

CRS Report for Congress

Tibet: Problems, Prospects, and U.S. Policy

April 10, 2008

Kerry Dumbaugh
Specialist in Asian Affairs
Foreign Affairs, Defense, and Trade Division



Prepared for Members and
Committees of Congress

Tibet: Problems, Prospects, and U.S. Policy

Summary

On March 10, 2008, a series of demonstrations began in Lhasa and other Tibetan regions of China to mark the 49th anniversary of an unsuccessful Tibetan uprising against Chinese rule in 1959. The demonstrations appeared to begin peacefully with small groups that were then contained by security forces. Both the protests and the response of the PRC authorities escalated in the ensuing days, spreading from the Tibetan Autonomous Region (TAR) into parts of Sichuan, Gansu, and Qinghai Provinces with Tibetan populations. By March 14, 2008, mobs of angry people were burning and looting establishments in downtown Lhasa. Authorities of the People's Republic of China (PRC) responded by sealing off Tibet and moving in large-scale security forces. Beijing has defended its actions as appropriate and necessary to restore civil order and prevent further violence. Still, China's response has resulted in renewed calls for boycotts of the Beijing Olympics opening ceremony on August 8, 2008, and for China to hold talks with the Dalai Lama.

China sees itself as having provided Tibet with extensive economic assistance and development using money from central government coffers, and PRC officials often seem perplexed at the simmering anger many Tibetans nevertheless retain against them. Despite the economic development, Tibetans charge that the PRC interferes with Tibetan culture and religion. They cite as examples: Beijing's interference in 1995 in the choice of the Panchen Lama, Tibet's second highest-ranking personage; enactment of a "reincarnation law" in 2007 requiring Buddhist monks who wish to reincarnate to obtain prior approval from Beijing; and China's policy of conducting "patriotic education" campaigns, as well as efforts to foster atheism, among the Tibetan religious community. The PRC defends the campaigns as a tool to help monks become loyal, law-abiding citizens of China.

Controversy over the role of the Dalai Lama and the impact of PRC control on Tibet's language, culture, and religion have prompted recurring actions by Congress in support of Tibet's traditions — actions routinely denounced by Beijing. Members of the 110th Congress have responded to the March 2008 demonstrations and crackdowns with legislation requiring U.S. government officials to boycott the Beijing Olympics opening ceremony (H.R. 5668); proposals condemning the crackdown and asking Beijing to hold talks with the Dalai Lama (H.Res. 1075 and H.Res. 1077); and the formation of a new Tibet Caucus.

Many fear there is little hope that Beijing will make significant changes in its Tibet policy, despite even the urgent advice of China's friends. Beijing appears to have calculated that it can out-wait the 72-year-old Dalai Lama, and that his demise will result in the Tibetan movement's disintegration. But many see the Dalai Lama and his influence within the Tibetan community as the key to unlocking China's difficulties in Tibet. They see China's rejection of the Dalai Lama's "middle way" approach as having undercut his ability to influence younger, more militant Tibetans. They believe his death, without having reached an understanding from Beijing for greater Tibetan autonomy, would remove an important source of restraint on more ideological elements in the Tibetan community. This report will be updated as events warrant.

Contents

Introduction	1
Current Situation Concerning Tibet	1
March 2008 Demonstrations and Crackdown	1
Tibetan People’s Uprising Movement (TPUM)	3
Media Coverage	3
PRC Views of the Dalai Lama	4
Other Issues in Tibet	6
Status of the 11 th Panchen Lama	6
China’s 2007 “Reincarnation Law”	7
“Patriotic Education” Campaigns	7
Theft of Tibetan Artifacts	8
Economic Development	9
Implications for U.S. Policy	9
Sino-Tibetan Dialogue	10
Implication for 2008 Olympics	11
Implications for Congress	11
Background on Modern Tibet	12
Tibetan/Chinese Political History	13
Tibet as a Geographical Entity	13
The Dalai Lama’s 1959 Flight and Exile	14
History of U.S. Policy Since the 1980s	15
Efforts to Create a Special Envoy for Tibet	18
U.S. Legislation and Financial Assistance for Tibet	19
The Dalai Lama and the Congressional Medal of Honor	20
Congressional Response to the March 2008 Demonstrations	20
Appendix I	22
Legislative Earmarks for Tibet	22
Appendix II	25
Selected U.S. Government Reports with Components on Tibet	25

Tibet: Problems, Prospects, and U.S. Policy

Introduction

The political and cultural status of Tibet remains a difficult issue in U.S.-China relations, and appropriate U.S. actions continue to generate debate among U.S. policymakers. Controversy continues over Tibet's current political status as part of the People's Republic of China (PRC), the role of the Dalai Lama and his Tibetan government-in-exile, and the impact of Chinese control on Tibetan culture and religious traditions. These controversies have prompted recurring U.S. congressional actions in support of Tibet's status and traditions — actions that are routinely denounced by the Chinese government in Beijing.

This report consists of three free-standing parts: the first discusses current issues in Tibet, including the March 2008 Chinese crackdown against demonstrations in Lhasa and elsewhere; the second briefly reviews Tibet's historical and political status with respect to China — a basic source of controversy in many Sino-Tibetan problems; and the third reviews and analyzes U.S. relations with and congressional actions toward Tibet since the 1980s, including legislative initiatives.

Current Situation Concerning Tibet

March 2008 Demonstrations and Crackdown

On March 10, 2008, a series of demonstrations began in Lhasa and elsewhere in Tibetan regions of China to mark the 49th anniversary of an unsuccessful Tibetan uprising against Chinese rule in 1959.¹ Although reports differ on the details, the 2008 demonstrations appeared to begin peacefully with a small group demonstrating in the Barkhor Plaza in front of the Jokhang Temple in Lhasa.² According to one report, the protestors at this event were arrested, and Buddhist monks from the Drepung, Sera, and Ganden monasteries around Lhasa then began protesting the arrests.³ These demonstrations also were contained by security forces.

Both the protests and the response of the PRC authorities escalated in the ensuing days, spreading out from the Tibetan Autonomous Region (TAR) and into

¹ The 1959 uprising caused the young Dalai Lama to flee to India with some of his followers, where he remains today in Dharamsala with the Tibetan Government-in-Exile.

² Drew, Jill, "Chinese authorities surround monasteries in Tibet, witnesses say," *Washington Post*, March 14, 2008, p. A11.

³ *Ibid.*

parts of Sichuan, Gansu, and Qinghai Provinces that are populated by Tibetans. By the afternoon of March 14, 2008, in the absence of an apparent response by PRC security forces, mobs of angry people were burning and looting businesses and other establishments in downtown Lhasa. Although official Chinese reports later stated that large caches of weapons had been found in Lhasa's monasteries,⁴ a special report shown on China's official state television, China Central Television (CCTV) showed no weapons being used by protesters other than fists, rocks, and the occasional knife.⁵ The CCTV report began its account of the protests with the violence on March 14, when rioters began rampaging in Lhasa; the television account made no mention of any peaceful protests or arrests in the preceding days.

Reports differ on the numbers and identities of those killed during the initial demonstrations. By March 31, 2008, official PRC sources reportedly claimed that 18 had died, while the Tibetan government-in-exile reportedly claimed 140 had died.⁶ Based on numerous and sometimes sketchy reports, the dead included both Tibetans and ethnic Han Chinese merchants, some of the former reportedly having been shot by police, and some of the latter reportedly having died in their establishments in fires set by the mob. According to news reports, on March 16, 2008, the TAR government declared a "people's war" in Tibet — a term from revolutionary Maoism — ostensibly to eradicate support for the Dalai Lama and stamp out the aspirations of some Tibetans for independence.⁷

The demonstrations have resulted in a greatly enhanced presence of PRC security forces in Tibetan areas.⁸ By some reports, security forces beginning in late March conducted house-to-house searches for those that may have been involved in the demonstrations. According to one report, Burma turned over to China two Tibetan political activists who were said to have fled into Burma from China's Yunnan Province after demonstrations there.⁹ Although Beijing has sealed off Tibet to tourists and foreign reporters (with the exception of a few selected groups of journalists), sketchy reports suggest that isolated demonstrations in Tibetan areas of China have recurred despite the enhanced security presence.

⁴ The announcement of weapons is attributed to a spokesman for China's Ministry of Public Security, Wu Heping, "China; Beijing escalates Tibet accusations," *Los Angeles Times*, April 2, 2008. P. A-4.

⁵ "China's CCTV broadcasts special report on Tibet riots in Lhasa," *OSC Report*, video shown in both Mandarin and English, FEA20080321593347.

⁶ Figure cited in an *OSC Report*, "China: Map of Tibetan Unrest, Updated March 31, 2008." FEA20080323595427.

⁷ "China declares 'people's war' in Tibet," *HeraldSun.com.au*, March 16, 2008.

⁸ Although official reports are that the security forces used were the People's Armed Police (PAP) and not the People's Liberation Army (PLA), some observers have noted that many trucks and other vehicles employed in quelling the protests had newspapers covering their license plates and insignia, making it difficult to determine their origin.

⁹ "Burma deports two Tibetan activists to China," *Associated Press*, reported in *The Irrawaddy*, April 1, 2008.

March is one of the two months (the other being October) that are especially — and for many Tibetans, unhappily — symbolic months of Chinese rule. March 10 marks the anniversary of the Tibetan National Uprising in 1959, and October 7 marks the anniversary of the PRC invasion of Tibet in 1950.¹⁰ Outside China, Tibetan groups proceeded with other commemorations of the 1959 Tibetan National Uprising. As he has for many years on the anniversary date, the Dalai Lama gave a speech in which he expressed fear for the welfare of the Tibetan people and criticized the Chinese government for “unimaginable and gross violations of human rights, denial of religious freedom, and the politicization of religious issues.” He used the occasion of the speech also to reiterate his support for Beijing’s hosting of the August 2008 Olympic Games, and to urge Tibetans to work “peacefully and within the law” to ensure their legitimate rights as citizens of the PRC.¹¹ On the same date, other Tibetan exiles began a protest march into Tibet from Dharamsala, India, reportedly to increase pressure on Beijing to improve the situation in Tibet.¹²

Tibetan People’s Uprising Movement (TPUM). A new Tibetan activist grouping appeared to begin on January 4, 2008, when five Tibetan organizations outside China launched the Tibetan People’s Uprising Movement (TPUM) to engage in “direct action to end China’s illegal and brutal occupation of [Tibet].”¹³ The organization announced that it was seeking to take advantage of two approaching historic moments: the Beijing Olympics in August 2008 and the coming 50th anniversary of the 1959 Tibetan uprising. Among the group’s stated demands are: the Dalai Lama’s return to Tibet as its sole leader; the end of China’s “colonial occupation” of Tibet; release of all Tibetan political prisoners and restoration of religious and human rights to Tibetans; and cancellation of the 2008 Summer Olympics in Beijing.¹⁴

Media Coverage. Controversy also has been generated by reports of differing media coverage of the March demonstrations in Tibet, with PRC officials charging that western media coverage has been biased. On March 21, 2008, a PRC web log, with disturbingly inflammatory language, was established purporting to show this media bias.¹⁵ The site reproduces videos shot by observers in Lhasa showing the violence of the riots; discusses news photos cropped in ways some say are misleading; and cites errors in news stories, captions, and photos in which police in Nepal and India, roughing up Tibetan demonstrators, appear with written descriptions

¹⁰ Prior to the outbreak of the recent demonstrations in March 2008, there was another period of widespread Tibetan demonstrations that began with a small pro-independence protest by monks in Lhasa on September 27, 1987, and continued sporadically through 1989.

¹¹ Statement of H.H. the Dalai Lama on the 29th Tibetan National Uprising day. See full text at [<http://www.dalailama.com/news.215.htm>].

¹² The march later was called off. Kumar, Hari, “Tibetans protest in Dehli, but march is off,” *New York Times*, April 1, 2008.

¹³ The five organizations are: Tibetan Youth Congress, Tibetan Women’s Association, Gu-Chu-Sum Movement of Tibet, National Democratic Party of Tibet, and Students for a Free Tibet, India. [http://www.tibetanwomen.org/press/2008/2008.01.04-press_conf.html]

¹⁴ See the group’s website: [<http://tibetanuprising.org/category/background/>].

¹⁵ [<http://www.anti-cnn.com/>]

of PRC police actions in Lhasa. Tibetan supporters counter that PRC accounts make no mention of the days of peaceful demonstrations preceding the riots, and that Chinese press reports focus on reportage of the Han Chinese victims to the riots.

PRC Views of the Dalai Lama. Official PRC reports routinely refer to diverse Tibetan organizations outside Tibet as the “Dalai clique,” reflecting their belief that all these groups are controlled and directed by the Dalai Lama, and thereby represent his views and effectively are acting on his behalf.¹⁶ The PRC has alleged that the agenda of some of these groups proves that the Dalai Lama has never renounced his dream of an independent Tibet. (In recent years, the Dalai Lama has advocated greater autonomy for Tibet within China, but not formal independence from the PRC.) The PRC’s Ministry of Public Security (MPS) asserted that it “had gathered sufficient evidence” showing that the March 2008 unrest in Lhasa and elsewhere “was organized, premeditated, masterminded and instigated by the Dalai clique and its ‘Tibet independence’ forces.”¹⁷ According to a PRC official, “The [Lhasa] incident has once more exposed the separatist essence and the hypocrisy and deceitfulness of the alleged “peace” and “nonviolence” of the Dalai clique.”¹⁸ Two decades ago, the PRC used similar language to refer to the widespread demonstrations in Tibet from 1987-1989: “We have conclusive evidence to show that the Lhasa riot early this month was instigated and engineered by the Dalai Separatist clique.”¹⁹ Other PRC references to the Dalai Lama have been more venomous. On March 18, 2008, the Communist Party Secretary of Tibet called the Dalai Lama “a jackal and wolf clothed in [a monk’s robes], and a vicious devil who is a beast in human form.”²⁰

Supporters of Tibet point out that the international Tibetan movement is not as monolithic as PRC officials claim. They say that some Tibetan organizations, including those in the TPUM, do not support the Dalai Lama’s policy of seeking broader Tibetan autonomy under Chinese sovereignty.²¹ As for the March 2008 demonstrations, the Dalai Lama has denied that he is behind them, saying:

¹⁶ PRC sources cited these groups as including: the Tibetan Youth Congress; the Tibetan Women’s Association; Students for a Free Tibet; the Gu-Chu-Sum Movement of Tibet; the National Democratic Party of Tibet; the International Tibet Support network; and the Tibetan Writers Organization.

¹⁷ Ministry of Public Security, “China publishes evidences of Dalai clique’s masterminding of riots,” *Xinhua* in English, CPP20080401968233, April 1, 2008.

¹⁸ Remarks attributed to PRC Foreign Ministry spokesman Liu Jianchao, “PRC FM Spokesman: Lhasa Incident ‘Engineered’ by ‘Tibet Independence’ Forces,” *Xinhua Domestic Service* in Chinese, translated in FBIS, CPP20080317074018, March 17, 2008.

¹⁹ Gargan, Edward, “Tibet Communists Link Riots to Dalai Lama,” *New York Times*, November 1, 1987. Quote attributed to Doje Cering, then Chairman of the Government of the Tibetan Region.

²⁰ “Tibet Party Secretary urges ‘People’s War’ on Separatism in Speech 18 March,” *Lhasa Zhongguo Xizang Xinwen Wang* in Chinese, translated in FBIS, CPP20080319530002, March 19, 2008.

²¹ See Congressional-Executive Commission on China, *CECC Analysis*, April 4, 2008, p. 3.

I ... appeal to the Chinese leadership to stop using force and address the long-simmering resentment of the Tibetan people through dialogue with the Tibetan people. I also urge my fellow Tibetans not to resort to violence.²²

Those who have met the Dalai Lama personally or who know something of his pacifist views generally find it impossible to reconcile their own experiences of him with the deviousness and malign intent that PRC officials generally ascribe to him in public statements. To Western audiences, the Dalai Lama's adoption of a "middle way" approach indicates he has given up his aspirations of independence for Tibet (despite the contrary views of a pro-independence wing in the international Tibetan community) and instead is seeking only greater autonomy for Tibet as part of the PRC.

In his speech at the Congressional Gold Medal Award Ceremony in October 2007, for instance, the Dalai Lama said "... let me take this opportunity to restate categorically that I am not seeking independence. I am seeking a meaningful autonomy for the Tibetan people within the People's Republic of China."²³ In a written appeal directly to the Chinese people on March 28, 2008, the Dalai Lama reiterated that he has "no desire to seek Tibet's separation [from China]" ... but that he seeks to "ensure the survival of the Tibetan people's distinctive culture, language, and identity."²⁴ The PRC has called the Dalai Lama's "middle way" a "sidetrack to independence."²⁵

Many fear that PRC policies toward Tibet in recent years demonstrate that there is little hope that Beijing will make significant changes in its policy calculations, despite even the urgent advice of those who wish China well. China appears to have calculated that it can out-wait the 72-year-old Dalai Lama, and that the demise of this compelling personality will result in the disintegration of the Tibetan movement altogether. But many westerners see the Dalai Lama and his influence within the Tibetan community as the key to unlocking China's long-standing difficulties in Tibet. They see China's continued rejection of the Dalai Lama's "middle way" approach as increasingly having undercut his ability to influence younger, more militant Tibetans, who see his moderate approach as having brought nothing but opprobrium from Beijing. They believe his demise, without having reached an understanding from Beijing for greater Tibetan autonomy, would remove an important source of restraint on more ideological elements in the Tibetan community.

²² Press release from the Dalai Lama, March 27, 2008. [<http://www.dalailama.com/news.216.htm>]

²³ "His Holiness' Speech at the Congressional Gold Medal Award Ceremony," October 17, 2007. See text at [<http://www.dalailama.com/news.171.htm>]

²⁴ Dalai Lama, "An appeal to the Chinese people," March 28, 2008. See full text at [<http://www.dalailama.com/news.220.htm>].

²⁵ Statement on PRC Embassy website: "Commentary: 'Middle Way' does not hold water," October 27, 2004. [<http://np.china-embassy.org/eng/Features/xzwt/Reports/t167809.htm>]

Other Issues in Tibet

In addition to the March 2008 demonstrations and PRC crackdown in Tibet, the international Tibetan community points out other recent and ongoing controversies over PRC rule in Tibet. They assert that no freedom of religion or expression exists in Tibet, and that Communist leaders in Beijing, and not Tibetans, are directing and managing the most basic decisions involving Tibetan culture and religious belief. Religious publications continue to be tightly controlled by Chinese authorities, as are religious celebrations and the ability of Tibetan minors to receive religious instruction. While the physical infrastructure of religious institutions in Tibet appears better maintained than five years ago, some recent observations in Lhasa suggest that there are fewer signs of religious devotion at Lhasa's holiest sites than in the past.²⁶

Status of the 11th Panchen Lama. Controversy has continued over the fate of a young boy recognized by the Dalai Lama in 1995 as the 11th Panchen Lama — the second highest-ranking figure in Tibetan Buddhism. Tibetans believe that when a high-ranking spiritual leader dies, he is then reborn, or reincarnated, to await rediscovery by special “search committees.” In May 1995, the Dalai Lama announced that after years of searching — using search committees sanctioned by the Chinese government — Gedhun Choekyi Nyima, a six-year-old boy living in Tibet, had been found to be the legitimate reincarnation of the deceased Panchen Lama.

Beijing officials reportedly were furious that the Dalai Lama made his announcement unilaterally without involving leaders in Beijing, regarding this as a direct challenge to central government authority to have a final say in this important Tibetan decision. PRC officials responded by maintaining that only they had the authority to name this spiritual leader. Consequently, in November 1995, Chinese leaders rejected the Dalai Lama's choice and announced they had discovered the “real” Panchen Lama — five-year-old Gyaltsen Norbu, son of a yak herder. On November 29, 1995, this boy was officially enthroned as the 11th Panchen Lama in a ceremony attended by some Tibetan monks and senior Chinese communist leaders. Immediately thereafter, both boys and their families were taken into custody by Chinese authorities and held in undisclosed locations in China.

In June 1999, Gyaltsen Norbu, the boy recognized by Beijing, reappeared in Tibet for the first time, reportedly under heavy security. He made his first official appearance before an international audience on April 13, 2006. But the Chinese government has never allowed anyone from the international community to have access to or information about Gendun Choekyi Nyima, the boy recognized by the Dalai Lama. Allegedly the boy remains with his family under government supervision (some say house arrest), with his whereabouts being kept secret “for his

²⁶ Observations of this author based on visits to Lhasa in 2002 and again in 2007. In addition to far scantier crowds in 2007 than in 2002 at the Jokhang Temple and the Potala Palace — both of which were in better physical shape than previously — the Potala featured a new “prison chamber” exhibit, including sound effects, purporting to demonstrate the tortures that monks inflicted on the Tibetan people before PRC rule.

own protection,” according to Chinese officials. The missing boy turns 19 in April 2008.

China’s 2007 “Reincarnation Law”. The case of the 11th Panchen Lama raised implications for what happens upon the death and subsequent reincarnation of the current Dalai Lama (the 14th) living in exile. Apparently mindful of its previous experience with the 11th Panchen Lama, Beijing late in 2007 took steps designed to solidify its future control over the selection process of Tibetan lamas. On August 3, 2007, the State Administration for Religious Affairs (SARA) issued a set of regulations, effective September 1, 2007, that require all Tibetan lamas wishing to reincarnate to obtain prior government approval through the submission of a “reincarnation application.” In a statement accompanying the regulations, SARA called the step “an important move to institutionalize management on reincarnation of living Buddhas.”²⁷

The Dalai Lama’s Special Envoy, Lodi Gyaltzen Gyari, described the new regulations as a blow against “the heart of Tibetan religious identity.” The regulations also require that reincarnation applications come from “legally registered venues” for Tibetan Buddhism — a provision seen as an attempt to illegalize the reincarnation of the current Dalai Lama, who has declared he will not be reborn in China if circumstances in Tibet remain unchanged. In the aftermath of the new reincarnation law, the Dalai Lama also has said that he is thinking of alternative ways of choosing his successor, including selecting a candidate before his own death. A Chinese Foreign Ministry spokesman responded to these comments by saying that such a move would “violate religious rituals and historical conventions of Tibetan Buddhism.”²⁸ The new reincarnation law inserts the Chinese government directly into what for centuries has been one of the principal mystical and religious aspects of Tibetan Buddhism.

“Patriotic Education” Campaigns. One of the grievances raised by the Tibetan government-in-exile and by Tibetans in the 2008 demonstrations is the PRC’s ongoing “Patriotic Education” campaigns, carried out in Tibet in an effort to promote loyalty to the regime in Beijing. In the mid-1990s, these campaigns reportedly became a government tool to control monastic activity in Tibet and discredit the Dalai Lama among Tibetans. In pursuit of what they call “patriotic education,” teams of Chinese officials visit Tibetan monasteries and subject Tibetan monks to education and training. According to a Hong Kong newspaper report, in late May 2001, at the Fourth Tibet Work Forum, PRC authorities discussed how to cope with what they referred to as the “convergence and collaboration of five evil forces” — defined as Tibetan independence, Xinjiang independence, Taiwan independence, the Falun Gong movement, and the pro-democracy movement.²⁹ According to reports, the goal of this particular campaign was to lessen the Dalai

²⁷ An English translation of the new laws is provided by the International Campaign for Tibet at [<http://savetibet.org/news/newsitem.php?id=1159>].

²⁸ “China’s statement on the Dalai Lama succession reveals ‘hidden agenda’ of new regulations on reincarnation,” International Campaign for Tibet, November 28, 2007.

²⁹ *Hong Kong Ming Bao*, in Chinese, May 19, 2001, translated in FBIS online.

Lama's influence in Tibet by defining him as a "loyal tool of the Western anti-Chinese forces."³⁰

In mid-October 2005, Tibetan monks who had recently fled into exile were reporting new Patriotic Education campaigns underway in Tibet, with adult monks being required to denounce the Dalai Lama as a "separatist" and others being turned out of their monasteries. According to the Tibetan Center for Human Rights and Democracy (TCHRD), nearly 12,000 monks and nuns were expelled from their monasteries between 1996-2005 under these campaigns.³¹ In the wake of the March 2008 demonstrations, PRC Public Security Minister Meng Jianzhu called for China to broaden "Patriotic Education" campaigns. According to news reports, the announcement of new efforts to "re-educate" Buddhist monks in Tibet has resulted in renewed protests and crackdowns at some monasteries.³²

In other efforts to limit or eradicate Buddhism, in January 1999, Chinese officials began a three-year campaign to foster atheism in Tibet. According to a U.S. government report, a Chinese propaganda official in Tibet described the new campaign in a television interview, saying "intensifying propaganda on atheism plays an extremely significant role in promoting economic construction ... and to help peasants and herdsmen free themselves from the negative influence of religion."³³

Theft of Tibetan Artifacts. Increasing attention is being paid to what Tibetan specialists today say is the theft and plundering of Tibetan religious and cultural antiquities. Some specialists allege that the purpose of this modern plunder is simply monetary gain, and that an assortment of unscrupulous art dealers, corrupt Chinese officials, poor Tibetan locals, unethical Tibetan monks, and Western counter-culture enthusiasts of Tibetan artifacts and culture are primary participants and beneficiaries. When asked how many antiquities could be left in Tibet today given the widespread destruction of much of Tibetan artifacts and culture from the 1950s to the 1970s, noted Tibetan expert Dr. Robert Barnett asserted that the Chinese government, seeking to atone for past atrocities, "gave a lot [of confiscated artifacts] back" in the 1980s under the more enlightened and culturally sensitive policies pursued by Deng Xiaoping and by then-PRC Party Secretary Hu Yaobang. It is these "returned" artifacts that are now disappearing for the second time, according to Dr. Barnett, being stolen and sold in an increasingly voracious global market for Tibetan antiquities.

Tibetan scholars admit that much is unknown about the details of what has happened to Tibetan artifacts and antiquities, save that much has disappeared and much more is appearing for sale on eBay, is being sold or auctioned off in antique stores or by major auction houses, or is being exhibited in museums. While similar

³⁰ Ibid.

³¹ TCHRD, online news brief, October 13, 2005. [<http://www.tchrd.org/press/2005/nb20051013.html>]

³² Chow Chung-yan, "Fresh Tibetan riots erupt in Sichuan," *South China Morning Post* in English, April 7, 2008.

³³ "Annual Report on International Religious Freedom for 1999: Tibet," September 9, 1999.

problems are occurring with artifacts all over China, the issue in Tibet is particularly sensitive given the Dalai Lama's and the exile community's fears about the continuing disappearance of Tibetan culture.

Economic Development. Chinese government policies on economic development in Tibet appear to have helped raise the living standards of Tibet generally, but some would argue at a high cost to Tibet's traditions and cultural identity. These policies reportedly have disrupted traditional living patterns and contributed to tensions between Tibetans and Chinese immigrants. In an apparent effort to assuage Tibetan resentment, Beijing has spent substantial sums restoring Buddhist temples in Tibet, the majority of which were destroyed by Chinese forces during the Cultural Revolution. At a large conference conducted on Tibet in 1994, Chinese officials adopted plans to increase economic activity in Tibet by 10 percent per year and continue substantial economic subsidies to help Tibet's less developed economy. Since then, the PRC has moved ahead with a number of major economic development and infrastructure projects. Having provided such extended economic assistance and development in Tibet with central government money, PRC officials often seem perplexed at the simmering anger many Tibetans nevertheless retain against the Chinese.

The Dalai Lama and other Tibetans have a number of concerns about PRC economic development activities in Tibet. At the top of this list is concern that this economic development primarily is benefitting not Tibetans, but Han Chinese, many of whom are imported to Tibet to work on the major infrastructure projects now underway, such as the opening of a new Tibet railway linking Lhasa to the rest of China. As a result, this economic activity is disrupting Tibet's cultural identity, in part by encouraging large migrations of non-Tibetans into the region — both technical personnel to work on the projects themselves, and entrepreneurs seeking new economic opportunities. Some in the exile community have even suggested that Beijing has consciously pursued an economic development strategy in Tibet as a way to “solve” its Tibet problem — by ensuring that the Tibetan economy is tied more tightly into that of China's eastern provinces. The tensions inherent in balancing the beneficial aspects of economic development with the imperatives of cultural preservation is one of the key points of concern to some Members of Congress.

Implications for U.S. Policy

Many observers feel the PRC would be better served by pursuing a more enlightened policy toward its ethnic populations — one less paternalistic, with room for diversity, and one that accommodates justifiable cultural and ethnic pride among ethnic populations without forcing these groups to see themselves solely through a Chinese lens. But despite provisions for religious freedom in the PRC constitution, Chinese leaders in the past have been extremely reluctant to allow robust religious, cultural, and political freedom among ethnic populations in China like the Tibetans or the Uighurs, in neighboring Xinjiang Province. Beijing appears to equate such divergence from Chinese norms as highly threatening to social stability. Observers also point out that PRC unwillingness to address Tibetan requests for greater autonomy have additional implications for China's policy toward Taiwan, whose population already is wary of how reliable PRC promises are.

Sino-Tibetan Dialogue. Since her appointment as Under Secretary of State for Democracy and Global Affairs in May 2001, Paula Dobriansky also has served as the U.S. Special Coordinator for Tibet. One of the responsibilities of this position is to encourage negotiations and other contacts between the PRC Government and the Dalai Lama's government-in-exile. Under the Tibetan Policy Act of 2002 (Section 613 of P.L. 107-228), the Coordinator is to issue an annual report on her office's activities and on the status of any Sino-Tibetan negotiations. Despite other reports of negative developments in Tibet (discussed elsewhere in this memo), the most recent report submitted by Under Secretary Dobriansky, dated June 2007, found grounds for limited optimism on Sino-Tibetan contacts, but raised questions about whether the momentum could be sustained.³⁴

In addition to this report, the Under Secretary's office is responsible for submitting the annual State Department Country Reports on Human Rights Practices, mandated by Sections 116(d) and 502(B)(b) of the Foreign Assistance Act of 1961. The section on China specifically includes separate accounts for Tibet, Hong Kong, and Macau. While the latest report (released in March 2007) judged the PRC government's human rights record in Tibet to remain very poor, it found the same limited grounds for optimism on Sino-Tibetan contacts as did the latest Tibet negotiations report cited above.³⁵

Grounds for optimism in Sino-Tibetan talks were raised slightly by a number of developments after 2002-2003, including six rounds of negotiations between PRC officials and representatives of the Dalai Lama. For instance, in 2002, the Dalai Lama's older brother, Gyalo Thondup, accepted a PRC invitation to spend several weeks in Tibet on a private visit. The PRC government also invited to China and to Lhasa (Tibet's capital) delegations from the Tibetan community led by the Dalai Lama's special envoy in the United States, Lodi Gyaltzen Gyari.³⁶ Some observers have credited Beijing for offering these unusually open initiatives.

Despite the slight progress noted in the State Department's report, others are not as hopeful about the likely outcome of these tentative ventures. The new SARA regulations requiring governmental approval for reincarnation are but the latest potential hurdle. A report in 2004 by two U.S.-based Tibetan scholars, for instance, suggested that the "experimentation" with direct Sino-Tibetan contacts is tentative and not promising. The two authors also noted that China has restructured some of its Tibetan policy-making institutions in ways that "have made Beijing's institutional management of Tibetan affairs more complex and considerably less predictable."³⁷

³⁴ The full text of the latest Report on Tibet Negotiations can be found at the following website: [<http://www.state.gov/p/eap/rls/rpt/2007/88157.htm>].

³⁵ The full text of the latest State Department human rights report can be found at the following website: [<http://www.state.gov/g/drl/rls/hrrpt/2006/78771.htm>].

³⁶ Lodi Gyari gave a news conference about these talks at the National Press Club in Washington, D.C. on November 2, 2005.

³⁷ Tashi Rabgey and Tseten Wangchuk Sharlho, *Sino-Tibetan Dialogue in the Post-Mao Era: Lessons and Prospects*, East-West Center, 2005. For the full text of this report, see (continued...)

In addition, China's statements and actions to inhibit the Dalai Lama's visits overseas in Brussels and Australia in 2007 are seen to be more assertive than in previous years. Massive development projects in Tibet, such as the new Qinghai-Tibet railroad that opened to service in the summer of 2006, have served to facilitate greater numbers of ethnic Chinese coming to Tibet. They are seen as evidence that Sino-Tibetan dialogues are having little impact on mitigating the dangers that continued Chinese encroachment may have for Tibet's cultural and spiritual identity or for its fragile ecosystem.

Implication for 2008 Olympics. With China set to host the 2008 Summer Olympics this August, Tibetan groups, like other interest groups opposed to various PRC behaviors, see this as an excellent opportunity to put pressure on leaders in Beijing to reform PRC policies. Upon its founding, the TPUM cited the opportunity presented by the August 2008 Beijing Olympic Games as a primary reason for the formation of the movement. Beijing has cited the launch of the TPUM as evidence that the Lhasa demonstrations were not spontaneous but were planned and orchestrated.

In addition to organizing the march into Tibet from India (mentioned earlier in this report), the TPUM organizations appear to be behind the organized demonstrations and protests along the route of the Olympic torch relay as it makes its 130-day journey to China from Greece in the coming months. Protests erupted in Paris and San Francisco in the first days of the relay, forcing organizations to adjust the torch's daily route. Some are especially concerned that China has planned the torch relay to go through Tibet, including an ascent to the top of Mount Everest. Speaking at a briefing for the Congressional Human Rights Caucus on April 4, 2008, the Dalai Lama's special envoy, Lodi Gyari, said China's plans to have the Olympic torch carried through Tibet was "deliberately provocative" in light of the March 2008 crackdown, and should be cancelled.³⁸ The PRC's Tibet crackdown also has added to the calls for a boycott of either the Beijing Olympics opening ceremony or the entire summer games.

Implications for Congress. Members of the 110th Congress have renewed calls for China to change its policies in Tibet. But PRC policies in recent years, including the response of PRC authorities to the March 2008 demonstrations in Tibet and to the Dalai Lama's "middle way" policy, suggest there is little room to hope that Beijing will make significant changes. China appears to have calculated that it can out-wait the 72-year-old Dalai Lama, and that the demise of this compelling personality will result in the disintegration of the Tibetan movement. Many westerners, on the other hand, see the Dalai Lama and his influence within the Tibetan community as the key to unlocking China's long-standing difficulties in Tibet. They see Beijing's continued rejection of the Dalai Lama's "middle way" approach as having undercut his ability to influence younger, more militant Tibetans who see his moderation as having brought nothing but opprobrium from Beijing.

³⁷ (...continued)

[<http://www.eastwestcenterwashington.org/Publications/psseriespdf12.htm>]

³⁸ "China should drop Tibet torch-relay - Dalai Lama envoy," *guardian.co.uk* (Reuters), April 3, 2008.

They believe his absence would remove an important source of restraint on more ideological elements in the Tibetan community.

Members of Congress for years have adopted measures to support the Tibetan cause, including measures to emphasize U.S. resolve on fostering negotiations between Beijing and the Dalai Lama. These efforts are catalogued in Appendix I of this memo. Members who are seeking to improve U.S. leverage on the Tibet issue now may wish to consider other options.³⁹ These could include:

- A reassessment of the position of U.S. Special Coordinator on Tibet, to determine whether more effective tools can be made available to the Coordinator, whose mission is to try to foster Sino-Tibetan dialogue.
- An effort to obtain a detailed account of the 2008 protests, including access to Tibet by independent observers, as the Dalai Lama has called for.
- A more determined effort to gain an official U.S. government presence in Lhasa, ideally through establishing a consulate office there — perhaps facilitated by offering an additional consulate office to the PRC on the U.S. mainland or in Hawaii or Alaska.
- Increased pressure on Beijing to make substantive changes in its approach toward ethnic minorities in China, perhaps by establishing a special dialogue mechanism similar to other U.S.-China dialogues.

Background on Modern Tibet

Tibetan history is notable in two particular respects. One is the extraordinarily pervasive influence of Buddhism in all aspects of daily life. At one time, a sizeable number of Tibet's male population were monks and lamas, and eventually this ecclesiastical group became Tibet's temporal rulers as well as its spiritual leaders. The Dalai Lama, believed to be the reincarnation of Tibet's patron deity, is the highest and most revered among this ruling monastic theocracy.

The second noteworthy aspect of Tibetan history is the ambiguity and disagreement surrounding Tibet's long political relationship with China. Tibetans generally view Tibet as an historically independent nation that had a close relationship with a succession of Chinese empires. A succession of Chinese governments, on the other hand, have claimed that Tibet has been a political and geographical part of China for many centuries.⁴⁰ In 1949-1951, the newly established communist government of the People's Republic of China (PRC) backed up this claim by sending military troops to occupy Tibet. Since then, Tibet has been under

³⁹ The Congressional-Executive Commission on China, for one, has suggested numerous potential policy options on the Tibet issue.

⁴⁰ Such claims have been made by previous Chinese dynasties, the Republic of China government under Chiang Kai-shek (now the government on Taiwan), and the communist government of the People's Republic of China.

active Beijing rule as its westernmost province, Xizang (the Tibet Autonomous Region, or TAR).

Tibetan/Chinese Political History. One point of controversy between central government leaders in Beijing and many Tibetans involves the validity of China's legal and historical claim to Tibet. The PRC government claims that Tibet officially has been part of China, both geographically and politically, for more than seven hundred years. In support of Chinese sovereignty over Tibet, they point out that Chinese rulers periodically stationed officials and troops in Tibet, at times chose Tibet's rulers, and occasionally militarily defended Tibet against outside aggressors.⁴¹ In contrast, the Tibetan government-in-exile holds that Tibet was an independent nation before the PRC invaded in 1949-1950.⁴² They claim that Tibet for the most part conducted its own foreign affairs, chose its own leaders, wielded formidable military power, and had a highly developed and unique culture. They further point out that in 1913, after the overthrow of the Qing Dynasty and establishment of the Chinese Republic, the Dalai Lama declared Tibet's independence from China. Tibet's long-standing historical relationship with China, they say, was one of "priest-patron" rather than subject-sovereign — in other words, a religious bond rather than a political one.⁴³

Competing claims about Tibet's past are one of the apparent sticking points in progress on Sino-Tibetan negotiations. While the Dalai Lama has stated many times that he is not seeking Tibetan independence, he has claimed that Tibet once was independent. One of the PRC's demands is that the Dalai Lama acknowledge historical Chinese sovereignty over Tibet.

Tibet as a Geographical Entity. A second point of contention involves the boundaries of Tibet — the very definition of what constitutes Tibet. Members of the Tibetan community consistently speak of "Tibet" in its larger ethnographic and historical context, including not only the entire current area referred to on Chinese maps as "Xizang," or the Tibetan Autonomous Region (TAR), but also parts of the Chinese provinces of Qinghai, Sichuan, Gansu, and Yunnan, which Tibetans claim as the former Tibetan provinces of Kham and Amdo. Beijing defines Tibet as only the TAR, and when referring to "Tibet" does not include those Tibetan autonomous prefectures and countries in other provinces where there are heavy concentrations of

⁴¹ Grunfeld, A. Tom. *The Making of Modern Tibet*, United Kingdom, Zed Books Ltd., 1987. In his account of Tibet's history, for instance, Grunfeld asserts that Tibet's regent on at least one occasion referred foreign representatives to Beijing on matters involving trade with Tibet.

⁴² Such views have been stated by the Dalai Lama himself. See the Dalai Lama's Five Point Peace Plan, in his address to the U.S. Congressional Human Rights Caucus, September 21, 1987. [<http://www.dalailama.com/page.121.htm>]

⁴³ Disagreement exists about how this independence declaration was perceived by other countries at the time. See van Walt van Praag, Michael C., *The Status of Tibet*, Westview Press, 1987, pp. 138-141, for a view arguing that other countries treated Tibet after 1913 as an independent country; see Rubin, Alfred P., "Review of the McMahon Line," *The American Journal of International Law*, #61, 1967, p. 828, for a view arguing that other countries did not officially recognize Tibetan independence after 1913.

ethnic Tibetans. The Dalai Lama's Five Point Peace Plan of 1987 proposes transforming the whole of Tibet into a "zone of peace," including these historical areas now in other PRC provinces.⁴⁴ Beijing's objection to this is another apparent obstacle in Sino-Tibetan negotiations.

The Dalai Lama's 1959 Flight and Exile. Since 1959, the Tibetan government-in-exile has lived in India with the permission of the Indian government. In addition to the commonality of a strong Buddhist tradition, Tibet's complicated political involvement with India dates back at least to the 19th century when India was under British rule. Tibetan-Indian religious connections continued after military troops of the People's Republic of China (PRC) marched into Tibet on October 7, 1950 — an event which brought a protest from the government of India to Beijing and a subsequent Tibetan request for India's help in resisting the PRC troops. Officials in India tried to balance the political goal of peaceful relations with China with the imperatives of what then-Indian President Rajendra Prasad called Tibet's "close cultural and other ties with us [India] for ages past."⁴⁵

In 1956, at the invitation of the Mahabodhi Society of India, the Dalai Lama went to India to attend an important Buddhist festival. According to his own account, the Dalai Lama met with Prime Minister Nehru during that visit and said that he believed he should stay in India and not return to Tibet. Both Prime Minister Nehru and PRC Premier Zhou Enlai, who also was visiting India at the time, advised the Dalai Lama to return to Tibet. He did so. Three years later, in March 1959, PRC troops, acting to forcibly put down demonstrations in Tibet against Chinese rule, began shelling the Dalai Lama's summer palace in Lhasa, the Norbulingka, eventually destroying it. But prior to these PRC military operations, on March 17, 1959, at the age of 24, the Dalai Lama had left his palace in disguise and had fled toward India with a group of his followers. There he requested political asylum for himself and his attendants. India's Prime Minister Nehru granted the request for asylum, and tens of thousands of Tibetans since then have joined the Dalai Lama in exile.⁴⁶

For years reports have claimed that third parties were involved in the 1950s dispute and confrontation between the Tibetans and the Chinese Communist government — in particular India, the U.S. Central Intelligence Agency (CIA), and the Kuomintang (KMT) Party of Chiang Kai-shek in Taiwan. According to one source, CIA involvement began in the mid-1950s, proximate to the Dalai Lama's visit to India and his subsequent return to Tibet. There have been unconfirmed reports, for instance, that in the 1950s the CIA trained Tibetan rebels at Camp Hale, Colorado; that at least one CIA-trained operative accompanied the Dalai Lama on his 1959 flight to India; and that this operative was in constant radio touch with the CIA station in Dacca, India, which then conducted air-drops to supply the Dalai Lama's

⁴⁴ See Five Point Peace Plan text, [<http://www.dalailama.com/page.121.htm>].

⁴⁵ Garver, John W., *Protracted Contest: Sino-Indian Rivalry in the Twentieth Century*, University of Washington Press, May 2001, p. 40.

⁴⁶ Dalai Lama, *My Land and My People*, McGraw-Hill Book Company, Inc., 1962.

entourage. The Dalai Lama and the Tibetan exile community have denied third party involvement.⁴⁷

Much of the PRC's tenure in Tibet has been troubled, particularly during the tumultuous Cultural Revolution (1966-1976) when most monasteries, palaces, and other aspects of Tibetan Buddhism and culture were either damaged or destroyed. The International Campaign for Tibet claims that over 1 million Tibetans died during the first 30 years of PRC rule.⁴⁸ Beijing refutes this, claiming that the material life and health of Tibetans in Tibet has greatly improved under PRC governance.

History of U.S. Policy Since the 1980s

Tibet became a recurring issue in congressional consideration of matters relating to China in the late 1980's. A number of factors have contributed to Members' greater interest. These include: the Dalai Lama's and the Tibetan community's ongoing political activities; reports of human rights abuses and China's continuing repressive social and political controls in Tibet; and the lack of consensus among U.S. policymakers over what U.S. policy should be toward China. On matters involving Tibet — as on many matters involving China — congressional views have often been at odds with those of the White House. As a matter of official policy, the U.S. government recognizes Tibet as part of China and has always done so, although some dispute the historical consistency of this U.S. position.⁴⁹ Since normalization of relations with the PRC in 1979, a succession of both Republican and Democratic U.S. Administrations have favored policies of engagement with China. In the process, they frequently have sought to minimize areas of potential tension with Beijing where Chinese leaders have taken strong positions, such as on the question of Tibet's political status.

⁴⁷ See, for instance, A. Tom Grunfeld's discussion of alleged CIA and Indian involvement in *The Making of Modern Tibet*, M. E. Sharpe Inc., 1987, pp. 149-160; David Wise, *The Politics of Lying: Government Deception, Secrecy, and Power*, Vintage Books, 1973; Kenneth Conboy and James Morrison, *The CIA's Secret War in Tibet*, University Press of Kansas, April 2002.

⁴⁸ There are varying estimates for how many Tibetans may have died as a direct consequence of Chinese rule. The figure of 1.2 million is the figure generally used by the Tibetan government-in-exile. Warren W. Smith, author of *The Tibetan Nation* (p. 607) calculates that the number of deaths is closer to 600,000.

⁴⁹ Some assert that past U.S. actions that treated Tibet as if it were an independent state in effect signaled U.S. recognition. Michael C. van Walt van Praag, for instance, in *The Status of Tibet: History, Rights, and Prospects in International Law* (Westview Press, Boulder Colorado, 1987), states that "Washington supported Tibet and treated it as an independent State, even recognizing its *de facto* (italics included) independence." p. 139. In the daily press briefing of October 8, 1987, responding to a question concerning what year the United States formally recognized Tibet as a part of China, the State Department's Public Affairs office issued the following statement: "We have never recognized Tibet as a sovereign state independent of China. We first made the statement that we considered Tibet to be a part of China in 1978; however, our earlier formulations were not inconsistent with the statement, and we have never challenged China's claim. No third country recognizes Tibet as a state independent of China."

The Dalai Lama himself has been the most charismatic and renowned advocate for the Tibetan people over the past decade. He has a number of supporters in the U.S. Congress.⁵⁰ The Dalai Lama's and his exiled community's efforts to gain international support for Tibet's cause took a major step forward in 1986-1987, when a series of meetings between Tibetan and Western supporters in New York, Washington, and London launched what has become known as Tibet's "international campaign."⁵¹ The goal of this campaign was to garner Western and principally U.S. support for Tibet's situation, and ultimately to bring this international pressure to bear on Beijing to make satisfactory political concessions. As part of this new strategy, the U.S. Congress in 1987 began to put pressure on the White House to protect Tibetan culture and accord Tibet greater status in U.S. law, despite Beijing's strong objections.

Two events of particular importance occurred in 1987. First, on September 21, the Dalai Lama made his first political speech in the United States, at the invitation of the Congressional Human Rights Caucus. In that speech, the Dalai Lama made a five-point proposal for resolving the Tibet question that was well-received in the United States and had significant consequences on congressional attitudes toward Tibet.⁵² Second, Congress put non-binding measures into place in 1987 declaring that the United States should make Tibet's situation a higher policy priority and should urge China to establish a constructive dialogue with the Dalai Lama.⁵³

This language, though not the first that Congress had passed regarding Tibet,⁵⁴ marked the beginning of a significant increase in congressional activity on Tibet's status.⁵⁵ From this point on, congressional supporters sought to mention Tibet separately whenever possible in legislation relating to China. In 1990, in considering foreign relations authorization legislation that contained the so-called "Tiananmen

⁵⁰ These have included Representatives Ben Gilman, Tom Lantos, Dana Rohrabacher, Charlie Rose, and Nancy Pelosi, and Senators Dianne Feinstein and Claiborne Pell.

⁵¹ These three cities are all still centers for Tibet-related offices and information networks. According to Dr. Melvyn Goldstein, professor of anthropology at Case Western Reserve University, the details of how the "international campaign" strategy was formed have not yet been documented. Goldstein, Melvyn, *The Snow Lion and the Dragon: China, Tibet, and the Dalai Lama*, University of California Press, 1997. pp. 76 and 138.

⁵² The five points are: transformation of all Tibet into a zone of peace; halting the transfer of large numbers of Han Chinese into Tibet; respect for Tibet's human rights and democratic freedoms; restoration of Tibet's environment and the halting of nuclear waste dumping in Tibet; and commencement of Sino-Tibetan negotiations on the future status of Tibet.

⁵³ President Reagan signed into law H.R. 1777, the Foreign Relations Authorization Act of FY88-89, on December 22, 1987 (P.L. 100-204); section 1243 contains language on Tibet. In 1985, 91 Members of Congress reportedly had also sent a letter to China's President, Li Xiannian, expressing support for continued talks with the Dalai Lama.

⁵⁴ Congress considered a number of non-binding measures in the 1980s concerning Tibet. In 1986, Congress listed "Tibet" as an independent country in H.R. 5548, legislation dealing the Export-Import Bank. This bill was approved on October 15, and became P.L. 99-472.

⁵⁵ According to a legislative database, in the four years prior to 1987, only 6 measures had been introduced in Congress concerning Tibet, whereas the 1987 legislation was one of 14 measures introduced in 1987-1988. [<http://thomas.loc.gov>]

sanctions,” Congress singled out Tibet for special mention in sense-of-Congress language that closely resembled the “five points” the Dalai Lama had proposed two years earlier and, in the same legislation, mandated the Voice of America to begin broadcasts in the Tibetan language.⁵⁶ In 1994, Congress enacted a number of Tibetan-related provisions in the Foreign Relations Authorization Act of FY1994-1995, including:

- a provision mandating that Tibet be listed separately in the State Department’s annual report, “Country Reports on Human Rights”; and
- a provision mandating the State Department to issue a report on the “state of relations between U.S. and those recognized 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.”⁵⁷

Congressional efforts to raise the profile of Tibet since 1986 have been resisted or mitigated by successive U.S. Administrations, but generally in a low profile, non-confrontational manner. As early as 1986, when Congress passed legislation authorizing Export-Import Bank funding that listed Tibet as a separate country, President Reagan signed the legislation into law.⁵⁸ In his remarks, however, the President said:

I note that Tibet is listed as a country in section 8. The United States recognizes Tibet as part of the People’s Republic of China. I interpret Tibet’s inclusion as a separate country to be a technical oversight.⁵⁹

In other respects, however, consistent congressional pressure has contributed to U.S. Administrations acknowledging, however subtly, the position of the Tibetan community-in-exile. Thus, President George Bush in 1991 became the first U.S. President to meet with the Dalai Lama, while President Bill Clinton met with the Dalai Lama several times in casual “drop-by” meetings. Although these meetings were deliberately low-key and informal, they nevertheless offended Chinese leaders, as did the Clinton Administration’s decision, after having opposed the Special Envoy

⁵⁶ This bill, H.R. 3792, was enacted as P.L. 101-246, and contains the “Tiananmen sanctions” on China that are still largely in effect. Its provisions on Tibet stated that U.S. policy toward China should be explicitly linked with the situation in Tibet, specifically to include lifting of martial law in Lhasa and other parts of Tibet; opening Tibet to foreigners, including the press and international human rights organizations; release of political prisoners; and conduct of negotiations between representatives of the Dalai Lama and the Chinese government.

⁵⁷ Established pursuant to Section 536 of the Foreign Relations Authorizations Act, H.R. 2333, enacted as P.L. 103-236.

⁵⁸ H.R. 5548 was approved on October 15, 1986, and became P.L. 99-472.

⁵⁹ “Statement on Signing the Export-Import Bank Act Amendments of 1986,” October 15, 1986, in *Public Papers of the Presidents of the United States: Ronald Reagan*, Book II, June 28 to December 31, 1986, pp. 1390-1391.

position for four years, to compromise by establishing the position of Special Coordinator for Tibet.

Efforts to Create a Special Envoy for Tibet. During the early years of the Clinton Administration, Congress began considering measures to establish the position of a U.S. Special Envoy for Tibet, with ambassadorial rank. In introducing such a measure in 1994, Senator Claiborne Pell stated he believed it was necessary to further focus White House attention on issues involving Tibet:

I recall how difficult it was to engage previous administrations in serious, knowledgeable discussions on Tibet.... A Special Envoy for Tibet would ensure that this important element of United States-China relations was continually reflected in policy discussions on a senior level.⁶⁰

While legislation to create a Special Envoy for Tibet was never enacted, provisions similar to those in the 1994 legislation were also introduced as sections of authorization bills in the 104th and the 105th Congresses.⁶¹ In each case, the provision called for the Special Envoy to have ambassadorial rank and to actively promote negotiations between the Dalai Lama and the Chinese government. Clinton Administration officials opposed these provisions, primarily because of concerns about the creation of an ambassadorial rank position for an entity (Tibet) that the United States recognizes as part of China rather than as an independent country in its own right.

On October 31, 1997, in a move seen as a compromise to appeal to proponents of the “Special Envoy” position, Secretary of State Madeleine Albright designated a Special Coordinator for Tibetan issues within the State Department and named Gregory Craig to serve in the position concurrently with his job as Director of Policy Planning. Although the new Special Coordinator position did not come with ambassadorial rank, its creation nevertheless suggested there would be a higher level of official attention on issues involving Tibet. Consequently, the 105th Congress dropped the Special Envoy provision from subsequent legislation.⁶²

⁶⁰ Statement by Senator Pell, *Congressional Record*, October 7, 1994, p. S14878. Senator Pell’s bill, S. 2554, was not enacted; nor was H.R. 5254, a similar bill introduced in the House on October 7, 1994, by Representative Howard Berman.

⁶¹ In the 104th Congress, that legislation was the American Overseas Interests Act of 1995 (H.R. 1561-Gilman, and S. 908-Helms). President Clinton vetoed this legislation on April 12, 1996; the House override vote on April 30, 1996 failed to achieve the two-thirds necessary for passage (234-188). Similar legislation in the 105th Congress, H.R. 1486, was replaced by three separate bills after consideration by the House Rules Committee on June 3, 1997: H.R. 1757, authorizing appropriations for the State Department for FY1998-1999 (and containing the Tibet Special Envoy provision); H.R. 1758, the European Security Act (NATO enlargement); and H.R. 1759, a foreign aid authorization and reform bill. The Special Envoy provision was dropped from this separate legislation before final passage.

⁶² On January 20, 1999, the position of Special Coordinator for Tibet was assumed by Julia Taft, U.S. Assistant Secretary of State for Population, Refugees, and Migration. She stepped down on January 19, 2001. On May 17, 2001, Secretary of State Colin Powell announced that Paula Dobriansky, Undersecretary of State for Global Affairs, would serve (continued...)

U.S. Legislation and Financial Assistance for Tibet. In 1990, in considering foreign relations authorization legislation that contained the so-called “Tiananmen sanctions,” the 101st Congress began a process of regular congressional provisions in various pieces of legislation for U.S. assistance to Tibet.⁶³ Such provisions, which may or may not reflect actual assistance, have included:

- Provision for Voice of America broadcasts (and later, Radio Free Asia broadcasts) to Tibet in the Tibetan language; and periodic provisions for 30 scholarships for Tibetans living outside Tibet (P.L. 101-246, P.L. 106-113);
- Establishment of an educational and cultural exchange program with Tibet (in P.L. 104-319), later renamed the “Ngawang Choepel Exchange Program” (in P.L. 106-113), funded at \$500,000 in each of fiscal years 2000, 2001, and 2003;⁶⁴
- Authorized and/or appropriated funds for humanitarian, food, medical, and other assistance to Tibetans who have fled from China to Nepal and India, amounting to \$2 million in each of fiscal years 2001 and 2002 (P.L. 106-113) and \$2 million in FY2003 (P.L. 107-228); and
- Economic Support Fund (ESF) assistance for non-governmental organizations who work to support and preserve the Tibetan environment and cultural traditions and to promote sustainable development. ESF funds for these purposes were first provided at \$1 million in FY2000 (P.L. 106-113), averaged \$4 million per year through FY2006 (P.L. 109-102), and in the 110th Congress were provided at \$5 million (P.L. 110-161).

Much of the U.S. assistance program to Tibet is a result of congressional earmarks in such legislation. (See Appendix I.) Apart from financial assistance measures, Congress’ other major policy initiative on Tibet has been the “Tibetan Policy Act of 2002,” enacted as part of the Foreign Relations Authorization Act of FY2003 (P.L. 107-228). Major provisions of that act include the creation of a U.S.

⁶² (...continued)

as the next Special Coordinator for Tibet.

⁶³ This bill, H.R. 3792, was enacted as P.L. 101-246, and contains the “Tiananmen sanctions” on China that are still largely in effect. Its provisions on Tibet stated that U.S. policy toward China should be explicitly linked with the situation in Tibet, specifically to include lifting of martial law in Lhasa and other parts of Tibet; opening Tibet to foreigners, including the press and international human rights organizations; release of political prisoners; and the conduct of negotiations between representatives of the Dalai Lama and the Chinese government.

⁶⁴ In legislation for FY2006 (H.R. 3057, the Foreign Operations, Export Financing, and Related Appropriations Act, 2006, which eventually became P.L. 109-102), the House Report (H.Rept. 109-152) recommended \$2 million for Tibetan refugees in Nepal and India, and the Senate Report (S.Rept. 109-96) recommended \$500,000 for the “Tibetan Fulbright” program; neither provision made it into the final conference report.

Special Coordinator for Tibetan Issues within the Department of State whose central objective is to encourage and promote dialogue between the Dalai Lama and the government in Beijing; and a specific declaration of U.S. policy objectives on Tibet, including economic, cultural, and environmental support objectives; release of political prisoners in Tibet; establishment of a State Department office in Lhasa; and an effort to ascertain the whereabouts and well-being of the 11th Panchen Lama.

The Dalai Lama and the Congressional Medal of Honor. In 2006, the 109th Congress passed legislation to award the Dalai Lama a Congressional Gold Medal in recognition of his international status and accomplishments.⁶⁵ The decision reportedly was denounced by Beijing as a move that “seriously interferes with China’s internal affairs and damages U.S.-China relations.”⁶⁶ With President Bush in attendance, a move that further raised the profile of the event, the Dalai Lama was awarded the medal in a ceremony on October 17, 2007, in the Capitol Rotunda.

Congressional Response to the March 2008 Demonstrations. Members of the 110th Congress responded to the March 2008 Tibet demonstrations in several ways. The demonstrations and the PRC crackdown in response has prompted some Members to call for either a complete U.S. boycott of the 2008 Olympic Games in Beijing or a boycott of the opening ceremony to the games.⁶⁷ Senator Patrick Leahy called the violent actions of both the PRC security forces and the Tibetan demonstrators “deplorable.”⁶⁸ The demonstrations prompted two Members of the House to announce the formation of the Tibet Caucus to represent the rights of Tibetans and the Dalai Lama’s government-in-exile.⁶⁹ Other Members have introduced legislation, including:

- H.R. 5668, the Communist Chinese Olympic Accountability Act (McCotter). To prohibit Federal Government officials from attending the opening ceremonies of the Olympic Games in Beijing because of the crackdown in Tibet, relations with Sudan, and other PRC actions. Introduced April 1, 2008.

⁶⁵ S. 2784, “the Fourteenth Dalai Lama Congressional Gold Medal Act,” was introduced by Senator Dianne Feinstein and became P.L. 109-287 on September 27, 2006. Similar legislation, H.R. 4562 (not acted upon) was introduced in the House by Representative Ileana Ros-Lehtinen.

⁶⁶ “President Bush signs into law proposal to honor Dalai Lama with medal despite Chinese objections,” *International Herald Tribune*, September 27, 2006.

⁶⁷ Speaker of the House Nancy Pelosi is among those who have suggested that President George W. Bush consider boycotting the opening ceremony of the games because of the PRC crackdown in Tibet. (“Pelosi calls on Bush to boycott Olympic opening ceremonies,” *CNN.com/asia*, April 1, 2008.) Senator Hillary Clinton made the same suggestion on April 7, 2008. (“Clinton calls on Bush to boycott Olympic opening ceremony,” *ABC News*, April 7, 2008.)

⁶⁸ Senator Patrick Leahy, “Repression in Tibet,” *Congressional Record*, April 2, 2008, p. S2337.

⁶⁹ Dear Colleague letter, “Support His Holiness, the Dalai Lama: Join Newly Formed Tibet Caucus,” Rep. Dana Rohrabacher and Rep. Neil Abercrombie, March 31, 2008.

- H.Res. 1075 (Smith), condemning the Chinese government's violence against Tibetan protestors and urging Beijing to enter into dialogue with the Dalai Lama. Introduced April 3, 2008.
- H.Res. 1077 (Pelosi), calling on China to end its crackdown in Tibet, enter into dialogue with the Dalai Lama, and protect the language, culture, and religious freedom of Tibetans. Introduced April 3, 2008.

Appendix I

Legislative Earmarks for Tibet

110th Congress (2007-2008)

P.L. 110-161 — Consolidated Appropriations Act, FY 2008.

Section 638 (c)1: requires U.S. representatives at international financial institutions to support those projects in Tibet that do not provide incentives for non-Tibetan immigration into Tibet or facilitate transfer of Tibetan land and resources to non-Tibetans; 2) provides not less than \$5 million in ESF funds to NGOs supporting cultural traditions, sustainable development, and environmental protection in Tibet; 3) specifies that not less than \$250,000 be made available to the National Endowment for Democracy for human rights and democracy programs in Tibet.

109th Congress (2005-2006)

P.L. 109-102 — Foreign Ops, Export Financing, and Related Programs Act, FY 2006.

Section 575 (a): Same international institutions instructions provisions as above; (b) provided not less than \$4 million in ESF funds to NGOs supporting cultural traditions, sustainable development, and environmental protection in Tibet; and specified that not less than \$250,000 be made available to the National Endowment for Democracy for human rights and democracy programs in Tibet.

108th Congress (2003-2004)

P.L. 108-447 — Consolidated Appropriations Act, FY 2005

Section 581 (a) Same international institutions instructions provisions as above; (b) provided not less than \$4 million in ESF funds to NGOs supporting cultural traditions, sustainable development, and environmental protection in Tibet; and specified that not less than \$250,000 be made available to the National Endowment for Democracy for human rights and democracy programs in Tibet.

P.L. 108-199 — Consolidated Appropriations Act, FY 2004

Section 558 (a) Same international institutions instructions provisions as above; (b) provided not less than \$4 million in ESF funds to NGOs supporting cultural traditions, sustainable development, and environmental protection in Tibet.

P.L. 108-7 — Consolidated Appropriations Act, FY2003

Section 526 (a) provided not less than \$15 million for democracy, human rights, and rule of law in China, Hong Kong, and Tibet, of which up to \$3 million could be made available to NGOs supporting sustainable development in Tibet and preserve cultural traditions in Tibet and other Tibetan communities in China.

107th Congress (2001-2002)

P.L. 107-228 — Foreign Relations Authorization Act, FY 2003

Section 112 (1)B(ii) — Provided \$500,000 for FY2003 for the “Ngawang Choepel Exchange Programs” between the United States and Tibet (established in PL 104-319).

Section 115 (c) — Provided \$ 2 million for humanitarian, food, medicine, clothing, and medical and vocational training assistance in FY2003 for Tibetan refugees in India and Nepal who have fled Chinese-occupied Tibet.

Section 222 — Extended for FY2003 the Tibetan scholarship program established in P.L. 104-319.

Title VI, Subtitle B — Contained The Tibetan Policy Act of 2002, which declared U.S. policy goals; required annual reports on Tibet; established the Special Coordinator for Tibetan Affairs; and beefed up Tibetan language training at the Department of State.

P.L. 107-115 — Foreign Ops, Export Financing, and Related Appropriations, FY 2002

Section 526(a) — Provided not less than \$10 million for democracy, human rights, and rule of law programs in China, of which up to \$3 million could be made available to NGOs outside China that support sustainable development in Tibet and preserve cultural traditions in Tibet and other Tibetan communities in China.

106th Congress (1999-2000)

P.L. 106-429 — Foreign Operations, Export Financing, and Related Programs Appropriations Act, FY 2001

Section 526 — Provided up to \$2 million ESF funds for NGOs located outside China that work to support and preserve Tibetan cultural traditions, environmental conservation, and promote sustainable development in that country.

P.L. 106-113 — Consolidated Appropriations Act, FY2000

Provided \$1 million in ESF funds for NGOs located outside China to support and preserve Tibetan cultural traditions, environmental conservation, and promote sustainable development in Tibetan communities in China.

Section 103 (a) (2) — Provided \$2 million in each of FY 2000 and FY 2001 for humanitarian assistance, food, medicine, clothing, and supplies to Tibetan refugees in Nepal and India who have fled Chinese-occupied Tibet.

Title IV, Subtitle A, Section 401(a) — Changed the name of U.S.-Tibetan educational exchanges to the “Ngawang Choepel Exchange Program”: provides \$500,000 in FY2000 and FY2001 for these exchanges (b) extends for FY2000 the U.S. scholarship program for Tibetan and Burmese scholars and students (established in P.L. 104-319).

105th Congress (1997-1998)

P.L. 105-261 — Strom Thurmond National Defense Authorization Act, FY1999

Section 3901 — Provided sense of Congress that a significant amount of \$22 million appropriated for Radio Free Asia be directed toward broadcasting in China and Tibet in the appropriate languages and dialects.

104th Congress (1995-1996)

P.L. 104-319 — Human Rights, Refugee, and other Foreign Relations Provisions Act of 1996

Section 103(a) — Established a program for Educational and Cultural Exchanges for Tibetans.

Section 103(b) — Provided for 30 scholarships for Tibetan students and professional outside of Tibet for FY1997.

103rd Congress (1993-1994)

P.L. 103-236 — Foreign Relations Authorization Act, FY 1994-FY1995

Sec. 221(a) — Provided that the U.S. Information Agency (USIA) should seek to establish an office in Lhasa.

Sec. 236 — Provided for educational & cultural exchanges with Tibet.

Sec. 309 — Established Radio Free Asia (RFA) and provided grants for RFA broadcasts to Asian countries, specifically including Tibet.

Sec. 536 — Established annual reporting requirements on “occupied Tibet”; stated the sense of Congress that reports on Tibet should be separate from reports on China; stated the sense of Congress that the United States should establish dialogue with the Dalai Lama and Tibetans in exile.

Appendix II

Selected U.S. Government Reports with Components on Tibet

International Religious Freedom Report, China (*annual report*)

Most recent date available: September 14, 2007

Agency: U.S. Department of State, Bureau of Democracy, Human Rights, and Labor
Legislative authority: P.L. 105-292, the International Religious Freedom Act (IRFA) of 1998, Section 102(b)

Full text: [<http://www.state.gov/g/drl/rls/irf/2007/>]

Reports on Human Rights Practices, China (*annual report*)

Most recent date available: March 11, 2008

Agency: U.S. Department of State, Bureau of Democracy, Human Rights, and Labor

Legislative authority: The Foreign Assistance Act of 1961 (FAA), as amended, Sections 116(d) and 502(b); and the Trade Act of 1974, as amended, Section 504

Full text: [<http://www.state.gov/g/drl/rls/hrrpt/2007/index.htm>]

Report on Tibet Negotiations (*annual report*)

Most recent date available: June 2007

Agency: U.S. Department of State, Bureau of East Asian and Pacific Affairs

Legislative Authority: P.L. 107-228, Foreign Relations Authorization Act, 2003, Section 613

Full text: [<http://www.state.gov/p/eap/rls/rpt/2007/88157.htm>]

Congressional-Executive Commission Report (*annual report*)

Most recent date available: October 10, 2007

Agency: Congressional-Executive Commission on China

Legislative Authority: P.L. 106-286, Normal Trade Relations with the People's Republic of China, 2000

Full text:

[http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=110_house_hearings&docid=f:38026.pdf]

“Uniting for Peace” was first passed by the General Assembly in 1950 to circumvent the blockage of the Security Council in the conflict in Korea; the USSR’s obstructionist policy systematically deployed its veto after its return following a temporary boycott “ during which pouting, the council had authorized the US-led action against North Korea. Lawyers and political analysts are reluctant to revise the “Uniting for Peace” procedure as a gimmick around the Security Council’s deadlock in exceptional circumstances “ what exactly is an illegitimate use of the veto? On March 10, 2008, a series of demonstrations began in Lhasa and other Tibetan regions of China to mark the 49th anniversary of an unsuccessful Tibetan... This report explains the current turmoil in Tibet and analyzes possible impacts on U.S. policy toward Tibet. (Unofficial mirror of <http://www.documentcloud.org/documents/370771-tibet-problems-prospects-and-u-s-policy.html>). Identifier370771-tibet-problems-prospects-and-u-s-policy.