



Tibet

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The 50th anniversary of the Tibetan uprising was commemorated on 10 March 2009. This Note provides brief background for Members and their staff. It is neither comprehensive nor exhaustive.

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1 Historical and legal background

Tibet has had a relationship with China for many centuries, but the nature of this relationship has not been consistent, alternating between periods of greater and lesser autonomy. The precise historical status of Tibet is a source of much controversy, with rival claims of historic independence or incorporation.

After the Communist victory in the Chinese civil war in 1949 Tibet was either 'invaded' or 'liberated', according to rival interpretations, by the Communists in 1950. Since the early 20th century Tibet had acted to all intents and purposes as an independent entity, although there was widespread acceptance at this time that the territory fell under the 'Chinese suzerainty'.¹

In 1951 Mao Zedong and the Dalai Lama concluded a 17-point agreement on Tibet's relationship with the People's Republic of China (PRC). It appeared to ensure that Tibet would remain autonomous but with responsibility for foreign affairs passing to China. The legitimacy of the 17-point agreement was questioned by many, who argued that the young Dalai Lama had been faced with little choice but to sign.

During the 1950s, the Chinese Government began to take a range of political, economic, social and cultural actions which had the effect of moving Tibet towards much greater absorption within China. These actions accelerated considerably after the 1959 uprising (see below). Tibet became one of China's 'Autonomous Regions' in 1965. For critics of Chinese rule, whether they favour Tibetan independence or "meaningful autonomy", Tibet has *de facto* been fully incorporated into the PRC. The Dalai Lama leads those calling for meaningful autonomy.

There was considerable international concern over China's behaviour in Tibet following the establishment of the People's Republic of China (PRC), focusing on its alleged denial of self-determination and repression of Tibetan culture. Three resolutions were passed in the UN General Assembly in 1959, 1961 and 1965 calling for self-determination and the protection of human rights in Tibet.² A call by the Dalai Lama in 1950 for a United Nations protectorate over the region fell on deaf ears. Since the 1960s the Chinese Government has largely been successful in excluding Tibet from discussion at UN fora.

It is worth noting that what is sometimes referred to as 'ethnographic Tibet' covers a much larger area than the Tibetan Autonomous Region, including lands spreading out extensively to the east, and there are those within the Tibetan exile community who seek the restoration of this larger ambit.

¹ Webster's Revised Unabridged Dictionary (1996) defines suzerainty as: "The dominion or authority of a suzerain; paramount authority." Underpinning the concept is the idea that the State over which suzerainty is being exercised enjoys extensive autonomy, particularly with regard to its internal affairs. Parry and Grant assert that it is a term "of historical interest only", although they then go on to say that "Modern suzerainty involves only a few rights of the suzerain State over the vassal [State] which can be called constitutional rights. Suzerainty is by no means sovereignty. It is a kind of international guardianship, since the vassal State is either absolutely or mainly represented internationally by the suzerain State." J.P. Grant and J. Craig Barker, *Encyclopaedic Dictionary of International Law* (New York, 2004), p 492. *Oppenheim's International Law* (9th ed, 1992, p 267) states that the term 'suzerainty' is "not wholly defunct".

² For the texts of resolutions passed by the General Assembly in 1959, 1961 and 1965, see: <http://www.canonymous.com/press/ecritique2/appendix.html>

2 The 1959 uprising

The 50th anniversary of the Tibetan uprising occurred on 10 March. There continue to be divergent interpretations of the uprising. The Chinese Government recently issued a White Paper on Tibet, setting out what it believes are the positive achievements of the past 50 years. An accompanying press release in English summarises the official Chinese position on how the events of 1959 should be viewed:

BEIJING, March 2 (Xinhua) -- China's government Monday published a white paper on the situation in Tibet before and since 1959 to mark the 50th anniversary of the region's Democratic Reform.

The paper, released by the State Council Information Office, reviewed the profound changes that have taken place in the past 50 years. It also shed light on the laws governing the social development of Tibet, and rebut lies and rumors that were spread by the 14th Dalai Lama and his hard-core supporters.

"It is conducive to telling right from wrong in history and helps the world better understand the real Tibet," the paper said. Tibet had been a society of feudal serfdom under theocratic rule before 1959, with the 14th Dalai Lama as the chief representative of the upper ruling strata of serf owners, the paper said.

Serf owners accounted for less than 5 percent of the population in Tibet. But they possessed the overwhelming part of the means of production, and monopolized material and cultural resources. The serfs and slaves, comprising more than 95 percent of the population, suffered from poverty, oppression and exploitation, and had no basic human rights. They would face severe penalty if they offended their owners, and most of them were in debt generation after generation because serf owners practiced usury to further exploit them, the paper said. The long centuries of theocratic rule and feudal serfdom stifled the vitality of Tibetan society, and led to its decline and decay, the paper said.

Ngapoi Ngawang Jigme, once a Galoin (cabinet minister) of the former local government of Tibet, pointed out that "all believe that if Tibet goes on like this the serfs will all die in near future, and the aristocrats will not be able to live either. "The whole Tibet will be destroyed."

In 1951, the Central People's Government and the Local Government of Tibet signed an agreement on the Measures for the Peaceful Liberation of Tibet, or the 17-Article Agreement. The agreement acknowledged the necessity of reforming the social system of Tibet, and stressed that "the local government of Tibet should carry out reform voluntarily".

In an attempt to perpetuate the old social system, the upper ruling strata in Tibet publicly abandoned the agreement and staged an armed rebellion on March 10, 1959, the paper said. The Central People's Government and the Tibetan people quelled the rebellion, to safeguard the unity of the nation and the basic interests of the Tibetan people. Meanwhile, the Chinese government launched a vigorous democratic reform to overthrow the feudal serfdom system and liberate about 1 million serfs and slaves.³

The Tibetan Government in Exile gives a very different account of the 1959 uprising:

³ See: <http://www.china-embassy.org/eng/zt/zgxz/t539967.htm>

By 1954, 222,000 members of the People's Liberation Army (PLA) were stationed in Tibet and famine conditions became rampant as the country's delicate subsistence agricultural system was stretched beyond its capacity.

In April 1956, the Chinese inaugurated the Preparatory Committee for the Autonomous Region of Tibet (PCART) in Lhasa, headed by His Holiness the Dalai Lama and ostensibly convened to modernise the country. In effect, it was a rubber stamp committee set up to validate Chinese claims.

In the later fifties, Lhasa became increasingly politicised and a non-violent resistance evolved, organised by Mimang Tsongdu, a popular and spontaneous citizens' group. Posters denouncing the occupation went up. Stones and dried yak dung were hurled at Chinese street parades. During that period, when the directive from Beijing was still to woo Tibetans rather than oppress them, only the more extreme Mimang Tsongdu leaders and orators faced arrest.

In **February 1956**, revolt broke out in several areas in Eastern Tibet and heavy casualties were inflicted on the Chinese occupation army by local Kham and Amdo guerrilla forces. Chinese troops were relocated from Western to Eastern Tibet to strengthen their forces to 100,000 and "clear up the rebels." Attempts to disarm the Khampas provoked such violent resistance that the Chinese decided to take more militant measures. The PLA then began bombing and pillaging monasteries in Eastern Tibet, arresting nobles, senior monks and guerrilla leaders and publicly torturing and executing them to discourage the large-scale and punitive resistance they were facing.

In Lhasa, 30,000 PLA troops maintained a wary eye as refugees from the fighting in distant Kham and Amdo swelled the population by around 10,000 and formed camps on the city's perimeter.

By **December 1958**, a revolt was simmering and the Chinese military command was threatening to bomb Lhasa and His Holiness the Dalai Lama's palace if the unrest was not contained. To Lhasa's south and north-east 20,000 guerrillas and several thousand civilians had been engaging with Chinese troops.

On **March 1, 1959**, while His Holiness the Dalai Lama was preoccupied with taking his Final Master of Metaphysics examination, two junior Chinese army officers visited him at the sacred Jokhang cathedral and pressed him to confirm a date on which he could attend a theatrical performance and tea at the Chinese Army Headquarters in Lhasa. His Holiness replied that he would fix a date once the ceremonies had been completed

This was an extraordinary occurrence for two reasons: one, the invitation was not conveyed through the Kashag (the Cabinet) as it should have been; and two, the party was not at the palace where such functions would normally have been held, but at the military headquarters - and His Holiness the Dalai Lama had been asked to attend alone.

March 7, 1959. The interpreter of General Tan Kuan-sen - one of the three military leaders in Lhasa rang the Chief Official Abbot demanding the date His Holiness the Dalai Lama would attend their army camp. March 10 was confirmed.

March 8, 1959. This was Women's Day, and the Patriotic Women's Association was treated to a harangue by General Tan Kuan-sen in which he threatened to shell and destroy monasteries if the Khampa guerrillas refused to surrender. "... we knew that the ordinary people of Lhasa were being driven to open rebellion against the Chinese though they would have to fight machine-gunners with their bare hands", writes Mrs. Rinchen Dolma (Mary) Taring in her autobiography, *Daughter of Tibet*.

March 9, 1959. At 8.00 am two Chinese officers visited the commander of His Holiness the Dalai Lama bodyguards' house and asked him to accompany them to see Brigadier Fu at the Chinese military headquarters in Lhasa. Brigadier Fu told him that on the following day there was to be no customary ceremony as His Holiness the Dalai Lama moved from the Norbulinka summer palace to the army headquarters, two miles beyond. No armed bodyguard was to escort him and no Tibetan soldiers would be allowed beyond the Stone Bridge - a landmark on the perimeter of the sprawling army camp.

By custom, an escort of twenty-five armed guards always accompanied His Holiness the Dalai Lama and the entire city of Lhasa would line up whenever he went. Brigadier Fu told the commander of His Holiness the Dalai Lama's bodyguards that under no circumstances should the Tibetan army cross the Stone bridge and the entire procedure must be kept strictly secret.

The Chinese camp had always been an eyesore for the Tibetans and the fact that His Holiness the Dalai Lama was now to visit it would surely create greater anxiety amongst the Tibetans.

March 10, 1959. The invitation provoked 300,000 loyal Tibetans to surround the Norbulinka palace, forming an human sea of protection for their Yeshe Norbu (nickname for His Holiness the Dalai Lama, meaning "Precious Jewel"). They feared he would be abducted to Beijing to attend the upcoming Chinese National Assembly. This mobilisation forced His Holiness the Dalai Lama to turn down the army leader's invitation. Instead he was held a prisoner of devotion.

March 12, 1959. 5,000 Tibetan women marched through the streets of Lhasa carrying banners demanding "Tibet for Tibetans" and shouting "From today Tibet is Independent". They presented an appeal for help to the Indian Consulate-General in Lhasa.

Mimang Tsongdu members and their supporters had erected barricades in Lhasa's narrow streets while the Chinese militia had positioned sandbag fortifications for machine guns on the city's flat rooftops. 3000 Tibetans in Lhasa signed their willingness to join the rebels manning the valley's ring of mountains.

On **March 15**, 3000 of His Holiness the Dalai Lama's bodyguards left Lhasa to position themselves along an anticipated escape route. Khampa rebel leaders moved their most trusted men to strategic points. Stalwarts of the Tibetan Army merged with civilians to cover the chosen route. By this time the Tibetans were out-numbered 25 to 2. An estimated 30,000 to 50,000 Chinese troops wielded modern weapons and had 17 heavy guns surrounding the city. While the Chinese manned swivelling howitzers, the Tibetans were wielding cannons into position with mules.

March 16, 1959. Chinese heavy artillery was seen being moved to sites within range of Lhasa and particularly the Norbulinka. Rumours were rife of more troops being flown in from China. By nightfall Lhasa was certain that His Holiness the Dalai Lama's palace was about to be shelled.

March 17, 1959 4 pm. The Chinese fired two mortar shells at the Norbulinka. They landed short of the palace walls in a marsh. This event triggered His Holiness the Dalai Lama to finally decide to leave his homeland.

"... when the Chinese guns sounded that warning of death, the first thought in the mind of every official within the Palace, and every humble member of the vast concourse around it, was that my life must be saved and I must leave the Palace and leave the city at once", recalls His Holiness the 14th Dalai Lama in his autobiography, *My Land*

and My People "There was no certainty that escape was physically possible at all - Ngabo had assured us it was not.. If I did escape from Lhasa, where was I to go, and how could I reach asylum? Everything was uncertain, except the compelling anxiety of all my people to get me away before the orgy of Chinese destruction and massacre began".

At 10 pm. on the night of March 17, wearing a soldier's uniform with a gun slung over his shoulder, His Holiness the Dalai Lama marched out of the Norbulinka and onto the danger-filled road to India and freedom His mother and elder sister had preceded him.

March 19, 1959. Fighting broke out in Lhasa late that night and raged for two days of hand-to-hand combat with odds stacked hopelessly against the Tibetan resistance.

At 2.00 am the Chinese started shelling NorbuLingka. The Norbulingka was bombarded by 800 shells on March 21 Thousands of men, women and children camped around the palace wall were slaughtered and the homes of about 300 officials within the walls destroyed. In the aftermath 200 members of His Holiness the Dalai Lama's bodyguard were disarmed and publicly machine-gunned. Lhasa's major monasteries, Gaden, Sera and Drepung were shelled -the latter two beyond repair - and monastic treasures and precious scriptures destroyed. Thousands of their monks were either killed on the spot, transported to the city to work as slave labour, or deported. In house-to-house searches the residents of any homes harbouring arms were dragged out and shot on the spot. Over 86,000 Tibetans in central Tibet were killed by the Chinese during this period.

His Holiness the Dalai Lama and his party crossed the Indian border at Khenzimane Pass on **March 31**. Pandit Nehru announced on **April 3** in the Indian Parliament (Lok Sabha) that the Government of India had granted asylum to His Holiness the Dalai Lama. The party took a couple of days to reach Tawang the headquarters of the West Kameng Frontier Division of the North East Frontier Agency (NEFA), now known as the Tawang District of Arunachal Pradesh.

His Holiness the Dalai Lama stayed four days in Tawang and then spent about ten days there recovering from dysentery. In Bomdila His Holiness the Dalai Lama was officially received by an envoy of the Indian Government a welcome message from Nehru.⁴

Since then, the Dalai Lama and the Tibetan Government in Exile have been based in India. It is worth noting that its account does not mention the 17-point agreement.

3 Recent developments

Over recent decades, the Chinese Government has repeatedly called the Dalai Lama and his followers 'splittists' who hide behind claims that they would accept 'meaningful autonomy' in order to win support from Western countries and their publics. It has reacted extremely negatively to meetings between the Dalai Lama and representatives of foreign governments, which has led some of them to display a degree of nervousness at times about holding such meetings. Successive US Administrations have taken a particularly forthright position and consistently met the Dalai Lama. There have been at least six rounds of 'dialogue' between the Chinese authorities and envoys of the Dalai Lama but to date they have produced no discernible results.

⁴ See: <http://www.tibet.com/Status/10march59.html>

There have been periodic episodes of unrest within Tibet over recent decades, to which the Chinese authorities have invariably responded with considerable repression. Martial law had to be imposed in 1989, with Tibet caught up in the domestic unrest of that time. Human rights groups regularly express grave concern about the human rights situation in Tibet.⁵ Over the past ten years, many Tibetans in exile and their sympathisers have expressed growing concern about the rate of Han migration into Tibet and the impact of economic development (including the railway line to Lhasa), both of which, they argue, are further marginalising Tibetans in their own country and strengthening Chinese control over the region, to the point where Lhasa has become a majority Han city.⁶

In March 2008, with the Olympics in Beijing on the horizon, there were riots and protests in Lhasa and other parts of Tibet. Once again, there were divergent interpretations of what had caused the disturbances, with the Chinese emphasizing that Tibetans had started the violence with attacks on Chinese inhabitants in Lhasa, alleging that about 20 people died. Supporters of the Tibetan cause focused on the repressive response of the authorities, with over a thousand Tibetans being detained, and claimed that up to 200 people had been killed. Amnesty International described Tibetan protests as “largely peaceful” and spoke of a subsequent “lock-down” in Tibet.⁷ The PRC was unable to prevent the disruption of the procession of the Olympic torch by protesters in several countries around the world, including London, during the run up to the Olympics. On the 50th anniversary of the 1959 uprising, with protests in Tibet continuing, albeit on smaller-scale than those of March 2008, Amnesty International reported that another Chinese crackdown was under way.⁸

4 Stance of the UK Government

Until October 2008, the British Government had had a long-standing position on Tibet. Under Article 2 of the July 1914 Treaty between Great Britain, China and Tibet, it was recognised that Tibet was under the suzerainty of China.⁹ In a 1943 Memorandum agreed by the Foreign Secretaries of the UK and China, the UK Government expressed the opinion that

Tibet has enjoyed *de facto* independence since 1911 and that the British Government had always been prepared to recognise Chinese suzerainty over Tibet but only on the understanding that Tibet is regarded as autonomous.¹⁰

However, in October 2008 there was what some have viewed as a major shift in the British position, although the Government sees it more as an updating of it. This involved abandoning the concept of ‘Chinese suzerainty’ on the grounds that it was unclear and outdated. In a Written Statement, the Foreign Secretary, David Miliband, stated [key section below highlighted]:

⁵ See, for example, this February 2009 press release by a coalition of human rights groups: <http://www.hrw.org/en/news/2009/02/12/china-rights-should-top-clinton-agenda>

⁶ See, for example, a January 2008 statement by the Dalai Lama at: <http://www.phayul.com/news/article.aspx?id=19088&t=1&c=1>

⁷ For its June 2008 report, see: <http://www.amnesty.org/en/news-and-updates/report/china-one-thousand-protesters-unaccounted-tibet-lock-down-20080620>

⁸ See its 10 March press release at: <http://www.amnesty.org/en/news-and-updates/news/unrest-tibet-continues-human-rights-violations-escalate-20090310>

⁹ *Oppenheim's International Law*, 9th ed., 1992, p 267, fn 2. For a brief discussion of the concept of suzerainty, see footnote 1 of this Note.

¹⁰ As quoted in a report by the Foreign Affairs Select Committee, *Relations Between the United Kingdom and China in the Period up to and beyond 1997*, HC 37, Session 1993-94, para 255

The Secretary of State for Foreign and Commonwealth Affairs (David Miliband):

A new round of talks on Tibet between the Chinese Government and representatives of the Dalai Lama is likely to take place shortly. These talks are hugely important for the future of Tibet. They provide the only forum in which there is any realistic possibility of progress to resolve the differences between the parties involved.

The Chinese Government have said that they are serious about dialogue and that they hope for a positive outcome. They have set conditions for dialogue that we believe the Dalai Lama has met. The Dalai Lama has made clear that he is not seeking separation or independence. He has said repeatedly that he is seeking a resolution to the situation of Tibet within the framework of the Chinese constitution, a point he made explicitly in an interview with the Financial Times on 24 May during his visit to the United Kingdom. He said: he was “not seeking separation, not seeking independence, but within the framework of the Chinese constitution, meaningful realistic autonomy [for Tibetans]”. He has maintained a clear opposition to violence.

The British Government have a strong interest in the dialogue between the Chinese Government and the Dalai Lama’s representatives, although we are not party to it. No Government that are committed to promoting international respect for human rights can remain silent on the issue of Tibet, or disinterested in a solution to its problems.

Britain has been clear under this Government about their commitment to the people of Tibet. We remain deeply concerned about the human rights situation there. My right hon. Friend the Prime Minister set out our concerns to Premier Wen during discussions in the spring and again when they met in Beijing during the Olympic games. I have made the same point to Foreign Minister Yang on a number of occasions since the unrest in March this year in Tibet. We have consistently made clear that we want to see the human rights of the Tibetan people respected, including through respect for their distinct culture, language, traditions and religions. Our interest is not in restoring an order that existed 60 years ago and that the Dalai Lama himself has said he does not seek to restore.

We are also concerned about more immediate issues arising directly from the unrest of this spring, including the situation of those who remain in detention following the unrest, the increased constraints on religious activity, and the limitations on free access to the Tibetan autonomous region by diplomats and journalists. These issues reinforce long-held unease on the part of the Government about the underlying human rights situation in Tibet.

Other countries have made similar points. **But our position is unusual for one reason of history that has been imported into the present: the anachronism of our formal position on whether Tibet is part of China, and whether in fact we harbour continued designs to see the break-up of China. We do not.**

Our ability to get our points across has sometimes been clouded by the position the UK took at the start of the 20th century on the status of Tibet, a position based on the geopolitics of the time. Our recognition of China’s “special position” in Tibet developed from the outdated concept of suzerainty. Some have used this to cast doubt on the aims we are pursuing and to claim that we are denying Chinese sovereignty over a large part of its own territory. We have made clear to the Chinese Government, and publicly, that we do not support Tibetan independence. Like every other EU member state, and the United States, we regard Tibet as part of the People’s Republic of China. Our interest is in long-term stability, which can only be achieved through respect for human rights and greater autonomy for the Tibetans.

We have noted recent comments by the Dalai Lama regretting the lack of progress in the dialogue so far. We are also aware of indications of growing frustration among some Tibetans about the dialogue process. We consider the position the Dalai Lama has stated publicly, including when he visited Britain this year, that he opposes violence and is seeking meaningful autonomy within the framework of the Chinese constitution, provides a basis for a negotiated settlement. Our strong view is that genuine progress at the next round of talks is essential to promote progress on such a settlement. Participation in these talks carries a weight of responsibility for both parties.¹¹

The subsequent written answer below provided a further clarification of the UK's decision to update its position:

The Government's policy on the status of Tibet is set out in the written ministerial statement on Tibet of 29 October 2008, Official Report, columns 30-32WS, that we do not support Tibetan independence. Like every other EU member state, and the United States, we regard Tibet as part of the People's Republic of China. We have consistently made clear that we want to see the human rights of the Tibetan people respected, including through respect for their distinct culture, language and religions. We consider the position the Dalai Lama has stated publicly, that he opposes violence and is seeking meaningful autonomy within the framework of the Chinese constitution, provides a basis for a negotiated settlement. We clarified our position in this way because our ability to get our points across on Tibet had sometimes been clouded by the position the UK took at the start of the 20th century on the status of Tibet. This had developed from the outdated concept of suzerainty. Our position as set out on 29 October allows us to speak unambiguously on the matter of Tibetan human rights.¹²

This alteration in the UK Government's position has caused controversy. For example, the Free Tibet campaign has urged its supporters to write to the Government in protest:

Tell Gordon Brown he has failed the people of Tibet

4 February 2009

Please write to Prime Minister Gordon Brown and express your disappointment with his lack of action on Tibet during the Chinese Premier's visit to the UK.

Premier Wen Jiabao's visit to the UK from 31 January to 2 February 2009 was the first visit of a Chinese leader since last year's deadly protests in Tibet and presented the best opportunity for Gordon Brown to address human rights in Tibet.

During a press conference with Wen Jiabao, Gordon Brown urged "further dialogue on the Chinese Government to resolve the underlying issues in Tibet". This statement has failed to address the current crisis in Tibet. Gordon Brown should have sought assurances from the Premier that last year's shootings of unarmed protestors are not repeated again next month, during the 50 year anniversary of the failed Tibetan uprising.

The situation in Tibet is so desperate that The Tibetan Government in Exile released an urgent appeal to governments requesting "to actively intervene so that unfortunate incidences of March 2008 may not be repeated."

Express your disappointment with the British Government's new UK-China framework, announced last week, titled "The UK and China: A Framework for Engagement".

¹¹ HC Deb 29 October 2008 c30-32WS

¹² Bill Rammell, Minister of State at the FCO, at HC Deb 16 December 2008 c704W

While the strategy claims that the promotion of human rights is central to the UK's engagement, the stated benchmarks for human rights outcomes suggest the British Government is not serious about the promotion of human rights. The strategy aims for a "reduction" in detention without trial in China and Tibet, but does not ask for its outright abolition. It states that it aims to secure China's ratification of the International Covenant on Civil and Political Rights (ICCPR) even though China has signed the ICCPR more than ten years ago, and despite many promises has still failed to bring it into force.

Wen Jiabao in his speech on trade relations made reference to "a fresh new starting point" between China and Britain and that there is "no baggage of history between us". It seems to be a reference to the UK's recent change in policy in which the Foreign Secretary reversed more than ninety years of UK foreign policy when he recognised Tibet as part of the People's Republic of China. It was claimed that such a change would strengthen Britain's position with China to promote human rights for Tibet. It is now clear that Britain has given up its long held position on the status of Tibet in order to strengthen trade relations with China and nothing else.

The British Government has betrayed the people of Tibet at a time when they need the world's help the most, for promises of greater access to Chinese markets.¹³

In January 2009 the UK Government published a new framework for its engagement with China. In the document, it calls for: "Progress towards a system of meaningful autonomy for Tibet with framework of Chinese constitution."¹⁴

The UK-China Human Rights Dialogue is one place where the UK Government raises concerns regarding human rights in Tibet. While the Government continues to argue that the Dialogue is serving a useful purpose, the Foreign Affairs Select Committee is not persuaded, as the following extract from its most recent report on the FCO's *Annual Human Rights Report 2008* indicates:

100. The FCO's report sets out in detail the Government's work on promoting human rights in China. It distinguishes between "high-level messages to encourage progress in policy and project work to deliver more immediate work on the ground". It discusses the bilateral UK-China Human Rights Dialogue, with the most recent round held in January 2008. We have repeatedly expressed our concerns over the Dialogue and in our previous Report, we argued that it is "failing to make substantive progress" and we recommended that the Government should include a timeframe for the completion of certain objectives. In its response, the Government acknowledged that progress had been "incremental" but said there had been significant improvements in the Dialogue since it began in 1997. It rejected our call for timeframes, although it did not provide any justification for doing so.^[176] During this year's inquiry, Kate Allen told us that it was difficult to see the benefits of the Dialogue, arguing that "it almost feels as though the ironic result of that Dialogue - all that it has achieved - is to silence public criticism of the record of the Chinese Government."^[177]

103. We conclude that there continues to be little evidence that the Government's Human Rights Dialogue with China is achieving significant results. We conclude that, as at the time of our agreeing this Report, the Prime Minister is correct to attend the Olympic Games. However, the Olympics represent a unique opportunity to advance the cause of human rights in China. We conclude that there is mounting evidence that the Chinese authorities are

¹³ See: <http://www.freetibet.org/campaigns/tell-gordon-brown-he-has-failed-people-tibet>

¹⁴ Available at: <http://ukinchina.fco.gov.uk/en/newsroom/?view=News&id=13251371>, p. 19

taking repressive measures to prevent any of their citizens from expressing visible dissent in the run up to or during the Games. We recommend that the Government makes immediate public and very strong condemnation of this. We further recommend that the Government should be ready to discontinue the UK-China Human Rights Dialogue if substantial progress is not made in the coming year.¹⁵

The Foreign Affairs Committee also had this to say on Tibet, including on the March 2008 riots in Lhasa and other parts of Tibet:

108. The Dalai Lama has called for an international investigation into the circumstances surrounding the recent events in Tibet. He noted that it is "very difficult to get clear information" as to what exactly happened. He suggested that an international investigation would also establish whether the accusation of the Chinese Premier that the Tibetan Government-in-Exile was behind the protests was accurate or not.^[188] A call for an international investigation has been strongly supported by other organisations. Tom Porteous believed that the Prime Minister should make China's agreement for an international investigation a condition for his attendance at the Olympic Games, adding that there was "virtually nil chance" of the Chinese agreeing to such an investigation.^[189] In a written answer, the FCO Minister Kim Howells addressed the issue of an independent investigation:

We believe that the Chinese government should lift restrictions on access to the region which would aid an independent assessment of the situation. My right hon. Friend the Prime Minister raised the issue of access to Tibet in his telephone call to Chinese Premier Wen on 19 March. We continue to encourage China to issue an open invitation to all UN Special Rapporteurs to visit China, including the UN Special Rapporteur on Freedom of Religion or Belief.^[190]

However, there has been no enthusiasm by the Government to link the call for an independent assessment of the situation with its approach towards the Games. The Dalai Lama himself told us "Tibetan issues and the Olympics are two separate things. I fully supported the Olympics from the beginning."^[191]

109. China has held intermittent talks with the Dalai Lama's representatives since 2002, and Lord Malloch-Brown told us that the Government has been "extremely clear" in its messages to China that these talks should resume. China's pre-conditions for talks have been that the Dalai Lama commits to non-violence and calls for greater autonomy for Tibet, not independence - conditions that he clearly meets (he told us he is calling for "genuine autonomy").^[192] The dialogue between the Dalai Lama and China has achieved little by way of results. The two parties met for the first time after the disturbances in Shenzhen province in early May 2008.^[193] Lord Malloch-Brown said the Government "should not ease up on the Chinese" now that talks have resumed and stated that the UK would press the Chinese to come to "some kind of accommodation" with the Dalai Lama.^[194] When we asked the Dalai Lama if the British Government was doing enough on Tibet, he replied "not enough", but added, "how much can they do? That is another big question. There are limits, even for the European Union and the United States."^[195]

110. The Dalai Lama gave evidence to us as part of a larger visit to the United Kingdom. On this visit, he met the Prime Minister, despite opposition from the Chinese Government. However, the Prime Minister chose to meet the Dalai Lama at the home

¹⁵ Session 2007-08, HC 533, 20 July 2008. Available at: <http://www.publications.parliament.uk/pa/cm200708/cmselect/cmfaff/533/53307.htm#a16>

of the Archbishop of Canterbury, Lambeth Palace, rather than 10 Downing Street. A Downing Street spokesperson told *The Times* that this was because the Dalai Lama was "a spiritual representative", but added that the Prime Minister would have a "substantive conversation" with him. Critics suggested that the Prime Minister's decision not to meet the Dalai Lama in 10 Downing Street was made to placate China, and noted that both Tony Blair and John Major had received him there. President Bush also hosted the Dalai Lama at the White House when he received the Congressional Gold Medal last year.^[196] The Dalai Lama played down the significance of the location, telling us that "the venue does not matter".^[197]

111. The official Chinese news agency Xinhua reported that the Chinese National People's Congress Foreign Affairs Committee condemned our evidence session with the Dalai Lama. It said in a statement: "We express our strong indignation and opposition to such an act that forms an arrogant interference in China's domestic affairs and hurts Chinese people's feelings," adding that "the irresponsible act is an irony to democracy, freedom and human rights".^[198] The Chinese Ambassador to the UK, Her Excellency Fu Ying, also wrote to us, stating that "the Chinese public seem quite upset by the fact that Britain should choose to hurt China at such a difficult moment."^[199] Lord Malloch-Brown had warned us that there was "genuine Chinese public indignation" on Tibet, and so this reaction was not surprising.^[200] Nonetheless, we look forward to continuing our scrutiny of democracy, freedom and human rights in China and elsewhere in the coming years.

112. We conclude that China's policies towards Tibet have fostered a culture of repression. We condemn the use of violence either by Tibetans or the Chinese Government during the recent disturbances. We welcome the British Government's calls for restraint and dialogue between the two parties. We recommend that the British Government should press the Chinese authorities to allow an independent and international investigation to take place in Tibet, and to impress on the Chinese Government that they should recognise that there is currently a significant window of opportunity to make progress in resolving the dispute over Tibet based on the demand by the Dalai Lama for "genuine autonomy", not independence.¹⁶

¹⁶ Ibid