rights situation in Tibet.

Since the 15 October 1987 resolution of the German Bundestag, which was adopted by all parliamentary groups, the human rights situation in Tibet has not improved, but rather deteriorated.

This is the chief finding of the Foreign Affairs Committee's hearing on Tibet, on 19 June 1995.

Starting with the inhuman military action since the invasion by China in 1950, the violent suppression of Tibet and her aspirations for political, ethnic, cultural and religious self-determination has continued to this day. China's continued policy of repression in Tibet has led to severe human rights violations and destruction of the environment, as well as large-scale economic, social, legal and political discrimination against the Tibetan people and, in the final analysis, the sinicisation of Tibet. The denial of education opportunities to Tibetans is one point of this fact.

One example of encroachment on the religious life of Tibetans is the kidnapping of the boy who was nominated by the Dalai Lama as the reincarnation of the Panchen Lama as well as the investiture of a second Panchen Lama by the Chinese authorities.

For years now the Dalai Lama has been attempting to bring about peaceful discussions with the Chinese Government.

The German Bundestag:

A) considering that during its entire history, Tibet has preserved its own ethnic, cultural and religious identity,

B) expressing its deep concern that this authentic identity

is threatened with destruction by China's brute force of arms since 1950,

C) considering that during the hearing of the German Bundestag on 19 June 1995 the status of Tibet under international law remained a controversial issue among experts,

D) taking into consideration that it is the policy of the Federal Republic of Germany to globally support the realisation of the right to self-determination, and in view of the historical-legal status of Tibet, her claim to autonomy is obvious,

E) also taking into consideration that it must be the policy of the Federal Republic of Germany not to tolerate illegal use of violence and major violations of human rights, whereas violations of human rights in Tibet continues unabatedly,

F) deeply worried about reports according to which a six-year-old Tibetan boy, Gendhun Choekyi Nyima, as well as his parents were abducted by the Chinese authorities immediately after the Dalai Lama recognised him to be the latest reincarnation of the second religious leader of Tibet, the Panchen Lama, who had passed away in 1989,

1) condemns the policies of the Chinese authorities, which particularly in Tibet result in the destruction of the people's identity, brought about especially by the transfer and resettlement of Chinese in large numbers, forced sterilisation of women and forced abortion, political and religious persecution, as well as the subjection of the country to a Chinese-controlled administration;

2) therefore, calls on the Federal Government to use increased means and ensure that:

— the Government of the People's Republic of China respects the globally-recognised human rights and stops violations of human rights against Tibetans,

— the Chinese authorities immediately release Gendhun Choekyi Nyima and his family and allow them to return to their village,

- the Chinese Government rescind all policies which aim at the destruction of the Tibetan culture, as for example, the organised settlement of Chinese in large numbers in order to restrain the Tibetan population and the persecution of representatives of the Tibetan culture,
- the Government of the People's Republic of China responds positively to the efforts of the Dalai Lama and the Tibetan Government-in-Exile to initiate a constructive dialogue and enter into negotiations for granting more rights to the Tibetan people,
- the economic, social, legal and political discriminations against the Tibetan people be abolished,
- all political prisoners in Tibet be released,
- the voluntary return of Tibetans living abroad becomes possible,
- also in future the human rights situation in Tibet be an issue of special attention and critical discussion at the meeting of the UN Human Rights Commission,
- the development co-ordination and resources used in Tibet benefit Tibetans and that the Tibetan population gains access to adequate educational opportunities and facilities,
- the environmental destruction in Tibet ends,
- that more attention be paid to the desire of the Tibetan people to preserve their culture and religion, and that the spheres of activity be ascertained where the German people and the Federal Government could give assistance,
- in consultation with the Refugee Commissioner of the United Nations all possible means of aid be worked out that is feasible, particularly to the preservation of the cultural identity of Tibetan refugees,
- an effective contribution be made towards the professional training of Tibetan junior specialists, especially by granting an adequate number of scholarship at German educational and

professional institutions,
— the above-mentioned principles and measures also find
recognition and implementation within the European
Community.

(Translated from German by A. Doengas)

GERMAN BUNDESTAG

Berlin

18 April 2002

Human Rights and Development in Tibet

The German Bundestag notes:

The German Bundestag is following closely the policy of the People's Republic of China towards the Tibetans in the Tibet Autonomous Region and the provinces populated by Tibetans.

The Bundestag expressed its concerns regarding the human rights situation in Tibet in a cross-party motion tabled in 1996.

The People's Republic of China is currently engaged in strenuous efforts to further economic development in the Tibet Autonomous Region. In order to close the gap between the poorer western regions and the richer areas on the east coast, no less than 8 billion Yuan were purposely channelled into Tibet in the course of the last planning period. In the current Five-Year Plan period (2001-2005), these investments in infrastructure, agriculture, technology, education and environmental protection are to be increased almost fourfold. There has been a marked improvement in the living standards of the population in recent years. Such achievements merit respect and recognition.

However, the efforts to develop the economy have been accompanied by continued repressive measures against the Tibetan people. On average, 4,000 Tibetans still flee abroad each year because they feel that they are discriminated against by the policies of both the central government and the provincial administration, and face severe restrictions on the practice of their religion. The refugees include Communist Party officials, recognised religious dignitaries, and between 500 and 600 children each year. These children are sent to Dharamsala by their parents out of concern for their education.

The campaign against the Tibetans' spiritual leader, the Dalai Lama, has intensified both in China and abroad, and has heightened

the Tibetans' mistrust of the Chinese leadership.

In his report of 25 January 2001, the United Nations Special Rapporteur on Torture refers to several instances of maltreatment of Tibetans held in prison in the Tibet Autonomous Region. Monks and nuns, in particular, were the victims of maltreatment.

Further, the German Bundestag is deeply concerned about the twelve-year-old Gendhun Choekyi Nyima, whose whereabouts remain unknown. This boy, who was named by the Dalai Lama as the reincarnation of the Panchen Lama, disappeared with his family from their home in Lhari in the Tibet Autonomous Region in May 1995.

By ratifying the UN's International Covenant on Economic, Social and Cultural Rights on 27 May 2001, the People's Republic of China sent out a positive signal, not least to the Tibetans. Among other things, this involved a commitment under international law on China's part to promote understanding and tolerance among all racial, ethnic and religious groups. At the same time, China also recognises the right of every individual to take part in cultural life.

A dialogue that is expressly inclusive of human rights issues has been established between China and the Federal Republic of Germany, as well as at European level with the European Union. The German Bundestag welcomes the dialogue on the rule of law agreed between the Federal Republic of Germany and the People's Republic of China on 30 June 2000. Seminars and symposia have met with a positive response from politicians, experts and academics in both countries. The German Bundestag calls upon the participants to make use of this dialogue to discuss the issue of Tibet as well.

The German Bundestag also supports wholeheartedly the dialogue on human rights between the European Union and the People's Republic of China, in which human rights issues are being debated with increasing honesty. In matters concerning the Tibetan people, however, it has not yet been possible to achieve progress.

As the problem of Tibet is a shared European concern, the German Bundestag appeals to the parliaments of the European Union's

member states and the European Parliament, and calls upon the European Union and the governments of its members states to press for the speedy uptake of a dialogue between the Dalai Lama and the Chinese leadership in their bilateral contacts with China. The German Bundestag considers a direct dialogue about the situation in Tibet, as proposed by the Dalai Lama on a number of occasions, to be indispensable to a lasting political solution. It would be a great gain for China and the people who live in China if the dialogue about the situation in Tibet were to commence without delay and lead to a lasting political solution.

The German Bundestag wishes to engage in a constructive dialogue with the members of the People's Congress of the People's Republic of China and requests them

1) to persist in their efforts to bring about economic and social development in the Tibet Autonomous Region and, at the same time, to ensure that the natural resources of the Tibet Autonomous Region and other areas populated by Tibetans are preserved, and that mineral resources are exploited in an ecologically sustainable manner;

2) to engage in a debate in the People's Congress on the current situation and political future of the Tibet Autonomous Region and of the areas populated by Tibetans;

3) to press for a direct dialogue to be taken up with the Dalai Lama, with the aim of negotiating a Statute on Tibet that would be based on the Tibetans' right to self-determination and guarantee them extensive rights of autonomy within the structure of the People's Republic of China;

4) to press for the person and office of the Dalai Lama to be respected and no more damage to be done to them;

5) to work to ensure that the Tibetan people are able to preserve their own ethnic and cultural identity, and practise their religion unhindered in accordance with the 17-Point Agreement of 23 May 1951;

6) to press for clarification of the whereabouts of the 12-

year-old Gendhun Choekyi Nyima and his family;

7) to press for an amnesty for all Tibetan political prisoners;

8) to press for the systematic implementation of the International Covenant on Economic, Social and Cultural Rights;

9) to work to ensure that it is possible for the situation in Tibet to be discussed openly in the dialogue on human rights with the European Union.

ITALIAN PARLIAMENT
Commission of Foreign Affairs
Rome
12 April 1989

The Commission of Foreign Affairs of the Italian Parliament, reassembled on 12 April 1989 under the Presidentship of Mr. Flaminio Piccoli, has approved a modified version of the motion presented on 12 March 1989 by parliamentarians from different parties. The following is the approved text:

The Commission of Foreign Affairs urges the Italian Government

- 1) To inquire into the present situation in Tibet,
- 2) Undertake any possible action in order to put an end to human rights violations and environmental damages, and to facilitate, as soon as possible, a peaceful solution of the Tibetan problem, which ensures respect for the necessary autonomy of this area while safeguarding Beijing's interest as regards to foreign policy and the defence of the Chinese People's Republic,
- 3) To take an active part in order to resolve this very delicate question not only in qualified international offices, but also in the context of the political, economic and bilateral co-operation between Italy and the Chinese People's Republic.

(Translated from Italian)

ITALIAN PARLIAMENT
Commission of Foreign Affairs
Rome
11 March 2004

The Commission of Foreign Affairs,

Following the Resolution on Tibet voted unanimously on 9 October 2002 that committed the “Government to the adoption of all the possible initiatives regarding the People’s Republic of China, so that, by way of dialogue, conditions be created for the realisation of a new statute for Tibet, and to call upon the Chinese government to acknowledge and fully respect the fundamental political, social and cultural rights of religious, ethnic and other minorities, and also their cultural specificity including religious freedom”,

Keeping in mind that on 26 January 2003, the Sichuan Provincial Court confirmed the death penalty for two Tibetan monks, Tenzin Delek Rinpoche and Lobsang Dondhup, both accused to be involved in the bombing and explosion activities and promoting “splittist” propaganda for the separation of Tibet from China,

Keeping in mind the fact that Lobsang Dhondup was immediately executed after the death sentence without any regard to criticisms from the international community; the fact that the same Provincial Court suspended for 2 years the death sentence of Tenzin Delek Rinpoche,

Keeping in Mind that the European Union made several official statements criticising the People’s Republic of China for the execution of Lobsang Dondhup and the way the trial was conducted without any credible evidence and access to independent lawyers,

Keeping in Mind that the US Government also expressed similar protests against the People’s Republic of China;

It commits the Italian Government, together with its European Union partners, to call upon the People’s Republic of China to stop

the execution of Tenzin Delek Rinpoche and to call for a new fair trial.

Proposed by: Vernetti, Folena, Cima, Calzolaio, Landi di Chiavenna, Michelini, Naro

LIBERAL INTERNATIONAL CONGRESS

Luzern, Switzerland

6-7 September 1991

This Congress

— expresses its deep concern about the current situation in Tibet;

— recognises that human rights abuses have been committed in Tibet by the People's Republic of China since the invasion of 1949, and that human rights of the Tibetan people continue to be abused;

— endorses resolutions 1353 of 1959, 1723 of 1961 and 2079 of 1965 of the United Nations General Assembly, and recognises that they remain relevant today;

— endorses the call for the cessation of practices which deprive the Tibetan people of their fundamental human rights and freedoms;

— commends the Dalai Lama and his representatives for consistently rejecting the use of violence, and notes that this was acknowledged in the awarding of the 1989 Nobel Peace Prize to the Dalai Lama;

Calls on the Chinese Government

— to recognise the fundamental human rights and freedoms of the Tibetan people as set out in the Universal Declaration of Human Rights and the International Human Rights Covenant, including the right to self-determination and to practise their cultural and religious traditions without fear of persecution, arrest and torture;

— to enter into serious, unconditional discussions with the Dalai Lama and his representatives with a view to finding a lasting solution to the issue of Tibet.

**PARLIAMENT OF THE PRINCIPALITY OF
LIECHTENSTEIN**

Vaduz

21 June 1996

**Petition concerning a resolution of the Parliament “to the effect
that the United Nations Secretary-General
receives the Dalai Lama”**

RESOLUTION

In its public session on 19 June 1996, the Parliament has complied with the petition of 26 April 1996 from Tibet Support Group Liechtenstein and passed a resolution in which the Secretary-General of the United Nations is requested, in view of the threatened cultural identity of the Tibetan people, to receive the Dalai Lama for talks in order to discuss the following subjects:

- possibility of the initiation of direct negotiations between the Tibetan Government-in-Exile and the People’s Republic of China;
- respect for Tibetan religious observance and for the Panchen Lama selected by the Dalai Lama;
- termination of the destruction of the cultural identity of the Tibetan people.

The President of the Parliament was requested to prepare and to transmit the corresponding letter.

Translated by Tibet Bureau, Geneva, Switzerland

THE HOUSE OF REPRESENTATIVES

Brussels, Belgium

29 March 1994

The following is the English translation of a resolution adopted unanimously by the Belgian House of Representatives on 29 March 1994. The Resolution No. 1132/7-92/93 was proposed by Representative Henri Simons and Representative Johan De Mol.

“Considering the distinct cultural heritage of the Tibetan people and emphasising that the recognition of all cultural identity contributes to an enrichment of the international community;

“Considering the repeated condemnations of the policy of the People’s Republic of China in Tibet;

“Considering the serious threats weighing on the very survival of Tibetan people in all the regions which they have traditionally occupied, including Kham and Amdo;

“Considering the constant violation of the human rights by the Chinese authorities established in Tibet;

“Considering the massive transfer of the Chinese population in Tibet;

“Considering the massive deforestation practised by the occupying Chinese which destroys the delicate ecological balance of Tibet;

“Conscious of the danger of disappearance of the Tibetan national identity and the Tibetan culture;

“Considering the growing militarisation of Tibet by China and the installation of the Chinese nuclear arms in Tibet;

“Considering the ‘Five-Point Plan’ proposed to China as a basis of negotiations by the Dalai Lama;

“Considering the desire of the Tibetan people which is to restore their national autonomy and their rights to preserve and develop their culture;

The House of Representatives,

Requests the government to exercise its pressure on the Chinese authorities to:

— Stop the violations of human rights of the Tibetan people, its culture, religion and heritage, and pull back their nuclear arms and stop the massive deforestation of Tibet;

— Cease the policy of the massive Chinese implantation in Tibet which violates the Article 49 of the Fourth Geneva Convention (1949) and which has reduced Tibetans to the status of minority in their own country;

— Release all the persons who are imprisoned due to their religious or political conviction or for having expressed their opinion;

— Engage in true negotiations with the Tibetan Government-in-Exile with a view to grant the right of self-determination to the Tibetan people and establish a zone of peace in Tibet within its 1959 borders;

— Stop without delay the policy of forced birth control applied to the Tibetan population;

— Requests the Belgian government to ensure that the international rules of law concerning Tibet, namely the United Nations resolutions 1353 (XIV), 1723 (XVI) and 2079 (XX) are strictly enforced.”

THE HOUSE OF REPRESENTATIVES

Brussels, Belgium

20 June 1996

Submitted by Mr Jacques Lefevre and the team

THE HOUSE

— in view of the resolution relating to the protection of the Tibetan people adopted on 29 March 1994 by the House of Representatives of Belgium (Doc. Chambre no 1132/7-92/93);

— in view of the resolution of the Second World Parliamentarians Conference on Tibet held in Vilnius, Lithuania, from 26 to 28 May 1995;

— in view of the resolution no B4-1007/95 voted by the European Parliament on 13 July 1995;

— in view of the resolutions 1353 (XIV) of 1959, 1723 (XVI) of 1961 and 2079 (XX) of 1965 passed by the General Assembly of the United Nations;

1. HISTORY OF TIBET

— considering that throughout its history, Tibet has maintained a national, cultural and religious identity distinct from China until its downfall following the Chinese invasion;

— considering that historic Tibet is composed of three regions: U-Tsang, Amdo and Kham;

— considering that before the Chinese invasion of 1949, Tibet was recognised *de facto* independent by several states, and that according to the principles established by international law and the resolutions of the UN, Tibet is an occupied country.

2. NATURE OF THE TIBETAN PROBLEM

— considering that the issue of Tibet is essentially political:

subjugation of Tibet by the People's Republic of China and the resistance of the Tibetan people against this domination;

— considering that the specific nature of violations of human rights in Tibet characterises Tibetans as a people affirming its own identity and its desire to preserve it, and consequently that the violations of human rights in Tibet have mainly been the result of institutionalised racial and cultural discriminations.

3. PEACEFUL STRUGGLE OF THE TIBETAN PEOPLE AND THE DALAI LAMA

— knowing that the wish of the Tibetan people is to regain their basic rights, and to preserve and develop their culture;

— recognising the proposals for negotiations made by the Dalai Lama during the last 15 years to the Chinese government in order to find a peaceful solution to the Tibetan issue;

— considering that in his efforts to find a negotiated solution to the Tibetan issue, the Dalai Lama has asked for the full independence of Tibet, and that in respond to these conciliatory proposals, China has not ceased to transfer Chinese settlers into Tibet to such a point that Tibetans today are reduced to the status of a minority in their own country;

— considering that the Dalai Lama has always been willing to negotiate with China and that such proposals as his Five-Point Peace Plan (1987), or the proposal he made before the European Parliament (1988), which were internationally welcomed, can form the rational basis for negotiations without pre-conditions.

4. POPULATION TRANSFER

— condemns as a grave violation of international law the transfer of Chinese Han population which is officially encouraged and achieved through diverse means, notably by substituting Tibetan employees in various services of the administration with Chinese agents, and also, by virtue of a recent decision which has made it mandatory

for personnel to settle permanently in Tibet after completing their service without which they would lose their rights to claim pension.

5. EDUCATIONAL DISCRIMINATION

— condemns the discrimination made by the Chinese authorities in the field of education: by depriving the Tibetan children of appropriate educational facilities, or by forbidding the Tibetans from studying their own language and culture, and also by recalling under threat Tibetan children who are studying outside Tibet.

6. BIRTH CONTROL POLICY

— considering the fact that the Tibetan people living in Tibet (U-Tsang, Kham and Amdo) today numbers approximately 6,000,000 and the total landmass equals 2.5 million square kilometres (or 0.42 inhabitants per square kilometre);

— the Chinese policy of birth control is therefore not justified, given the low density of Tibetan population in Tibet, and we can only affirm that this method is used by the People's Republic of China to reduce the number of Tibetans living in Tibet.

7. THE TIBETAN PROBLEM IS COMPARABLE TO ETHNIC-CLEANSING

— condemns the other grave violations of human rights in Tibet, notably arbitrary detention and arrest; torture for political reasons; violations of the rights of women, notably by forced sterilisation and abortions; violation of freedom of religion, all being offences which, combined with the destruction of the rich Tibetan culture and population transfer, threaten the very survival of the Tibetan people, and are, therefore, comparable to ethnic cleansing.

8. ENVIRONMENT PROBLEMS

— concerned about the destruction of natural environment of the Tibetan plateau, notably by indiscriminate deforestation and

dumping of toxic and radioactive waste, which have serious consequences not only in Tibet, but also in all the region and the world.

9. RIGHT TO SELF-DETERMINATION

— reaffirms the inalienable right of the Tibetan people to self-determination.

10. RIGHT OF INTERFERENCE

— taking note that the violations of human rights, particularly the right to self-determination, and also all other violations of international law are, by definition of legitimate concern to all members of the international community, cannot just be attributed to internal affairs of any one State.

1. Requests the Belgian Government:

— to ask the People's Republic of China to put an end to such policies and practices which violate the human rights and basic freedoms of Tibetans;

— to support through diplomatic channels the approach by the Dalai Lama and the representatives of the Tibetan Government-in-Exile for negotiations with the Chinese authorities in order to obtain the right of self-determination and the constitution of a democratic peace zone in Tibet;

— to urge the People's Republic of China to stop its birth control policy, the forced sterilisation and abortion of Tibetan women;

— to demand that the People's Republic of China stop its policy of population transfer to Tibet in violation of Article 49 of the Fourth Geneva Convention (1949); immediately release all Tibetan prisoners of conscience detained in Chinese prisons and concentration camps in Tibet;

— to formally insist on the respect of the Conventions signed by the People's Republic of China, member of the Security

Council of the UN, namely: the UN Convention Against Torture (1984), the Convention on the Elimination of All Forms of Racial Discrimination (1966) and the Convention on the rights of the Child (1989), and to implement the resolutions adopted by the European Parliament, the Council of Europe and the Belgian House of Representatives (29 March 1994).

2. Invites the Belgian Government to propose at the European Council of Ministers of Foreign Affairs to take a stand on the issue and inform of this to the authorities of the People's Republic of China;

3. Requests Belgium to do its utmost to obtain the implementation of resolutions 1353 (XIV), 1732 (XVI) and 2079 (XX) of the UN and also to obtain, without delay, observer status at this international institution.

Translated by the Office of Tibet, Paris

THE BASQUE PARLIAMENT
Basque Autonomous Country
Vitoria Gasteiz, Spain
12 December 1995

Mrs Carmen Asian Ayala, Secretary of the Foreign Affairs Commission, certifies that the Foreign Affairs Commission of the Basque Parliament, which met in an official session on 12 December 1995 and having been briefed on the updated information relating to the situation of the Tibetan people, has unanimously accepted the institutional declaration on the situation of the Tibetan people in the following terms:

It

- 1) Declares its support to the Tibetan people, a million old entity characterised by its history, culture, language and institutions which, following the invasion and occupation of its territory by the Chinese army, has always been subjected to forced political assimilation and continued violations of Human Rights.
- 2) Pays its homage to the Tibetan people and their exile institutions, and expresses the solidarity and respect of the Basque people.
- 3) Supports the rights of the Tibetan people to fully choose their future social, cultural and economic policies.
- 4) Requests the Spanish Government to urge the government of China, and particularly appeals to the European Union and the international organisations to respect the human rights and free aspirations of the people of Tibet and also to put an end to the conflicts through dialogue and negotiations.

Urges the Basque Government:

- to continue to explore ways of collaboration and cooperation as it has been doing till now,

— to adopt and implement, in due time, projects that will contribute to aiding the Tibetans in exile to return to their country and the development of the Tibetan people.

In order to render the present resolution official, according to executive procedure, I am sending it for approval to the President of the Commission of Foreign Affairs of the Basque Parliament on 12 December 1995.

CHAMBER OF DEPUTIES
The Grand Duchy of Luxembourg
12 March 1998

MOTION

THE CHAMBER OF DEPUTIES

- aware of the universal value of Human Rights;
- in view of the grave situation of Human Rights in Tibet, particularly in the fields of religion, culture, language and the level of education;
- concerned that the rights are not respected by the Chinese authorities;
- welcome the efforts undertaken by the Government during its tenure of the Presidency of European Union in initiating a true dialogue on the Human Rights with the Chinese authorities and the progress achieved in the area of dialogue.

INVITES THE GOVERNMENT

- to raise the problem of Human Rights and the Tibetan issue during the bilateral relations between China and Luxembourg, notably during the official visits;
- to approach all the international organisations to grant a true autonomy in Tibet in the fields of religion, culture, language and education, and the respect of Human Rights in China;
- to fully take every opportunity in the course of EU policy of dialogue with the Chinese authorities to make progress on the Human Rights issue and all other aspects related to it.

This Motion was adopted by the Chamber of Deputies during its public session on 12 March 1998

THE IRISH PARLIAMENT
Joint Committee on Foreign Affairs
21 July 1998

RESOLUTION

That the Joint Committee on Foreign Affairs, Sub-Committee on Human Rights, requests the Taoiseach, Mr Bertie Ahern T.D.,

— to raise with the Chinese leadership the question of human rights in Tibet and in particular the recent unrest and deaths of named Tibetan citizens in Drapchi Prison;

— to further raise the question of self-determination for the Tibetan people and the possibility of Ireland hosting a meeting between the Chinese and Tibetan officials with a view to assisting in a resolution of this problem;

— to further raise with the Chinese leadership the possibility of President Jiang Zemin meeting with the Dalai Lama; and

— for permission to be given to the Dalai Lama to visit Buddhist shrines in China.

THE DUTCH PARLIAMENT
Amsterdam, Netherlands
18 December 2003

Having deliberated thereupon and:

Considering that the human rights and environmental situations in Tibet have seriously worsened during the past year;

Considering that China's demographic policy, whereby forced sterilisations are carried out upon Tibetan women and large numbers of Chinese people are being deliberately relocated in Tibet, is resulting in the cultural and economic marginalisation of the Tibetan people;

Considering that monasteries have been destroyed in recent years, that monks and nuns have been expelled, that death sentences have been imposed upon ethnic Tibetans for alleged political offences and that arbitrary arrests and unfair trials have been commonplace;

Considering that it is of great importance that a dialogue be initiated between China and Tibet, and that the issue of Tibet has been insufficiently addressed within the context of the dialogue on human rights between the European Union and China;

Considering that the United States has appointed a Special Co-ordinator for Tibetan Issues, who is making active efforts to bring about a dialogue between the Chinese Government and the Tibetan Government-in-Exile;

And considering that Special Representatives for certain regions, but not Tibet, have been appointed at the European level;

Hereby requests the Government to call for the appointment of a Special Representative for Tibet at the European level.

ASSOCIATION OF LOCAL AUTHORITIES OF LITHUANA

Vilnius

25 October 1996

With the view that

— The Tibetan nation has an ancient self-reliant tradition;

— On the eve of the Chinese military invasion in 1949, Tibet was an independent State and possessed all the attributes of independent statehood as recognised under international law: a defined territory, a population inhabiting that territory, a government, and the ability to enter into international relations;

— The 1949 invasion of Tibet by the People's Republic of China and its occupation are considered illegal;

— The publicly-acknowledged nation's right to self-determination and independence should apply to Tibet as well;

— The policy of the People's Republic of China with respect to Tibet is not in compliance with rights, justice and basic human rights;

— The Tibetan national identity and culture which makes a considerable part of the world culture are threatened with the real danger of extermination;

— The non-violent policy practised by His Holiness the XIV Dalai Lama is an example to be followed by all those seeking to resolve conflicts in a peaceful way;

— On the eve of the XXI century we have a unique opportunity to give impetus for the peaceful solution of the Tibetan issue.

Denounces

— The rude violations of basic human rights in Tibet as perpetrated by the People's Republic of China, transfer of Chinese population into Tibet which threatens the existence of the Tibetan

culture and identity;

— Devastation of Tibet's fragile environment through indiscriminate logging and mining, and the on-going persecution of monks and nuns by the Chinese authorities.

Urges the Seismas of the Republic of Lithuania

— to recognise Tibet as an occupied State;

— to emphasise the right of Tibet to self-determination and independence;

— to recognise His Holiness the Dalai Lama and his Tibetan Government-in-Exile as the only legitimate representatives of Tibet;

— to encourage the People's Republic of China to immediately start negotiations without preconditions with the Government of His Holiness the Dalai Lama on the status of Tibet;

— to denounce the human rights violations in Tibet as carried out by the People's Republic of China;

— to request the United Nations to include the issue of Tibet on the agenda of its General Assembly.

Decides

— to recognise His Holiness the Dalai Lama and his Tibetan Government-in-Exile as the only legitimate representatives of Tibet;

— to present this resolution to the Chairman of the Seismas of the Republic of Lithuania, Tibet support group of the Seismas of the Republic of Lithuania, and His Holiness the Dalai Lama.

THE PARLIAMENT OF THE CZECH REPUBLIC

Prague

20 March 1998

Resolution of the Senate on Human Rights abuses in China and Tibet

The Senate

— in an effort to develop friendly and non-confrontational relationships with the People's Republic of China;

— in the awareness of the fact that the fully-qualified and significant position of the People's Republic of China in the UN and other international organisations implies not only rights but also duties to observe universally-acknowledged norms;

— believing that human rights and freedoms are universal and that their abuse anywhere in the world extends beyond the borders of individual countries;

— in the awareness that the People's Republic of China constantly abuses human rights and that the Chinese authorities continue to arrest and torture Chinese and Tibetan political opponents;

— bearing in mind the autonomy of the people of Tibet, their culture, language and religion and the need to preserve them;

— in the spirit of the resolution on human rights in China and Tibet passed by the European Parliament and the parliaments of many other countries;

— in consideration of the fact that the People's Republic of China signed the International Covenant on Economic, Social and Cultural Rights in October 1997 and in the hope that the People's Republic of China will adopt a positive attitude to the International Covenant on Civil and Political Rights and that it will lead to a constructive dialogue on these issues.

Appeals to the Government of the People's Republic of China to

— release immediately all prisoners of conscience in China and Tibet and observe its commitments arising from international norms in the areas of human and civic rights,

— open negotiations with the Dalai Lama on the current situation in Tibet and the form of its autonomy,

— enable the free and safe return of the exiled Tibetans to their country,

— stop the policies aimed at the suppression of the Tibetan people, especially the mass transfer of population into Tibet,

And appeals to the Czech government to

— demand the release of all prisoners of conscience and the respect of internationally-recognised principles concerning human rights in its bilateral relations with the representatives of the People's Republic of China.

The Senate of the Czech Republic authorises all its representatives to actively defend human rights in China and Tibet during its international negotiations.

THE HUNGARIAN PARLIAMENT
Human Rights Committee
Budapest
24 June 2004

The Hungarian Parliament

— as humanity accepts Tibet's ethnic and religious identity and historical characteristics as one of its own cultural heritage;

— seeing the controversy between the authorities and the Tibetans in Tibet, which is the result of China's population transfer policy aimed at changing the ethnic ratio in Tibet, its attempt to dilute the identity of the Tibetan people and suppress the political movements by using violence;

— using the principle of self-determination;

— continuing the tradition started by Alexander Csoma de Koros to explore the Tibetan world, which is also related to the desire of the Hungarian people to keep up our identity;

— remembering that His Holiness the Dalai Lama received the Nobel Peace Prize in 1989 after which, he appealed to the international community to support the peaceful resolution of the Tibet issue;

— seeing a parallel between the 1956 Hungarian Revolution and the 1959 Tibetan Uprising:

A) States that China should respect human rights and stop violence in Tibet.

B) Urges the Hungarian Parliament—as it was stated by the European Parliament on 6 July 2000, and the UN and the European Committee—to support the start of a dialogue/negotiation between China and His Holiness the Dalai Lama on the new status of Tibet, which will give autonomy to Tibet politically, socially, culturally and economically.

Reasons:

— that it is necessary for the Parliament to issue a state-

ment on Tibet. In 1956, the Hungarian nation was also in need of solidarity and support from other countries, and many of them gave strength to our struggle. After gaining freedom, it is now our duty to express the solidarity, compassion and understanding towards the freedom struggle of other nations.

— The European Parliament and the European Committee, and many other western countries also issued statements on the peaceful resolution of the Tibet issue. Mr. Irvan Szabo took the same initiative in the Hungarian Parliament in 1996; the present statement is based on that text.

Dr. Suchman Tamas (MSZP)

Dr. Semjen Zsolt (FIDESZ)

Dr. Fodor Gabor (SZDSZ)

Mr. Szaszfalvi Laszlo (MDF)

(Chairperson of the Hungarian Human Rights Committee of the Parliament)

Translated by Zsoka Gelle

THE NORDIC SAAMI PARLIAMENTS

Guovdageaidnu, Norway

26 May 1996

STATEMENT ON TIBET

On behalf of the Saami people in Norway, Sweden and Finland, the Nordic Saami Parliaments support the basic rights of the Tibetan people to decide upon their own future in accordance with the principles of self-determination as laid down by the United Nations. Today Tibet is an occupied country. The Chinese invasion is a breach of international law and a threat to the security of nations.

The Nordic Saami Parliaments condemn the continued violation of human rights perpetrated by the Chinese authorities against the Tibetan people.

The Saami Parliaments give their support to His Holiness the Dalai Lama as the rightful leader of Tibet and his non-violent campaign for a free and independent Tibet. The Chinese authorities must unconditionally undertake negotiations with His Holiness the Dalai Lama and the Tibetan Government-in-Exile, with the purpose of finding immediate solutions.

The Saami Parliaments support the declaration and plan of action decided upon by the first World Parliamentarians Convention on Tibet in New Delhi, India in March 1994, pledging its support for Tibet's struggle for freedom and independence.

We appeal to the peace-loving people of the world to work for the restoration of the manifest rights of the Tibetan people to self-determination and independence.

THE NORDIC SAAMI PARLIAMENTS

Guovdageaidnu, Norway

3 March 2000

THE SITUATION IN TIBET

The Saami Parliament will, while discussing the Governmental Report to the Parliament no. 21 (1999-2000) focusing on Human Dignity and Values, put the emphasis on the fact that the serious political situation in Tibet has still not changed. Today Tibet is still an occupied country, and reports tell over and over again about the serious violations of the human rights of the Tibetan people. Furthermore, restrictions on the exercise of cultural and religious freedom are increasing.

The Saami Parliament is aware of the draft resolution on the situation of human rights in China, submitted to the 56th session of the UN Human Right Commission (UNHRC). This draft resolution also contains a paragraph expressing concern for the situation in Tibet.

In the Governmental Report to the Parliament no. 21 (1999-2000) focusing on Human Dignity and Values, the Norwegian Government emphasises the human rights dialogue with China to be strengthened. Among other things, the Government says that the Tibet issue is to be discussed with Chinese authorities in those connections where it is natural. From the Norwegian side, the Chinese authorities are urged to open up a dialogue with His Holiness the Dalai Lama, and the importance of respect for the Tibetans possibility to exercise their religion and culture is underlined.

Hereby, the Saami Parliament urges Norway in the strongest possible way, to act in accordance with their commitments, and co-sponsor the draft resolution regarding the human right situation in China.

Additionally, the Saami Parliament encourages Norway to further accentuate the Tibetan situation in the draft resolution. At the

same time, the Saami Parliament calls upon Norwegian authorities, stressing the membership of Norway in the UN Human Rights Commission, to address the situation in Tibet in all their oral statements during this year's UNHRC session.

THE NORDIC SAAMI PARLIAMENTS

Kiruna, Sweden

30 September 2000

The Saami Conference, representing Saami organisations in Norway, Sweden, Finland and Russia, at its 17th meeting in Kiruna, Sweden:

1) In the strongest possible way, condemns the ongoing Chinese occupation of Tibet. This year it is 50 years since the Chinese army attacked Tibetan territory, and made independent Tibet an occupied country;

2) Expresses grave concern regarding the reports on serious violations of the Tibetan people's fundamental human rights, and the increasing restrictions on their exercise of cultural and religious freedom;

3) Gives strong support to the Tibetan people and their non-violent fight for freedom;

4) Expresses its deep concern for the survival of the Tibetan people and their distinct culture, identity and civilisation;

5) Requests the governments of Finland, Norway, Russia and Sweden to encourage the Chinese authorities to enter into a dialogue and negotiations with His Holiness the Dalai Lama, with the aim to

- end the occupation of Tibet;
- end the Chinese population transfer policy, which threatens the very survival of the Tibetan people;
- respect fundamental rights and freedoms of the Tibetan people;
- start the demilitarisation of Tibet;
- protect the natural environment of Tibet.

UNREPRESENTED NATIONS AND PEOPLES ORGANISATION (UNPO)

General Assembly

Fifth Session

The Hague

20-26 January 1995

THE SITUATION IN CHINESE-OCCUPIED TIBET

The General Assembly,

GUIDED by the principles embodied in the Charter of the Unrepresented Nations and People's Organisation;

NOTING the numerous resolutions adopted on the situation in Tibet by the United Nations and other international bodies, including parliaments and political groups;

COMMENDS His Holiness the Dalai Lama and the Tibetan Government-in-Exile for continuing a non-violent struggle for the realisation of Tibetan freedom;

GRAVELY CONCERNED at continuing reports of gross and systematic violations of human rights and fundamental freedoms which threaten the distinct religious, cultural and national identity of the Tibetan people;

DEPLORING recent reports that the Chinese authorities have been ordering Tibetan children who have been studying in India to return to Tibet, thus preventing the continuation of their education;

ALARMED that massive numbers of Chinese settlers continue to move into Tibet, greatly increasing tensions there;

THEREFORE,

1) CONDEMNS the continued occupation of Tibet by the People's Republic of China.

2) CALLS UPON the Government of the People's Republic of China to respect fully the fundamental human rights and freedoms of the Tibetan people, as well as their right to self-determi-

nation.

3) URGES the Chinese government to halt immediately its population transfer policy in Tibet, and to cease coercive family planning on the Tibetan people.

4) REAFFIRMS its recognition that the democratically-elected Tibetan Government-in-Exile, headed by His Holiness the Dalai Lama, is the sole and legitimate representative of the six million Tibetan people.

5) REQUESTS the UNPO General Secretary to organise a fact-finding human rights mission to Tibet, officially or otherwise, and to transmit its findings to the General Assembly at its Fifth session a report on the situation in Tibet.

UNREPRESENTED NATIONS AND PEOPLES ORGANISATION (UNPO)

Tallinn

9-10 September 2000

RESOLUTION

We, the delegates gathered at the UNPO conference in Tallinn, are dismayed that:

- the People's Republic of China continues to occupy Tibet,
- the authorities of China have not responded to His Holiness the Dalai Lama's Five-Point Peace Plan for Tibet,
- the authorities of China continue to practise ethnic cleansing of Tibet, including forced sterilisation of women.

Therefore, we call on the Chinese authorities to meet His Holiness the Dalai Lama or his representatives in order to seek a mutually acceptable solution to the problem of Tibet.

In the name of the delegates of the conference,

Erkin Alptekin
General Secretary of UNPO

Linnart Mall
Head of Co-ordination Centre of UNPO in Tartu

**UNREPRESENTED NATIONS AND PEOPLES
ORGANISATION (UNPO)
Sixth General Assembly
Tallinn
17-18 February 2001**

**THE SITUATION IN EASTERN TURKESTAN
AND TIBET**

WHEREAS the UNPO has consistently condemned the continued gross and systematic violations of human rights and fundamental freedoms in Eastern Turkestan and Tibet being committed by the military occupation under the communist regime of the People's Republic of China.

WHEREAS in particular, UNPO has expressed its deep concern on extra-judicial killings in Eastern Turkestan and the detention of political prisoners, including the 11-year-old Gedhun Choekyi Nyima, the Eleventh Panchen Lama of Tibet and Mrs. Rabya Kader in Eastern Turkestan.

THEREFORE, the UNPO VI General Assembly:

CALLS UPON the United Nations Commission on Human Rights to censure the People's Republic of China at its 57th session for committing gross and systematic violations of human rights and fundamental freedoms of the Tibetans and Uighurs, and welcomes the decision of the United States government to submit a resolution on China at the UN Commission on Human Rights.

CONDEMNS policies of the People's Republic of China which threaten the survival of the cultural, religious and national identity of Tibetans and Uighurs.

CALLS UPON British Petroleum to withdraw from Petro-China due to the deep concerns about the Petro-China's activities in Tibet and Eastern Turkestan and opposes Petro-China's plans

on the Sebei-Xining-Lanzhou gas pipeline in North Eastern Tibet.

CALLS UPON BP Amoco head John Browne to withdraw from investment in Petro-China and to take immediate steps to ensure that none of its investments will be spent on the exploitation of oil reserves in Chinese-occupied Tibet.

URGES the government of the People's Republic of China to open negotiations without pre-conditions with the Tibetan Government-in-Exile under the leadership of His Holiness the Dalai Lama to reach a mutually acceptable solution on the Tibetan issue.

**INTERNATIONAL COMMISSION OF
JURISTS REPORT
“The Question of Tibet and the Rule of Law”
Geneva
1959**

(Excerpt)

**INTRODUCTION TO THE EVIDENCE ON
CHINESE ACTIVITIES IN TIBET**

The allegations against the People’s Republic of China can be fitted into three broad legal categories:

- 1) Systematic disregard for the obligations under the Seventeen-Point Agreement of 1951;
- 2) Systematic violation of the fundamental rights and freedoms of the people of Tibet;
- 3) Wanton killing of Tibetans and other acts capable of leading to the extinction of the Tibetans as a national and religious group, to the extent that it becomes necessary to consider the question of Genocide.

There is some inevitable overlap between these categories, for example, in the case of respect for religious belief, where there is this obligation under the Seventeen-Point Agreement [Article 7] and in the Universal Declaration of Human Rights [Article 18].

The significance of these three legal categories may be briefly explained. Violation of the 1951 Agreement by China can be regarded as a release of the Tibetan Government from its obligations, with the result that Tibet regained the sovereignty, which she surrendered under the Agreement. This question is discussed in the part of this report entitled “The Position of Tibet in International Law.” For this reason the violations of the Agreement by China amount to more than a matter of domestic concern between Tibet and China. What is at stake is the very existence of Tibet as a member of the family of nations, and

this matter concerns the whole family of nations. Evidence showing the systematic violation by China of the obligations under the Agreement is therefore printed in extenso.

Any systematic violation of human rights in any part of the world should, it is submitted, be a matter for discussion by the United Nations. For this reason the evidence which indicates violation on a systematic scale of the rights of the Tibetan people as human beings is printed in extenso. Most people will agree that in the sphere of human rights, some rights are fundamental. The rights of the Tibetans which appear to have been ruthlessly violated are of the most fundamental—even that of life itself. With violations of this gravity it is not a question of human rights being modified to meet the requirements of local conditions. It is a question of conduct, which shocks the civilised world and does not even need to be fitted into a legal category. The evidence points to a systematic design to eradicate the separate national, cultural and religious life of Tibet.

Genocide is the gravest crime known to the law of nations. No allegation of Genocide should be made without the most careful consideration of evidence that killings, or other acts prohibited by the Genocide Convention, however extensive, are directed towards the destruction in whole or in part of a particular group which constitutes a race, a nation or a religion. The facts, as far as they are known, are set out in extenso. It is submitted, with a full appreciation of the gravity of this accusation that the evidence points at least to a *prima facie* case of Genocide against the People's Republic of China. This case merits full investigation by the United Nations.

The evidence submitted against China is printed verbatim in this report. Statements made by the official press and radio of the Chinese People's Republic are reproduced at perhaps inordinate length, and even so amount to no more than specimens of the Chinese account of the recent history of Tibet. Space does not permit a fuller inclusion, but it is considered that the selection is at least typical of the official Chinese accounts. The accounts given by Tibetan leaders

in exile and refugees on the one hand, and Chinese spokesmen and Tibetan collaborators on the other are reproduced with a minimum of editing and running commentary. By and large the accounts given by Tibetans are self-evidently linked to the specific legal category under which they are cited; accounts from Chinese sources are by and large self-evidently inconsistent, though in this case there is a certain amount of running commentary.

At the beginning of each section of evidence presented is a summary of contents, an assessment of the effect of the evidence and, in some cases, a critical discussion of the Chinese accounts. Finally, a summary of conclusions is offered. A note on the leading personalities involved precedes the general body of evidence, together with a list of abbreviations used in the extracts and in the commentary.

From the whole tangled mass of propaganda, allegation and counter-allegations made by the principal protagonists in the Tibetan situation, one statement stands out. The Dalai Lama in his statement at Mussoorie, India, on 20 June 1959 said:

“I wish to make it clear that I have made these assertions against Chinese officials in Tibet in full knowledge of their gravity because I know them to be true. Perhaps the Beijing Government are not fully aware of the facts of the situation but if they are not prepared to accept these statements let them agree to an investigation on the point by an international commission. On our part I and my Government will readily agree to abide by the verdict of such an impartial body.”

The issue on the evidence submitted in this report is to a large extent who is telling the truth. On this issue this proposal by the Dalai Lama is of the utmost importance. The International Commission of Jurists is setting up its Legal Inquiry Committee, but it is not known whether this Committee will be allowed to enter Tibet. Nor is it certain that a United Nations Commission, if one is formed, will be able to make on the spot inquiries in Tibet. But if entry is refused it will be by the Government of the People's Republic of China. That Government has not so far accepted the Dalai Lama's proposal. On the ques-

tion of credibility the obvious inference is there to be drawn.

THE QUESTION OF GENOCIDE

Genocide is defined in the Convention for the Prevention and Punishment of Genocide, 9th December 1948, which was agreed in pursuance of the resolution by the General Assembly of the United Nations that Genocide is a crime against the law of nations. The contracting parties undertook to prevent and punish Genocide. There is therefore an obligations upon each and every one of the States who were party to the Convention to take action if a case of Genocide comes to light.

The Convention defines both the mens rea and the actus reus of Genocide in specific terms. The actus reus is committed in one or more of several ways as defined in Article 2:

- a) killing;
- b) causing serious bodily or mental harm;
- c) subjection to living conditions leading to the total or partial destruction of the group;
- d) measures intended to prevent the birth of children within the group;
- e) forcible transfer of children of the group to another.

Conspiracy to commit Genocide, incitement to commit Genocide, attempted Genocide and aiding and abetting Genocide are all declared punishable by Article 3. The mens rea of Genocide is defined as the intention to destroy in whole or in part a national, ethnic, racial or religious group as such.

It cannot be overemphasised that one must deliberate carefully before making an allegation of Genocide. It is probably the gravest crime known to the law of nations. For this reason, the evidence must be very carefully considered, and all inferences from the evidence must be logically supportable.

EVIDENCE OF THE ACTUS REUS OF GENOCIDE:

(i) Religious groups: The evidence that there has been widespread kill-

ing of Buddhist monks and lamas in Tibet is clear and explicit. One need only refer to the evidence in this category under Section A (II). If this evidence is to be believed, there has been a destruction by killing of a part of a religious group. The International Commission of Jurists believes that this evidence raises at the very least a case which requires thorough and careful investigation.

(ii) National groups: The account of wanton killings in Tibet points to killings on a wider scale than that of religious groups. Particular attention should be paid to the evidence of indiscriminate air attacks, and of deliberate shooting of Tibetans who were in no way engaged in hostilities. Evidence of such killings is given in Section B. It should also be stressed that the alleged deportation of 20,000 Tibetan children is directly contrary to Article 2 (e). It is of the utmost importance that this report be fully investigated.

The Memorandum contains important evidence on the forcible removal of children to China:

“Above all they have made thousands of homes unhappy by forcing young boys and girls to go to China for de-nationalisation, thus getting them indoctrinated to revolt against our own culture, traditions and religion. To this end they have sent more than five thousand boys and girls up to now to China proper.”

Here is clear prima facie evidence of a violation of Article 2(e) of the Genocide Convention.

EVIDENCE OF THE MENS REA OF GENOCIDE:

It is very rarely in criminal trials that direct evidence of mens rea is available. The fact that there is no official Chinese policy statement directed towards the destruction of the Tibetans is no ground for withholding an accusation of Genocide if an inference of the requisite intention can properly be drawn. For this purpose it is permissible to take into account acts which point to the extinction of a national or religious group whether or not such acts are in themselves acts of

Genocide. For if a systematic intention to destroy a nation or religion can be shown by acts which are not declared criminal by the Genocide Convention, the acts on which these inferences are based can properly be adduced as evidence of general intention. If in addition there are acts which are capable in law of amounting to Genocide, and such acts are part of a consistent pattern of destroying a nation or religion, the inference of intent in non-genocidal acts is equally valid in respect of acts which are within those prohibited by the Genocide Convention.

For this reason, the overall assessment of the evidence in Sections A and B is relevant and important. If such evidence points to an intention to destroy religion in Tibet, and to assimilate the Tibetan way of life to the Chinese, there is evidence of the required intent to destroy, in whole or in part, a national or religious group. It has been argued that the activities of the Chinese in Tibet point to the conclusion that this was the intention behind the Chinese acts in the fields described in Sections A and B. The ruthless efficiency is otherwise difficult to explain. The evidence in these two sections should be carefully studied.

This interference has been drawn from these and other facts by Tibetans from the Dalai Lama downwards. The Tibetan opinions on the Chinese intentions are as follows:

STATEMENT OF THE DALAI LAMA IN MUSSOORIE, 20 JUNE 1959:

In the course of his press conference the Dalai Lama stated:

“The ultimate Chinese aim with regard to Tibet, as far as I can make out, seems to attempt the extermination of religion and culture and even the absorption of the Tibetan race.... Besides the civilian and military personnel already in Tibet, five million Chinese settlers have arrived in eastern and north-eastern Tso (Tso-ngon), in addition to which four million Chinese settlers are planned to be sent to U and Sung (Tsang) provinces of Central Tibet. Many Tibetans have been deported, thereby resulting in the complete absorption of these Tibet-

ans as a race, which is being undertaken by the Chinese.”

MEMORANDUM:

The statement already quoted from the Memorandum on the actus reus of Genocide also contains the inference by the authors of the document that the aim was to get the children to “revolt against their own culture, traditions and religion.”

Statement of Chaghoe Namgyal Dorje:

“... My experience of four years’ work with the Chinese convinced me that their propaganda was false and that their real intention was to exterminate us as a race and destroy our religion and culture.”

“Communists are enemies not only to Buddhism but to all religion. It has been told to me that more than 2,000 Lamas had been killed by the Chinese. I have personal knowledge of such attacks on 17 Lamas.”

“Even if no help is coming we shall fight to death. We fight not because we hope to win but that we cannot live under Communism. We prefer death.”

“We are fighting not for a class or sect. We are fighting for our religion, our country, our race. If these cannot be preserved we will die a thousand deaths than surrender these to the Chinese.”

These inferences were drawn by people who know as no one outside Tibet can know the full extent of Chinese brutality in Tibet. They are in a better position than any outsider to assess the motives behind the Chinese oppression, including the slaughter, the deportations and the less crude methods, of all of which there is abundant evidence.

It is therefore the considered view of the International Commission of Jurists that the evidence points to:

a) a prima facie case of acts contrary to Article 2(a) and (e) of the Genocide Convention of 1948.

b) a prima facie case of a systematic intention by such acts and other acts to destroy in whole or in part the Tibetans as a separate nation and the Buddhist religion in Tibet.

Accordingly, the Commission will recommend to its Legal Inquiry Committee that existing evidence of Genocide be fully checked, that further evidence, if available, be investigated, that unconfirmed be investigated and checked. But the final responsibility for this task rests with the formal organ of world authority and opinion. The Commission therefore earnestly hopes that this matter will be taken up by the United Nations. For what at the moment appears to be attempted Genocide may become the full act of Genocide unless prompt and adequate action is taken. The life of Tibet and the lives of Tibetans may be at stake, and somewhere there must be sufficient moral strength left in the world to seek the truth through the world's highest international organ.

**INTERNATIONAL COMMISSION OF
JURISTS REPORT
“Tibet and the Chinese People’s Republic”
Geneva
1960**

(EXCERPT)

REPORT TO THE SECRETARY GENERAL

The Legal Inquiry Committee on Tibet has the pleasure to submit to the International Commission of Jurists its Report on those aspects of events in Tibet which the Committee was called upon by its terms of reference to consider. The Committee came to the following conclusions:

GENOCIDE

According to the Convention for the Prevention and Punishment of Genocide, which was adopted by the General Assembly of the United Nations in December, 1948, human groups against which genocide is recognised as a crime in international law are national, racial, ethnic and religious. The COMMITTEE found that acts of genocide had been committed in Tibet in an attempt to destroy the Tibetans as a religious group, and that such acts are acts of genocide independently of any conventional obligation. The COMMITTEE did not find that there was sufficient proof of the destruction of Tibetans as a race, nation or ethnic group as such by methods that can be regarded as genocide in international law. The evidence established four principal facts in relation to genocide:

- (a) that the Chinese will not permit adherence to and practice of Buddhism in Tibet;
- (b) that they have systematically set out to eradicate this religious belief in Tibet;
- (c) that in pursuit of this design they have killed religious fig-

ures because their religious belief and practice was an encouragement and example to others; and

(d) that they have forcibly transferred large numbers of Tibetan children to a Chinese materialist environment in order to prevent them from having a religious upbringing.

The COMMITTEE therefore found that genocide had been committed against this religious group by such methods.

HUMAN RIGHTS

The COMMITTEE examined evidence in relation to human rights within the framework of the Universal Declaration of Human Rights as proclaimed by the General Assembly of the United Nations.

The COMMITTEE in considering the question of human rights took into account that economic and social rights are as much a part of human rights as are civil liberties. They found that the Chinese communist authorities in Tibet had violated human rights of both kinds.

The COMMITTEE came to the conclusion that the Chinese authorities in Tibet had violated the following human rights, which the COMMITTEE considered to be the standards of behaviour in the common opinion of civilised nations:

ARTICLE 3

The right to life, liberty and security of person was violated by acts of murder, rape and arbitrary imprisonment.

ARTICLE 5

Torture and cruel, inhuman and degrading treatment were inflicted on the Tibetans on a large scale.

ARTICLE 9

Arbitrary arrests and detention were carried out.

ARTICLE 12

Rights of privacy, of home and family life were persistently violated by the forcible transfer of members of the family and by indoctrination turning children against their parents. Children from infancy upwards were removed contrary to the wishes of the parents.

ARTICLE 13

Freedom of movement within, to and from Tibet was denied by large-scale deportations.

ARTICLE 16

The voluntary nature of marriage was denied by forcing monks and lamas to marry.

ARTICLE 17

The right not to be arbitrarily deprived of private property was violated by the confiscation and compulsory acquisition of private property otherwise than on payment of just compensation and in accordance with the freely expressed wish of the Tibetan People.

ARTICLE 18

Freedom of thought, conscience and religion were denied by acts of genocide against Buddhists in Tibet and by other systematic acts designed to eradicate religious belief in Tibet.

ARTICLE 19

Freedom of expression and opinion was denied by the destruction of scriptures, the imprisonment of members of the Mimang group and the cruel punishments inflicted on critics of the regime.

ARTICLE 20

The right of free assembly and association was violated by the suppression of the Mimang movement and the prohibition of meetings other

than those called by the Chinese.

ARTICLE 21

The right to democratic government was denied by the imposition from outside of rule by and under the Chinese Communist Party.

ARTICLE 22

The economic, social and cultural rights indispensable for the dignity and free development of the personality of man were denied. The economic resources of Tibet were used to meet the needs of the Chinese. Social changes were adverse to the interests of the majority of the Tibetan people. The old culture of Tibet, including its religion, was attacked in an attempt to eradicate it.

ARTICLE 24

The right to reasonable working conditions was violated by the exaction of labour under harsh and ill-paid conditions.

ARTICLE 25

A reasonable standard of living was denied by the use of the Tibetan economy to meet the needs of the Chinese settling in Tibet.

ARTICLE 26

The right to liberal education primarily in accordance with the choice of parents was denied by compulsory indoctrination, sometimes after deportation, in communist philosophy.

ARTICLE 27

The Tibetans were not allowed to participate in the cultural life of their own community, a culture which the Chinese have set out to destroy.

Chinese allegations that the Tibetans enjoyed no human rights before the entry of the Chinese were found to be based on distort-

ed and exaggerated accounts of life in Tibet. Accusations against the Tibetan “rebels” of rape, plunder and torture were found in cases of plunder to have been deliberately fabricated and in other cases unworthy of belief for this and other reasons.

THE STATUS OF TIBET

The view of the COMMITTEE was that Tibet was at the very least a de facto independent State when the Agreement of Peaceful Measures in Tibet was signed in 1951, and the repudiation of this agreement by the Tibetan Government in 1959 was found to be fully justified. In examining the evidence, the COMMITTEE took into account events in Tibet as related in authoritative accounts by officials and scholars familiar at first hand with the recent history of Tibet and official documents which have been published. These show that Tibet demonstrated from 1913 to 1950 the conditions of statehood as generally accepted under international law. In 1950 there was a people and a territory, and a government which functioned in that territory, conducting its own domestic affairs free from any outside authority. From 1913-1950 foreign relations of Tibet were conducted exclusively by the Government of Tibet and countries with whom Tibet had foreign relations are shown by official documents to have treated Tibet in practice as an independent State.

Tibet surrendered her independence by signing in 1951 the Agreement on Peaceful Measures for the Liberation of Tibet. Under that Agreement the Central People’s Government of the Chinese People’s Republic gave a number of undertakings, among them: promises to maintain the existing political system of Tibet, to maintain the status and functions of the Dalai Lama and the Panchen Lama, to protect freedom of religion and the monasteries and to refrain from compulsion in the matter of reforms in Tibet. The COMMITTEE found that these and other undertakings had been violated by the Chinese People’s Republic, and that the Government of Tibet was entitled to

repudiate the Agreement as it did on 11 March 1959.

On the status of Tibet the previous inquiry was limited to considering whether the question of Tibet was a matter essentially within the domestic jurisdiction of the Chinese People's Republic. The COMMITTEE considered that it should confine itself to this question and it was therefore not necessary to attempt a definitive analysis in terms of modern international law of the exact juridical status of Tibet. The COMMITTEE was not concerned with the question whether the status of Tibet in 1950 was one of de facto or de jure independence and was satisfied that Tibet's status was such as to make the Tibetan question one for the legitimate concern of the United Nations even on the restrictive interpretation of matters "essentially within the domestic jurisdiction" of a State.

Purshottam Trikamdas, Chairman

Arturo A. Alafriz

T.S. Fernando

K. Bentsi-Enchill

Ong Huck Lim

N.C. Chatterjee

R.P. Mookerjee

Rolf Christophersen

M.R. Seni Pramoj

PERMANENT TRIBUNAL OF PEOPLES

Session on Tibet Verdict

Strasbourg, France

20 November 1992

The Permanent Tribunal of Peoples (the Tribunal) was established at Bologna, Italy, on 26 June 1979. The function of the Tribunal is to look beyond States to the people of the world and respond to appeals by them to its jurisdiction. The Tribunal examines and declares its findings as to people's rights.

In accordance with its Statute and the requirements of international customary law, the Tribunal accepted three complaints in the name of the Tibetan people against the People's Republic of China. The Tribunal formally informed the People's Republic of China's Embassies in Rome and Paris of the decision to declare the complaint admissible and of the opportunity that would be afforded to it to participate in every stage of the proceedings. The PRC declined to participate in the hearing, but appointed two representatives to represent them.

On the basis of the evidence and submissions addressed to the Tribunal, the Tribunal reached the following decisions and recommendations:

DECISIONS

For these reasons, the Tribunal decides:

7.1) That the Tibetan people have from 1950 been continuously deprived of their right to self-determination;

7.2) That this breach of a basic right of the Tibetan people has been achieved through the violation of other basic rights of the Tibetan people, among others by depriving them of the right of the exercise of freedom of religion and expression, by arbitrary arrests and punishments without trial, by the destruction of religious and cultural monuments and by resorting to torture;

7.3) That the population transfer from the People's Republic of China into the territory of Tibet of non-Tibetan peoples is directed towards undermining the ethnic and cultural unity of Tibet;

7.4) That the division of the territory of Tibet in two parts, one called the "Autonomous Region of Tibet" and the other made up administratively of parts of various Chinese provinces, is also directed towards destroying the unity and the identity of the Tibetan people; and

7.5) That the Tibetan people were autonomously governed for many centuries; achieved a specific state structure after 1911 and that the basic Tibetan institutions are now represented by the Tibetan Government-in-Exile.

RECOMMENDATIONS

8.1) Copy of this verdict shall, as soon as possible, be provided by the Secretary General of the Tribunal to the Government of the People's Republic of China, the Government of Tibet in Exile and the Secretary General of the United Nations. It shall also be provided to other interested States and international, national and regional bodies. The Government of the People's Republic of China is called upon without delay to conform to the findings of the Tribunal, to cease human rights abuses, to punish those found responsible and to afford the Tibetan people the exercise of their right to self-determination.

8.2) To break the impasse of derogations from international law and further grave violations of human rights found by it, the Tribunal appeals to the Secretary General of the United Nations to establish appropriate machinery to permit the conduct within Tibet of an act of self-determination to determine the future political arrangements of Tibet and its association, if any, with the People's Republic of China. As a preliminary step to this end, a Special Rapporteur for Tibet should be appointed to investigate and report to the organs of the United Nations and the world community on allegations of human rights abuses in Tibet and the desire for, and exercise of, the Tibetan

people's right to self-determination, guaranteed by the Charter.

8.3) The Secretary General of the Tribunal shall call to the particular notice of the Secretary General of the United Nations, and other relevant international agencies, the complaints received by the Tribunal of forced involuntary sterilisation of women of child-bearing age as a deliberate programme of ethnic genocide, with a recommendation that this complaint be the subject of immediate special investigation. Similarly, an international expert group should be established to investigate the charges made during the hearings of the Tribunal of radioactive pollution allegedly resulting from uranium mining, nuclear installations, and toxic and radioactive waste disposal in Tibet.

8.4) Respected non-governmental organisations (such as the International Commission of Jurists, Amnesty International, Law Asia and the Minority Rights Group) shall be provided with a copy of the Tribunal's Verdict. They will be urged to continue their vigilant scrutiny of the situation in Tibet. They will be asked to explore ways of reaching beyond the formal structures of State machinery to the peoples of China and Tibet so that a just, peaceful and lasting relationship could be established between those peoples on the basis of mutual respect, recognition of the rights of peoples and faithful compliance with international law.

8.5) To further the process of reconciliation proposed in the preceding paragraph, the Tribunal urges relevant non-governmental organisations to convene, in 1993 or 1994, an international conference on the future of Tibet. Such a conference should consider this Verdict and the records of the proceedings of the Tribunal. It should explore concrete ways of working towards reconciliation between the Tibetan and the Chinese peoples. These ways could include the appointment of human rights monitors and the posting of United Nations volunteers in a Tibetan Zone of Peace. Representatives of the Tibetan Government-in-exile and of the People's Republic of China should be invited to take part in such a conference and in such measures towards reconciliation.

**CONFERENCE OF INTERNATIONAL
LAWYERS:
“Self-determination and Independence for Tibet”
London
6-10 January 1993**

LONDON STATEMENT ON TIBET

1.1) Between 6 and 10 January 1993, in London, a number of lawyers from many countries, with expertise in international law, met to consider issues relating to the exercise of the right to self-determination by the people of Tibet. Also present during the conference were a number of officials and observers. The conference was preceded and accompanied by the distribution of papers written by the participants. It was conducted with a high measure of dialogue and a full and free exchange of views designed to elucidate the matters under consideration. Chief amongst these was the right of self-determination for the people of Tibet under international law, the status of Tibet, population transfer to and from Tibet as affecting the exercise of the right to self-determination of the people of Tibet and various issues concerning departures from basic human rights, including cultural and social rights, effecting the people of Tibet as whole and individual Tibetans.

INVITATION TO THE PEOPLE’S REPUBLIC OF CHINA

2.1) Prior to the conference, the chairman (Justice Michael Kirby, Australia) wrote the Ambassador of the People’s Republic of China (PRC) in London inviting his participation in the conference or the attendance of a representative or expert nominated by the PRC able to express the Chinese viewpoint on the matters to be discussed, which were described to the Ambassador.

2.2) The Ambassador, by letter, declined this invitation. As appears, he insisted that the conference was an interference in the domestic affairs of the PRC and should be cancelled.

A representative of the Chinese Embassy in Canberra, Australia, called

on the Chairman to press this request. However, it was declined and, to the contrary, the Chairman urged again the participation of a nominated expert able to express the Chinese viewpoint.

2.3) Notwithstanding the refusal of the PRC to participate in the conference, the Chinese Embassy in Australia provided to the conference a number of booklets and a statement setting out the PRC's position on the Tibetan questions. These booklets were tabled at the conference. They were all available to participants and were referred to from time to time. A list of the booklets is Annex 4.

2.4) Amongst the booklets in Annex 4 is the White Paper, *Tibet—Its Ownership and Human Rights Situation*, published by the Information Office of the State Council of the People's Republic of China. Copies of that White Paper were provided to participants in advance of the conference. Also provided to all participants was the statement summarising the position of the PRC, made available to the Chairman.

2.5) The participants welcomed the involvement of Tibetans in the conference. They also welcomed the provision of the White Paper, the statement and other documents in Annex 4 as an indication of the increasing sensitivity of the PRC to international opinion about the right of peoples to self-determination and about departures from human rights norms established by international law. In particular, the participants noted an increased willingness on the part of the PRC to express and defend its position. Although this would be better achieved by face to face contact between experts and representatives of the PRC and the Tibetan people, the provision of a written argument was seen by the participants in this conference as a distinct step in the right direction. It was, therefore, welcomed. Out of dialogue may emerge an understanding of competing and different points of view. It may lead in time to reconciliation based upon international law and respect for the friendly relations between states and peoples.

2.6) In the course of their deliberations and in reaching the conclusions stated below, the participants have taken into account the expressions of the Chinese viewpoints and distributed documentation.

The participants approached the issues under consideration rigorously with neutrality and professionalism, basing their conclusions only upon clearly established evidence of facts and clearly established principles of international law.

EVIDENTIARY COMMITTEES

3.1) Before the conference, planning was undertaken in various countries to permit the gathering and synthesis of evidentiary material which could be placed before the participants upon the basis of which they could express their conclusions.

3.2) The first two days of the conference were devoted to the work of committees dealing with evidence relevant to what may generically be described as self-determination issues (Committee A) and human rights issues (Committee B). On each subject discussed within the committees the participants had papers setting out the position and arguments of the PRC and the opposing views, which included in many cases the views of Tibetans.

3.3) At the outset of the plenary sessions of the conference the respective chairman of each committee [Judge Grogan (A) and Justice Einfeld (B)] presented reports on the principal conclusions reached by each committee. During the plenary sessions which followed, frequent reference was made to the respective conclusions of the two committees. Those conclusions form part of the record of the conference.

3.4) In addition to statements from Tibetan participants and observers, the participants had available to them a vast collection of literature which has earlier examined self-determination and human rights issues relevant to Tibet. This has been taken into account by the participants in reaching their conclusions.

3.5) The conclusions of the conference were reached by consensus of the participants.

TIBETANS AS A PEOPLE ENTITLED TO THE PEOPLE'S RIGHT TO SELF-DETERMINATION

4.1) In international law there has been a controversy about “peoples’ rights” and about who constitute a “people” for the exercise of such rights in international law, which binds all states and peoples.

4.2) Nevertheless it is clear that international law recognises the peoples’ right to self-determination. The principle of self-determination of peoples is expressly recognised in the United Nations Charter. The “right of all peoples to self-determination” is also recognised in the International Covenants on Human Rights and in numerous other international instruments and writings.

Manifestations of the exercise of the people’s right to self-determination—peaceful and non-peaceful—can be seen in all parts of the world at this time. Accordingly, if the Tibetan people are a “people” for the purposes of the peoples’ right, they are entitled, by international law, to exercise the right to self-determination, which belongs to them.

4.3) There is no universally accepted definition of who are a “people” entitled, by international law, to enjoy the peoples’ right to self-determination recognised by that law. However, a useful description of the criteria commonly taken into account in declaring that a group of individuals is a “people” for this purpose is contained in the conclusion of the UNESCO meeting of Experts on Further Study of the Rights of Peoples (Paris, February 1990). The conclusions referred to the following characteristics:

A people for the rights of peoples in international law, including the right to self-determination, has the following characteristics:

1) A group for the rights of peoples in international law, including the right to self-determination, has the following common features:

- (a) A common historical tradition;
- (b) Racial or ethnic identity;
- (c) Cultural homogeneity;

- (d) Linguistic unity;
- (e) Religious or ideological affinity;
- (f) Territorial connection;
- (g) Common economic life.

2) The group must be of a certain number who need not be large (e.g. the people of micro States) but must be more than a mere association of individuals within a State;

3) The group as a whole must have the will to be identified as a people or the consciousness of being a people—allowing that groups or some members of such groups, though sharing the foregoing characteristics, may not have the will or consciousness; and

4) Possibly the group must have institutions or other means of expressing its common characteristics and will for identity.

4.4) Various other criteria have been suggested from time to time, and were discussed during the conference. These include economic viability, a measure of international recognition, willingness to submit to a referendum to ascertain the will of the “people” involved and willingness to respect fundamental human rights and peoples’ rights. However, for the purpose of these conclusions, the participants accepted the UNESCO Committee’s description.

4.5) By the application of those criteria, the participants concluded that the Tibetan people satisfied the requirements and are a “people” for international law purposes. Indeed, it was noted, to some extent at least, by the constitution, legislation and practice of the PRC, the Tibetan people have been treated as separate and distinct within the Chinese state. Under the law of the PRC the “autonomy” of the “Tibet Autonomous Region” is based upon the distinct nationality of the Tibetan people.

4.6) Furthermore, three Resolutions of the United Nations General Assembly (Nos. 1353, 1723 and 2079) have recognised the status of Tibetans as a “people”. Resolution No. 1723 (reaffirmed by Resolution No. 2079) expressly refers to the right of the Tibetan people to self-determination.

4.7) The PRC and its organs of state power which exercise de facto control over the territory of Tibet deny the people of Tibet the exercise of their right to self-determination.

4.8) The PRC, by its publications and statements, denies both the entitlement to and claim for self-determination by the people of Tibet. These denials are unconvincing. So far as the entitlement is concerned, this rests upon international law once it is established that the Tibetans are a “people” for International law purposes. It is not for the state apparatus of the PRC, or any other nation or state, to deny the Tibetan people’s right to self-determination. This belongs to the Tibetan people, not to a nation or state.

4.9) So far as the denial of the claim to self-determination is concerned, the PRC’s assertion that “separatism” is the wish of no more than a handful of Tibetans, members of the Dalai Lama’s “clique”, would be more credible if it were submitted to the freely expressed wishes of the Tibetan people—by referendum or other appropriate process. According to the evidence, there is no such facility of free expression on the part of the Tibetan people.

4.10) The preponderance of evidence suggests the abiding desire of the Tibetan people for:

- * the free return from exile of the Dalai Lama;
- * the end of Chinese control;
- * the cessation of human rights abuses;
- * the establishment of an independent Tibetan state.

4.11) The participants analysed various legal means and alternative structures by which these desires could legitimately be achieved. The participants considered the principles of national unity and territorial integrity of states. However, they concluded that these principles are compatible, in the particular case of Tibet and having regard to its long history of separate existence, with their exercise of the right to self-determination. They therefore concluded that the Tibetan people are entitled, in the manner and to the extent allowed by international law, to the exercise of the right to self-determination.

TIBET AS AN INDEPENDENT STATE UNDER OCCUPATION

5.1) It is important for the issue of self-determination and also for other purposes of international law to consider the status of Tibet prior to 1949-50 when it was entered by forces of the People's Liberation Army (PLA) of the PRC.

5.2) According to the PRC, the PLA in 1949-50 "peacefully liberated" Tibet, with the concurrence of its people and institutions restoring them to the fully integrated status which the PRC claims had existed for centuries prior to the temporary weakness of China during the period 1911-1950 before the establishment of the PRC.

5.3) According to the Tibetan Government-in-Exile, the PLA is an army of occupation. They entered Tibet which was then an independent state for purpose of international law. They thereby committed an act of aggression. They have remained ever since in occupation of Tibet against the wishes of its people. They have thereby breached international law and, as one consequence, have continued to deny to the people of the sovereign state of Tibet the right to self-determination formerly enjoyed by Tibet prior to the act of aggression. Much material and evidence placed before the participants supported this view.

5.4) As has recently been acknowledged by the Verdict of the Permanent Peoples Tribunal (session on Tibet, Strasbourg, November 1992) there are indications which support—and some which cast doubt upon—the claim that Tibet was, before 1949-50 an independent state for the purposes of inter-national law.

5.5) By consensus, the participants of this conference reached the conclusion that the attributes of sovereignty were sufficiently present at that time, in the context of a nation such as Tibet and given its history, to sustain the Tibetan argument as the preferable one. In doing so they took fully into account the arguments of the PRC concerning the historical relationship between China and Tibet.

5.6) Two considerations of particular importance reinforce the f

oregoing conclusions.

Q The relationship of a tributary—sometimes contended for by China—necessarily implies the separate identities of the tributary and the dominant state. It is therefore inconsistent with a claim that Tibet was an integral part of China in the period prior to 1911; and

Q The fact that, upon the establishment of the Republic of China, Tibet was invited to “join” the new republic. It was not asserted—at least until the military action of 1949-50 and the later military action of 1959—that Tibet was already part of the Republic. The invitation to join the Republic was an acknowledgement by the Republic of China that Tibet was not, as such, a part of the Republic and would need an act of self-determination to join it.

5.7) No such act of self-determination has ever occurred. On the contrary, by reason of the act of aggression and military occupation, the Tibetan people’s right to the exercise of self-determination has been denied. Since the military action of 1949-50, Tibet has been under the alien occupation and domination of the PRC and has been administered with the characteristics of an oppressive colonial administration.

TIBETAN TERRITORY AND POPULATION TRANSFER

6.1) The participants concluded that part of the traditional territory of Tibet has been purportedly included in neighbouring provinces of China. The map of Tibet has been redrawn by the PRC. The boundaries of Tibet certainly extend beyond the “Tibetan Autonomous Region”. Without an act of self-determination on the part of the Tibetan people involved, this alteration of their traditional territory does not conform to international law.

6.2) Following the PRC’s military action of 1949-50, significant settlements of non-Tibetans from China have occurred in the traditional territory of Tibet without the free consent of the Tibetan people. These settlements have been actively encouraged by the policies of the PRC. According to the evidence, this has had, and is having, serious

consequences for Tibetan culture, religion, institutions and national identity. It poses a serious threat to the survival of the Tibetan people. There are other serious consequences for the environment.

6.3) To the extent at least that such population transfers have occurred for the purpose, or with the effect, of diminishing the exercise by the Tibetan people of their right to self-determination and of other basic rights belonging to them by international law. They should cease at once. Peaceful and lawful steps should be taken to reverse them with due regard to the wishes and needs of all the peoples concerned.

ABUSES OF INDIVIDUAL HUMAN RIGHTS

7.1) The evidence before the participants demonstrates that there is a consistent pattern of serious violations of universally recognised human rights in Tibet.

7.2) The serious abuses include the following:

- 1) Interference in the practice and teaching of Tibetan Buddhism and restrictions on freedom of religion;
- 2) A lack of due process of law;
- 3) A lack of an independent judiciary;
- 4) Loosely defined and oppressively enforced criminal and security laws—including punishment for such offences as:
 - i) The writing of letters to the United Nations;
 - ii) The collection of the names of detainees;
 - iii) Publication of documents including the translation into the Tibetan language of the Universal Declaration of Human Rights;
 - iv) teaching “reactionary” songs;
 - v) Possession of a Tibetan flag;
- 5) Denial of the rights of freedom of association and freedom of assembly;
- 6) Torture of detainees and prisoners and the practice of cruel punishments in a harsh penal system;
- 7) Oppressive censorship, obstruction of the free flow of infor-

mation and undue limitations on freedom of expression;

8) Limitations upon free movement both within and outside Tibet;

9) Forced sterilisation and un-consensual abortions; and

10) Unequal access to, and discrimination in, housing, education, health, employment, political office and cultural rights.

7.3) Such violations of fundamental human rights are contrary to international law. The PRC is the state responsible for such violations. The violations should cease forthwith.

7.4) Such violations of fundamental human rights typically accompany attempts to deny a people the exercise of their rights to self-determination. Such is the case in Tibet. In this way, the denial of basic human rights is indissolubly linked to the denial of the right to self-determination. Only by the establishment of conditions in which the latter right may be freely exercised will the fundamental causes of grave human rights violations be removed.

7.5) The PRC is required by international law to ensure the respect of the fundamental human rights of the Tibetan people. It cannot evade that legal requirement by an appeal to its domestic jurisdiction. On the contrary, the violation of fundamental human rights is an additional justification for the demand by the Tibetan people for the exercise of their right to self-determination.

RECOMMENDATIONS

This Conference:

8.1) Urgently invites the United Nations General Assembly to pass a resolution renewing its call for the respect for human rights in Tibet, in particular, renewing its call for the implementation of the right to self-determination of the Tibetan people as contained in its Resolutions numbered 1723 and 2079;

8.2) Recalling Resolution 1991/10 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, urges the United Nations Commission on Human Rights to appoint a Special

Rapporteur on Tibet as a matter of urgent priority;

8.3) With full realisation of the unique position of the Tibetan people and drawing on its experience from a study of the case of Tibet:

8.3.1) Calls on the United Nations General Assembly to expand the mandate of the Special Committee on De-colonisation to include Tibet in its mandate and to include the regular review of the situations of distinct peoples within existing states;

8.3.2) Requests the International Law Commission to continue its work on a draft code of crimes against peace and security of mankind;

8.3.3) Urges the International Bank for Reconstruction and Development (World Bank) and other multilateral and bilateral financial institutions not to fund projects supporting population transfer of peoples;

8.3.4) Suggests the study of an enlarged jurisdiction of the International Court of Justice relevant to the right to self-determination;

8.4) Requests the relevant organs of the United Nations and those participating in the World Conference on Human Rights to ensure that the issue of the rights of peoples is included in the agenda of the World Conference on Human Rights in Vienna in June 1993;

8.5) Requests the United Nations Sustainable Development Commission at its first session to consider the problem of deforestation having regard to evidence of the special problem of deforestation in Tibet;

8.6) Requests the International Commission of Jurists to conduct a new high level mission to Tibet by independent experts of unquestioned integrity. The Conference requests the Government of the People's Republic of China to receive and co-operate with such a mission;

8.7) Endorses the proposals for investigation and dialogue proposed by the Permanent Tribunal of Peoples in its Verdict (1992) including the proposal for an international conference on Tibet to be convened

in 1993-1994;

8.8) Requests the Government of the People's Republic of China, at the earliest possible time, to extend an invitation to the international Committee of the Red Cross for the purpose of inspecting places in which Tibetan persons are held under detention;

8.9) Calls upon the Government of the People's Republic of China and the Tibetan Government-in-Exile, without further delay and without conditions, to commence genuine negotiations to facilitate the exercise of the Tibetan people's right to self-determination;

8.10) Calls on governments, in their bilateral relations with the People's Republic of China and in multilateral fora, to take up the question of Tibet, in particular the implementation of the Tibetan people's right to self-determination;

8.11) Directs that these conclusions and recommendations be drawn to the attention of

Q the Secretary-General of the United Nations;

Q the Government of the People's Republic of China;

Q the Tibetan Government-in-Exile;

Q other governments; and

Q relevant inter-governmental and non-governmental organisations so that the findings and recommendations of the conference can be acted upon without delay.

**WORLD PARLIAMENTARIANS
CONVENTION ON TIBET
New Delhi
20 March 1994**

NEW DELHI STATEMENT ON TIBETAN FREEDOM

Parliamentarians from 25 countries gathered together in the Indian capital, New Delhi, from 18 to 20 March 1994 under the aegis of the All Party Indian Parliamentary Forum for Tibet to discuss the Tibetan issue. They expressed appreciation for the initiative of the All Party Indian Parliamentary Forum for Tibet. They made the following statement to be known as the New Delhi Statement on Tibetan Freedom.

- 1) Tibet was a separate, independent and sovereign nation prior to its invasion and subsequent occupation by the People's Republic of China.
- 2) The Chinese invasion in 1949 resulted in the destabilisation of traditional Tibetan society, the destruction of Tibet's unique cultural heritage, amounting, in effect, to a form of cultural genocide, and denial of the human rights and fundamental freedoms of the Tibetan people. It reduced Tibet, in effect, to the status of a Chinese colony and an occupied country.
- 3) Following a report of the International Commission of Jurists which described the grave violation of human rights of the Tibetan people, the United Nations, in a series of resolutions, particularly GA Resolution No. 1723 (XVI) of 1961, condemned such violations and called for the withdrawal of Chinese forces. However, the violations continued and the forces remained.
- 4) Chinese policies in Tibet, through official incentives, have encouraged the settlement there of 7.5 million ethnic Chinese designed to marginalise the six million Tibetan people, to destroy the traditional

Tibetan landscape, and to threaten the Tibetan people's distinct national, cultural and religious identity.

5) The major areas of eastern Tibet and north-eastern Tibet have already become dominated by ethnic Chinese. The consequence of the massive influx of Chinese people is becoming clear in central Tibet. For example, out of the 12227 shops in Lhasa (excluding the Barkhor areas) only 300 are now owned by Tibetans.

6) Reports by official parliamentary fact-finding delegations from Australia, Austria, the European Parliament and other parliamentary delegations to Tibet, as well as by independent international human rights organisations, such as Amnesty International and Asia Watch, have confirmed the continued abuse of Tibetan human rights and the denial of fundamental freedoms by the Chinese authorities. This has occurred in contravention of the obligation imposed upon China by international law, including under the various international instruments: the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights. These principles have been reaffirmed in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights held in June 1993.

7) His Holiness the Dalai Lama and the Tibetan Government-in-Exile have, over the years, proposed constructive initiatives to solve the Tibetan problem peacefully.

8) The determination of the Tibetan people for a free Tibet continues to be strong although from 1949 to 1984 an estimated 1.2 million Tibetans have died as a result of Chinese occupation. Since the invasion, very many demonstrations have taken place in which thousands of Tibetans have been imprisoned. In 1993 alone, there have been over 39 known peaceful demonstrations in different parts of Tibet.

9) The Permanent Tribunal of Peoples' session on Tibet in 1992, the International Lawyers' Conference on Tibet in 1993, and the Conference of European Parliamentarians on Tibet in 1993, have each con-

firmed the right to self-determination of the Tibetan people enjoyed by them under the inter-national law.

10) National parliaments in a number of countries have passed resolutions expressing their concern at the plight of the Tibetan people. The European Parliament has also done so.

11) The Congress of the United States of America passed a resolution on 28 October 1991 recognising that Tibet, consisting of the three traditional areas of Dhotoe (Kham), Dhomey (Amdo) and U-Tsang, is an occupied country.

12) China's destruction of the Tibetan environment through indiscriminate deforestation and mining is leading to ecological imbalance with potential consequences effecting nearly half of the world's population.

The participants in this World Parliamentarians Convention on Tibet, therefore, resolve that the Convention:

i) Condemn the continued violation of Tibetan people's human rights by the People's Republic of China, including the ill-treatment of nuns and enforced sterilisations of Tibetan women, and the efforts to destroy Tibet's religious and cultural rights. While applauding the courage and determination of the Tibetan people, it calls for the immediate release of all Tibetan political prisoners.

ii) Express concern at the continued maintenance of Chinese nuclear installations in Tibet and reports of the conduct of the testing of nuclear weapons and the alleged dumping of nuclear wastes.

iii) Support the non-violent efforts of His Holiness the Dalai Lama and the Tibetan Government-in-Exile to solve the Tibetan problem, particularly the Dalai lama's campaign to make Tibet a zone of Ahimsa (non-violence) through demilitarisation, protection of Tibet's natural environment and the commencement of earnest negotiations between Tibetan and Chinese representatives on the future of Tibet.

iv) Urge the Chinese government to respond positively to the above initiatives of His Holiness the Dalai Lama and the Tibetan Government-in-Exile for negotiations without pre-conditions to solve the Tibetan problem.

v) Urge the respective governments to support the peaceful endeavours of His Holiness the Dalai Lama by establishing contacts with the Tibetan Government-in-Exile based in Dharamsala, India.

vi) Call on the respective Parliaments to send delegations to Tibet to study the human rights situation, religious freedom, status of women and prison conditions.

vii) Urge our respective governments, as well as international funding agencies, to see that development aid for projects in Tibet benefits the Tibetan people and does not encourage the settlement of Chinese civilians in the region and urge our respective governments to respect the guidelines issued by the Tibetan Government-in-Exile regarding development assistance to Tibet.

viii) Urge our respective governments to extend moral and material support to the Tibetan people in their struggle to regain their freedom and the preservation of their heritage.

ix) Call for the formation of all party parliamentary groups on Tibet in the Parliaments which currently do not have such groups, as well as an international network of parliamentarians to co-ordinate activities on the Tibetan issue.

x) Express concern at the grave risk of unconditional economic assistance to China which may lead to economic liberalisation which is not accompanied by increased political freedom and democratisation and urge the governments of our respective countries to impose conditions to their economic assistance to China.

xi) Urge the United Nations General Assembly to expand the mandate of the Special Committee on De-colonisation to include Tibet in its mandate and to include a regular review of the situation in Tibet. Urge the UN Human Rights Sub-Commission to send fact-finding teams to Tibet and to station permanent representation in

Lhasa to monitor the on-going situation in Tibet, and urge the United Nations High Commission for Refugees to extend all possible assistance to Tibetan refugees.

xii) Appreciate the active role of the United Nations in international conflict resolution, including in Namibia, Cambodia, etc. and urge the Secretary-General to initiate mediation between the Tibetan and Chinese authorities for a peaceful negotiated settlement of the Tibetan issue, and further urge the United Nations to grant observer status to the Tibetan Government-in-Exile led by His Holiness the Dalai Lama.

xiii) Support the proposal of the Permanent Tribunal of Peoples calling for the setting up of an international monitoring authority to determine ways to restore Tibet's ecological balance and to protect its bio-diversity.

xiv) Direct that a delegation comprising representatives of the participants in this convention a) seek the agreement of the People's Republic of China to visit China and Tibet, and b) meet the Secretary-General of the United Nations to take up the Tibetan issue and to further the resolution of this convention.

It is further resolved that the above resolution be forwarded to His Holiness the Dalai Lama and the Tibetan Government-in-Exile, presiding officers of the two Houses of the Indian Parliament, all Parliaments whose members are participating in this convention, as well as the Chairman of the Chinese National People's Congress.

**WORLD PARLIAMENTARIANS
CONVENTION ON TIBET
The New Delhi Action Plan for Tibet
20 March 1994**

THE DELHI RESOLUTION

To the extent that the people of Tibet are denied the right to self-determination which under international law guarantees them, they are denied their own democratically elected legislature, people elsewhere, who enjoy the priceless privilege of a democratically elected Parliament will not rest content until this privilege is secured to the people of Tibet. The representatives of free people are required by a moral imperative to act for those who are denied freedom, such as the Tibetan people. The participants in the Delhi Convention of Parliamentarians, therefore, resolve to adopt the New Delhi Action Plan for Tibet.

THE TEN COMMANDMENTS OF DELHI

The following ten suggestions for action by Parliamentarians in support of the Tibetan people were placed before the meeting of the World Parliamentarians Convention on Tibet in New Delhi, India, 18-20 March 1994. The participants subsequently adopted a programme of Parliamentary action based upon these “Ten Commandments of Delhi” addressed to fellow Parliamentarians as follows:

- I. Proposed Resolutions to Parliament;
- II. Exert Pressure on Governments;
- III. Involve Sub-National & Local Governments;
- IV. Organise Delegations to China and Tibet;
- V. Make Representations to the Chinese Embassy;
- VI. Support Tibetans in Exile and their Supporters;
- VII. Use Inter-Parliamentary Associations;

- VIII. Encourage Visits of the Dalai Lama;
- IX. Target International Bodies; and
- X. Encourage Human Rights in China and at Home

I) Propose and adopt resolutions in Parliament expressing concern about human rights abuses, population transfer and other problems in Tibet and calling upon the People's Republic of China (PRC) to recognise the rights of the Tibetan people to self-determination and to that end to begin a dialogue with the representatives of the Tibetan people, including the Dalai Lama and the Tibetan Government-in-Exile.

Such resolutions have been adopted by a number of legislatures throughout the world, including the Congress of the United States of America and the Federal Parliament of the Commonwealth of Australia, Germany and the European Parliament.

II) Exert pressure upon Governments to interest themselves in the affairs of Tibet and the right of its people.

Governments are sometimes reluctant to take an active role in relations to Tibet because of pressure—political, economic and otherwise—exerted by the PRC. Individual MPs can exert pressure to stimulate action defensive of the rights of Tibet and its people. This can be done by questions in Parliament: by raising Tibetan issues in debates on topics which are relevant (e.g. protection of the environment, dumping of nuclear wastes, ethnic cleansing policies, human rights, self-determination, etc.) It can be done by raising issues relevant to Tibet in Parliamentary Committees—such as those on Foreign Affairs or Constitutional and Human Rights Affairs. Parliamentary facilities provide many opportunities to express public concern about Tibet and to embarrass recalcitrant Governments and bureaucrats into taking action. Even where suggestions fail (e.g. the action of the United States Congress in relation to Tibet vetoed by President Bush), they stimulate public debate, attract media

coverage and sometimes lead, as a result to changed Government policy (as in the case of President Clinton's policy on Most Favoured Nation Status for PRC).

III) Involves sub-national and local government bodies as well as the National Parliament in concerns about Tibet and its people.

All of the Delegates in New Delhi were members of national legislatures. However, concern about Tibet in the countries represented is often one held by ordinary citizens. It is therefore appropriate that the level of government closest to ordinary citizens should become involved with the cause of Tibetan self-determination. This means in federal States, the sub-national legislatures in the states or provinces. In all states, local government may provide a good venue for meeting Tibetans in exile and seeking to respond to their concerns. Already in some legislatures at sub-national level, resolutions have been passed concerning Tibet. This was done in the States of New South Wales, Australia, for example. In India, it was pointed out that, counting State Assemblies, there were more than 5000 legislators. Those in National Parliaments concerned with Tibet should work in close co-operation with those in sub-national, regional, international (the European Parliament) and local government to spread the call for action and to promote political and public debate.

IV) Organise Parliamentary delegations to visit China and Tibet to examine and report on the human rights, environmental and other situations there.

Such delegations have already taken place. Delegation of Parliamentarians from Austria, Australia, the United States and European Parliament and other countries have visited China. They have visited Tibet and reported upon their findings. Such reports gain widespread publicity and reinforce the international pressure upon the PRC to respect the rights of the Tibetan people to self-de-

termination and to stop population transfers, nuclear waste dumping and environmental damage in Tibet. In 1991 such a parliamentary delegation (from Australia) was permitted to visit Tibet.

Perhaps as a consequence of the critical content of its report, the second Australian human rights delegation in 1992 was denied entry to Tibet.

It was reported to the convention that a delegation from the Swedish Parliament will shortly visit China and Tibet. It is clear that the PRC welcomes Parliamentary delegations—at least it is often difficult for the PRC to refuse a request for such delegations to visit China. As in the PRC terminology Tibet is an Autonomous Region of China, it is difficult for the PRC to refuse entry to Tibet. Parliamentary delegations of this kind can be an occasion for dialogue and the expression of popular concern to the PRC.

V) Make representations—as a parliamentary group concerned about Tibet or as an individual Parliamentarian—to the embassy of the People's Republic of China.

In many Parliaments of the world, special groups have been established on a multi-party basis to voice concerns of Parliamentarians on behalf of citizens about human rights and other abuses in Tibet and denial of the right to self-determination to the Tibetan people. Such groups—although not technically part of the legislature—provide ideal opportunities for concerted multi-partisan action to confront the PRC and its representatives with the unacceptability of the PRC's action with respect to Tibet. Parliamentarians frequently meet representatives of the PRC at official receptions, conferences and other like occasions. Whilst observing diplomatic courtesy and appropriate protocol these occasions should be made an opportunity to voice the concerns of the Parliamentarians and their constituencies about human rights and other abuses in Tibet. The culture of the Chinese people is one which is extremely sensitive to such representations. Members of Parliaments should make

sure to request the diplomatic representatives of China to convey the expression of popular concerns to the Government of the PRC in Beijing. Written representations should follow up such oral request in order to ensure that action is taken.

VI) Give support to Tibetan groups in exile, Tibetan refugees and non-governmental organisations concerned about the Tibetan cause.

Members of Parliament usually enjoy special privileges in relation to the use of the facilities of the parliament buildings. Within those privileges, they should extend invitations to Tibetan refugees, Tibetan support groups and non-governmental organisations concerned with human rights, environmental and nuclear issues to hold meetings, conference, receptions, etc. at Parliament. Such meetings will frequently attract media attention—particularly if Tibetan refugees in national dress attend, for they are uniquely photogenic—sending vivid photographs illustrating their exile and national suffering. The use of the media—particularly international media such as the BBC or CNN—is to be encouraged as this will also reach into China and Tibet sending messages of warning and reason to China and hope to Tibet. Parliamentarians, who become accustomed to the surrounding of the Parliament House, often underestimate the deep feeling of honour and privilege which an invitation to the People’s House will involve—particularly for refugees in exile. The proper use of parliamentary facilities in this way, to encourage the downtrodden exiles and their supporters, should be encouraged.

VII) Use the international parliamentary unions to promote concern about the plight of Tibet and the Tibetan people.

Virtually all Parliamentarians are ex-officio members of international Parliamentary associations—such as the Inter-Parliamentary Union, the Commonwealth Parliamentary Association,

etc. Such bodies do valuable work and publishes useful journals. However, they often avoid controversial issues.

Parliamentarians concerned about Tibet—and the denial of parliamentary democracy to the Tibetan people—should place resolutions about the situations in Tibet on the agenda of such international bodies. Even if such resolutions do not at first command a majority, the proposal will stimulate a climate of concern and spread the message of Tibet to an important audience.

In addition to the formal resolutions of such bodies, informal consultations and discussions may result in the establishment of new parliamentary support groups on Tibet. These Ten Commandments and other materials and articles on Tibet should be discussed in such bodies. If possible, they should be published in the journals of inter-parliamentary organisations to disseminate their message.

VIII) Promote and encourage visits of His Holiness the Dalai Lama.

The visits of His Holiness the Dalai Lama to so many countries throughout the world has ensured that the issue of Tibet has not disappeared from the international agenda as the Government of the PRC would have hoped. As a great spiritual teacher, but also the recognised leader of the Tibetan people, His Holiness the Dalai Lama has a rare and unequalled gift of explaining the Tibetan cause to national leaders, parliamentarians and peoples. Such visits are typically opposed most bitterly by the PRC and its global representatives. However, experience teaches that His Holiness draws such large public crowds of supporters and admirers that local political leaders find meeting with him personally irresistible and politically essential. Photographs of the Dalai Lama with national leaders, beamed by way of the media around the world—including by satellite to China—keeps the Tibetan cause before the conscience of the world community. Parliamentarians can play a key role in organising such tours, arranging appropriate high level official engage-

ments and media coverage. It is especially important to encourage and promote visits of His Holiness to countries in Africa, Asia and the Western Pacific. There, China's pressure to prevent such visits will be the strongest. That is why a network of concerned Parliamentarians is most essential in such countries.

IX) Exert influence in such a way as to target the discussions of international bodies studying the human rights situations in China and Tibet.

The recent defeat (March 1994) of the resolution before the United Nations Human Rights Commission in Geneva, designed to highlight international concerns about China's record of human rights in China and Tibet, came about as a result of a combination of the delegates of democratic and undemocratic countries. A large number of Latin American and African States abstained on the motion. It is in Latin America and Africa that the most immediate efforts must be directed to try to ensure a favourable outcome to future consideration of this issue in the UN Human Rights Commission. It is therefore essential that Parliamentarians concerned about Tibet should seek to make special contact with colleagues and associates in Asia, Latin America and Africa to point to the lessons from their own histories of the struggle for independence and freedom—to help establish parliamentary support groups in such countries—to provide literatures and to promote visits of His Holiness the Dalai Lama.

X) Learn from the lessons of Tibet for the situation of human rights, environmental protection, minority rights and the rule of law in China in general and in your own country.

It is essential that the struggle for Tibet should not be or be seen to be anti-Chinese movement, as such. His Holiness the Dalai Lama has insisted upon high respect for China and its peoples. In earlier proposals, he has also raised the possibility that the exercise

of the Tibetan people's right to self-determination could result in an association with China which fall short of complete independence of Tibet. The right to self-determination often manifests itself in complete independence of a distinct people: so that they form their own separate nation state for international law purposes. This is one possible outcome of the genuine and free exercise by the Tibetan people of the right to self-determination which they assert and which international law undoubtedly guarantees to them. But it is not the only possible outcome. The longer the dialogue—as invited by His Holiness the Dalai Lama—is denied or delayed, the more likely is that the Tibetan people will insist upon complete independence. But that will be a matter for the Tibetan people. Self-determination cannot be denied to the Tibetan people by the Government of the PRC or the Chinese people. In due course, it will be accorded to them. The effort of the Parliamentarians in democratic countries should be directed to that end. But this does not mean that the struggle must be carried on with animosity to the Chinese Government, still less with the Chinese people. On the contrary, the struggle for Tibetan self-determination necessarily involves the self-respect of the Chinese people and their relationship with a neighbouring people of great dignity and inherent worth. By establishing that relationship upon the basis of international law and universal human rights, the Government of the PRC and the peoples of China will thereby be freed from the burden of being an oppressor and of derogating from the human rights of others. To the extent that one people derogates from the human rights of another, it diminishes the right of its own peoples and human rights in the world which is of universal concern. To uphold the derogations of the rights of the Tibetan people, the Government of the PRC is forced to maintain in place the machinery of colonial oppression and autocracy, to lock up dissidents, kill student protestors peacefully expressing their views and maintain labour camps and other paraphernalia of oppression. By upholding the rights of the Tibetan people, parliament-arians are, in

a very real sense, working for human rights of the Chinese people and of people elsewhere. The universality of human rights must be upheld. There is no “Asian exception” as the representatives of the PRC asserted unsuccessfully to the Second World Conference on Human Rights in Vienna in June 1993. One delegate in New Delhi drew a parallel with the autocratic regime which governed his country (Hungary) until very recently. Like that of China, it was derived from the undemocratic and anti-parliamentarian practices of Lenin and Stalin in the Soviet Union. Both in Hungary and in Russia, and other countries of the former Soviet Union, this kind of polity is now discredited. But it continues to influence the formal public law structures of China. In due course, China will also throw off such autocracy. The support of parliamentarians and others for the rights of the people of Tibet—and their future free relationship with China—should be seen in this wider historical context. Thus, the efforts of freedom in Tibet are efforts founded on respect for the Chinese people—and their basic human rights, not on hatred for the Chinese people. So has His Holiness the Dalai Lama always taught.

The effort to promote the rights of the Tibetan people also necessarily focuses attention on derogations from human rights in every society. By studying the wrongs done to others we can perceive more clearly the wrongs done to people—particularly minorities—in our own societies. To that extent, Tibet is a microcosm of a wider challenge to the human rights and other basic freedom throughout the world which we all share.

WORLD PARLIAMENTARIANS CONVENTION ON TIBET

Vilnius, Lithuania

26-28 May 1995

RESOLUTION

The members of Parliaments and their representatives who gathered in Vilnius on behalf of their respective parliamentary groups of over one thousand Parliamentarians world-wide to discuss the threat to the survival of Tibet and the Tibetan people,

Reaffirming their support for the New Delhi Statement on Tibetan freedom and the Action Plan for Tibet adopted at the First Parliamentarians Convention on Tibet in New Delhi held on 18 to 20 March 1994;

Reaffirming the illegality of the People's Republic of China's (PRC) invasion and occupation of Tibet, which was an independent state in 1949, when the People's Liberation Army first entered Tibet;

Recognising that under international law, Tibet is today an independent state under illegal occupation, and that the PRC has no legal title to sovereignty over Tibet;

Condemning as a serious violation of international law the large scale population transfer of Chinese into Tibet, implemented by various methods, including the replacement of responsible Tibetan administrators by Chinese officials at different levels of government; and the recent decision by the Chinese authorities requiring that all Chinese military personnel serving in Tibet must retire and settle there or forfeit their pension rights;

Concerned about the destruction of the natural environment on the Tibetan plateau, which has ramifications not only for Tibet itself but also for the region and the world;

Condemning the discrimination practised by the Chinese au-

thorities with respect to education by:

- lack of adequate educational facilities for Tibetan children,
- discrimination against Tibetans wanting to study their own language and culture,
- and forceful recall of Tibetan children studying outside of Tibet and China;

Condemning other gross and systematic violations of human rights in Tibet, including the arbitrary arrest, detention and torture of Tibetans for political offences; the violations of rights of women, including the practice of involuntary sterilisation and abortion; the prohibition of religious freedom; all of which, together with destruction of Tibet's rich culture and the population transfer, threaten the continued existence of the Tibetan people and therefore amounts to genocide;

Reaffirming the inalienable right of the Tibetan people to self-determination and independence;

Emphasising that violations of human rights, including the right to self-determination, and all other violations of international law are, by definition, the legitimate concern of all members of the international community and can never be regarded as belonging to the internal affairs of any state;

Therefore,

Call on the PRC to stop immediately all policies and practices which violate the human rights and fundamental freedoms of Tibetans, including, in particular, population transfer and the use of all forms of violence against Tibetans;

Commend His Holiness the Dalai Lama and the Tibetan Government-in-Exile's continuing efforts to seek a peaceful solution to the question of Tibet;

Call on governments of other states to support by all effective means possible the efforts of the Tibetan people and their legitimate representatives, His Holiness the Dalai Lama and the Ti-

betan Government-in-Exile, to restore the rights and freedoms of the Tibetan people through a peaceful exercise of the right to self-determination;

Propose that the mandate of the United Nations De-colonisation Committee be expanded to include the issue of de-colonisation of Tibet;

Resolve to initiate investigations, hearings and inquiries on the legitimacy of the PRC's claim that Tibet is a part of China, in every Parliament represented at the Convention and to persuade Members of other Parliaments to do the same, is a prelude to according recognition to the Tibetan Government-in-Exile;

Resolve to persuade respective governments to pressure the PRC Government to stop the policy and practice of population transfer;

Commit to undertake efforts to raise the question of Tibet at the coming sessions of the United Nations General Assembly and of the Commission on Human Rights;

Commit to undertake efforts to obtain observer status membership for the Tibetan Parliament at the International Parliamentary Union;

Resolve to send an international delegation of parliamentarians to visit Tibet, Beijing and Dharamsala to investigate and publicly report on the current situation; to meet with the Chinese Government, the Tibetan Government-in-Exile; and to call on the United Nations Secretary General in order to urge and promote a prompt start to substantive negotiations, without pre-conditions, to seek a peaceful and comprehensive solution to the Sino-Tibetan conflict in accordance with the terms of this resolution;

Resolve to present or forward this resolution to His Holiness the Dalai Lama and the Tibetan Government-in-Exile; to the President and Government of the People's Republic of China; to the Secretary General of the United Nations; and to the governments and parliaments of all States represented at this Convention.

**WORLD PARLIAMENTARIANS
CONVENTION ON TIBET
Washington, D.C.
23-24 April 1997**

THE WASHINGTON STATEMENT ON TIBET

The III World Parliamentarians Convention on Tibet held in Washington, D.C. on 23 and 24 April 1997 notes with dismay that despite the ever growing demand by parliaments and government leaders of many countries that negotiations take place between the government of the People's Republic of China and the Tibetan Government-in-Exile, such negotiations have not taken place. Instead, the Chinese government has intensified its repressive policy in Tibet. In particular, reports and observations of the UN Special Rapporteurs, international human rights organisations and parliamentary delegations in the last two years, indicate that the Chinese authorities have escalated moves to erase the very identity of the Tibetan people as evidenced by:

- renewed assault on the religious freedom and cultural heritage of the Tibetan people;
- increased torture, imprisonment and death of those asserting their Tibetan identity and political aspirations;
- marginalisation of the Tibetan language through measures such as the closing down of Tibetan language middle schools and imposition of Chinese language in higher institutions of learning, including the Tibetan University in Lhasa;
- attacks on monasteries and nunneries in the name of political re-education which have resulted in the expulsion, imprisonment and death of many;
- continuing transfer of Chinese citizens to Tibet and the forced abortion and sterilisation with the purpose of reducing the Tibetans into an insignificant minority in their own country as the

key component of China's "final solution" to the question of Tibet; and

— interference in the religious process for the recognition of the Panchen Lama and the detention of eight-year-old Gedhun Choekyi Nyima, recognised according to Tibetan tradition and belief as the 11th Panchen Lama, at a secret location.

The Convention deplores these attacks on the life, religion and culture of the Tibetan people and demands that they be stopped forthwith. It further demands the immediate release of the 11th Panchen Lama from captivity.

The Convention reaffirms the resolutions adopted at the first and second World Parliamentarians Convention (in New Delhi, 18-20 March 1994 and Vilnius, 26-28 May 1995), including the explicit recognition of Tibet's historical independence and the inalienable right of the Tibetan people to self-determination.

The Convention emphasises its recognition of His Holiness the Dalai Lama and his government as the sole legitimate representatives of Tibet and the Tibetan people.

The Convention is convinced that a lasting solution to the question of Tibet can only be achieved through earnest negotiations between the People's Republic of China and His Holiness the Dalai Lama and the Tibetan Government-in-Exile, without preconditions.

The Convention applauds the statesmanship of the Dalai Lama and his efforts to initiate dialogue and negotiations with China in order to find a peaceful solution to the conflict.

The Dalai Lama has repeatedly stated that despite the historical reality of Tibet's sovereignty he is prepared to hold negotiations on genuine self-government for Tibet and the demilitarisation and transformation of Tibet into a zone of Ahimsa (non-violence), without raising the independence.

The Dalai Lama formally and publicly reiterated his position, as stated in the previous paragraph, at the Convention on 23

April 1997.

Therefore, the Convention believes that the stand publicly taken by the government of the PRC that the Dalai Lama's stand on independence is the obstacle to negotiations is unfounded.

Consequently, the Convention once again calls upon all governments to use their influence at all possible levels, including in the United Nations, to persuade the government of the People's Republic of China to accept the Dalai Lama's fair and reasonable offer to open negotiations with its leaders. In this context, the Convention records its appreciation of the message sent by President Clinton to the Parliamentarians Convention.

The Convention requests the Secretary-General of the United Nations to appoint a special representative to contact all relevant parties in order to seek ways to facilitate the initiation of negotiations between the government of the People's Republic of China and the Dalai Lama and the Tibetan Government-in-Exile.

The Convention calls also on corporations, non-governmental organisations and individuals doing business or working in Tibet or China to use their influence to support efforts to reach a peaceful solution through negotiations. It also calls on all governments and non-governmental organisations supporting projects in Tibet to do so only in accordance with the guidelines prepared by the Tibetan Government-in-Exile in order to ensure that it is the Tibetan people in Tibet who will benefit from such projects.

The Convention commends the United States Congress, the European Parliament and a number of governments for providing financial support for Tibetan refugees and their social and economic development. It recommends that other parliaments and governments also consider providing financial support.

The Convention salutes the Tibetan people who have, in the face of grave adversities and suffering, consistently maintained their non-violent policy in efforts to protect their fundamental rights and regain their freedom. Successful negotiations are the only way to

prevent the escalation of tensions.

The participants at this III World Parliamentarians Convention on Tibet and the thousands of like-minded parliamentarians in at least fifty countries assure His Holiness the Dalai Lama and the Tibetan people everywhere of their continued support. To this end, the Convention has adopted the III World Parliamentarians Convention on Tibet Action Plan.

**WORLD PARLIAMENTARIANS
CONVENTION ON TIBET
Washington, D.C.
23-24 April 1997**

ACTION PLAN FOR TIBET

Parliamentarians

1) Move a simple motion in their own parliament calling on their own government to support the establishment of discussions without pre-conditions between representatives of the Dalai Lama and the PRC. The resolution to be similar to:

Be it resolved that the (Insert the name of Parliament) urges the Government of the PRC to enter into meaningful negotiations without preconditions with representatives of the Dalai Lama in a neutral venue (under the auspices of the UN) with the objective of resolving the Tibet Issue.

2) Establish or join their own parliament's Tibet Support Group to provide an effective lobbying group especially before and after visits by the Dalai Lama.

3) Establish or join their Parliament's Amnesty International Group and request their Government to act on every urgent action case raised by AI. This will include, as a matter of course, cases of Tibetan prisoners of conscience. The group should ensure that overseas parliamentary delegations are briefed on the human rights situations in the countries they visit.

4) Ensure all parliamentary delegations to China also to visit Tibet after being thoroughly briefed on the political and human rights situation there on the condition that reliable Tibetan interpretation is available.

5) Foster the creation of Tibet Support Groups within regional IPU groups and regional parliamentary groups.

6) Discuss the Tibetan issue with visiting Chinese par-

liamentarians and leaders, and encourage the participation and involvement of local community groups.

Community Groups

1) Organise a celebration of Tibetan New Year, if possible, showcasing Tibetan culture, food and crafts, telling participants that this is the culture the Chinese Government is attempting to eradicate.

2) Organise a commemoration of the invasion of Tibet, for example in the form of rallies, public meetings and/or Tibet Flag Days.

3) Visit their local members of parliament to discuss Tibet and to give them information on the political and human rights in Tibet.

4) Identify sympathetic journalists to target with news of Tibet. Journalists from all media should be targeted.

5) Organise a petition to the parliament calling on the government to support the establishment of talks, without preconditions, between representatives of the Dalai Lama and the PRC.

6) Call on all governments, non-governmental organisations, UNICEF and individuals to write to the government of the People's Republic of China, protesting the violation of the child rights by continuing to incarcerate the Panchen Lama—a child of eight years of age and apply every form of pressure for his immediate release.

Governments

1) Ensure that Governments raise the question of talks without preconditions between representatives of the Dalai Lama and the PRC on the future of Tibet in all ministerial discussions with the PRC.

2) Support the establishment of a Special Rapporteur on Tibet to the UNHRC, Geneva.

- 3) Request the UN Secretary General to appoint a personal envoy/representative on Tibet.
- 4) Periodically request independent media access to Tibet.

