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TIBET-CHINA NEGOTIATIONS: THE TIME FOR CANADIAN LEADERSHIP

**Background Paper:
Policy Seminar with His Holiness the Dalai Lama**

**Friday, April 23, 2004
Conference Centre
Ottawa
1:00 – 4:30 p.m.**

TIBET-CHINA NEGOTIATIONS: THE TIME FOR CANADIAN LEADERSHIP

In 2002, representatives of the Dalai Lama traveled to China and Tibet and re-established contact with the Chinese leadership for the first time since 1993. Although actual negotiations between the two sides have yet to begin, indications suggest that one of the world's most neglected conflicts will soon receive international attention. The Dalai Lama will visit Canada in April 2004 and supporters are asking the Government of Canada to play the role of honest broker in the negotiation process.

Shifting Political Winds

This is a time of renewed hope for the Tibetan people. On November 23, 2003, Premier Wen Jiabao told *The Washington Post* that the "door to communication between the central government and the Dalai Lama is wide open." While Wen's overture is laden with conditions designed to extract political advantage to Beijing, observers are hopeful that the fledgling dialogue re-opened in 2002 could eventually lead to substantive negotiations on the future of Tibet.

The dialogue is significant because it represents the re-establishment of contact after formal communication between the parties was cut in 1993. Not limited to discussion via written correspondence, the renewed contact took the form of two delegation visits to Beijing. The first delegation, headed by the Dalai Lama's "special envoys", arrived in China on September 9, 2002 and was officially received by government representatives there. The delegation was also permitted to travel to the Tibet Autonomous Region (TAR) where talks were held with Chinese and Tibetan officials.

On May 25, 2003, the Dalai Lama's envoys returned to Beijing for follow-up meetings with Chinese officials and a visit to the eastern Tibetan province of Kham (ch. Sichuan). Permission to travel to a Tibetan area outside the TAR is considered significant because it implies that all of historical Tibet, not just the TAR, could potentially be under discussion in an eventual negotiation process.

Historical Background

Chinese troops first entered eastern Tibet in 1950 as part of Mao's long march. Annexation of the previously independent state was formalized in 1951 by the "Seventeen-Point Agreement" which was later rejected by the Tibetan government on the grounds that its representatives had been threatened and coerced into signing.¹ Provisions of the agreement ceded control of Tibet's external affairs to China while guaranteeing that internal governance, cultural and religious systems and institutions would remain under Tibetan administration.

¹ A backgrounder and the full text of the Seventeen Point Agreement can be found at <http://www.tibet.ca/pub/17PointAgreement.htm>

The guarantees of autonomy proved illusory. The Dalai Lama and the Tibetan government were quickly subordinated to the Military Control Committee of the People's Liberation Army who systematically violated all provisions of the Seventeen Point Agreement. Between 1951 and 1959, the number of Chinese troops in Tibet increased steadily and eventually took full administrative control. In March 1959, the situation resulted in full-scale revolt which was brutally suppressed by Chinese forces.² The Dalai Lama, followed by some 80,000 of his countrymen, fled across the Himalayas and was given sanctuary by the Government of India.

In India, the Dalai Lama established his government in exile, guided the settlement of more than 100,000 refugees and initiated cultural preservation programs. He also began a campaign for a peaceful resolution of the conflict in Tibet. That campaign continues to present day.³ For his efforts the Dalai Lama has received several international peace awards including the Nobel Peace Prize in 1989.

Notably, the Dalai Lama has also lead the diaspora and its government-in-exile through a continuous process of democratization, including re-drafting the Tibetan constitution, reforming the parliamentary election process, and transferring his personal powers to the elected body.⁴

Human Rights & International Law

The *International Covenant on Civil & Political Rights* and *International Covenant on Economic, Social and Cultural Rights*, the primary treaties that define the *Universal Declaration on Human Rights*, both begin with the following statement:

“All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development”⁵

In view of this commitment, the United Nations General Assembly passed three resolutions on China's occupation of Tibet in 1959, 1961 and 1965.⁶ The resolutions, which remain active, call for the cessation of practices that deprive the Tibetan people of their fundamental human rights and freedoms, including their right to self-determination.

According to a 1960 report by the International Commission of Jurists (ICJ), “Tibet demonstrated from 1913 to 1950 the conditions of statehood as generally accepted under international law”.⁷ The ICJ re-enforced its findings in 1997 stating:

² For a description of events leading up to the Lhasa Uprising, see *The Lhasa Uprising: A Sequence of Events* at <http://www.tibet.ca/pub/lhasauprising.html>.

³ For a chronology of the negotiations campaign, see <http://www.tibet.ca/c2000mediakit/tibet&negotiations.html>.

⁴ For more information about the Tibetan government-in-exile, see www.tibet.net.

⁵ China has signed both Covenants and has ratified *the International Covenant on Economic, Social and Cultural Rights*. Canada has signed and ratified both treaties.

⁶ Read the text of the UN resolutions at <http://www.tibetjustice.org/materials/index.html#un>.

⁷ *Tibet and the Chinese People's Republic*, International Commission of Jurists, 1960.

“Tibetans are a ‘people under alien subjugation’, entitled under international law to the right of self-determination, by which they freely determine their political status. The Tibetan people have not yet exercised this right, which requires a free and genuine expression of their will.”⁸

In 1970 when China joined the United Nations and was given a seat on its security council, multilateral action in support of Tibet was effectively ended despite systemic human rights abuses documented in a long list of studies and reports by organizations such as the International Commission of Jurists, Amnesty International and Human Rights Watch. Today, violations of fundamental rights and freedoms continue unabated.

The Dalai Lama’s Peace Proposals

The Dalai Lama’s non-violent approach to resolving the conflict in Tibet relies on continued dialogue with China with the objective of initiating a substantive negotiation process. He has repeatedly stated that such a negotiation would not include the issue of his personal status but would serve the interests of the six million Tibetans living inside Tibet. The Dalai Lama has put forward two proposals on which Tibet-China negotiations could be based.

On September 21, 1987, speaking to the US Congress, the Dalai Lama described his *Five Point Peace Plan for Tibet*. The basic elements of the plan were the transformation of Tibet into a zone of peace; abandonment of China's population transfer policy; respect for the fundamental human rights and democratic freedoms of the Tibetan people; restoration and protection of Tibet's natural environment; the commencement of earnest negotiations on the future status of Tibet.

On June 15, 1988, at the European Parliament in Strasbourg, the Dalai Lama elaborated on the Five Point Peace Plan and presented the *Strasbourg Proposal* in which he suggested that China could maintain responsibility for Tibet's foreign policy and a restricted number of military installations in Tibet for defense purposes. This “Middle Path” approach calls for genuine autonomy for the six million Tibetans living in Tibetan regions of China⁹, but not for the restoration of Tibet’s status as a fully independent state.

The Middle Path position is the basis of the Dalai Lama’s efforts to establish Tibet-China negotiations.

International Response

In the European Union, response to the Dalai Lama’s proposals has included resolutions in the European Parliament and a 2002 budget allotment for the creation of a Special Representative for Tibet. Additionally, the European Commission as well as Germany, the United Kingdom and France individually, have issued calls for full negotiations to begin at the earliest. A stronger position on the issue is expected to emerge during Ireland’s presidency of the EU, which began January 1, 2004.

⁸ *Tibet: Human Rights and the Rule of Law*, International Commission of Jurists, 1997.

⁹ TAR and provinces

Meanwhile, in the United States, years of bipartisan Congressional support for the Tibetan cause culminated in the passage of the *Tibetan Policy Act of 2002*¹⁰. Its provisions include the creation of a statutory mandate for the Special Coordinator for Tibetan Issues in the Department of State, the adoption of principles of responsible development for economic activity in Tibet, and a policy statement reaffirming U.S. commitment to promoting dialogue between Beijing and the Dalai Lama or his representatives.

The Congressional initiative mirrored an interest by Secretary of State Powell and the White House early in the Bush Administration's term. Both had consistently urged China to respect the distinct cultural heritage and human rights of the Tibetan people and President Bush met with the Dalai Lama during his visit to Washington last year. A subsequent report issued by the White House emphasized the lack of resolution of the Tibetan issue, calling it "a stumbling block to fuller political and economic engagement with the United States and other nations".¹¹

Momentum for Canadian Involvement

In the autumn of 2000, the Canada Tibet Committee launched a national campaign to promote the opening of negotiations between representatives of the Dalai Lama and representatives of the Government of China. The initiative, now titled "Tibet-China Negotiation Campaign", calls upon the Prime Minister of Canada to serve as a mediator between the two parties. Essentially it asks Canada to use its diplomatic channels to persuade China to respond to the Dalai Lama's proposals and to come to the negotiation table without preconditions.

The campaign does not require that Canada adopt any political position on Tibet's legal status. Rather it advocates that Canada seize the current opportunity of renewed dialogue between the Dalai Lama and Chinese authorities, to press for full negotiations between representatives of the Dalai Lama and Chinese authorities. Further, the campaign offers the occasion of the Dalai Lama's visit to Ottawa in April 2004 as the appropriate time to initiate Canadian involvement in this process.

Canada's parliamentarians support this initiative. 126 Members of Parliament from all political parties and all regions of Canada have written to the Prime Minister urging that he serve as honest broker between the two parties.¹² Many prominent Canadians, from all walks of life, have also supported the campaign.¹³ As the Dalai Lama's visit to

¹⁰ Full text available at <http://www.state.gov/p/eap/rls/rpt/20699.htm>

¹¹ The White House *Report on Tibet Negotiations*, May 8, 2002, was submitted to the United States Congress as a requirement of the *Tibetan Policy Act*.

¹² See <http://www.tibet.ca/tibetchinanegotiation/> for a complete list of MPs who have supported the campaign

¹³ A complete list of "Advisory Committee" members is available at <http://www.tibet.ca/en/dalailamaottawa2004/>

Canada approaches, public opinion in favour of Canadian involvement is expected to substantially increase.

Canada's active involvement in the Tibet-China Negotiation Campaign would be coherent with its established positions and priorities regarding China and Tibet. Canada is broadly engaged with China in a number of areas including trade and investment, security, development and technical assistance. It also maintains an active bilateral human rights dialogue with the Government of China.

Since 1998, the Department of Foreign Affairs & International Trade has conducted several official fact-finding missions to Tibet, including one at the ministerial level, as part of the human rights dialogue program. The Canadian International Development Agency is currently engaged in a bilateral development assistance project in the TAR and the 2001 Team Canada Mission included a special session for the private sector on China's Western Development Strategy.

Canada's growing involvement and apparent interest in Tibet, in conjunction with its foreign policy priority with regards to peacebuilding, make it the ideal broker for Tibet-China negotiations.

Conclusion

In the coming years, high profile international events, including the World Trade Organization's Ministerial meeting in 2005 and the Olympics in 2008 will focus the world's attention on China's human rights record. With public opinion firmly in support of the Tibetan cause, failure to break the negotiations impasse threatens to undermine the image of reform it seeks to portray internationally.

Clearly, it is also in Canada's interests that China succeeds in overcoming obstacles to the development of its new image. China is Canada's 4th largest trading partner and the Canadian private sector would certainly favour strategies to mitigate the negative image associated with doing business in China. Perhaps more compelling, however, is the public stature Canada would portray to a world overwhelmed by the politics of violence. A nation committed to peacebuilding must step forward to support those causes which strive to develop non-violent strategies to resolve conflict.

Suggested Reading:

-*Poverty by Design: The Economics of Discrimination in Tibet*, Andrew Fischer, Canada Tibet Committee, 2002

-*The Dragon in the Land of Snows: A History of Modern Tibet since 1947*, Tsering Shakya, Pimlico, 1997

-*Tibet: Human Rights and the Rule of Law*, International Commission of Jurists, 1997

-*The Status of Tibet: History, Rights, and Prospects in International Law*, Michael van Walt van Praag, Westview Press, 1987.