

FOUNDATION FOR
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Reappraisal of India's Tibet Policy

New Delhi, October 2013

FOUNDATION FOR NON-VIOLENT ALTERNATIVES (FNVA)

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Reappraisal of India's Tibet Policy

New Delhi, October 2013

From FNVA's Desk

The Foundation for Non-violent Alternatives (FNVA) was established in 2009 to promote better understanding of regional dynamics in the South Asian Region with special emphasis on the rising power of India and China and its implications on the region as a whole. FNVA offers viable analysis on critical issues particularly those that have serious impacts on peace and harmony in the region.

Tibet is the crux of Sino-Indian relations. Chinese officials, diplomats and members of Chinese government controlled think-tanks have listed the following main items as issues of concern, these are, in order of priority:

- a) Dalai Lama and Tibet issue
- b) The border dispute, and
- c) India's Geo-political ambitions.

The evolution of India's Tibet policy can be traced back to its pre-independence. The Government of India unhesitatingly received His Holiness the XIV Dalai Lama, accompanying monks and others with him when he sought asylum in 1959. India is host to the largest number of Tibetans outside of Tibet and the Central Tibetan Administration is also based in India. These facts imply that India has to take a more proactive role in the settlement of the Tibet problem.

Current geo-political compulsions make it imperative that India re-examines its policy on Tibet and Tibet related issues keeping its bi-lateral relations with the People's Republic of China in mind. FNVA engaged in the exercise to formulate a draft policy document: **"REAPPRAISAL OF INDIA'S TIBET POLICY"** in consultation with experts on China and Tibet from academia, the civil services and the armed forces, as well as experts on the environment and representatives of the media, who contributed their suggestions at various stages of this exercise.

The document is meant for the long-term projection of issues between India, Tibet and China and their possible resolution in a peaceful manner. Until this is achieved, peace will remain elusive and political and economic stability in the region a mere vision. FNVA has reasons to believe this policy document will be useful to the government, the parliament and to scholars studying these issues.

FNVA acknowledges in particular the support it received from Mr. Jayadeva Ranade, former Additional Secretary, Cabinet Secretariat and currently Member of the NSAB; Ambassador Ranjit Gupta, Ambassador Dalip Mehta, Gen. Vinod Saigal, and Chok Tsering, Research Associate, FNVA, as members of the Core Group for this document.

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PART ONE

Reappraisal of India's Tibet Policy

EXECUTIVE SUMMARY

1. The Government of India unhesitatingly received the XIV Dalai Lama, accompanying monks, and others in his retinue when he sought asylum in 1959. The welcome has, over the years, been afforded as a matter of policy to all Tibetans seeking refuge from the Chinese Communist regime. India is now home to more than one hundred thousand Tibetans living in settlements across the country. The Tibetan Administration has functioned from Dharamsala for over fifty years now. There is in recent years a new fluidity in India-China relations consequent to China emerging as the world's second largest economy and its growing military might. Expansion of its influence in India's neighborhood and assertiveness towards India, which has been pronounced since 2008, are causes for concern.
2. For the first time in history and ever since the People's Republic of China (PRC) occupied Tibet in 1950, India and the PRC became immediate neighbours with a shared border and no buffer. Recent PRC military activity in Tibet is reminiscent of the well known saying: "He who also holds Tibet, dominates the Himalayan piedmont, threatens the Indian subcontinent, may well have all the South Asia within his reach, and with it all of Asia."¹ Tibet is also central to China's security strategy as a buffer between the Han Mainland and China's turbulent periphery. The main thrust of China's Defence White Paper (2013) confirms that the People's Liberation Army (PLA) is preparing to protect and expand China's interest and assets abroad. China's steadily increasing defence budget suggests this².
3. India is perceived by many, as China's only long-term rival in Asia, for strategic, economic, cultural and regional leadership. Both countries are rapidly growing economies, have fought a war against each other and are competing for natural resources. These elements will determine the bilateral relations between the two countries. While sagacious, visionary leaders in both countries can take an optimistic futurist view and alter the nature of the relationship, Beijing's actions thus far give little reason for such hope. On the contrary, Beijing has steadily increased its assertiveness and expanded its territorial claims on India. It has followed a two-track policy of overtly making friendly superficial gestures while being relentless in the application of pressure on issues that are essential to India's development in the long term. Examples are Beijing's reluctance to resolve the border issue, expanding its territorial claims in Arunachal Pradesh and Jammu and Kashmir, compelling international financial organisations not to extend financial assistance to development projects in Arunachal Pradesh, stymieing India's efforts to become a permanent member of the United Nations Security Council (UNSC) etc.
4. Pertinent to note is that Chinese officials, diplomats and members of Chinese government controlled think-tanks list the following items as issues of main concern. These are, in order of

¹ Michael Mathos and George Ginsburg: "Communist China and Tibet: The First Dozen Years", Martinus Nijhoff, The Hague,

² In March 2013, China's finance minister announced an allocation of about \$ 119 billion for the defence sector. This figure is more than what Southeast and East Asian countries spend on defence and nearly thrice that of Indian figures.

priority: a) Dalai Lama and Tibet issue; b) The border dispute, c) India's geo-political ambitions³ and d) the combined Indo-US role in regional and international politics.

5. China has been increasingly involved in constructing other infrastructure projects in the border areas of Nepal like the Kodari road, Lumbini, the Pokhara-Baglung road as well as extending the railway line from Lhasa to Khasa on the Nepal-Tibet border. One of China's major aims in developing infrastructure and increasing economic ties with Nepal is to weaken India's influence in the country, which India has enjoyed until very recently.
6. Tibet is the crux of the Sino Indian border issue. The 1914 Simla Convention between British India, Independent Tibet and China, is a treaty that bestowed on the McMahon Line its continuing legitimacy and legality⁴. India, Tibet and China had come together to resolve the status of Tibet and its border with China. The Chinese representative did not sign the draft tripartite agreement because of disagreement over the Sino-Tibetan border as contained in the draft. Following this withdrawal, the British delegations negotiated and signed the bilateral border agreement on the Indo-Tibetan border and Trade agreement. They also determined in a separate bilateral agreement that China would be barred from any advantages or privileges that might accrue with respect to Tibet (i.e. including any suzerain rights) unless it signed the trilateral Simla agreement, which China never did. All the three parties formally recognised each other's full capacity to conclude treaties before negotiations started and nothing occurred during the Simla negotiations to change that. Thus the Tibetan and British (Indian) governments entered into fully valid agreements on the border and on trade in 1914.
7. China is in the process of diverting the waters of the Brahmaputra to north China and constructing dams on the Mekong in the upper reaches, which has huge consequences for over a billion people inhabiting the Indus plain, Indo-Gangetic plain, Brahmaputra valley and the member nations of the Mekong River Commission. There is a Western Route Transfer Project, a South-North Water Diversion Project and a West-East Power Transfer Project. Moreover, a barrage near Tsamda Gorge near Guge Kingdom could disturb the Sutlej flow and enable China to control and regulate the flow of water into India. This could also happen on the Lohit (Zayul Chu), Subansiri and Indus, amongst others. The glacier-fed rivers originating from the Tibetan Plateau make up the largest river run-off from any single location in the world and are the life-source for millions of people. As a result, approximately 1.3 billion people living in more than 5.6 million sq.km of drainage basin are dependent on the health of the major rivers that originate in Tibet.
8. The 2008 anniversary of the uprising acquired greater significance for Tibetans' as Beijing was to hold the Olympics in August of that year. The uprising demonstrated the Tibetans' rejection of Chinese rule and the desire to retain their culture. While this uprising received much sympathy internationally, it infuriated the Chinese government. After the initial spark in Lhasa, the movement spread to areas outside of the Tibetan Autonomous Region (TAR), in eastern Tibet especially Amdo, which had not seen mass street protests, against Chinese rule for many decades⁵. The Chinese Communist Party's (CCPs) policies towards Tibetans have become more repressive and intensive. Religion has been singled out for especially harsh treatment in a bid to, as stated in August 2012, by the Politburo Standing Committee (PBSC) member in charge of Propaganda, Li Changchun, 'make Buddhism suit socialism'. Controls by the party and the Public Security Bureau

³Jayadeva Ranade: China Unveiled- Insights into Chinese Strategic Thinking; 2013; KW Publishers, New Delhi, pg.148-49

⁴Please refer to Annexure 5 for a report of the Officials of GoI and the PRC on the boundary question

⁵Chok Tsering: Tibetan Uprising in March 2008 –FNVA, 2013

(PSB) have been intensified while undertaking more developmental activities. Unable to staunch the unceasing spate of self-immolations by Tibetans, Beijing has ignored their pleas for redress and done nothing though more than 122 Tibetans have immolated themselves by now. The self-immolations additionally convey another message, namely that the epicenter of the protests against Chinese occupation has shifted to Tibetan areas incorporated into China. This has the seeds for a long-term disruptive ethnic movement in China.

9. The 1965 statement of the Indian Government at the United Nations read by Mr. Rafiq Zakaria⁶ supported the UN resolution Number 2079 (XX) 1965 which called for “restoration to the Tibetans all the freedoms which we have enshrined with such dedication in the Universal Declaration of Human Rights.” The 1965 resolution supported the 1961 UN General Assembly resolution number 1723 (XVI) which called for among other items the right to self-determination of the Tibetan People⁷.
10. The very fact that the Dalai Lama, his followers including the Central Tibetan Administration (CTA) are based in India implies that India has to take a more pragmatic role in the settlement of the Tibet problem. India must support the Middle Way Approach,⁸ which lays down a road map to explore how the needs of the Tibetan People’s can be met within the frame of the constitution of the Peoples Republic of China. Concern of oppressed people around the world has been a strong part of India’s foreign policy. India has commented on such situations in other parts of the world.
11. China demands that other governments (including India) with whom it establishes or maintains relations, endorse its “One China Policy” with regard to Tibet. This policy however is not applicable to Tibet, as this was articulated in the context of US-China and US-Taiwan relations in the early 1970’s.
12. While India should continue with its policy of not provoking confrontation, it has to take steps that safeguard its national interests. This becomes more imperative in the light of heightened Chinese activities in the neighbourhood including Nepal. It is in this backdrop that India has to re-examine its policy on Tibet. A fresh approach will be needed based on India’s national security interests and blended with India’s long unbroken humanitarian traditions of religious tolerance.
13. It is hereby strongly recommended that the Government of India (GoI) adopt a multi-faceted, assertive and well integrated policy with respect to all matters pertaining to Tibet as discussed in this Report. Thus environmental, security, territorial, diplomatic, human rights, economic, cultural and religious strategies and corresponding policies should all form part of a well coordinated and new policy to serve India’s interests. Doing so would need to take account of the interests of the Tibetan people as these are linked to the success of such a new approach. India’s firmness and assertiveness should not be perceived as hostile by China or anyone else.
14. India should take the initiative to create a multilateral effort that includes civil society organisations and experts as well, to resolve the serious issues as discussed in this Report.
15. The presence of the XIVth Dalai Lama is a major advantage that India must utilise. India’s policy must take into account the Chinese machinations and use the presence of the high Lamas of all

⁶ Please see Annexure 1 for details of Mr. Zakaria’s speech at the UN in 1965

⁷ Refer to Annexure 2 for further details on the UN General Assembly resolutions 1961 and 1965

⁸ Refer to Annexure 3 for details on the Memorandum on Genuine Autonomy for the Tibetan People, 2008

Tibetan sects in India to its advantage. China's efforts to sow discord in the Tibetan refugee community and, more importantly, use those willing to create divisions in the vulnerable Indo-Himalayan border belt, has intensified. It has already had an adverse impact on our relationship with Nepal, apart from raising the real potential of a stream of Tibetan refugees spilling over into India via Nepal.

POINTS OF ENGAGEMENT WITH CHINA

TERRITORIAL SOVEREIGNTY

16. India is in a position to take a tougher and a more uncompromising stance on issues like assertion of its territorial sovereignty and demand that China respect and recognise it on the basis of reciprocity: India has recognised that Tibet is an autonomous region of the PRC and so China should recognise as explicitly that Sikkim, Arunachal Pradesh and Jammu and Kashmir are States of the Indian Union, albeit with unique histories reflected in their constitutionally determined rights and privileges. Failure to do so by Beijing should attract a reciprocal action or India should cease the treaty of its acceptance of Tibet as part of China, as done during the recent visit of Chinese Premiere Li Keqiang to Delhi.

ENVIRONMENT

17. India is left with no option now but to act on issues of warming of the Tibetan Plateau and diversion and damming of river waters, specifically the Brahmaputra, with China. This needs to be done at every bilateral meeting and in regional and international forums. India needs to discuss this with other affected countries in the region to mount pressure on China.

BUILD STRONGER LINKAGES WITH THE NORTH-EAST

18. Transportation infrastructure should be rapidly developed in the North-East to link it with other parts of the country and South-East Asia region. This will give a boost to the local economy and provide enlarged employment opportunities. In addition it will promote integration. Such transportation links would depend on aviation links, at least initially, and should include McLeod Gunj, Dharamsala.

BUDDHISM

19. India must use Buddhism as a soft power. Buddhism is getting globalised at present, and India should take advantage of this opportunity by using Buddhism as a foreign policy strategy to engage with the Chinese. Indeed, the XIV Dalai Lama and senior Tibetan Lamas are very valuable assets to India for its international diplomacy. The re-establishment of the ancient historical Buddhist institute of learning – the Nalanda University is a major step but this should be done without allowing it to come under China's influence. The renovation of the Nalanda University will broaden Indian prestige and influence in neighboring South and South-East Asian countries, which are predominantly Buddhist. It is odd indeed that the XIV Dalai Lama and other Tibetan Buddhists leaders who are inheritors of the Nalanda Tradition are not associated with the effort to recreate the Nalanda University, which has essentially been a Buddhist institute of learning. The antecedents of individuals presently entrusted with setting up Nalanda need to be vetted and the involvement of

participants expanded. India based Buddhist organisations should take the lead in projects such as the Lumbini project. India should take the lead as a country of Buddhism and a source of inspiration to all Buddhists.

SUGGESTIONS FOR A POLICY REAPPRAISAL

TERRITORIAL SOVEREIGNTY

20. Continue to demand the return of Aksai Chin;
21. Insist that the People's Republic of China explicitly recognise Arunachal Pradesh, Sikkim and Jammu and Kashmir as inalienable parts of India. PRINCIPLES OF RECIPROCITY MUST BE A TWO WAY PRINCIPLE;
22. Principles of the 'One China Policy' must be re-examined to ascertain its validity for India's relationship with Tibet.
23. India must continue to ignore China's protests on issues like the Prime Minister and the Dalai Lama's visits to Arunachal Pradesh: Arunachal Pradesh is a state of the Indian Union like any other.
24. Government of India should once again publish White Papers as it did in the past.

ENVIRONMENT

25. India should urge Beijing to open bilateral discussions on the Brahmaputra river diversion project notwithstanding its protests that it has no such plans;
26. The Brahmaputra river water issue should be raised with China at each bilateral meeting including raising the issue of the Brahmaputra river water quality and trade-offs between hydropower, food security and biodiversity;
27. Raise the need for a comprehensive knowledge base on water resources;
28. Demand institutionalisation of a water sharing agreement between China and the lower riparian states on the sharing of the Brahmaputra and other waters;
29. In the face of China's continued obdurance, India should make common cause with the Mekong River Commission and other countries who are similarly affected to enhance pressure on Beijing;
30. Take up the Brahmaputra water issue in all international fora, including the UN, to put Beijing under pressure.

BUILD STRONGER LINKAGES WITH THE NORTH-EAST

31. It is vital that India resolve its internal conflicts in the North-East. This strategically important region must be the focus for overall development (infrastructure, healthcare, education, employment etc.) so that the region becomes a strength for India and for its relations with China and with South-East Asia.

32. The persistence of some conflicts in the region are a potential for instability and it is important that this region is integrated with improved communication and trade links. It would be worthwhile to extend certain concessions to this region to promote it to develop.

STRENGTHEN RELATIONS WITH THE DALAI LAMA, THE CENTRAL TIBETAN ADMINISTRATION AND HEADS OF TIBETAN LINEAGES IN INDIA

33. The Dalai Lama is internationally the most respected spiritual leader and is a leading figure of Buddhists all over the world. Now that the Dalai Lama has transferred his political functions (or role) to a democratically elected leadership while retaining his spiritual leadership role, there is no longer any need for the Government of India to be apprehensive in inviting him on public platforms with India's leaders including the President, Prime Minister etc.
34. The External Affairs Minister and the Foreign Secretary should meet the Dalai Lama publically either in Delhi or during their visits to Dharamsala;
35. The Indian Liaison office in Dharamsala should be upgraded;
36. India is host to the largest number of Tibetans outside Tibet, and also to the Central Tibetan Administration (CTA). It is therefore imperative that the Government of India begins to assume direct responsibility for the welfare of the Tibetans in India as large numbers are born in India and therefore legally citizens of India. In this connection a Tibet Cell in the Ministry of Home Affairs or Ministry of External Affairs (South Asia Division) could be constituted. India has to take a more proactive role in the settlement of the Tibet problem in accordance with the Middle Way Approach proposed by the Dalai Lama.

FUTURE FATE OF THE TIBETAN PEOPLE IN INDIA

37. Tibetans born in India and those resident in India from a specified cut-off date should be considered eligible for employment in Government. They could initially be employed in organisations like the Defence Security Corps (DSC), Central Police Organisations like the ITBP, in Central Ministries like Tribal Welfare, Health, Tourism and Culture, Education, Environment and Forests, All India Radio's External Service, and some State Governments in addition to the existing avenues. What ever restrictions remain could be entirely lifted after some years;
38. Existing rules and procedures for Tibetans need to be liberalised. Tibetan refugees who can present proof of regular employment and have bank accounts, should be legally allowed to own property including land and houses subject to normal tax provisions. This will obviate the practice of 'benami' transactions and save them unnecessary harassment. This will allow those coming from Tibet to own property or conduct business in India while at the same time saving them from avoidable harassment. This should be equally applicable to high-ranking monks, if necessary in cases where they are not born in India, with some modifications. For this category their trusts or formal organisations should be granted these rights;
39. Formalise regulations for high ranking lamas and monks receiving donations etc., subject to usual security checks;

40. Tibetans born in India already have the same rights as other Indian citizens in obtaining an Indian passport and the same should be facilitated;
41. Charitable, religious and other trusts and activities inside India presently sponsored/supported by the Dalai Lama and his establishments should be financially supported by the Government of India and their managements left to the Dalai Lama's establishment for the time being;
42. Opening of pilgrimage tourist routes to Kailash-Mansarovar through Nathu-La and Demchok should continue to be proposed on grounds of comfort and amenities for travellers. India should continue to suggest air travel for the sector Delhi-Leh-Gargunsa for the pilgrims;
43. People-to-people linkages, education and scholarships for Tibetans, in Information Technology and vocational institutes, schools and colleges should be promoted; Strengthening linkages with the Tibetans in India will go a long way in strengthening ties with Tibetans in Tibet;
44. Exchanges of religious scholars and students between India and Tibet should be facilitated and promoted, including with the institution of scholarships for monks from Tibet;
45. Tibetan language, religion and history should be included in the Indian school syllabus to build, preserve and sustain a strong cultural link;
46. Initiate Tibet Study Centres in Central Universities.

TRADE WITH TIBET

47. Government of India could consider an economic initiative in Tibet for promoting trade. It should press for re-opening of trade routes/trade marts e.g.- Demchok and other places;
48. Trade should be promoted between the TAR and Tibetan peopled areas and India, and Indian businesses encouraged to open establishments there. Government of India could promote setting up of hospitals, hotels etc. and ensure that local Tibetans are employed;
49. India should push for the re-opening of its Consulate/Trade Representation in Lhasa and make any further opening of Chinese diplomatic or other office in India conditional on this;
50. Open Indian cultural centres in Lhasa/Tibet.

BUDDHISM – AS A SOFT POWER

51. India needs to quickly set up an apparatus to harness Tibetan Buddhist religious knowledge and practice, and acquire legitimacy to exercise a benign role in recognising the activities, performance and religious traditions of the various sects. This will be essential in case of deterioration of relations between India and China in the years to come;

52. India must take the lead in Tibetology and Buddhist studies. Institutions in India and Tibetan and Indian scholars must be recognised as international leaders in this field. A plan of action must be developed and resources made available by the Government of India;
53. As many of the Buddhist sites are located in Nepal, India can collaborate with the Nepalese government in developing these areas for religious and commercial purposes. This will undermine and counter China's influence in Nepal, which is currently a matter of concern. Urgent steps will stall Chinese efforts to bring Nepal under its influence.

ROLE OF THE INDIAN PARLIAMENT

54. Members of the Indian Parliament must raise the issue of Tibet especially from the view point of India's all round security touching upon the above points;
55. The Indian Parliament must enact laws wherever necessary to make the above recommendations implementable in India's interest.

CONCLUSION

56. It is time for India to assert her national interest more clearly without compromising her sovereignty, just as China asserts her national interests without fear or compromise. Such a position by India does not necessarily imply confrontation.
57. Differences arising from its position on the India-Tibet border agreement could be open to negotiation with China. Such a stance will strengthen India's position in the border negotiation.
58. It is to India's credit that despite all the pressures that it has faced, and continues to face from China, it has stood by its commitment made in Parliament by India's first Prime Minister that the "last voice in regard to Tibet should be the voice of the people of Tibet and no body else."⁹ The changing environment demands that new meaning be given to this commitment.

⁹ Speech made by Pandit Nehru in the parliament in December 1950

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PART TWO

Detailed Report

PART TWO - SECTION ONE

INTRODUCTION AND RATIONALE

59. The evolution of India's Tibet policy can be traced back to the pre-independence era. In the first Asian Relations Conference convened by India in 1947, prior to its independence, Nehru invited Tibet as an independent country¹⁰.
60. India had formally accepted the sovereignty claims of the People's Republic of China (PRC) over Tibet in 1954¹¹. In return, the Government of India expected the PRC to adhere to its promises of ensuring Tibetan autonomy and respecting Indian territorial limits, including Kashmir's accession and India's special security ties with Nepal, and Bhutan that had become a vital security periphery after PRC's occupation of Tibet.¹² However, this did not happen.
61. The Government of India unhesitatingly received the XIV Dalai Lama, accompanying monks, and others in his retinue when he sought asylum in 1959. The welcome has, over the years been afforded as a matter of policy to all Tibetans seeking refuge from the Chinese Communist regime.
62. China claims Tibet is an integral part and Tibetans as its citizens. Tibetans however continue to flee Tibet due to the prevailing situations there, which are not conducive to their survival.
63. India is now home to more than one hundred thousand Tibetans living in settlements across the country. A Tibetan Administration has functioned from Dharamsala for over fifty years now.
64. Loss of basic human rights and poor economic conditions of many Tibetans and the PRC's policy of settling a sizable population of Han Chinese has not only diluted the demographic character but has taken away livelihood opportunities of Tibetans.
65. The window of opportunity to Tibetans and for them to raise the Tibet issue is fast closing because of the PRC's policy of settling large numbers of Hans in Tibet leading to the Hannanisation of Tibet. This is indeed of particular security concern to India, as it will eventually bring an increasingly nationalistic Chinese population right to the borders of India.
66. The roots of Tibetan Buddhism can be traced back to ancient Indian culture, are in danger of being wiped out in Tibet. The consequential turmoil in Tibet has had detrimental repercussions for Tibetans¹³ living in India.

¹⁰S.D.Muni: "The Third Tibetan Uprising: India's Response", ISAS Brief, No. 60, March 24, 2008

¹¹ Government of India recognised PRC sovereignty over Tibet on the understanding that the PRC would respect Tibet's full, or extensive autonomy, at least as stated in the 17 point Agreement. This is reasonable to assume, especially since India had earlier inherited Britain's treaty relations with Tibet (as confirmed formally by the GoI in its official note to the Government of Tibet (GoT) in 1947 after India's Independence. This is quoted in a letter by the PM of India to the PM of the PRC of 26 September 1959. This was also conveyed in no unclear terms by the GoI to the PRC government in 1960: (Note of the Government of India to the Government of the PRC, 12 February 1960, in Ministry of Foreign Affairs, India, in Ministry of Foreign Affairs, India, Notes, Memoranda and Letters Exchanged and Agreements Signed by the Government of India and China, No. 3 (1960), pp. 94-95).

¹² Sujit Dutta: "Scars of 1962", The Hindu, October, 2002.

¹³ Matthew Aketser: "Great Wall of Stability: the state's longer term response to the 2008 uprising," paper presented at FNVA's conference "Current State of Affairs in Tibet- Reasons?" April 2012. <http://fnvaworld.org/programmes/south-asia-studies/current-state-of-affairs-in-tibet-reasons>

67. There is in recent years a new fluidity in India-China relations consequent to China emerging as the world's second largest economy and its growing military might. Expansion of its influence in India's neighborhood and assertiveness towards India, has been pronounced since 2008. The recent Chinese intrusions in the Chumar, Siri-jap, Daulat Beg Oldi area of Leh, in the Indian State of Jammu and Kashmir, Barahoti in Uttarakhand, and Arunachal Pradesh are cause for serious concern.
68. The recent developments of building of hydro power projects on Yarlung Tsangpo by the PRC without even being ready to share data with India calls for a fresh look at India's engagement with China on river waters.
69. Successive Indian governments have supported the XIV Dalai Lama and the many Tibetans who live in the country and have provided facilities like education, freedom to practice their religion and way of life that has helped them preserve their unity and identity in exile.
70. The 1965 statement of the Indian Government at the United Nations read by Mr. Rafiq Zakaria¹⁴ supported the UN resolution Number 2079 (XX) of 1965, which called for "restoration to the Tibetans all the freedoms which we have enshrined with such dedication in the Universal Declaration of Human Rights." The 1965 resolution supported the 1961 UN General Assembly resolution which called for among other items the right to self-determination of the Tibetan People¹⁵. This is in line with the PM Nehru's statement that it is ultimately for the Tibetans themselves to decide on.
71. The very fact that the XIV Dalai Lama and his followers, including the CTA, are based in India implies that India has to take a more proactive role in the settlement of the Tibet problem. India must support the Middle Way Approach¹⁶ which lays down a road map to explore how the needs of the Tibetan people can be met within the frame-work of the constitution of the Peoples Republic of China. India should treat the CTA as the legitimate representative of the Tibetan people and interact with them purposefully.
72. The vulnerability of India's security was exposed with the annexation of Tibet by the PRC in 1950. India has to assess and re-assess continuously this vulnerability in its own national interest and take appropriate measures – diplomatic, infrastructural, strategic (defense preparedness) to diffuse tensions and lay a road map for political and economic stability in the region.
73. The political trend during the 1950s was towards freedom and de-colonisation. The PRC however followed a different path when it occupied Tibet. Its subsequent policies in Tibet regressed from "Liberation" to colonisation and oppression. Concern of oppressed people around the world has been a strong part of India's foreign policy. India has commented on such situations in other parts of the world.
74. All the above reasons make Tibet a core concern to India. The geo strategic compulsions indicated above compels India to re-examine its policy on Tibet and Tibet related issues, keeping in mind its bilateral relations with the PRC. The time is opportune now for India to re-examine its Tibet policy.

¹⁴ Please see Annexure 1 for details of Mr. Zakaria's speech at the UN in 1965

¹⁵ Please refer to Annexure 2 for further details on the UN General Assembly resolutions 1961 and 1965

¹⁶ Please refer to Annexure 3 for details on the Memorandum on Genuine Autonomy for the Tibetan People, 2008

SECTION TWO

STATE OF INDIA CHINA RELATIONS

75. The Chinese leadership installed at the 18th Party Congress in Nov 2012 and approved by the 12th National People's Congress (NPC) in March 2013, is one that has been molded by the Cultural Revolution and is determined to restore China to its self perceived international status which includes wiping out of past humiliations imposed by foreigners. This includes "unequal treaties." This leadership, which will be in charge for the next ten years, will be less flexible on issues concerning sovereignty and territory and there likely will be no relenting as regards Tibet as actions thus far have proven.
76. India is the only country in Asia that can be seen as a near equal to the PRC in terms of economics and geo-strategic issues. India and PRC compete for cultural influence and political and economic advantage in Southeast Asia. Both countries are rapidly growing economies, both have fought a war against each other and both are competing for natural resources. These are some aspects that determine how relations between the two shall develop.
77. India-China economic relations are an important element of the overall strategic and cooperative partnership. Over the years, several institutional mechanisms have been established for enhancing and strengthening economic cooperation between the two countries¹⁷. The bilateral trade rose by 20 times between 2000 and 2010. India must however examine whether this fact is really beneficial or detrimental to the growth of India's indigenous industries.

DEFENCE RELATIONS

78. The following are some of the major steps taken by the two countries: The Border Peace and Tranquility Agreement (BPTA) of 1993, Confidence Building Measures (CBMs) in the Military Field of 1996, Joint Working Groups (JWG) on the border issues; Special Representatives on the Line of Actual Control (LAC); Establishment of a working mechanism for consultation and co-ordination on India-China Border Affairs in January 2012. However these steps to resolve the security related issues have proven to be exercises in futility as even after 16 meetings the LAC is yet to be demarcated/ delineated¹⁸ and the trust deficit remains high. The CBM, and other agreements relating to the LAC are different from the border talks and these two processes cannot be linked¹⁹.

CULTURAL RELATIONS

79. Cultural Cooperation between the two countries was laid down in the Agreement on Cultural Cooperation signed in May 1988. The latest Cultural Exchange Programme signed in December 2010 during the visit of Chinese Premier Wen Jiabao to India, provides for cooperation in wide ranging cultural fields. The year 2011 was announced as the "Year of Exchanges."

¹⁷ India-China Joint Economic Group on Economic Relations and Trade; Science and Technology (JEG); India-China Strategic and Economic Dialogue (SED); Financial Dialogue in process since 2006.

¹⁸ http://www.claws.in/index.php?action=details&m_id=88&u_id=5

¹⁹ http://www.claws.in/index.php?action=details&m_id=88&u_id=5

TOURISM

80. The MOU signed during Premier Wen Jiabao's visit to India on 9-12 April 2005 provides for major liberalisation of air links between India and China²⁰.

NOT RECOGNISING INDIA'S SOVEREIGNTY

81. While sagacious, visionary leaders in both the countries can take an optimistic futurist view and alter the nature of the relationship, Beijing's actions thus far give little reason for such hope. Beijing has followed a two-track policy of overtly making friendly superficial gestures while being relentless in the application of pressure on issues that are essential to India's development in the long term. Examples are Beijing's reluctance to resolve the border issue, make expanding territorial claims in Arunachal Pradesh and Jammu and Kashmir as well as its illegal occupation of Aksai Chin. Notwithstanding the fact that India was the second country in the world to recognise the PRC and its control over Tibet, it till date has not recognised India's sovereignty by claiming its control over Arunachal Pradesh and disputing India's sovereignty over Jammu and Kashmir and questioning Sikkim's inclusion in the Indian Union. The issue of stapled visas is a matter of grave concern. China has also compelled international financial organisations not to extend financial assistance to development projects in Arunachal Pradesh, stymieing India's efforts to become a permanent member of the UNSC etc.
82. Between January and August 2000, the army reported 96 incidents of violation of the LAC in Trig Heights alone as compared with 120 incidents in 1999 in the same area²¹. The Director General, Indo-Tibetan Border Police, V.K. Joshi has publicly said that there have been 140 intrusions by the Chinese troops (People's Liberation Army) into Indian territory in 2007 alone²². Subsequently, there has been a steady increase in the number of incursions each year since 2010. In 2013 alone, there have been 150 incursions in the last seven months.²³
83. The recent incident in the Daulat Beg Oldi (DBO) Sector violated the 1993 "Agreement on the Maintenance of Peace and Tranquility along the Line of Actual Control in the India-China Border Areas" signed between China and India. Amongst other things, the agreement stipulated: "Neither side shall use or threaten to use force against the other by any means. Pending an ultimate solution to the boundary question between the two countries, the two sides shall strictly respect and observe the Line of Actual Control, no activities of either side shall overstep the Line of Actual Control."
84. Around 50 Chinese soldiers, riding on horses and ponies, reportedly entered Chumar on July 16 and stayed there an entire day. Sources say they were carrying placards and asked Indian forces to leave the "occupied territories". Subsequently the two more troop incursions occurred at the same place on the 18 and 20 of July 2013. The reported incursions in Chumar come on the heels of the Indian Army getting the go-ahead to raise a 50,000-strong Mountain Strike Corps along the border with the PRC. The first reported incursion on the 16th of July coincided with the announcement approving the new formation. Incursions in Barahoti (Uttarakhand) were also reported.

²⁰ http://www.mea.gov.in/bilateral_documents.htm?dtl/6563/synopses+of+agreementsMOUsMemoranda++visit+of+chinese++wen+jiabao+to+India+April+012+2005

²¹ Pravin Sawheny: "Downplaying Intrusion Government strangely downplays unabated Chinese intrusions into India," Editorial of Force National Security and Defense Magazine titled, April 2011 Issue

²² *ibid*

²³ Pioneer, 7th July

MASSIVE MODERNISATION OF CHINESE ARMED FORCES

85. India needs to maintain a vigilant posture in the backdrop of Beijing's ongoing military modernisation campaign. Chinese claims of a 'peaceful rise' are meant for public consumption. The main thrust of China's Defence White Paper (2013) is to suggest that the People's Liberation Army (PLA) is preparing to protect and expand China's interest and assets abroad. In March 2013, China's finance minister announced an allocation of about \$ 119 billion²⁴ for the defense sector. This figure is more than what South-East and East-Asian countries spend on defence and nearly thrice that of Indian figures.
86. China's military buildup is massive. According to Indian media reports, there are 23 military divisions of the Chinese on the Tibetan side; 11 military division on the Indian side; 5 military airfields on Tibet side, only 1 airfield on Indian side; China's Defense White Paper announced personnel numbers for the PLA Army's 'mobile operational units' of 850,000 along with 235,000 for the navy and 398,000 for the PLA Air force²⁵.

LACK OF PROGRESS ON BORDER DEMARCATION

87. India has a 4,057 Km long border with China. The Indian Government inherited the colonial legacy from the British Raj especially with regard to Tibet. Tibet is the crux of Sino (Tibet) border issue. The 1914 Simla Convention between British India, Independent Tibet and China, is a treaty which bestowed on the McMahon Line its continuing legitimacy and legality²⁶. India, Tibet and China had come together to resolve the status of Tibet and its border with China. The Chinese representative did not sign the draft tripartite agreement because of disagreement over the Sino-Tibetan border as contained in the draft. Following this withdrawal, the British delegations negotiated and signed the bilateral border agreement on the Indo-Tibetan border and Trade Agreement. They also determined in a separate bilateral agreement that China would be barred from any advantages or privileges it might have accrued with respect to Tibet (i.e. including any suzerain rights) unless it signs the trilateral Simla agreement, which China never did. All the three parties formally recognised each others' full capacity to conclude treaties before negotiations started and nothing occurred during the Simla negotiations to change that. Thus the Tibetan and British (Indian) governments entered into fully valid agreements on the border and on trade in 1914. Thus the treaty signed between India and Tibet led to the formation of the modern day post 1950 Sino-Indian border (McMahon Line) in the Eastern Sector. Hence Tibet has become a crucial element in understanding and solving the problem faced by India and the PRC today.
88. Despite sixteen rounds of talks between Special Representatives of India and the PRC to resolve the boundary dispute, there has been no tangible breakthrough. The continuation of the problem could be attributed to the Chinese policy to keep the border issue alive in order to have India permanently anxious and unbalanced. It wants to keep India confined to South Asia hemmed in by a strategic encirclement²⁷. Non-acceptance of the McMahon Line by the PRC in the Eastern Sector as the boundary, is the core issue which has given rise to confrontation between the two countries.

²⁴ Srikanth Kondapalli: "China Flexes its Muscles: Its new White Paper on Defence highlights the Chinese Military Growing Muscularity", Times of India, May 7, 2013

²⁵ China's 2013 Defence White Paper

²⁶ Please refer to Annexure 5 for a report of the Officials of GoI and the PRC on the boundary question

²⁷ Sheru Thapliyal: http://www.claws.in/index.php?action=details&m_id=88&u_id=5

ENCIRCLEMENT OF INDIA BOTH ON LAND AND SEA

89. China's actions on the ground, including the Chinese inroads in India's immediate and extended neighborhood, aim to counter Delhi and assert maritime dominance in the northern Indian Ocean.²⁸ It has been rather successful in encircling India with its naval bases, commercial ports and listening posts along the southern coast of Asia. As part of its aggressive foreign policy PRC has established military and trade partnerships with all countries in the region surrounding India. Nepal, Myanmar, Bangladesh, Sri Lanka, Maldives and Pakistan, all receive arms from China. In addition, excluding Nepal, all these countries have regular defence projects with the PRC. It has port facilities in Bangladesh and radar and refueling stations in Myanmar. PRC's triumph is however the Pakistan's deep water port at Gwadar, which it has taken over in 2013. With this development, future conflicts with China would involve naval fighting both in the Arab Sea and the Bay of Bengal. PRC is boldly unraveling its grand strategy of encircling India both via land and sea. There is little doubt who PRC and Pakistan consider their enemy in the region, albeit for different reasons.
90. PRC has also invested heavily in Thailand, Burma, Cambodia and has been prudent in using local prevailing situations in countries to begin exerting its influence there. A point in case is Nepal.
91. Chinese and Bhutanese PMs met in Rio De Janeiro for the very first time in June 2012. This was the highest level of interaction between the two. The Chinese reiterated their request to establish formal relation between the two countries. The two sides have had thus far around 19 meetings to resolve their 470 km long border dispute. The disputed area between China and Bhutan, is situated very close to the sensitive Chumbi Valley, involving a Tri junction which is detrimental to India's security interests.
92. Of late China has engaged many east African countries on the Indian Ocean to its advantage by investing heavily in Kenya, Tanzania and Somalia. China's "String of Pearls" extend from Africa to South Asia (Bangladesh, Bhutan, Nepal, Pakistan, Sri Lanka) to Burma, Thailand in East-Asia.

CHINA'S ENGAGEMENT WITH NEPAL AND IT'S IMPLICATION FOR INDIA

93. China's strategic objectives in Nepal are clear. These are to neutralize and eliminate Indian influence, secure its border with Nepal to ensure the fleeing of Tibetan refugees into Nepal is effectively curbed. China's policy in Nepal is now managed by the PLA, security apparatus and the Chinese Communist Party (CCP) and United Front Work Department (UFWD).
94. China has been increasingly involved in constructing other infrastructure projects in the border areas of Nepal like the Kodari road, Lumbini, the Pokhara-Baglung road as well as extending the railway line from Lhasa to Khasa on the Nepal-Tibet border. One of China's major aims in developing infrastructure and increasing economic ties with Nepal is to weaken India's influence in the country, which India has enjoyed until very recently. Given Chinese access through these infrastructural developments on Nepal-Tibet border, the Chinese heartland would consequently become easily accessible through the open Indo-Nepalese borders. Recent news reports reveal that Nepal's transport Minister requested the Vice-Governor of TAR to extend the proposed railway from Kathmandu to Lumbini. If this comes about it will greatly facilitate movement of Chinese troops

²⁸ Monika Chansoria: "Dragon Still Remains a Serious Threat", The Pioneer, November 4, 2012, <http://www.dailypioneer.com/sunday-edition/sundayagenda/assignment-agenda/106399-dragon-still-remains-a-serious-threat.html>

and missiles right up to the Indo-Nepal border as also deployment of PLA personnel. Importantly, the railway will be built by PLA engineers and their manpower.

CHINA'S MAIN AREAS OF CONCERN

95. It is pertinent to note that Chinese officials, diplomats and members of Chinese government controlled think-tanks in conversation with their foreign counterparts have listed the following main items as issues of concern. These are, in order of priority: a) Dalai Lama and Tibet issue as the core issue between India-China relations; b) The border dispute and c) India's geo-political ambitions²⁹ and d) the combined Indo-US role in regional and international politics.

EXTENSION OF THE "ONE CHINA POLICY" TO TIBET

96. China demands that other governments (including India) with whom it establishes or maintains relations, endorse its "One China Policy" with regard to Tibet. This policy, however is not applicable to Tibet, as this was articulated in the context of US-China and US-Taiwan relations in the early 1970's. In the case of the "One China Policy" there are a lot of contradictions and policy framers and legal experts do need to critically examine thisⁱ

²⁹Jayadeva Ranade: *"China Unveiled- Insights into Chinese Strategic Thinking"*; 2013; KW Publishers, New Delhi, pg,148-49

SECTION THREE

GEO-POLITICAL IMPORTANCE OF TIBET TO INDIA

TIBET IN INDIA CHINA-RELATIONS

97. Tibet remains a core concern for India, while the border issue is the main concern in India-China relations. Developments taking place on the Tibetan Plateau have direct geo-political implications for India.
98. For the first time in history and ever since the PRC occupied Tibet in 1950, India and China became immediate neighbours with a shared border and no buffer. Recent Chinese military activity in Tibet is reminiscent of the well known saying: “He who also holds Tibet, dominates the Himalayan piedmont, threatens the Indian subcontinent, may well have all the South Asia within his reach, and with it all of Asia,³⁰” is also central to China’s security strategy as a buffer between the Han mainland and China’s turbulent periphery³¹.
99. The steady militarisation of Tibet over the years by China has made it a source of potential perennial concern for India and, by extension, other countries in the region. Estimates differ about the number of PLA’s troop deployment in TAR. The fact however remains that the quantum of infrastructure activity in the region is well beyond the “genuine needs” of Tibet or the Tibetan people³². According to the Central Tibetan Administration (CTA) in Dharamsala, the estimated number of PLA troops deployed in Tibet stands at about 500,000 in the form of the People’s Armed Police (PAP), the Chinese Frontier Guards and the Garrison Duty Forces.
100. China is transforming the economy of Tibet through urbanisation, infrastructure development, industrialisation and extension of rail, roads and airports.
101. This rush into Tibet could destroy much of the region’s high-altitude delicate ecosystem. However, the bulk of the new infrastructure projects serve to speed up Han Chinese migration. A rising tide of Han Chinese migrants flooding into Tibet has diluted Tibet’s character and taken away many available jobs. The Hans constitute a major chunk of the population in Lhasa, and in a number of other urban areas and it is believed that by 2015, there will be 20 million Han Chinese in the TAR, thus shifting cultural boundaries between the Tibetan people and the Han Chinese. The consequent strategic challenges and their implications, continue to loom large, especially for India.
102. China’s infrastructural development plan in TAR is laid out in the “Western Development Campaign”. This Great Western Development Campaign was aimed at promoting the Chinese nationalism and growth of greater economic development of the country’s under-developed western

³⁰ Michael Mathos and George Ginsburg: “Communist China and Tibet: The First Dozen Years”, Martinus Nijhoff, The Hague, 1964

³¹ Abanti Bhattacharya: “China and its Peripheries: Strategic Significance of Tibet” IPCS Issue Brief. Periphery strategy for China has dual implications: one security of the internal periphery underscored in their minority policy; two: security of the external periphery reflected in its policy towards India, Nepal and the Central Tibetan Administration

³² Monika Chansoria: “China’s Infrastructure Development in Tibet Evaluating Trendlines”; Manekshaw Paper Nr. 32, 2011

regions that are primarily populated by ethnic minorities. “Go West” symbolises a significant feature of China’s 12th five year plan. In fact, Hu Jintao, former President of PRC has long advocated a policy of generating economic prosperity so as to eradicate “separatist movements” in the minority areas of China.

103. The Golmud-Lhasa Railway which covers a distance of 1,142 km from Golmud to Lhasa, has been operational since July 2006. The Chinese plan to extend this Railway Line to Shigatse situated near India’s border. This extension shall cover 253 km and is under construction and expected to be operational by 2014³³. There are also plans to extend the Shigatse line to the Nepal border and further to Chumbi Valley.³⁴ China further plans to extend the Golmud-Lhasa Railway Line to Yadong and Nyingchi. This line lies close to the Indian border, near Sikkim and Arunachal Pradesh. This will be further extended to Dali in Yunnan Province. This line, running parallel to Arunachal Pradesh, will enable the PLA to rapidly relocate troops stationed in Kunming, Dali and Kaiyuanan to TAR.³⁵ ii According to Brahma Chellaney, no country is going to be more affected by the Chinese plans and projects in Tibet than India.³⁶ He states that the Golmud-Lhasa Railway Line has significantly augmented China’s rapid military deployment capability against India, just when Beijing is becoming increasingly assertive in its claims on Indian Territory. The Golmud Lhasa rail connection has also helped the Chinese in their Han migration plans to Tibet.
104. Although estimates vary, the Golmud-Lhasa Railway Line provides China with the capability to mobilise as many as 12 divisions (approximately 12,000 troops make a division) in a month’s time. Initially the travel time for troops from Golmud to Lhasa was approximately 72 hours, however, with the introduction of this Railway Line, this has been reduced to 16 hours. The fact that troops have been transported to Lhasa on this Rail network as early as in 2007, clearly implies its use for military purposes as well. The Xinhua news agency during this time cited unnamed sources in the People’s Liberation Army (PLA) as saying that the railway would become ‘a main option’ for transporting soldiers. PLA Air Force (PLAAF) recently used this rail link to transport combat material including ballistic missiles to Tibet to test if they can withstand change of pressure. Since 2010 Tibet Military Region is very active using Lhasa rail for military exercises.³⁷
105. China has developed a network of highways and subsidiary / feeder roads in the TAR to connect strategically significant border areas with India, Nepal, Bhutan and Pakistan by means of motorable roads.
106. China has constructed seven major airbases on the Tibetan Plateau along with innumerable satellite airstrips, which provides the PLAAF (People’s Liberation Army Air Force) the potential to dominate air space over Tibet and gives it a capability, for the first time, to execute combat operations over Indian Himalayas³⁸. The main airfields within the region include 7 airports: Lhasa Gonggar Airport, Ngari Gunsa Airport, Nyingchi Mainling Airport, Qamdo Bamda Airport also known as the Changdu Bangda Airport and Shigatse Peace Airport, Nagchu Dagrang Airport and

³³ Brig. Vijai K. Nair: “ The Challenge Posed by China’s Military Posture in Tibet” <http://www.sasfor.com/35/post/2013/01/the-challenge-posed-by-chinas-military-posture-in-tibet.html> Jan 18, 2013

³⁴ <http://www.vifindia.org/monograph/2012/china-s-strategic-posture-in-tibet-autonomous-region-and-india-s-response>

³⁵ Rajeswari Pillai Rajagopalan and Rahul Prakash: “Sino-Indian Border Infrastructure: An Update,” Observer Research Foundation, 2013, http://orfonline.org/cms/export/orfonline/modules/occasionalpaper/attachments/Occasional42_1369136836914.pdf

³⁶ Monika Chansoria: “China’s Infrastructure development in Tibet: Evaluating Trendlines”, Manekshaw Paper, no. 32, 2011

³⁷ Brig. Vijai K. Nair:” The Challenge Posed by China’s Military Posture in Tibet”, <http://www.sasfor.com/35/post/2013/01/the-challenge-posed-by-chinas-military-posture-in-tibet.html>, January 18, 2013

³⁸ *ibid*

the Daocheng Yading Airport. All these airports are of strategic significance to India and are operationalⁱⁱⁱ.

107. Tibet's economy has been growing at an annual rate of 12 per cent or more over the past seven years, and the Golmud-Lhasa Railway Line is believed to have played a great role in boosting the region's development.³⁹ However, the consequent strategic challenges lie in the neighboring countries especially for India. The Chinese investment in infrastructure development in the border areas with India, coupled with a sustained double digit growth in its defense budget and massive military modernisation undoubtedly pose serious security challenge to India.

SINO- INDIAN BORDER

108. Tibet is the crux of the Sino-Indian border issue. The 1914 Simla Convention between British India, Independent Tibet and Republican China, is a treaty which bestowed on the McMahon Line continuing legitimacy and legality⁴⁰. India, Tibet and China had come together to resolve the status of Tibet and its border with China. The Chinese representative did not sign the draft tripartite agreement because of disagreement over the Sino-Tibetan border as contained in the draft. Following this withdrawal, the British delegations negotiated and signed the bilateral border agreement on the Indo-Tibetan border and Trade agreement. They also determined in a separate bilateral agreement that China would be barred from any advantages or privileges it might have accrued with respect to Tibet (i.e. including any suzerain rights) unless it did sign the trilateral Simla agreement, which China never did. All the three parties formally recognised each others full capacity to conclude treaties before negotiations started and nothing occurred during the Simla negotiations to change that. Thus the Tibetan and British (Indian) governments entered into fully valid agreements on the border and on trade in 1914.
109. It is indeed illogical to consider the McMahon Line to be a valid border unless the validity of the 1914 agreement is recognised. Doing so would imply that Tibet was independent and capable of concluding treaties in 1914. Tibet's capacity to independently conclude treaties has not been questioned by independent India from 1947. In fact the Government of India confirmed treaty relations with Tibet on a number of occasions and even reminded the Tibetan government in 1947 that it expected Tibet to honour its treaty relations with India as other governments with whom India maintained treaty relations inherited from the British India, had done. The Chinese government has sought to underline this historical fact and succumbing to the Chinese pressure in 2009 the British government inexplicably stated that "suzerainty" was an outdated concept by 1914 and therefore Chinese sovereignty over Tibet was recognised retrospectively by UK.

TIBETAN PLATEAU: THE SOURCE OF WATER FOR INDIA AND ASIA

110. The Tibetan Plateau is called 'The Water Tower of Asia'⁴¹ and the 'Third Pole' or the Earth's third largest storehouse of ice outside the two poles, is home to more than 46,000 glaciers covering an area of 105,000 sq.km. The Plateau holds the Hindu Kush Himalayan Ice Sheet, considered to be the largest ice mass outside the two poles.

³⁹Monika Chansoria: "China's Infrastructure development in Tibet: Evaluating Trendlines", Manekshaw Paper, no. 32, 2011

⁴⁰ Please refer to footnote number: 2

Please refer to Annexure 5 for a report of the Officials of GoI and the PRC on the boundary question

⁴¹ The glacier-fed rivers originating from the Tibetan Plateau make up the largest river run-off from any single location in the world.

111. Climate change has wrought changes in the region and accelerated the melting of Tibet's glaciers. This will have effects that resonate far beyond Tibet and China and impact on the water sources of billions of people in South and Southeast Asia. The glacier-fed rivers originating from the Tibetan Plateau make up the largest river run-off from any single location in the world and are the life-source for millions of people. As a result, approximately 1.3 billion people living in more than 5.6 million sq.km. of drainage basin are dependent on the health of the major rivers that originate in Tibet.
112. The dominant status that China enjoys by being an upper riparian state controlling Tibet, the "Water Tower of Asia," accords special significance to the use of this asset by the Chinese. The PRC will use water as a strategic commodity and as a tool for energy and economic diplomacy with its neighbours as and when required.
113. China is in the process⁴² of diverting the waters of the Brahmaputra to north China and dam the Mekong in the upper reaches, which has huge consequences for over a billion people inhabiting the Indus plain, Indo-Gangetic plain, Brahmaputra valley and the member nations of the Mekong River Commission. There is a Western Route Transfer Project, a South-North Water Diversion Project and a West-East Power Transfer Project. Moreover, a barrage near Tsamda Gorge near Guge kingdom could disturb the Sutlej flow and enable China to control and regulate the flow of water into India. This could also take place on the Lohit (Zayul Chu), Subansiri and Indus, amongst others.
114. Budget allocations for the diversion of the Brahmaputra have been made and as China's water scarcity and food grain shortages mount, the demand compelling diversion will increase. China's policy of using water as a strategic asset emanates from a perennial deficit of this critical resource in the mainland. Seven⁴³ dams have already been built with plans for fifteen more on the Brahmaputra. As diversion of the Brahmaputra and construction of a mega dam continues and accelerates the melting of Tibet's glaciers, its impact on the waters originating in Tibet will resonate far beyond, affecting both the water supply for billions of people and the atmospheric circulation over much of the planet⁴⁴.
115. Diversion of the Brahmaputra and construction at the Great Bend near the Indian border of a mega hydel project of 38 GW power station which will be twice the size of the Three Gorges Dam, will carry with it the potential for floods. Despite repeated official denials, work on the project continues. The Draft Outline of the Tenth Five-year Plan for National Economic and Social Development mentions the 'gigantic' project to divert the waters of three major Tibetan rivers⁴⁵ to China's drought-stricken north and was reiterated at the NPC in March 2013. Once finished, the man-made rivers will carry 12.6 trillion gallons of water a year.
116. With the invasion of Tibet, the nature-friendly way of life for the Tibetan people was trampled upon. Tibet's invasion was followed by wide-spread environmental destruction resulting in deforestation, overgrazing, uncontrolled mining, nuclear waste dumping, nomads removal from the grasslands and other perils⁴⁶. This region is thus under serious threat from climate change, deforestation and ill

⁴² There is a budget provision; there is an overall budget for South-North diversion project of USD 65 Billion; The South-North Water diversion Project is under the direct control of the Premier; Work is continuing on the construction of dams along with Yarlung Tsangpo.

⁴³ Zangmu Dam, the first dam being built on the Tsangpo, other 6 dams being built are located in Lengda, Zhongda, Langzhen, Jiexu and Jiacha & Dagu

⁴⁴Lodi Gyari Rinpoche: "Where is China heading on Tibet?" statement at the Council for Foreign Relations (CFR), April 2013

⁴⁵ Yarlung Tsangpo, Yangtze and Yellow River

⁴⁶ <http://tibet.net/important-issues/tibets-environment-and-development-issues/>

planned projects⁴⁷. Historic tensions and regional rivalries have impeded full cooperation and creative thinking that is required to prevent further deterioration on the Third Pole. Prior to Tibet being occupied, the Tibetan people created cultural landscapes based on the principles of simplicity and non-violence that were in harmony with the environment. Guided by Buddhist beliefs in the interdependence of both living and non-living elements of the earth, Tibetans lived in harmony with nature. These beliefs are strengthened further by the Tibetan Buddhists traditional adherence to the principle of self-contentment: the environment should be used to fulfill one's need and not one's greed.

RELIGIOUS AND CULTURAL LINKAGES WITH TIBET

117. The roots of contacts between India and Tibet can be traced back to about 2000 years ago, where Buddhism was the major component of cultural link. Tibet and the entire Tibetan Buddhist world obtained its philosophy and teachings from India, as well as its script. It was this philosophy, which served as the basis for the very influential monastic system in Tibet as well as the dual system of government (religious/political) and the basic framework for Tibet's relations with neighboring powers (the Guru-Patron or Choe-yon relationships). The Buddhist philosophy is what developed Tibet into a peaceful country and people that existed for centuries to the north of India. Tibet's cultural and religious influence with the Himalayan peoples formed another avenue for rich cultural and religious exchange between Tibet and India over the centuries.
118. The presence of the Dalai Lama in India, has attracted thousands of followers all around the world and therefore has brought India back on the Buddhist map once again.
119. With the establishment of Tibetan refugee settlements, Buddhist monasteries and educational institutions were established in different parts of India. These institutions play a significant role in maintaining the traditional culture and identity of Tibet, but additionally make a major contribution to the preservation of India's heritage. They also reinforce the sentiments of large sections of India's population in the Himalayan regions⁴⁸ who practice Tibetan Buddhism and have implicit faith in the Dalai Lama. Sustaining their loyalty and faith is important for India.
120. China's United Front Work Department (UFWD) has expanded its activities and could work to divide various Buddhist sects. They may attempt to infiltrate and influence the Tibetan Buddhist populations residing along India's vulnerable Himalayan belt from Ladakh to Sikkim, Bhutan and Arunachal Pradesh. They are also actively trying to divide the exiled Tibetan community in India. The security implications for India are enormous and steps need to be taken quickly to prevent the occurrence of such developments.

⁴⁷<http://www.thethirdpole.net/wp-content/uploads/2012/06/Part-1-Final1.pdf> - Why the Third Pole Matters

⁴⁸ Lepchas and Bhutias in Sikkim and Darjeeling, Monpas in Arunachal Pradesh, Ladakhis in J&K and the people from Lahaul, Spiti and Kinnaur in Himachal Pradesh.

CHINA'S POLICIES IN TIBET: ITS IMPACT FOR TIBETANS IN INDIA AND CONSEQUENCES FOR INDIA-CHINA RELATIONS

121. The 2008 anniversary of the uprising acquired greater significance for Tibetans' as Beijing was to hold the Olympics in August of that year. The March 2008 Tibetan uprising, marks a major turning point between the state and its Tibetans subjects and saw a high degree of lay involvement and high incident of protests in rural areas.⁴⁹ The uprising demonstrated the Tibetans' rejection of Chinese rule and their desire to retain their culture. While this uprising received much sympathy internationally, it infuriated the PRC Government. After the initial spark in Lhasa, the movement spread to areas outside the TAR, like in eastern Tibet especially Amdo, which had not seen mass street protests against Chinese rule for many decades⁵⁰. The Chinese Communist Party's (CCP) policies towards Tibetans have become more repressive and intensive. Religion has been singled out for especially harsh treatment in a bid to, as stated in August 2012, by the Politburo Standing Committee (PSC) member in charge of Propaganda, Li Changchun, 'make Buddhism suit socialism'. Controls by the Party and the Public Security Bureau (PSB) have been intensified simultaneous with undertaking more developmental activities. Unable to staunch the unceasing spate of self-immolations by Tibetans, Beijing has ignored their pleas for redress and done nothing though more than 122 Tibetans have immolated themselves by now. The self-immolations additionally convey another message, namely that the epicenter of the protests against Chinese occupation has shifted to Tibetan areas incorporated into China. This has the seeds for a long-term disruptive ethnic movement in China.
122. Today, Tibetans are faced with the real and urgent danger of disappearing as a people and as a distinct culture. Continuous repressive controls on culture, religion and language have led to the realistic fear for the extinction of the Tibetan identity. Removal/restrictions on the use of the Tibetan language; lack of economic opportunities; lack of a free and unbiased legal support system; overwhelming security apparatus in all Tibetan majority areas; preventing Tibetans from praying to His Holiness as well as preventing the display of his portraits; blocking out information that can get in and out of Tibet are some of the reasons for the current unrest in Tibet. There is tension throughout TAR and adjoining Tibetan peopled areas with virtually all the six million Tibetans in China are subjected to a repressive security administration.
123. Beijing will have to reckon with the altered circumstances in Dharamsala consequent to the Dalai Lama relinquishing his temporal authority to an elected representative and later in a post Dalai Lama phase.
124. Implementation of any policy detrimental to Tibetans inside Tibet would have serious repercussions on Tibetans living in India, which in turn, could lead to frictions and tensions in Sino-Indian relations.

⁴⁹ Matthew Aketser: "Great Wall of Stability the State's Longer Term Response to the 2008 Uprising". Paper presented at FNVA's programme: "Current State of Affairs in Tibet: Reasons?" [www.http://www.fnvaworld.org/download/currentprogramme/reports.pdf](http://www.fnvaworld.org/download/currentprogramme/reports.pdf)

⁵⁰Chok Tsering: "Tibetan Uprising in March 2008" –FNVA, 2012

SECTION FOUR

INDIA NEEDS A ROBUST TIBET POLICY

125. It is in this backdrop that India needs to re-examine its policy on Tibet. A fresh approach will be needed based on India's national security interests and blended with India's long unbroken humanitarian traditions of religious tolerance. While India should continue with its policy of not encouraging conflict, it has to take steps that safeguard its national interests. This becomes more imperative in the light of heightened Chinese activities in the neighbourhood including Nepal.
126. It is strongly recommended that the Government of India adopts a multi-faceted, assertive and well integrated policy with respect to all matters pertaining to Tibet as discussed in this Report. Thus environmental, security, territorial, diplomatic, human rights, economic, cultural and religious strategies and corresponding policies should all form part of a well coordinated new policy to serve India's interests. Doing so would need to take account of the interests of the Tibetan people as these are linked to the success of such a new approach. India's firmness and assertiveness should not be perceived as hostile by China or anyone else.
127. India should take the initiative to create a multilateral effort that includes civil society organisations and experts to discuss the very serious issues raised in this Report in an attempt to find resolutions. China could at some later stage be invited.
128. The presence of the XIVth Dalai Lama is a major advantage that India must utilise. India's policy must take into account the Chinese machinations and use the presence of high Lamas of all Tibetan sects in India to its advantage. China's efforts to sow discord in the Tibetan refugee community and more importantly, use those willing to create divisions in the vulnerable Indo-Himalayan border belt, has intensified. It has already had an adverse impact on our relationship with Nepal with potential of posing a security threat.

POINTS OF ENGAGEMENT WITH CHINA / ISSUES IN INDIA-CHINA RELATIONS

TERRITORIAL SOVEREIGNTY

129. India is in a position to take a tougher and a more uncompromising stance on issues like assertion of its territorial sovereignty and demand that China respect and recognise it on the basis of reciprocity: India has recognised Tibet as an autonomous region of the PRC and so China should recognise as explicitly that Sikkim, Arunachal Pradesh and Jammu and Kashmir are States of the Indian Union, albeit with unique histories reflected in their constitutionally determined rights and privileges. Failure to do so by Beijing should attract a reciprocal action or India should cease the treaty of its acceptance of Tibet as part of China, as done during the recent visit of Chinese Premiere Li Keqiang to Delhi.

ENVIRONMENT

130. India is left with no option now but to act on issues of warming of the Tibetan Plateau and diversion and damming of river waters, specifically the Brahmaputra, with China. This needs to be done at every bilateral meeting and in regional and international forums. India needs to discuss this with other affected countries in the region to mount pressure on China.

BUILD STRONGER LINKAGES WITH THE NORTH-EAST

131. Transportation infrastructure should be rapidly developed in the North-East to link it with other parts of the country and South-East Asia region. This will give a boost to the local economy and provide enlarged employment opportunities. In addition it will promote integration. Such transportation links would depend on aviation links, at least initially, and should include McLeod Gunj, Dharamsala.

BUDDHISM

132. India must use Buddhism as a soft power. Buddhism is getting globalised at present, and India should take advantage of this opportunity by using Buddhism as a foreign policy strategy to engage with the Chinese. Indeed, the XIV Dalai Lama and senior Tibetan Lamas are very valuable assets to India for its international diplomacy. The re-establishment of the ancient historical Buddhist institute of learning – the Nalanda University is a major step but this should be done without allowing it to come under China's influence. The renovation of the Nalanda University will broaden Indian prestige and influence in neighboring South and Southeast Asian countries, which are predominantly Buddhist. It is odd indeed that the XIV Dalai Lama and other Tibetan Buddhist leaders who are inheritors of the Nalanda Tradition are not associated with the effort to recreate the Nalanda University, which has essentially been a Buddhist institute of learning. The antecedents of individuals presently entrusted with setting up Nalanda need to be vetted and the involvement of participants expanded. India based Buddhist organisations should take the lead in projects such as the Lumbini project. India should take the lead as a country of Buddhism and a source of inspiration to all Buddhists.

SUGGESTIONS FOR A POLICY REAPPRAISAL

TERRITORIAL SOVEREIGNTY

133. Continue to demand the return of Aksai Chin;
134. Insist that the People's Republic of China explicitly recognise Arunachal Pradesh, Sikkim and Jammu and Kashmir as inalienable parts of India. PRINCIPLES OF RECIPROCITY MUST BE A TWO WAY PRINCIPLE;
135. Principles of the 'One China Policy' must be re-examined to ascertain its validity for India's relationship with Tibet;
136. India must continue to ignore China's protests on issues like the Prime Minister and the Dalai Lama's visits to Arunachal Pradesh; Arunachal Pradesh is a state of the Indian Union like any other.
137. Government of India should once again publish White Papers as it did in the past.

ENVIRONMENT

138. India should urge Beijing to open bilateral discussions on the Brahmaputra River diversion project notwithstanding its protests that it has no such plans;
139. The Brahmaputra River water issue should be raised with China at each bilateral meeting including raising the issue of the Brahmaputra River water quality and trade-offs between hydropower, food security and biodiversity;
140. Raise the need for a comprehensive knowledge base on water resources;
141. Demand institutionalisation of a water sharing agreement between China and the lower riparian states on the sharing of the Brahmaputra and other waters;
142. In the face of China's continued obdurance India should make common cause with the Mekong River Commission and other countries who are similarly affected to enhance pressure on Beijing;
143. Take up the Brahmaputra water issue in all international fora, including the UN, to put Beijing under pressure.

BUILD STRONGER LINKAGES WITH THE NORTH-EAST

144. It is vital that India resolve its internal conflicts in the North-East. This strategically important region must be the focus for overall development (infrastructure, healthcare, education, employment etc.) so that the region becomes a strength for India and for its relations with China and with South-East Asia.
145. The persistence of some conflicts in the region are potential for instability and it is important that this region is integrated with improved communication and trade links. It would be worthwhile to extend certain concessions to this region to promote it to develop

STRENGTHEN RELATIONS WITH THE DALAI LAMA, THE CENTRAL TIBETAN ADMINISTRATION AND HEADS OF TIBETAN LINEAGES IN INDIA

146. The Dalai Lama is internationally the most respected spiritual leader and is a leading figure of Buddhists all over the world. His residence in India is a strength to India's moral and religious leadership. Now that the Dalai Lama has transferred his political functions (or role) to a democratically elected leadership while retaining his spiritual leadership role, there is no longer any need for the Government of India to be apprehensive in inviting him on public platforms with India's leaders including the President, Prime Minister etc.;
147. The External Affairs Minister and the Foreign Secretary should meet the Dalai Lama publically either in Delhi or during their visits to Dharamsala;
148. The Indian Liaison office in Dharamsala should be upgraded;
149. India is host to the largest number of Tibetans outside of Tibet, and also to the Central Tibetan Administration (CTA), which is responsible for their well-being and rehabilitation. It is therefore

imperative that the Government of India begins to assume direct responsibility for the welfare of the Tibetans in India as large numbers are born in India and therefore legally citizens of India. In this connection a Tibet Cell in the Ministry of Home Affairs or Ministry of External Affairs (South Asia Division) could be constituted. India has to take a more proactive role in the settlement of the Tibet problem in accordance with the Middle Way Approach proposed by the Dalai Lama.

TIBETANS IN INDIA

150. Tibetans born in India and those resident in India from a specified cut-off date should be considered eligible for employment in Government. They could initially be employed in organisations like the Defence Security Corps (DSC), Central Police Organisations like the ITBP, in Central Ministries like Tribal Welfare, Health, Tourism and Culture, Education, Environment and Forests, All India Radio's External Service, and some state governments in addition to the existing avenues. What ever restrictions remain could be entirely lifted after some years;
151. Existing rules and procedures for Tibetans need to be liberalised. Tibetan Refugees who can present proof of regular employment and have bank accounts, should be legally allowed to own property including land and houses subject to normal tax provisions. This will obviate the practice of 'benami' transactions and save them unnecessary harassment. This will allow those coming from Tibet to own property or conduct business in India while at the same time saving them from avoidable harassment. This should be equally applicable to high-ranking monks, if necessary in cases where they are not born in India, with some modifications. For this category their trusts or formal organisations should be granted these rights;
152. Formalise regulations for high ranking lamas and monks receiving donations etc., subject to usual security checks;
153. Tibetans born in India already have the same rights as other Indian citizens in obtaining an Indian passport and the same should be facilitated;
154. Charitable, religious and other trusts and activities inside India presently sponsored/supported by the Dalai Lama and his establishments should be financially supported by the Government of India and their managements left to the Dalai Lama's establishment for the time being;
155. Opening of pilgrimage tourist routes to Kailash-Mansarovar through Nathu-La and Demchok should continue to be proposed on grounds of comfort and amenities for travellers. India should continue to suggest air travel for the sector Delhi-Leh-Gargunsa for the pilgrims;
156. People-to-people linkages, education and scholarships for Tibetans, in Information Technology and vocational institutes, schools and colleges should be promoted; Strengthening linkages with the Tibetans in India will go a long way in strengthening ties with Tibetans in Tibet;
157. Exchanges of religious scholars and students between India and Tibet should be facilitated and promoted, including with the institution of scholarships for monks from Tibet;
158. Tibetan language, religion and history should be included in the Indian school syllabus to build, preserve and sustain a strong cultural link;
159. Initiate Tibet Study Centres in Central Universities.

TRADE WITH TIBET

160. Government of India could consider an economic initiative in Tibet for promoting trade. It should press for re-opening of trade routes e.g.- Demchok and other places/traditional trade marts;
161. Trade should be promoted between the TAR and other Tibetan peopled regions and India, and Indian businesses encouraged to open establishments there. Government of India could promote setting up of hospitals, hotels etc. and ensure employment of local Tibetans;
162. India should push for the re-opening of its Consulate/Trade Representation in Lhasa and make any further opening of Chinese diplomatic or other office in India conditional on this;
163. Open Indian cultural centres in Lhasa/Tibet.

BUDDHISM – AS A SOFT POWER

164. India needs to quickly set up an apparatus to harness Tibetan Buddhist religious knowledge and practice, and acquire legitimacy to exercise a benign role in recognising the activities, performance and religious traditions of the various sects. This will be essential in case of deterioration of relations between India and China in the years to come;
165. India must take the lead in Tibetology and Buddhist studies. Institutions in India and Tibetan and Indian scholars must be recognised as international leaders in this field. A plan of action must be developed and resources made available by the Government of India;
166. As many of the Buddhist sites are located in Nepal, India can collaborate with the Nepalese government in developing these areas for religious and commercial purposes. This will undermine and counter China's influence in Nepal which is currently a matter of concern.

ROLE OF THE INDIAN PARLIAMENT

167. Members of the Indian Parliament must raise the issue of Tibet especially from the view point of India's all round security touching upon the above points;
168. The Indian Parliament must enact laws wherever necessary to make the above recommendations implementable in India's interest.

SECTION FIVE

CONCLUSION

169. It is time for India to assert her national interest more clearly without compromising her sovereignty, just as China asserts her national interests without fear or compromise. Such a position by India does not necessarily imply confrontation.
170. India should reaffirm the validity of the India-Tibet Simla Agreements in conformity with its earlier positions which were firmly grounded in international law.
171. India did consider Tibet to have been an independent state in the past, it is only proper that it should be its position today: and it in no way prevents India from recognising that today Tibet forms part of the PRC as an autonomous region of that state.
172. Differences arising from its position on the India-Tibet border agreement could be open to negotiation with China. Such a stance will strengthen India's position in the border negotiation.
173. It is to India's credit that despite all the pressures that it has faced, and continues to face from China, it has stood by its commitment made in Parliament by India's first Prime Minister that the "last voice in regard to Tibet should be the voice of the people of Tibet and no body else."⁵¹ The changing environment demands that new meaning be given to this commitment.

⁵¹ Speech made by Pandit Nehru in the parliament in December 1950

ENDNOTES

- i Unlike Taiwan, no Tibetan Government has ever claimed to be the Government of China, therefore the application of the One-China Policy to Tibet does not arise. The “One-China Policy” was developed to make it possible for the United States to continue relations with Taiwan, while still maintaining relations and recognising the PRC government as the sole government of China. China has thus misinformed governments all around the world into believing that “One-China” policy also applies to Tibet. Indeed by accepting the applicability of the “One-China” policy to Tibet, governments are subtly aligning themselves with the Chinese position that the Dalai Lama is trying to “split” China. With regard to this policy there are some contradictions and policy framers and legal experts should critically examine this.
- ii Railways: To be completed during the current 12th Five Year Plan:
1. Completion of the extension of the Golmud-Lhasa railway line to Shigaze
 2. Lhasa – Linzhi railway extension project
 3. Conducting feasibility study on rail links between Lhasa one hand and Chengdu and Kunming on the other.
 4. Linking Lhasa with Urumqi through a shortest possible railway link between Golma (Qinghai) and Kurla (Xinjian) reducing the travel distance by 1000 km. (from 4000 to 3000 km)
 5. Completion of railway links between Golmud and Dunhuang (Gansu) and
 6. between Golmud and Chengdu.
 7. Establishing Xining (Qinghai) – Chengdu and Xining – Kunming (Yunnan) railway lines.
- iii Airports: To be completed during the current 12th Five Year Plan:
1. Lhasa Gonggar Airport (IATA: LXA, ICAO: ZULS) is the airport serving Lhasa, the capital city of the Tibet Autonomous Region, China. It is located about 62 kilometres (39 mi) southwest of the city in Gonggar County of Shannan Prefecture. The airport is close to the road to Tsetang, the capital of Shannan Prefecture.
At an elevation of 3,570 metres (11,710 ft), Lhasa Airport is one of the highest airports in the world. The airport was built in 1965, a second runway was built in 1994 and terminal facilities were upgraded in 2004. See: http://en.wikipedia.org/wiki/Lhasa_Gonggar_Airport
 2. Ngari Gunsa Airport
Ngari Gunsa Airport (IATA: NGQ, ICAO: ZUAL) is a dual-use military and civil airport serving the town of Shiquanhe in Ngari Prefecture, in the southwest of China's Tibet Autonomous Region near the Indian border. It started operations on 1 July 2010, becoming the fourth civil airport in Tibet after Lhasa, Nyingchi, and Qamdo airports. Situated at 4,274 m (14,022 ft) above sea level, Gunsa Airport is the third highest airports in the world after Qamdo Bangda Airport (elevation 4,334 m (14,219 ft)) and Kangding Airport (elevation 4,280 m (14,042 ft)). Gunsa airport has a 4,500-meter runway. It is expected to handle 120,000 passengers by 2020. Construction began in May 2007 and cost an estimated 1.65 billion yuan (241.22 million U.S. dollars).
See: http://en.wikipedia.org/wiki/Ngari_Gunsa_Airport
 3. Nyingtri Mainling Airport Nyingchi Mainling Airport (IATA: LZY, ICAO: ZUNZ) is an airport in Mainling, Nyingchi Prefecture, Tibet Autonomous Region, China. It is suggested to be one of the most challenging instrument approaches in the world, since the airport is in a winding valley.

Nyingchi Airport is the third airport that Tibet has put into operation. Built at a cost of 780 million yuan (96.18 million U.S. dollars), including investment by the General Administration of Civil Aviation of China (CAAC), the airport is 2,949 meters above sea level, lower than the other two civil airports, with a designed annual passenger flow of 120,000.
 4. Chamdo Bamda Airport
Qamdo Bamda Airport (IATA: BPX, ICAO: ZUBD), also known as Changdu Bangda Airport, located in Bamda, Qamdo, Tibet, China.

The airport is the highest airport in the world, at an elevation of 4,334 metres (14,219 ft.) and has the longest publicly used paved runway in the world, at 5.5 km (3 mi). The low air density at this altitude makes a higher takeoff and landing true airspeed necessary, and therefore a longer runway. Also, the aircraft's engines

produce less thrust at higher elevation than near sea-level. The airport is 2.5 hours by mountain road from the county seat of Qamdo. The long commute is the result of no flat land closer to the city being available to construct an airport. Qamdo Airport will soon lose its title of being the highest airport in the world, with the opening of the new Nagqu Daging Airport in China at an elevation of 4,436 metres (14,554 ft.) Construction began in 2011 and is estimated to be finished by 2014. Visitors are warned before landing to move slowly on leaving the plane and that they may feel light headed or dizzy because of the thin air. See: http://en.wikipedia.org/wiki/Qamdo_Bamda_Airport

- 5 Shigatse Peace Airport
Shigatse Peace Airport (IATA: RKZ, ICAO: ZURK), or Shigatse Air Base, is a dual-use military and civilian airport serving Shigatse, the second largest city in Tibet Autonomous Region, China. It is located in Jiangdang Township, 43 kilometers from Shigatse. With an elevation of 3,782 metres (12,408 ft.), it is one of the highest airports in the world.
Construction of Shigatse Airport started in 1968 and was completed in 1973. It was solely for military use until 2010, when a 532 million yuan expansion was completed. On 30 October 2010, the airport was opened as the fifth civilian airport in Tibet.
See: http://en.wikipedia.org/wiki/Shigatse_Peace_Airport
- 6 Nagchu Daging Airport
Nagqu Daging Airport is an airport under construction near Nagqu in the Nagqu Prefecture of Tibet. When completed in 2014 it will be the highest airport in the world at 4,436 m (14,554 ft.), surpassing Chamdo Bangda Airport as the highest. Construction began in 2011 and is scheduled to take three years. The airport is part of a Chinese government development scheme to build 97 airports across China by 2020. By then, the authorities intend that four-fifths of China's population will be within a 90-minute drive of an airport.
http://en.wikipedia.org/wiki/Nagqu_Daging_Airport
- 7 The Daocheng Yading Airport located in Daocheng County, Kardze TAP of Sichuan Province is expected to start operating on September 16. It will be the world's highest-altitude civilian airport, say the local tourism authorities. The Chinese news agency affirms that it will cut the traffic time between the Mainland and Chengdu, Sichuan's capital from two days by bus to 65 minutes by plane. According to Xinhua, the construction of a new airport to serve Dawu Township, capital of Golog (Golok) Tibetan Autonomous Prefecture (TAP) in Qinghai Province will begin later this year. The State Council, China's Cabinet has recently approved the project. Local airport sources explain that it will boost the development of the Tibetan-populated prefecture. The airport will be completed by 2016. The airport will be located at an altitude of 3,780 meters and will require an investment of US \$ 184 million. Some 80,000 passengers (and 200 tons of cargo) are expected to use the new facilities every year. Airbus 319 and Boeing 737-700 aircrafts will be able to land at Dawu airport.

ANNEXURE 1

Statement of The Indian Government At The General Assembly Session, 1965 at the United Nations

A significant development during the session in 1965 was India's support of the resolution. During the previous sessions in 1959 resolution nr.: 1353 (XIV) of 21st October 1959 and 1961 resolution nr.: 1723 (XVI) of 20th December 1961 India had abstained from voting. The full text is given below.

MR. ZAKARIA (INDIA): As representatives are aware, for the past fifteen years the question of Tibet has been from time to time under the consideration of the United Nations. It was first raised here in 1950 at the Fifth Session of the General Assembly but it could not be placed on the agenda, In fact, my country opposed its inclusion at that time because we were assured by China that it was anxious to settle the problem by peaceful means. However, instead of improving, the situation in Tibet began to worsen, and since then the question has come up several times before the General Assembly of the United Nations.

Our delegations participated In the discussion at the Fourteenth Session In 1959 and although we abstained from voting we made it clear that because of our close historical, cultural and religious ties with the Tibetans, we could not but be deeply moved and affected by what was happening in that region. We hoped against hope that wiser counsel would prevail among the Chinese and that there would be an end to the sufferings of the people of Tibet. However, the passage of time has completely belied our hopes. As the day pass, the situation becomes worse and cries out for the attention of all mankind. As we know, ever since Tibet came under the stranglehold of China, the Tibetans have been subjected to a continuous and increasing ruthlessness which has few parallel in the annals of the world. In the name of introducing "democratic reforms" and fighting a "counter-revolution," the Chinese have indulged in the worst kind genocide and the suppression of a minority race." Two being with, we in India were hopeful that, as contacts between the Chinese and the Tibetans under the changed set-up became closer and more intimate, more harmonious relationship would emerge. In fact, in 1965, as a result of long talks with Mr. Chou En-lai the Chinese Premier, my late Prime Minister Jawaharlal Nehru felt confident that a mutually agreeable adjustment between the two peoples would be established. Even the Dalai Lama expressed a similar hope to our late Prime Minister, but, as subsequent events have proved, the Chinese never believed in living up to their assurances. They promised autonomy to Tibet and the safeguarding of its culture and religious heritage and traditions but, as the International Commission of Jurists its June 1959 report on Tibet has emphasised they attempted on the contrary:

To destroy the national, ethnical, racial and religious group of Tibetans as such by killing members of the group and by causing serious bodily and mental harm to members of the group". The world is aware that it was in protest against oppression and enslavement of Tibet that the Dalai Lama, who is held in the highest esteem by all Tibetans and, indeed, respected as a spiritual leader by all Indians - fled From Lhasa and took asylum in India. Today there are thousands of Tibetan refugees in my country; approximately 50,000 who have left their hearth and homes and fled from their country to join their leader and seek refuge in India. The flight of these refugees still continues, for the Chinese have transformed Tibet into a vast military camp, where the indigenous Tibetans are made to live like hewers of wood and drawers of water." Although the relationship between Tibet and India is centuries old and has flourished all through the ages in all its manifestations, whether religious, cultural or economic, we have always taken care not to make that relationship a political problem.

In recent years, despite the fact the Dalai Lama and thousands of his Tibetan followers have come to our land, and despite the fact that China has turned Tibet itself into a base of aggression against our northern borders, we have not exploited the situation. Undoubtedly, our national sentiments are now and again aroused as a result of the atrocities and cruelties committed by the Chinese against Tibetans, but we have exercised the greatest caution, for we believe that what should concern all of us is the much larger human problem, namely the plight of these good and innocent people who are victimised merely because they are different, ethnically and culturally, from the Chinese. Here I feel that it would not be out of place to put before this august Assembly the following facts which stand out stubbornly and irrefutably in connection with Chinese policy in Tibet.

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1. The autonomy guaranteed in Sino-Tibetan Agreement of 1951 has from the beginning remained a dead letter.
 2. Through increasing application of military force, the Chinese have in fact obliterated the autonomous character of Tibet.
 3. There has been arbitrary confiscation of properties belonging to monasteries and individuals and Tibetan Government institutions.
 4. Freedom of religion is denied to the Tibetans, and Buddhism is being suppressed together with the system of priests, monasteries, shrines and monuments.
 5. The Tibetans are allowed no freedom of information or expression.
 6. There has also been carried out a systematic policy of killing, imprisonment and deportation of those Tibetans who have been active in their apposition to Chinese rule.
 7. The Chinese have forcibly transferred large numbers of Tibetan children to China in order to denationalise them, to indoctrinate them in Chinese ideology and to make them forfeit their own Tibetan religion, culture and way of life, and
 - 8 There has also been a large-scale attempt to bring Han Chinese into Tibet, and thereby make Tibet Chinese and overwhelm the indigenous people with a more numerous Chinese population.

These atrocities, carried out ruthlessly with utter disregard for Tibetan sentiments and aspirations, and in complete violation of universally recognised human rights, and up to a frightful programmed of the suppression of a whole people. It surpasses anything that colonialists have done in the past to the peoples whom they ruled as slaves. That is why the United Nations General Assembly took note of the situation in Tibet and passed two resolutions, one in 1959 and the other in 1961, deploring the denial of these human rights to the people of Tibet by the Chinese Government and appealing to it to restore these rights to the Tibetan people. But all such pleas have fallen on deaf ears. Is this situation not a challenge to human conscience? Can we, dedicated as we are here to the Charter of the United Nations, and the Universal Declaration of Human Rights, remain mute spectators to the ghastly tragedy that is being enacted by a ruthless and oppressive regime in Tibet? In a recent appeal to the Secretary General of the United Nations and to the Member States, which is contained in Document A/608 1, the Dalai Lama, who has been a model of restraint, serenity and, indeed, of humanity, has warned the Organisation that the Chinese, if unchecked would resort to still more brutal means of exterminating the Tibetan race. There is no limit to the hardships that the Tibetan people are suffering. Even their supply of food is restricted and controlled by the Chinese who first feed their military forces in Tibet, and then whatever remains is given to the ingenious Tibetans. My delegation naturally feels concerned about the terrible deterioration of the situation in Tibet. On December 17, 1964, for instance, the Dalai Lama was formally deprived of his position as Chairman of the Preparatory Committee for the Autonomous Region of Tibet and denounced as 'an incorrigible running dog of imperialism and foreign reactionaries,' this was immediately followed by the disposition on December 30, 1964 of the Panchen Lama, whom the Chinese tried assiduously to take under their wing, and by his condemnation as a leader of the clique of reactionary serf owner. Thus the Chinese have severed the remaining political links between Tibet and its two politico-religious structures, and have given a final blow to what they fondly used to call, in the past "The Special Status of Tibet". Moreover, the campaign to dispossess Tibetan peasants of their land and to distribute their properties is also being accelerated with the definition of what precisely constitutes feudal elements being expanded, from time to time to cover wider and wider range of peasants, In fact, those so-called land reforms are being used by the Chinese Government to advance its own political purpose and to turn the Tibetan peasants into slaves of its system. The naked truth - which all of us must face - is that the Chinese Government is determined to obliterate the Tibetan people, but surely no people can remain for long suppressed. I have faith in the world community. I believe it will be able to help restore the Tibetans all the freedom which we have enshrined, with such dedication, in the Universal Declaration of Human Rights.

For our part, we assure the United Nation that - as In the past - we shall continue to give all facilities to the Tibetan

refugees, and do our best to alleviate their sufferings and hardships. The Dalai Lama has been living in India for some years now, and is carrying on his religious humanitarian activities without any restriction from us. We shall continue to give the Dalai Lama and his simple and peace loving people these facilities and all our hospitality.

It is for these reasons that we support, fully and wholeheartedly, the cause of the people of Tibet. Our hearts go out to them in their miserable plight and in terrible suppression that they are suffering at the hands of the Government of the People's Republic of China. Although that regime has given us, and continues to give us, provocation, we have refused to use the Tibetan refugees as pawns in our conflict with China. We do not believe that the sufferings of one people should be made a weapon in the armoury of another. 'In the end, may I express the fervent hope on behalf of the United Nations that there would soon be an end to the reign of misery and oppression in Tibet and that the people of Tibet will be able to share with us all those human rights that all of us, in different lands are so fortunate to possess and enjoy. 'My delegation will, therefore, vote in Favour of the draft resolution contained in Document A/L.473, and I commend the same to this august Assembly.'

ANNEXURE 2

UNITED NATIONS GENERAL ASSEMBLY RESOLUTION 1353 (XIV) NEW YORK, 1959

The General Assembly,

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

Considering that the fundamental human rights and freedoms to which the Tibetan people, like all others, are entitled include the right to civil and religious liberty for all without distinction, Mindful also of the distinctive cultural and religious heritage of the people of Tibet and of the autonomy, which they have traditionally enjoyed,

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

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

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

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

UNITED NATIONS GENERAL ASSEMBLY RESOLUTION 1723 (XVI) NEW YORK, 1961

The General Assembly,

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

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

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

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

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

UNITED NATIONS GENERAL ASSEMBLY RESOLUTION 2079 (XX) NEW YORK, 1965

The General Assembly,

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

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

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

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

ANNEXURE 3

Memorandum on Genuine Autonomy for the Tibetan people

Handed over on October 29, 2008 to Du Qinglin Zhuxi, (the then) Vice Chairman of the Chinese People's Political Consultative Conference, Minister of the Central United Front Work Department of the Chinese Communist Party,

By: Kasur Lodi Gyaltzen Gyari, Special Envoy of H.H. Dalai Lama and Kelsang Gyaltzen Envoy of H.H. Dalai Lama

(Translated from the original Tibetan)

I INTRODUCTION

Since the renewal of direct contact with the Central Government of the People's Republic of China (PRC) in 2002, extensive discussions have been held between the envoys of His Holiness the 14th Dalai Lama and representatives of the Central Government. In these discussions we have put forth clearly the aspirations of Tibetans. The essence of the Middle Way Approach is to secure genuine autonomy for the Tibetan people within the scope of the Constitution of the PRC. This is of mutual benefit and based on the long-term interest of both the Tibetan and Chinese peoples. We remain firmly committed not to seek separation or independence. We are seeking a solution to the Tibetan problem through genuine autonomy, which is compatible with the principles on autonomy in the Constitution of the People's Republic of China (PRC). The protection and development of the unique Tibetan identity in all its aspects serves the larger interest of humanity in general and those of the Tibetan and Chinese people in particular.

During the seventh round of talks in Beijing on 1 and 2 July 2008, the Vice Chairman of the Chinese People's Political Consultative Conference and the Minister of the Central United Front Work Department, Mr. Du Qinglin, explicitly invited suggestions from His Holiness the Dalai Lama for the stability and development of Tibet. The Executive Vice Minister of the Central United Front Work Department, Mr. Zhu Weiqun, further said they would like to hear our views on the degree or form of autonomy we are seeking as well as on all aspects of regional autonomy within the scope of the Constitution of the PRC.

Accordingly, this memorandum puts forth our position on genuine autonomy and how the specific needs of the Tibetan nationality for autonomy and self-government can be met through application of the principles on autonomy of the Constitution of the People's Republic of China, as we understand them. On this basis, His Holiness the Dalai Lama is confident that the basic needs of the Tibetan nationality can be met through genuine autonomy within the PRC.

The PRC is a multi-national state, and as in many other parts of the world, it seeks to resolve the nationality question through autonomy and the self-government of the minority nationalities. The Constitution of the PRC contains fundamental principles on autonomy and self-government whose objectives are compatible with the needs and aspirations of the Tibetans. Regional national autonomy is aimed at opposing both the oppression and the separation of nationalities by rejecting both Han Chauvinism and local nationalism. It is intended to ensure the protection of the culture and the identity of minority nationalities by powering them to become masters of their own affairs.

To a very considerable extent Tibetan needs can be met within the constitutional principles on autonomy, as we understand them. On several points, the Constitution gives significant discretionary powers to state organs in the decision-making and on the operation of the system of autonomy. These discretionary powers can be exercised to facilitate genuine autonomy for Tibetans in ways that would respond to the uniqueness of the Tibetan situation. In implementing these principles, legislation relevant to autonomy may consequently need to be reviewed or amended to respond to the specific characteristics and needs of the Tibetan nationality. Given good will on both sides, outstanding problems can be resolved within the constitutional principles on autonomy. In this way national unity and stability and harmonious relations between the Tibetan and other nationalities will be established.

II RESPECT FOR THE INTEGRITY OF THE TIBETAN NATIONALITY

Tibetans belong to one minority nationality regardless of the current administrative division. The integrity of the Tibetan nationality must be respected. That is the spirit, the intent and the principle underlying the constitutional concept of national regional autonomy as well as the principle of equality of nationalities. There is no dispute about the fact that Tibetans share the same language, culture, spiritual tradition, core values and customs, that they belong to the same ethnic group and that they have a strong sense of common identity. Tibetans share a common history and despite periods of political or administrative divisions, Tibetans continuously remained united by their religion, culture, education, language, way of life and by their unique high plateau environment. The Tibetan nationality lives in one contiguous area on the Tibetan plateau, which they have inhabited for millennia and to which they are therefore indigenous. For purposes of the constitutional principles of national regional autonomy Tibetans in the PRC in fact live as a single nationality all over the Tibetan plateau. On account of the above reasons, the PRC has recognised the Tibetan nationality as one of the 55 minority nationalities.

III TIBETAN ASPIRATIONS

Tibetans have a rich and distinct history, culture and spiritual tradition all of which form valuable parts of the heritage of humanity. Not only do Tibetans wish to preserve their own heritage, which they cherish, but equally they wish to further develop their culture and spiritual life and knowledge in ways that are particularly suited to the needs and conditions of humanity in the 21st century. As a part of the multi-national state of the PRC, Tibetans can benefit greatly from the rapid economic and scientific development the country is experiencing. While wanting to actively participate and contribute to this development, we want to ensure that this happens without the people losing their Tibetan identity, culture and core values and without putting the distinct and fragile environment of the Tibetan plateau, to which Tibetans are indigenous, at risk. The uniqueness of the Tibetan situation has consistently been recognised within the PRC and has been reflected in the terms of the '17 Point Agreement' and in statements and policies of successive leaders of the PRC since then, and should remain the basis for defining the scope and structure of the specific autonomy to be exercised by the Tibetan nationality within the PRC. The Constitution reflects a fundamental principle of flexibility to accommodate special situations, including the special characteristics and needs of minority nationalities.

His Holiness the Dalai Lama's commitment to seek a solution for the Tibetan people within the PRC is clear and unambiguous. This position is in full compliance and agreement with paramount leader Deng Xiaoping's statement in which he emphasised that except for independence all other issues could be resolved through dialogue. Whereas, we are committed, therefore, to fully respect the territorial integrity of the PRC, we expect the Central Government to recognise and fully respect the integrity of the Tibetan nationality and its right to exercise genuine autonomy within the PRC. We believe that this is the basis for resolving the differences between us and promoting unity, stability and harmony among nationalities.

For Tibetans to advance as a distinct nationality within the PRC, they need to continue to progress and develop economically, socially and politically in ways that correspond to the development of the PRC and the world as a whole while respecting and nurturing the Tibetan characteristics of such development. For this to happen, it is imperative that the right of Tibetans to govern themselves be recognised and implemented throughout the region where they live in compact communities in the PRC, in accordance with the Tibetan nationality's own needs, priorities and characteristics.

The Tibetan people's culture and identity can only be preserved and promoted by the Tibetans themselves and not by any others. Therefore, Tibetans should be capable of self-help, self-development and self-government, and an optimal balance needs to be found between this and the necessary and welcome guidance and assistance for Tibet from the Central Government and other provinces and regions of the PRC.

IV BASIC NEEDS OF TIBETANS Subject Matters of Self-government

1. Language

Language is the most important attribute of the Tibetan people's identity. Tibetan is the primary means of communication, the language in which their literature, their spiritual texts and historical as well as scientific works are written. The Tibetan language is not only at the same high level as that of Sanskrit in terms of grammar, but is also the only one that has the capability of translating from Sanskrit without an iota of error. Therefore, Tibetan language has not only the richest and best-translated literatures, many scholars even contend that it has also the richest and largest number of literary compositions. The Constitution of the PRC, in Article 4, guarantees the freedom of all nationalities "to use and develop their own spoken and written languages ...".

In order for Tibetans to use and develop their own language, Tibetan must be respected as the main spoken and written language. Similarly, the principal language of the Tibetan autonomous areas needs to be Tibetan.

This principle is broadly recognised in the Constitution in Article 121, which states, "the organs of self-government of the national autonomous areas employ the spoken and written language or language in common use in the locality." Article 10 of the Law on Regional National Autonomy (LRNA) provides that these organs "shall guarantee the freedom of the nationalities in these areas to use and develop their own spoken and written languages...."

Consistent with the principle of recognition of Tibetan as the main language in Tibetan areas, the LRNA (Article 36) also allows the autonomous government authorities to decide on "the language used in instruction and enrolment procedures" with regard to education. This implies recognition of the principle that the principal medium of education be Tibetan.

2. Culture

The concept of national regional autonomy is primarily for the purpose of preservation of the culture of minority nationalities. Consequently, the constitution of PRC contains references to cultural preservation in Articles 22, 47 and 119 as also in Article 38 of the LRNA. To Tibetans, Tibetan culture is closely connected to our religion, tradition, language and identity, which are facing threats at various levels. Since Tibetans live within the multinational state of the PRC, this distinct Tibetan cultural heritage needs protection through appropriate constitutional provisions.

3. Religion

Religion is fundamental to Tibetans and Buddhism is closely linked to their identity. We recognise the importance of separation of church and state, but this should not affect the freedom and practice of believers. It is impossible for Tibetans to imagine personal or community freedom without the freedom of belief, conscience and religion. The Constitution recognises the importance of religion and protects the right to profess it. Article 36 guarantees all citizens the right to the freedom of religious belief. No one can compel another to believe in or not to believe in any religion. Discrimination on the basis of religion is forbidden.

An interpretation of the constitutional principle in light of international standard would also cover the freedom of the manner of belief or worship. The freedom covers the right of monasteries to be organised and run according to Buddhist monastic tradition, to engage in teachings and studies, and to enroll any number of monks and nuns or age group in accordance with these rules. The normal practice to hold public teachings and the empowerment of large gatherings is covered by this freedom and the state should not interfere in religious practices and traditions, such as the relationship between a teacher and his disciple, management of monastic institutions, and the recognition of reincarnations.

4. Education

The desire of Tibetans to develop and administer their own education system in cooperation and in coordination with the central government's ministry of education is supported by the principles contained in the Constitution with regard to education. So is the aspiration to engage in and contribute to the development of science and technology. We note the increasing recognition in international scientific development of the contribution which Buddhist psychology, metaphysics, cosmology and the understanding of the mind is making to modern science.

Whereas, under Article 19 of the Constitution the state takes on the overall responsibility to provide education for its citizens, Article 119 recognises the principle that "[T]he organs of self-government of the national autonomous areas independently administer educational affairs in their respective areas..." This principle is also reflected in Article 36 of the LRNA.

Since the degree of autonomy in decision-making is unclear, the point to be emphasised is that the Tibetan need to exercise genuine autonomy with regard to its own nationality's education and this is supported by the principles of the constitution on autonomy. As for the aspiration to engage in and contribute to the development of scientific knowledge and technology, the Constitution (Article 119) and the LRNA (Article 39) clearly recognise the right of autonomous areas to develop scientific knowledge and technology.

5. Environment Protection

Tibet is the prime source of Asia's great rivers. It also has the earth's loftiest mountains as well as the world's most extensive and highest plateau, rich in mineral resources, ancient forests, and many deep valleys untouched by human disturbances.

This environmental protection practice was enhanced by the Tibetan people's traditional respect for all forms of life, which prohibits the harming of all sentient beings, whether human or animal. Tibet used to be an unspoiled wilderness sanctuary in a unique natural environment.

Today, Tibet's traditional environment is suffering irreparable damage. The effects of this are especially notable on the grasslands, the croplands, the forests, the water resources and the wildlife.

In view of this, according to Articles 45 and 66 of the LNRA, the Tibetan people should be given the right over the environment and allow them to follow their traditional conservation practices.

6. Utilisation of Natural Resources

With respect to the protection and management of the natural environment and the utilisation of natural resources the Constitution and the LRNA only acknowledge a limited role for the organs of self-government of the autonomous areas (see LRNA Articles 27, 28, 45, 66, and Article 118 of the Constitution, which pledges that the state "shall give due consideration to the interests of [the national autonomous areas]"). The LRNA recognises the importance for the autonomous areas to protect and develop forests and grasslands (Article 27) and to "give priority to the rational exploitation and utilization of the natural resources that the local authorities are entitled to develop", but only within the limits of state plans and legal stipulations. In fact, the central role of the State in these matters is reflected in the Constitution (Article 9).

The principles of autonomy enunciated in the Constitution cannot, in our view, truly lead to Tibetans becoming masters of their own destiny if they are not sufficiently involved in decision-making on utilisation of natural resources such as mineral resources, waters, forests, mountains, grasslands, etc.

The ownership of land is the foundation on which the development of natural resources, taxes and revenues of an economy are based. Therefore, it is essential that only the nationality of the autonomous region shall have the legal authority to transfer or lease land, except land owned by the state. In the same manner, the autonomous region must

have the independent authority to formulate and implement developmental plans concurrent to the state plans.

7. Economic Development and Trade

Economic Development in Tibet is welcome and much needed. The Tibetan people remain one of the most economically backward regions within the PRC.

The Constitution recognises the principle that the autonomous authorities have an important role to play in the economic development of their areas in view of local characteristics and needs (Article 118 of the Constitution, also reflected in LRNA Article 25). The Constitution also recognises the principle of autonomy in the administration and management of finances (Article 117, and LRNA Article 32). At the same time, the Constitution also recognises the importance of providing State funding and assistance to the autonomous areas to accelerate development (Article 122, LRNA Article 22).

Similarly, Article 31 of the LRNA recognises the competence of autonomous areas, especially those such as Tibet, adjoining foreign countries, to conduct border trade as well as trade with foreign countries. The recognition of these principles is important to the Tibetan nationality given the region's proximity to foreign countries with which the people have cultural, religious, ethnic and economic affinities.

The assistance rendered by the Central Government and the provinces has temporary benefits, but in the long run if the Tibetan people are not self-reliant and become dependent on others it has greater harm. Therefore, an important objective of autonomy is to make the Tibetan people economically self-reliant.

8. Public Health

The Constitution enunciates the responsibility of the State to provide health and medical services (Article 21). Article 119 recognises that this is an area of responsibility of the autonomous areas. The LRNA (Article 40) also recognises the right of organs of self-government of the autonomous areas to "make independent decisions on plans for developing local medical and health services and for advancing both modern and the traditional medicine of the nationalities."

The existing health system fails to adequately cover the needs of the rural Tibetan population. According to the principles of the above-mentioned laws, the regional autonomous organs need to have the competencies and resources to cover the health need of the entire Tibetan population. They also need the competencies to promote the traditional Tibetan medical and astro system strictly according to traditional practice.

9. Public Security

In matters of public security it is important that the majority of security personnel consists of members of the local nationality who understand and respect local customs and traditions.

What is lacking in Tibetan areas is absence of decision-making authority in the hands of local Tibetan officials.

An important aspect of autonomy and self-government is the responsibility for the internal public order and security of the autonomous areas. The Constitution (Article 120) and LRNA (Article 24) recognise the importance of local involvement and authorise autonomous areas to organise their security within "the military system of the State and practical needs and with the approval of the State Council."

10. Regulation on population migration

The fundamental objective of national regional autonomy and self-government is the preservation of the identity, culture, language and so forth of the minority nationality and to ensure that it is the master of its own affairs. When applied to a particular territory in which the minority nationality lives in a concentrated community or communities,

the very principle and purpose of national regional autonomy is disregarded if large scale migration and settlement of the majority Han nationality and other nationalities is encouraged and allowed. Major demographic changes that result from such migration will have the effect of assimilating rather than integrating the Tibetan nationality into the Han nationality and gradually extinguishing the distinct culture and identity of the Tibetan nationality. Also, the influx of large numbers of Han and other nationalities into Tibetan areas will fundamentally change the conditions necessary for the exercise of regional autonomy since the constitutional criteria for the exercise of autonomy, namely that the minority nationality “live in compact communities” in a particular territory is changed and undermined by the population movements and transfers. If such migrations and settlements continue uncontrolled, Tibetans will no longer live in a compact community or communities and will consequently no longer be entitled, under the Constitution, to national regional autonomy. This would effectively violate the very principles of the Constitution in its approach to the nationalities issue.

There is precedent in the PRC for restriction on the movement or residence of citizens. There is only a very limited recognition of the right of autonomous areas to work out measures to control “the transient population” in those areas. To us it would be vital that the autonomous organs of self-government have the authority to regulate the residence, settlement and employment or economic activities of persons who wish to move to Tibetan areas from other parts of the PRC in order to ensure respect for and the realisation of the objectives of the principle of autonomy.

It is not our intention to expel the non-Tibetans who have permanently settled in Tibet and have lived there and grown up there for a considerable time. Our concern is the induced massive movement of primarily Han but also some other nationalities into many areas of Tibet, upsetting existing communities, marginalising the Tibetan population there and threatening the fragile natural environment.

11. Cultural, educational and religious exchanges with other countries

Besides the importance of exchanges and cooperation between the Tibetan nationality and other nationalities, provinces, and regions of the PRC in the subject matters of autonomy, such as culture, art, education, science, public health, sports, religion, environment, economy and so forth, the power of autonomous areas to conduct such exchanges with foreign countries in these areas is also recognised in the LRNA (Article 42).

V APPLICATION OF A SINGLE ADMINISTRATION FOR THE TIBETAN NATIONALITY IN THE PRC

In order for the Tibetan nationality to develop and flourish with its distinct identity, culture and spiritual tradition through the exercise of self-government on the above mentioned basic Tibetan needs, the entire community, comprising all the areas currently designated by the PRC as Tibetan autonomous areas, should be under one single administrative entity. The current administrative divisions, by which Tibetan communities are ruled and administered under different provinces and regions of the PRC, foments fragmentation, promotes unequal development, and weakens the ability of the Tibetan nationality to protect and promote its common cultural, spiritual and ethnic identity. Rather than respecting the integrity of the nationality, this policy promotes its fragmentation and disregards the spirit of autonomy. Whereas the other major minority nationalities such as the Uighurs and Mongols govern themselves almost entirely within their respective single autonomous regions, Tibetans remain as if they were several minority nationalities instead of one.

Bringing all the Tibetans currently living in designated Tibetan autonomous areas within a single autonomous administrative unit is entirely in accordance with the constitutional principle contained in Article 4, also reflected in the LRNA (Article 2), that “regional autonomy is practiced in areas where people of minority nationalities live in concentrated communities.” The LRNA describes regional national autonomy as the “basic policy adopted by the Communist Party of China for the solution of the national question in China” and explains its meaning and intent in its Preface:

the minority nationalities, under unified state leadership, practice regional autonomy in areas where they live in concentrated communities and set up organs of self-government for the exercise of the power of autonomy. Regional national autonomy embodies the state’s full respect for and guarantee of the right of the minority nationalities to

administer their internal affairs and its adherence to the principle of equality, unity and common prosperity of all nationalities.

It is clear that the Tibetan nationality within the PRC will be able to exercise its right to govern itself and administer its internal affairs effectively only once it can do so through an organ of self-government that has jurisdiction over the Tibetan nationality as a whole.

The LRNA recognises the principle that boundaries of national autonomous areas may need to be modified. The need for the application of the fundamental principles of the Constitution on regional autonomy through respect of the integrity of the Tibetan nationality is not only totally legitimate, but the administrative changes that may be required to achieve this in no way violate constitutional principles. There are several precedents where this has been actually done.

VI THE NATURE AND STRUCTURE OF THE AUTONOMY

The extent to which the right to self-government and self-administration can be exercised on the preceding subject matters largely determines the genuine character of Tibetan autonomy. The task at hand is therefore to look into the manner in which autonomy can be regulated and exercised for it to effectively respond to the unique situation and basic needs of the Tibetan nationality.

The exercise of genuine autonomy would include the right of Tibetans to create their own regional government and government institutions and processes that are best suited to their needs and characteristics. It would require that the People's Congress of the autonomous region have the power to legislate on all matters within the competencies of the region (that is the subject matters referred to above) and that other organs of the autonomous government have the power to execute and administer decisions autonomously. Autonomy also entails representation and meaningful participation in national decision-making in the Central Government. Processes for effective consultation and close cooperation or joint decision-making between the Central Government and the regional government on areas of common interest also need to be in place for the autonomy to be effective.

A crucial element of genuine autonomy is the guarantee the Constitution or other laws provide that powers and responsibilities allocated to the autonomous region cannot be unilaterally abrogated or changed. This means that neither the Central Government nor the autonomous region's government should be able, without the consent of the other, to change the basic features of the autonomy.

The parameters and specifics of such genuine autonomy for Tibet that respond to the unique needs and conditions of the Tibetan people and region should be set out in some detail in regulations on the exercise of autonomy, as provided for in Article 116 of the Constitution (enacted in LRNA Article 19) or, if it is found to be more appropriate, in a separate set of laws or regulations adopted for that purpose. The Constitution, including Article 31, provides the flexibility to adopt special laws to respond to unique situations such as the Tibetan one, while respecting the established social, economic and political system of the country.

The Constitution in Section VI provides for organs of self-government of national autonomous regions and acknowledges their power to legislate. Thus Article 116 (enacted in Article 19 of the LRNA) refers to their power to enact "separate regulations in light of the political, economic and cultural characteristics of the nationality or nationalities in the areas concerned." Similarly, the Constitution recognises the power of autonomous administration in a number of areas (Article 117-120) as well as the power of autonomous governments to apply flexibility in implementing the laws and policies of the Central Government and higher state organs to suit the conditions of the autonomous area concerned (Article 115).

The above-mentioned legal provisions do contain significant limitations to the decision-making authority of the autonomous organs of government. But the Constitution nevertheless recognises the principle that organs of self-government make laws and policy decisions that address local needs and that these may be different from those adopted elsewhere, including by the Central Government.

Although the needs of the Tibetans are broadly consistent with the principles on autonomy contained in the Constitution, as we have shown, their realisation is impeded because of the existence of a number of problems, which makes the implementation of those principles today difficult or ineffective.

Implementation of genuine autonomy, for example, requires clear divisions of powers and responsibilities between the Central Government and the government of the autonomous region with respect to subject matter competency. Currently there is no such clarity and the scope of legislative powers of autonomous regions is both uncertain and severely restricted. Thus, whereas the Constitution intends to recognise the special need for autonomous regions to legislate on many matters that affect them, the requirements of Article 116 for prior approval at the highest level of the Central Government – by the Standing Committee of National People’s Congress (NPC) – inhibit the implementation of this principle of autonomy. In reality, it is only autonomous regional congresses that expressly require such approval, while the congresses of ordinary (not autonomous) provinces of the PRC do not need prior permission and merely report the passage of regulations to the Standing Committee of the NPC “for the record” (Article 100).

The exercise of autonomy is further subject to a considerable number of laws and regulations, according to Article 115 of the Constitution. Certain laws effectively restrict the autonomy of the autonomous region, while others are not always consistent with one another. The result is that the exact scope of the autonomy is unclear and is not fixed, since it is unilaterally changed with the enactment of laws and regulations at higher levels of the state, and even by changes in policy. There is also no adequate process for consultation or for settling differences that arise between the organs of the Central Government and of the regional government with respect to the scope and exercise of autonomy. In practice, the resulting uncertainty limits the initiative of regional authorities and impedes the exercise of genuine autonomy by Tibetans today.

We do not at this stage wish to enter into details regarding these and other impediments to the exercise of genuine autonomy today by Tibetans, but mention them by way of example so that these may be addressed in the appropriate manner in our dialogue in the future. We will continue to study the Constitution and other relevant legal provisions and, when appropriate, will be pleased to provide further analysis of these issues, as we understand them.

VII THE WAY FORWARD

As stated at the beginning of this memorandum, our intention is to explore how the needs of the Tibetan nationality can be met within the framework of PRC since we believe these needs are consistent with the principles of the Constitution on autonomy. As His Holiness the Dalai Lama stated on a number of occasions, we have no hidden agenda. We have no intention at all of using any agreement on genuine autonomy as stepping stone for separation from the PRC.

The objective of the Tibetan Government in Exile is to represent the interests of the Tibetan people and to speak on their behalf. Therefore, it will no longer be needed and will be dissolved once an agreement is reached between us. In fact, His Holiness has reiterated his decision not to accept any political office in Tibet at any time in the future. His Holiness the Dalai Lama, nevertheless, plans to use all his personal influence to ensure such an agreement would have the legitimacy necessary to obtain the support of the Tibetan people.

Given these strong commitments, we propose that the next step in this process be the agreement to start serious discussions on the points raised in this memorandum. For this purpose we propose that we discuss and agree on a mutually agreeable mechanism or mechanisms and a timetable to do so effectively.

ANNEXURE 4

Convention between Great Britain, China and Tibet, Simla 1914

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, His Excellency the President of the Republic of China, and His Holiness the Dalai Lama of Tibet, being sincerely desirous to settle by mutual agreement various questions concerning the interests of their several States on the Continent of Asia, and further to regulate the relations of their several Governments, have resolved to conclude a Convention on this subject and have nominated for this purpose their respective Plenipotentiaries, that is to say:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, Sir Arthur Henry McMahon, Knight Grand Cross of the Royal Victorian Order, Knight Commander of the Most Eminent Order of the Indian Empire, Companion of the Most Exalted Order of the Star of India, Secretary to the Government of India, Foreign and Political Department;

His Excellency the President of the Republic of China, Monsieur Ivan Chen, Officer of the Order of the Chia Ho; His Holiness the Dalai Lama of Tibet, Lonchen Ga-den Shatra Pal-jor Dorje; who having communicated to each other their respective full powers and finding them to be in good and due forms have agreed upon and concluded the following Convention in eleven Articles

ARTICLE 1

The Conventions specified in the Schedule to the present Convention shall, except in so far as they may have been modified by, or may be inconsistent with or repugnant to, any of the provisions of the present Convention, continue to be binding upon the High Contracting Parties.

ARTICLE 2

The Governments of Great Britain and China recognising that Tibet is under the suzerainty of China, and recognising also the autonomy of Outer Tibet, engage to respect the territorial integrity of the country, and to abstain from interference in the administration of Outer Tibet (including the selection and installation of the Dalai Lama), which shall remain in the hands of the Tibetan Government at Lhasa. The Government of China engages not to convert Tibet into a Chinese province. The Government of Great Britain engages not to annex Tibet or any portion of it.

ARTICLE 3

Recognising the special interest of Great Britain, in virtue of the geographical position of Tibet, in the existence of an effective Tibetan Government, and in the maintenance of peace and order in the neighbourhood of the frontiers of India adjoining States, the Government of China engages, except as provided in Article 4 of this Convention, not to send troops into Outer Tibet, nor to station civil or military officers, nor to establish Chinese colonies in the country. Should any such troops or officials remain in Outer Tibet at the date of the signature of this Convention, they shall be withdrawn within a period not exceeding three months. The Government of Great Britain engages not to station military or civil officers in Tibet (except as provided in the Convention of September 7, 1904, between Great Britain and Tibet) nor troops (except the Agents' escorts), nor to establish colonies in that country.

ARTICLE 4

The foregoing Article shall not be held to preclude the continuance of the arrangement by which, in the past, a Chinese high official with suitable escort has been maintained at Lhasa, but it is hereby provided that the said escort shall in no circumstances exceed 300 men.

ARTICLE 5

The Governments of China and Tibet engage that they will not enter into any negotiations or agreements regarding Tibet with one another, or with any other Power, excepting such negotiations and agreements between Great Britain and Tibet as are provided (or by the Convention of September 7, 1904, between Great Britain and Tibet and the Convention of April 27, 1906, between Great Britain and China).

ARTICLE 6

Article III of the Convention of April 27, 1906, between Great Britain and China is hereby cancelled, and it is understood that in Article IX(d) of the Convention of September 7, 1904, between Great Britain and Tibet the term 'Foreign Power' does not include China, Not less favourable treatment shall be accorded to British commerce than to the commerce of China or the most favoured nation.

ARTICLE 7

The Tibet Trade Regulations of 1893 and 1908 are hereby cancelled. The Tibetan Government engages to negotiate with the British Government new Trade Regulations for Outer Tibet to give effect to Articles II, IV and V of the Convention of September 7, 1904, between Great Britain and Tibet without delay; provided always that such Regulations shall in no way modify the present Convention except with the content of the Chinese Government.

ARTICLE 8

The British Agent who resides at Gyantse may visit Lhasa with his escort whenever it is necessary to consult with the Tibetan Government regarding matters arising out of the Convention of September 7, 1904, between Great Britain and Tibet, which it has been found impossible to settle at Gyantse by correspondence or otherwise.

ARTICLE 9

For the purpose of the present Convention the borders of Tibet, and the boundary between Outer and Inner Tibet, shall be as shown in red and blue respectively on the map attached hereto. 1 Nothing in the present Convention shall be held to prejudice the existing rights of the Tibetan Government in Inner Tibet, which include the power to select and appoint the high priests of monasteries and to retain full control in all matters affecting religious institutions.

ARTICLE 10

The English, Chinese and Tibetan texts of the present Convention have been carefully examined and found to correspond, but in the event of there being any difference of meaning between them the English text shall be authoritative.

ARTICLE 11

The present Convention will take effect from the date of signature.

In token whereof the respective Plenipotentiaries have signed and sealed this Convention, three copies in English, three in Chinese and three in Tibetan. Done at Simla this third day of July, A.D., one thousand nine hundred and fourteen, corresponding with the Chinese date, the third day of the seventh month of the third year of the Republic, and the Tibetan date, the tenth day of the fifth month of the Wood-Tiger year.

initial of the Lonchen Shatra. Seal of the Lonchen Shatra. (Initialled) A.H.M. Seal of the British Plenipotentiary.

ANNEXURE 5

MEMORANDUM FROM HIS HOLINESS THE DALAI LAMA TO THE PRIME MINISTER OF INDIA

April 11, 1986

I am submitting this memorandum which is related to my earlier memorandum of May 29, 1985. I stated then that for the mutual benefit of both India and Tibet in the long run, there was a need for a careful review of the present policy of the Government of India. In this respect I would like to submit a few suggestions:

1. When the Government of India officially recognized Tibet as being a part of China, the Government must have done so because of the reality of the situation then prevailing. For example, there was the 17-Point Agreement between Tibet and China. During my several meetings with Pandit Jawaharlal Nehru in 1956, he stressed the need to execute and implement the terms of this Agreement with China. He advised me to return to Tibet and said that it would be better to deal with the Chinese directly from within Tibet on basis of the Agreement. Therefore, it is clear that at the time the Government of India recognized Tibet as being a part of China, its assumption or understanding was that Tibet, though nominally a part of China, would have minimal Chinese interference and military presence. By signing the 17-Point Agreement with the Tibetan Government, the Chinese recognized the existence of a separate government, although they referred to it as the local government of Tibet. In clause 4 of the Agreement, it is stated, the central authorities will not alter the existing political system in Tibet.

The central authorities also will not alter the established status, functions and powers of the Dalai Lama. The Chinese have violated all the important terms of the Agreement. Moreover, the treaty which the Government of India signed with China on Tibet in 1954 lapsed in 1962. Since then the treaty has not been renewed. Therefore, now that the conditions under which the Government of India recognized Tibet as being a part of China have completely changed and are non-existent, I feel it would be appropriate for the Government of India to adopt a new policy in accordance with the changed circumstances. The conditions are most favourable at the present moment. The Tibetans in Tibet continue to show high morale and strong determination. They do not want to live under Chinese rule and they look to India with great expectation and immense hope. Here in India and elsewhere, the Tibetans in exile have been able to keep alive the issue of Tibet and attract significant world attention. As a result in recent times, while many governments are rushing to befriend China, there is a growing awareness among the world public about the Tibetan situation and, unlike before, international public opinion is clearly able to see that the Tibetans do not want to live under the Chinese and that Tibet is a separate nation from China.

I am convinced that there is scope for the Government of India to review and change its policy in regard to Tibet on the basis of this new and changed situation. In consideration of the reasons given above, the issue of Tibet is still alive. The Government of India must publicly recognize existence of the Tibetan issue and its international character and take advantage of it. Consequently every opportunity to voice its concern on this issue must be made. I feel this is important.

2. Recently, while there has been some improvement in the situation in Tibet as a result of the Chinese policy of liberalisation, there are still many Tibetans who continue to come to India. Actually, along the Indian border from Ladakh to Arunachal Pradesh, for many years now, Tibetan refugees have been turned back and forced to return to Tibet. The Government of India does not allow their entry. However, quite a number are able to come through Nepal, particularly the young who are keen to acquire education. Till now there are about two thousand of them. If the Chinese publicity about the satisfactory improvement of conditions in Tibet and the beneficial effects of their policy of liberalization are true, there is no need for these Tibetans to come to India. All this clearly shows that the situation in Tibet is neither normal nor satisfactory for the Tibetan people.

Unfortunately, however, because of the present policy of the Government of India, the Tibetans coming through Nepal over to India to seek asylum are compelled to do so surreptitiously. Instead, if the Government of India recognized them as refugees, which they are, then the world will know that there are still refugees coming from Tibet. This in itself would be an issue. Once this happens, apart from the assistance from the Government of India, We can

also appeal for help from the various voluntary agencies. I am confident that we will be able to raise a substantial amount for the new batch of Tibetans. Consequently, if we are able to look after them and win over all those who seek asylum in India, I am sure that except for a very few the vast majority will develop a sense of loyalty towards India. Some of them may eventually return after being here for a while. The return of these Tibetans, after the acquisition of a decent education and their exposure to the inherent rights and freedoms of an open plural society will prove to be of great political significance. Also because of the deep faith of the Tibetan people the return of those Tibetans who have been studying Buddhism here in India is equally significant.

3. Buddhism is an important part of the great culture of India and it is a fact that Tibetan Buddhism and the culture that evolved around it originated from India. A substantial part of the population along the Cis-Himalayan region adhering to Tibetan culture is another factor. In view of these, I feel it is important that every opportunity, whether it is through exhibitions, seminars or conferences must be used to discuss the various aspects of Tibetan culture. Such occasions could also be used to highlight the issue of Tibet and its importance.

4. The Tibetan lamas and scholars in exile are regarded as the final authority on Tibetan Buddhism and Tibetan culture by the intellectual and academic circles in the world. And we in exile therefore possess the resources and potentiality for the effective preservation, promotion and dissemination of Tibetan culture, something which does not exist even in Tibet. The centre of Tibetan learning, not only relating to Buddhist philosophy but to other aspects of our culture, such as the Tibetan system of medicine, thanka painting, traditional crafts and metal work, is here in India. And therefore, at the moment, the academic world looks to India when they are interested in Tibetan Buddhism and culture. This too, I feel, is significant and important. The Chinese have realised this and their efforts directed towards the building up of an international centre of Tibetan learning are a part of their policy to win over the hearts and minds of the foreign scholars on Tibet and through them to influence and eventually dominate international public opinion with their version of Tibetan history, culture and society. However, this will not be an easy task for the Chinese, at least not now nor in the near future.

The Tibetan scholars, physicians and artists and the caliber of their scholarly or medical or artistic skill cannot be reproduced overnight. Nonetheless, unless we are able to provide adequate facilities and strengthen our activities in the promotion and dissemination of Buddhism and Tibetan culture, I see the danger in the Chinese succeeding in their aim. The Government of India's attention on this matter is also of no less importance.

5. If the Government of India reconsiders its present policy on Tibet, it will also strengthen its stand on the Indo-Tibetan border issue. In my previous memorandum I said that the on-going India-China talks on the Indo-Tibetan border is a problem that is not simple and one which will be long-drawn. I also feel that India is on weak ground when holding the border talks according to the McMahon Line, divorced from the overall political importance of the 1914 Simla Convention between British India, independent Tibet and republican China, a treaty which bestowed on the McMahon Line its continuing legitimacy and legality. The demarcation of the border between India and Tibet along the McMahon Line was a bilateral decision between British India and Tibet and was done without any reference to the Chinese plenipotentiary or his government. In its continuing talks with the Chinese on the border, India's stand of accepting the legality of the McMahon Line without recognizing the independent status of Tibet whose participation in the Simla Convention and whose acceptance of the McMahon Line gave the demarcation of this border its present international legitimacy is not only illogical but is also a source of the weakness of India's stand in the border talks with the Chinese.

The Dalai Lama April 11, 1986

ANNEXURE 6

Report of the Officials of the Governments of India and the Peoples' Republic of China on the Boundary Question (Extracts) 19th of April to the 25th of April 1960.

The Indian side [led by Shri J. S. Mehta, Director, China Division, Ministry of External Affairs and Dr. S. Gopal, Director, Historical Division, Ministry of External Affairs] also established beyond doubt that the traditional boundary in the Eastern Sector had been formalized in 1914 by an exchange of letters between India and Tibet. At that time, Tibet had enjoyed the power to sign treaties and to deal directly with neighbouring States on matters regarding the boundary. The Chinese Government had recognised these rights enjoyed by Tibet and had been aware of this formalization of the Indo-Tibetan boundary at the Simla Conference.

The Indian side had made it clear that, they were reluctant to discuss the history of the relations between China and Tibet and had only considered it in their initial statements to the extent that it was relevant to the exchange of letters formalizing the boundary in 1914.

Unable to establish that the agreement was void, the Chinese side [led by Mr. Chang Wen-chin, Director, First Asian Department, Ministry of Foreign Affairs and Mr. Yang Kung-su, Director, Tibet Bureau of Foreign Affairs] endeavoured to set it aside by assertions which were not historically correct and by the most serious and unwarranted allegations against the Government of India. It was, for instance, repeatedly alleged that India was seeking to defend British Imperialist policy and to benefit from British aggression in Tibet; and it was sought to convey the impression that the Indian side regarded Tibet as an independent country. The Indian side could not but emphatically repudiate these most objectionable distortions of the well-known and clearly established policies of the Government of India. It had been clearly recognised by the Government of India and had been repeated innumerable times in these discussions, that Tibet was an autonomous region of China; and independent India had always dealt with the Central Government of China on matters pertaining to Tibet. The very fact that these talks pertaining to the boundary of India with, for the most part, Tibet, were being held with the representatives of the Chinese Central Government, was a clear indication of India's acceptance that the Chinese Government were responsible for all external affairs relating to Tibet. It was even categorically and explicitly stated by the Indian side that India did not regard Tibet as independent.

But the present status and powers of Tibet could obviously not be projected backwards or allowed to influence one's understanding of the nature of the relations subsisting between China and Tibet in 1914. That during the 300 years prior to 1950, Tibet, whatever her status, had enjoyed the right to sign treaties and have direct dealings with her neighbours on boundary questions, was clearly established by history. The Indian side had already drawn attention to the treaties of 1684 and 1842 signed by Tibet with Ladakh. In 1856, she signed a treaty with Nepal, and the People's Government of China themselves recognised the validity of this treaty, because they felt it necessary to abrogate it in their treaty, signed exactly a hundred years later, in 1956 with the Nepal Government. It was asserted by the Chinese side that the Chinese Amban in Tibet had assisted in the conclusion of the 1856 treaty. This, too, was an incorrect statement of facts; but even if true, it would only corroborate the Indian position that China recognised the treaty-making powers of Tibet. For it would mean that China assisted Tibet in directly negotiating a treaty which, among other things, granted extra-territorial rights to Nepal. The Tibetan Government protested against the conclusion of the 1890 Convention by Britain and China and successfully defied its implementation because they had not been a party to it. It, therefore, became necessary for Britain to sign an agreement with Tibet in 1904. Far from objecting to such direct negotiations by Tibet, the Chinese Amban in Lhasa assisted in its conclusion and two years later the Chinese Central Government confirmed it in their Convention with Britain. It may be noted that the 1906 Convention concluded in Peking did not suggest that the 1904 Convention was invalid, or merely repeat its provisions but specifically recognised it.

Furthermore, it was a fact of history — and the officials at these meetings were only concerned with an objective scrutiny of the facts of history — that after the 1911 revolution Tibet had issued a declaration of independence. The Indian side themselves had drawn attention to the fact that even the British Government at that time had not acknowledged this declaration. But the fact remained that whatever the theoretical conception of Chinese relations with Tibet, all working relations between the two seem to have been practically terminated. Not a single item of

evidence was brought forward by the Chinese side from either the Chinese or the Tibetan archives that could suggest that this statement was incorrect. The then Central Government of China, eager to re-establish their connections with Tibet, agreed to attend the tripartite Simla Conference and designated a plenipotentiary to attend "jointly" with the Tibetan plenipotentiary and to negotiate with him and the British Indian representative on terms of equality. The Chinese Government conferred full powers on their representative and, what was even more significant, accepted without any reservation the credentials of the Tibetan representative which vested him with full powers in the name of the Dalai Lama and authorised him to function as an equal plenipotentiary with those of China and India and settle all matters pertaining to Tibet. Thus it was the Chinese Government of the time which accepted a procedure which under diplomatic usage, is normally adopted only at international conferences of the representatives of sovereign countries.

The fact that the Chinese Plenipotentiary did not sign the tripartite agreement which he had initialled did not in any way invalidate the agreement signed by the British and the Tibetan representatives.

All Chinese reservations to the Simla Convention, as stated at the time of the Conference and subsequently in 1919, were merely regarding the boundaries of Inner Tibet and Outer Tibet. There was never any objection, or indeed any comment of any kind, regarding that part of the boundary shown on the Convention Map between India and Tibet and formalized in the exchange of letters between the Indian and the Tibetan representatives.

The Chinese side sought to suggest that the Chinese Plenipotentiary had been unaware of the direct dealings and the Agreement concluded between the Tibetan and the British Indian Plenipotentiaries. There was no reason why the formal exchange of letters between the Indian and the Tibetan representatives should have been shown to the Chinese representative. In fact, all the Tibetan documents which have now been quoted by the Chinese side as supporting their alignment were not known, at the time they were written, to the Chinese Government. They knew nothing at the time, for example, of the negotiations regarding Dokpo Karpo in the Western Sector in 1924, and those regarding Nilang-Jadhang in the Middle Sector in 1926. However, far from regarding these "secret" documents of the Tibetan Government as invalid, they have now based their claim on them.

But in fact there is no doubt that the Chinese representative and -the Chinese Government were aware of the formalization of the Indo-Tibetan boundary in 1914. The substance of the agreement was mentioned at the tripartite conference; there was a general reference to it in the Simla Convention itself; and it was shown on the map presented to the conference in April 1914 and attached to the Convention in July 1914. The areas south of the red line in the Eastern Sector on this Convention Map could not be explained in any other way except by recognising that they constituted Indian territory. The Convention was published in the first edition of Aitchison's Treaties, Engagements and Sanads to be, issued after the Simla Conference.

Apart from these facts, the whole array of argument and evidence furnished by the Chinese side during these very discussion fully proved, if anything, that Tibet at that time had enjoyed treaty making powers and the right of direct dealings with neighbour States. These entire evidence produced by the Chinese side showed Tibet functioning all along her border without Chinese presence or support. In quoting such Tibetan actions with approval, and bringing forward such evidence of Tibetan activity the Chinese side confirmed the legality of Tibet's powers to negotiate and conclude treaties. In all inter-governmental talks between India and Tibet as at Dokpo Karpo, Barahoti and Nilang-Jadhang, no representative of the Chinese Central Government had been present. The representatives of the Government of Lhasa had dealt with representatives of the Central Government of India, who had been supported by officials of local Governments. There was no question, therefore, of these discussions having been conducted on a purely local levels and the fact that on the Tibetan side there had been no Chinese representation or any Chinese authority and, at any time, even a semblance of interest on the part of the Chinese Central Government, proved the Tibetan right to deal directly with the Government of India. The Chinese side were, therefore, unable to escape from the dilemma that to dispute the powers of Tibet to have direct dealings with India to confirm the traditional boundary in the Eastern Sector was to jettison all their evidence for the Eastern and Middle Sectors and almost all their evidence for the Western Sector. For the overwhelming majority of the records and documents quoted by the Chinese side were from Tibetan, and hardly any from Chinese sources. Indeed, the documents cited by the Chinese side referred throughout to a Tibetan Government. It was obviously, even according to the Chinese evidence, much more than a

merely local authority or a provincial administration.

The Chinese side sought to argue that as the negotiations were "resultless" they could not prove Tibet's negotiating powers. It hardly requires to be stated that success or failure has no bearing on this point; but if the failure of these negotiations negated their legality then the Chinese side themselves were precluded from quoting them as evidence in other contexts.

The Indian side also mentioned, in this connection, that the Chinese side had referred to a non-aggression treaty having been concluded in 1853 by the then Government of India and the Regent of Tibet. There was, in fact, no such treaty and what the Chinese side had in mind was discovered to be an administrative arrangement between the Monba chiefs and the British Indian Government. But the Chinese contention was obviously based on the premise that the Tibetan authorities had the right to make peace and war and to conclude treaties of non-aggression. It was clearly illogical in the face of this to contend that a Tibetan Government with such ample treaty-making powers could not formalize an existing traditional boundary.

To place the matter beyond all possible doubt, the Indian side cited a note formally presented by the Government of China in November 1947, enquiring whether after the transfer of power the Government of India had assumed the treaty rights and obligations existing till then between India and Tibet. In their reply of February 1948, the Government of India formally informed the Chinese Government that they had assumed these treaty rights and obligations. The reference in this exchange to the treaty rights and obligations between India and Tibet, as distinct from those between India and China, was the strongest possible proof both of the validity of the "McMahon Line" agreement and of its recognition by the Chinese Government. The Indian side also brought forward documents to show that for many years after the establishment of the authority of the People's Government in Tibet, the Tibetan authorities had accepted the traditional international alignment in this sector.

Nowhere, in fact, as in its disputation of the validity of the so-called McMahon Line was the Chinese position so replete with contradictions. To mention but a few, the Chinese side throughout quoted with approval Tibetan negotiations on certain segments of the traditional alignment in the Western and Middle Sectors, but when confronted with the implications of this position they denied Tibet the right to confirm the traditional boundary in the Eastern Sector. They asserted that Tibet had no treaty-making powers but claimed that she had signed a treaty of non-aggression. Similarly Tibet, with no treaty-making powers, had signed an agreement conferring extra-territorial rights on Nepal which the People's Government had found necessary to abrogate. The Chinese side asserted that the Convention of 1904 between Britain and Tibet was invalid, though it had been negotiated with the assistance of the Chinese officials, and had been referred to with approval in the Convention signed between Britain and China in 1906. They argued that China had never recognised the treaty-making powers of Tibet but could not explain why the suzerain Chinese Government of 1914 had accepted the equal and plenipotentiary status of the Tibetan representative and had participated with Tibet in a tripartite conference in India. They argued that the red line in this sector on the Simla Convention Map was the boundary between Tibet and China but brought forward evidence which was said to show that the area south of this line had belonged traditionally to Tibet. The "McMahon Line" Agreement was described as a result of a secret imperialist intrigue and Tibet was said to have been coerced into signing it; but the fact remains that as late as 1943, Tibet successfully defied the combined pressure of the Chinese Central and British Governments to secure the use of Tibetan territory as a supply route for the defence of China.

This maze of contradictions makes it impossible even to comprehend the Chinese stand, much less to find evidence to sustain the Chinese claim. It needs to be stated clearly that the treaty-making powers of Tibet and in particular her formalization of the "McMahon Line" were acknowledged by the Chinese Central Government of the time; and it was profitless to distort the present position of the Government of India and the statements of the Indian side in a vain attempt to repudiate the confirmation of the traditional boundary. For it was conclusively established from every angle of law and history that the "McMahon Line" agreement which confirmed the traditional boundary in the Eastern Sector was a valid Agreement which had been signed by Tibet and was now binding on China.

Indeed, the Indian position regarding the "McMahon Line" agreement found corroboration also from the documents and agreements cited by the Chinese side. Even the recently concluded Sino-Burmese Agreement which acknowledges

that the Burma Sector of the "McMahon Line" was the traditional boundary between China and Burma was telling circumstantial proof that in the Indian Sector also it had obviously confirmed the traditional boundary.

The Indian side were most surprised at the statement of the Chinese side that they distinguished between the actions of past Chinese Governments, accepted what suited them and rejected what was not in consonance with the present Chinese attitude and claims. This was obviously an extraordinary position to adopt and unsettled all relations between Governments. It was an accepted principle of international law that all past commitments of previous governments were binding on successor governments, at least until they had been re-negotiated. The whole purpose and value of the assignment given to the officials would be undermined if either side refused to accept all the facts of history, regardless of past motives and present claims, but accepted only such evidence as confirmed their contentions and repudiated those facts which destroyed them.

ABBREVIATIONS USED

CTA	Central Tibetan Administration
CCP	Chinese Communist Party
GoI	Government of India
LAC	Line of Actual Control
LOC	Line of Control
PAP	People's Armed Police
PLA	People's Liberation Army
PRC	People's Republic of China
PLAAF	PLA Air Force
PBSC	Politburo Standing Committee
PSB	Public Security Bureau
TAR	Tibetan Autonomous Region
UFWD	United Front Work Department
UNSC	United Nations Security Council

MAP

INDIA'S BORDER WITH TAR



SOURCE: THE ECONOMIST, FEBRUARY 2012

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