



CONGRESSIONAL - EXECUTIVE COMMISSION ON CHINA

Congressional-Executive Commission on China

Special Topic Paper: Tibet 2008-2009

October 22, 2009

This Commission topic paper adds to and further develops information and analysis provided in Section V—Tibet of the Commission's 2009 Annual Report, and incorporates the information and analysis contained therein.

Table of Contents

Findings	1
Introduction: Tibetans Persist With Protest, Government Strengthens Unpopular Policies	3
Government Shifts Toward More Aggressive International Policy on Tibet Issue	5
Beijing Think Tank Finds Chinese Government Policy Principally Responsible for the “3.14 Incident”	8
Status of Negotiations Between the Chinese Government and the Dalai Lama or His Representatives.....	13
The China-Dalai Lama Dialogue Stalls	14
The Eighth Round of Dialogue, Handing Over the Memorandum	14
Party Officials Attack the Dalai Lama, Press Preconditions	15
Neither Chinese Officials Nor the Dalai Lama See Progress	16
A Detailed Tibetan Memorandum on “Genuine Autonomy”	17
Principal Features of the Memorandum.....	17
Memorandum Addresses, Has Potential To Resolve, Question of Tibetan Territory.....	19
Map 1: Tibetan Autonomous Areas of China.....	22
Map 2: Tibetan Autonomous Areas of China and Areas of the “Three Traditional Provinces of Tibet” That Are Outside of the Tibetan Autonomous Areas	23
Table 1: Tibetan Autonomous Areas of China—Tibetan and Han Chinese Population in 2000	24
Memorandum’s Vision of Autonomy and China’s Hierarchy of People’s Congresses and Governments	25
Tibetans in Exile Meet, Decide To Maintain Support for the Middle Way Approach	28
Religious Freedom for Tibetan Buddhists: Tightening Control Over Tibetan Buddhism, Tibetan Buddhists	30
Strengthened Efforts To Separate Tibetan Buddhists From the Dalai Lama.....	30
Government, Party, Buddhist Association Leaders Challenge Dalai Lama’s Suitability as a Religious Figure.....	31
TAR Buddhist Association Uses Charter To Isolate Monks, Nuns From the Dalai Lama.....	32
Government-Built Buddhist Academy Near Lhasa To Teach Politics Along With Religion	32
Patriotic and Legal Education: Seeking To Reshape Tibetan Buddhism.....	33
Intensive Period of Patriotic, Legal Education Aims for “New Order” in Tibetan Buddhism.....	34
Authorities Eject 1,200 Monks From Drepung, Sera; Detention, Education, Abuse Follow	36
Official “Warns” Dalai Lama That Chinese Government Must Approve Next Dalai Lama.....	38
China’s Panchen Lama: Only the Party Can Lead Tibetans to a Bright Future.....	39
Tibetan Development Initiatives Reinforce Government Priorities: Focus on 2020	41
Party Labels Dalai Lama, “Dalai Clique” as Principal Obstructions to Development.....	41
Maintaining the Priority of Infrastructure Construction.....	42
Lhasa Redesign To Feature “Old” and “New” Downtowns by 2020	42
Officials Acknowledge Tibetan Resentment Against the “Floating Population,” but Call for More, Better Migrant Services	43
TAR Statistics Show Little Increase in Non-Tibetan Population After Qinghai-Tibet Railway Startup.....	45
Railway Logistics Center Opens, Will Support TAR Rail Links With Surrounding Provinces	46
Official Warns of Global Warming Threat to Qinghai-Tibet Railway	48
Work on Sichuan-Tibet Railway To Start, Impact May Far Surpass Qinghai-Tibet Railway	49
Table 2: Population—Provincial and Municipal-Level Populations Linked Directly by the Qinghai-Tibet Railway or by the Planned Sichuan-Tibet Railway	50
Table 3: Industry—Provincial-Level Economies Linked Directly by the Qinghai-Tibet Railway or by the Planned Sichuan-Tibet Railway	52
Hu Jintao Calls For More “Socialist New Villages”	53
Confrontation Over Mining, Hydroelectric Projects; One Possible Successful Resolution	54
For Tibetans, Another Year of Heightened Security, Repression, Isolation	56

Rising Tension and a Crackdown as Sensitive Dates Approached, Passed.....57

February 25: Tibetans Express Grief Through Non-Observance of Lunar New Year 59

 Losar Boycotts in 2009 in Areas Where Tibetans Protested in 2008..... 60

March 10: Security Forces Prevent New Tibetan Protests Marking Events in 1959, 2008..... 62

March 28: Officials Pressure Tibetans To Celebrate New Holiday Marking the 1959 Dissolution of Dalai Lama’s Government 64

Tibetan Protesters Persist During Period of Heightened Security65

 A “Farming Boycott Movement” Results in Threats, Detention, Beatings, Shooting..... 69

Political Detention and Imprisonment of Tibetans.....71

2009 Overview71

 Chart 1: Tibetan Political Detention by Year, 1987-2009 72

 Chart 2: Tibetan Political Detentions Recorded Per Month: September 2007 to August 2009 72

 Protesters Persist, Adapt..... 73

 Targeting Tibetan Writers, Publishers, Pop Culture..... 74

 Where Are the Tibetan Political Protesters? Detained, Imprisoned, or Released? 75

 Summary Information: Tibetan Political Detention and Imprisonment 76

2009 Developments.....78

 Tibetans in Ganzi TAP Dominate Reports of Peaceful Protest Activity 78

 High-Profile Ganzi Defendant Gains a High-Profile Beijing Defense 79

 Lhasa Court Hands Down Long Sentences for Sharing Information..... 81

Table 4: Lhasa Intermediate People’s Court: Punishing Tibetans for Sharing Information With “The Dalai Clique” 82

 Sentences for Lhasa “Rioters” Include Death, Death With Reprieve, Life Imprisonment..... 83

 Tibetan Bombers: An Exception to Peaceful Protest 84

ENDNOTES87

Findings

- During the Commission's 2009 Annual Report period, the Chinese government and Communist Party strengthened the policies and measures that frustrated Tibetans prior to the wave of Tibetan protests that started in March 2008. Tibetans continued to express their rejection of Chinese policies by means that included staging political protests. As a result of Chinese government and Party policy and implementation, and official campaigns to "educate" Tibetans about their obligations to conform to policy and law that many Tibetans believe harm their cultural identity and heritage, the level of repression of Tibetans' freedoms of speech, religion, assembly, and association increased further.

- The environment for the dialogue between the Dalai Lama's representatives and Chinese government and Party officials continued to deteriorate: both sides have referred to the dialogue as having stalled. The principal results of the eighth round of formal dialogue between the Dalai Lama's representatives and Party officials were the Dalai Lama's envoys' handover of a detailed memorandum explaining Tibetan proposals for "genuine autonomy," the Party's rejection of the memorandum, and the Party's continued insistence that the Dalai Lama fulfill additional preconditions on dialogue. The Memorandum's focus on existing areas of Tibetan autonomy already established by the Chinese government could provide an incentive for Chinese officials to resume the dialogue.

- The government has in the past year used institutional, educational, legal, and propaganda channels to pressure Tibetan Buddhists to modify their religious views and aspirations. Chinese officials adopted a more assertive tone in expressing determination to select the next Dalai Lama, and to pressure Tibetans living in China to accept only a Dalai Lama approved by the Chinese government. Escalating government efforts to discredit the Dalai Lama and to transform Tibetan Buddhism into a doctrine that promotes government positions and policy has resulted instead in continuing Tibetan demands for freedom of religion and the Dalai Lama's return to Tibet.

- The government pressed forward with a Party-led development policy that prioritizes infrastructure construction and casts Tibetan support for the Dalai Lama as the chief obstacle to Tibetan development. The government announced a major new infrastructure program—the

“redesign” of Lhasa—that is scheduled for completion in 2020, the same year that the government plans to have ready for operation several new railways traversing sections of the Tibetan plateau. The TAR Communist Party and the Minister of Railways discussed in May 2009 accelerating the construction of railways that will access the TAR. In August 2009, China’s state-run media announced that work would begin on the Sichuan-Tibet railway would begin. The potential scale of demographic, economic, and environmental impact that the Sichuan-Tibet railway could have on Tibetan autonomous areas of China may far surpass the impact of the Qinghai-Tibet railway, which began operation in July 2006. Confrontations between Tibetans and Chinese government and security officials resulted in 2009 when Tibetans protested against natural resource development projects.

- The government and Party crackdown on Tibetan communities, monasteries, nunneries, schools, and workplaces following the wave of Tibetan protests that began on March 10, 2008, continued during 2009. Security measures intensified in some Tibetan areas during a months-long period that bracketed a series of sensitive anniversaries and observances in February and March 2009. As a result of increased government security measures and harsh action against protesters, Tibetan political protests in 2009 were smaller and of briefer duration than protests of March and April 2008. The Commission’s Political Prisoner Database (PPD) contained as of September 2009 a total of 670 records of Tibetans detained on or after March 10, 2008—a figure certain to be incomplete—for exercising rights such as the freedoms of speech, religion, assembly, and association.

Introduction: Tibetans Persist With Protest, Government Strengthens Unpopular Policies

During the Commission's 2009 reporting year, the Chinese government and Communist Party strengthened policies and measures that frustrated Tibetans prior to the wave of Tibetan protests that started in March 2008. Such policies and measures include: the refusal to engage the Dalai Lama in meaningful talks; amplifying the scope and hostility of the anti-Dalai campaign; increasing the repression and control of religious freedom for Tibetans; poor implementation of the PRC Regional Ethnic Autonomy Law; and strengthening economic development initiatives that will increase further the influx of non-Tibetans into the Tibetan autonomous areas of China (and in doing so, increase the pressure on the Tibetan culture and heritage).

The Chinese government continued to state that Chinese policies in Tibetan areas are a success and in the past year adopted a more assertive stance in pressuring other governments to abandon support of the Dalai Lama and instead to support the Chinese government position on Tibetan issues. The Chinese government, to a large extent, bases its positive representation of conditions in Tibetan areas on economic growth data, on selective comparisons between pre-1949 Tibet¹ and post-1978 reform-era China, and on dismisses as baseless or "splittist" views and analysis that do not support Chinese government and Party positions.

Tibetans continued during this reporting year to express their rejection of Chinese policies by means that included staging political protests that typically called for the Dalai Lama's return to Tibet and for Tibetan independence or freedom. The presence of additional security forces, including People's Armed Police, in areas where Tibetan protests took place in spring 2008 may have succeeded at limiting Tibetan protests, but not at stopping them entirely. Government measures to prevent information about Tibetan protests and protesters from leaving China have hindered human rights monitoring organizations from providing an adequate account of protests and their consequences.

As a result of Chinese government and Party policy and implementation, and official campaigns to "educate" Tibetans about their obligations to conform to policy and law that many

Tibetans believe harm their cultural identity and heritage, the level of repression of Tibetans' freedoms of speech, religion, assembly, and association increased further.

Government Shifts Toward More Aggressive International Policy on Tibet Issue

Senior Chinese government and Communist Party leaders speaking during the Commission's 2009 reporting year, along with articles published in China's state-controlled media, show that the leadership has increased the importance it attaches to the Tibet issue.² Statements and reports indicate that the Chinese government may seek to utilize economic leverage to pressure other governments to support the Chinese government's positions on Tibet.³ Senior leadership figures, including Foreign Minister Yang Jiechi, deny that the Chinese government violates Tibetans' human rights, and instead assert that the only valid issue regarding Tibet is China's right to oppose separatism and promote stability.⁴ President Hu Jintao, on March 9 (the day prior to a politically sensitive Tibetan anniversary), called for a "Great Wall of stability" to combat separatism and safeguard national unity.⁵

State Councilor Dai Bingguo, speaking in December 2008 before the Brookings Institution about the 30th anniversary of the establishment of U.S.-China diplomatic relations, placed Tibet alongside Taiwan as one of China's two "core interests:"

To realize greater growth of China-U.S. relations, the key link is to make sure we handle well issues involving each other's core interests and maintain and develop the strategic underpinning of our cooperation. Taiwan and Tibet-related issues concern China's core interests. The Chinese people have an unshakable determination to defend our core interests.⁶

Dai named U.S. cooperation with China on the Tibet issue as "the key link" in building bilateral U.S.-China relations—a bilateral relationship that has as its "most urgent item," according to Dai, the imperative to "to strengthen macroeconomic and financial policy coordination and work together to address the international financial crisis."⁷ In a January 2009 communiqué to commemorate the establishment of diplomatic relations, the People's Republic of China Embassy in the U.S. listed Tibet as one of the "sensitive issues" facing the two countries.⁸ The communiqué advocated a relationship in which each country would "earnestly

respect and accommodate each other's core interests and major concerns, and properly handle such differences and sensitive issues such as trade imbalance, IPR [intellectual property rights] protection, Taiwan, Tibet, human rights, and freedom of religious belief."⁹

Zhu Xiaoming, a former senior official in the Party's United Front Work Department¹⁰ and currently the head of an official "think tank" at Beijing's China Tibetology Research Center,¹¹ in March 2009 characterized international support for the Dalai Lama as an impediment to prospects for global recovery from the global economic downturn. Maintaining stable development is China's best way to help the world deal with the financial crisis, Zhu said.¹² International actors that "exploit the question of Tibet" cause China to "undertake more responsibilities" that interfere with China's ability to respond to the economic downturn, which in turn is harmful for the world.¹³

China's state-run media published articles and opinions urging the Chinese leadership to press other governments to support the Chinese government position on Tibet if other governments wish to have China's support on international issues (including on economic issues). A March 2009 People's Daily opinion observed that as China rises, "the rest of the world" needs "greater cooperation with China."¹⁴ Such cooperation will be "impossible," the opinion said, unless "the West . . . develops an objective and unbiased stance on Tibet."¹⁵ People's Daily concluded that without a "correct understanding" of the Tibet issue, "it is impossible to advance cooperation with China in a sincere manner."¹⁶ A March 2009 China Daily opinion advocated for the emergence of a "China doctrine" that would establish Tibet as a "core concern" for China.¹⁷ A norm of such a doctrine would be for all countries to deny entry to the Dalai Lama, the China Daily opinion said, citing a recommendation that Foreign Minister Yang Jiechi made in a March 7 press conference.¹⁸

A June 2009 article by an expert at a Chinese security policy think tank provided a specific example of how the Chinese government may expect its rising global influence to result in other countries accommodating Chinese policies on Tibetan issues. In an article that labeled the Tibet issue a "thorn in China-Europe ties," Gao Zugui, director of the Center of Strategic Studies at the China Institute of Contemporary International Relations,¹⁹ said that a "sense of anxiety and crisis" is developing among "old developed European countries" that face

“marginalization in global affairs” as China catches up with them.²⁰ Gao observed, “The rise of China’s global influence” and the resultant increase in other countries “becoming appreciative of [China’s] policies” means that “the Dalai Lama clique and some international anti-China forces find the space for their anti-China activities to be shrinking.”²¹

A September 24, 2009, People’s Daily article linked one aspect of the U.S.-China economic relationship—Chinese government purchases of U.S. Treasury bonds²²—to Chinese demands that the U.S. President not meet with the Dalai Lama and the U.S. government not permit the Dalai Lama to visit the United States.²³ The People’s Daily article referred to China as the U.S.’s “biggest creditor”²⁴ and focused on U.S. President Barack Obama’s decision to meet with the Dalai Lama late in 2009,²⁵ after the President’s first visit to China,²⁶ instead of during the Dalai Lama’s October 5 to 10 visit to Washington DC.²⁷ Some media reports characterized the President’s decision as an effort to improve relations with China,²⁸ a depiction that the White House and the Dalai Lama’s Special Envoy both rejected.²⁹ The September 24 People’s Daily article claimed that President Obama “quietly postponed” the meeting with the Dalai Lama to help achieve what People’s Daily described as “the core goal” of the President’s trip to China: “to coax China to continue to lend money by buying [U.S.] Treasury bonds.”³⁰ If the President “intends to achieve some gains [toward that goal],” People’s Daily said, he would need to maintain a “clean slate”³¹ and take additional measures to satisfy the Chinese government:

What China expects is not simply rescheduling a meeting with the monk trying for decades to split China by lobbying around and vilifying China with sheer lie, but an end to all the involvement and encouragement in any form which would embolden and boost the monk's political ambitions.³²

The notion that international support for the Dalai Lama could expose China to the threat of breakup, a topic that stirs a sense of nationalism among the Chinese people, is unsupported by the issues that the Chinese government and state media identify.³³ The premise that the Chinese government should adopt a more aggressive Tibet policy, and use economic and other leverage to pressure governments to assist China in preventing China’s breakup by denying the Dalai Lama entry into other countries, is flawed for at least two reasons. First, the Dalai Lama

continues to state that he seeks genuine autonomy for Tibet, not independence. [See Status of Negotiations Between the Chinese Government and the Dalai Lama or His Representatives below.] Second, the governments of countries that the Chinese government accuses of accommodating pro-Tibetan independence sentiment by hosting the Dalai Lama have not challenged China's sovereignty over the Tibetan autonomous areas of China³⁴—they question government policy and implementation in those areas.³⁵ The U.S. State Department Report on Tibet Negotiations, for example, observes that U.S. policy recognizes the Tibet Autonomous Region and other Tibetan autonomous areas are part of China and that such a policy is “consistent with the view of the international community.”³⁶

An expert on Tibetan political history appearing before a Commission roundtable in March 2009 called attention to the apparent emergence of a more aggressive Chinese government international policy on Tibet:

China now seems to be willing to demand that other countries adhere to its position on Tibet at the risk of damaging their good relations with China. The financial crisis in the United States and other capitalist countries has also seemed to give China the impression that its own economic and political system is superior and that it can be more demanding in its international relations. The manifestation of this new attitude has been new demands that its critics cease their complaints about Tibet. Recent articles in the Chinese press have suggested that not only must other countries not criticize China about Tibet but they must revise their beliefs about the issue.³⁷

Beijing Think Tank Finds Chinese Government Policy Principally Responsible for the “3.14 Incident”

As Chinese government officials moved more aggressively to press other governments to support the government's positions on the Tibet issue, the Beijing-based think tank, Open Constitution Initiative (OCI, Gongmeng), released a May 2009 report that rejected the

government's core assertion about Tibetan protests and rioting in March 2008.³⁸ The "3.14 incident"³⁹ was not the exclusive result of external influence by the Dalai Lama and organizations that the Chinese government associates with him (i.e., "masterminded by the Dalai Lama's clique"),⁴⁰ but the result of domestic ("internal") issues, OCI said.⁴¹ The report applied the term "3.14 incident" in a manner consistent with Chinese government, Communist Party, and state-run media use: a collective reference to the protests and rioting that began on March 14, 2008, in Lhasa city, Tibet Autonomous Region, and then spread to other locations.⁴²

The OCI report, compiled by "a group of prominent Chinese lawyers and legal scholars,"⁴³ based its analysis on an independent investigation in two locations in each of two Tibetan areas: Lhasa city and Naidong (Nedong) county in the central Tibet Autonomous Region (TAR); and Hezuo (Tsoe) city and Xiahe (Sangchu) county in Gannan (Kanlho) Tibetan Autonomous Prefecture in Gansu Province.⁴⁴ (Commission staff has not seen reports of Tibetan protests or rioting in Naidong in March 2008.) The OCI report did not include research or analysis on the eastern Tibetan area that Tibetans know as "Kham,"⁴⁵ which includes Ganzi TAP in Sichuan province—the most active prefectural-level area of Tibetan protest based on information available in the Commission's Political Prisoner Database. [See Political Detention and Imprisonment of Tibetans—Tibetans in Ganzi TAP Dominate Reports of Peaceful Protest Activity below.]

OCI expressed its findings in a manner that shows that the authors aimed for officials to review the document,⁴⁶ and identified a number of policy-based factors:

The research panel discovered that the 3.14 incident was caused by the confluence of many factors, including psychological loss created by development, discontent among economic classes, the question of migrants, influences from abroad, religious sentiment, and on-scene "mass reactions," which cannot be simply reduced to "splittist violence."⁴⁷

The OCI report provided nine recommendations that appear to be directed to the

Chinese government. The recommendations, summarized in the order that they appear, follow.⁴⁸

- Listen to the views of ordinary Tibetans on the basis for respecting and protecting the Tibetan people's rights and interests.
- Guide economic development so that Tibetans acquire ample benefits, and to reduce the discrepancy between urban and rural income.
- Increase central government supervision over local government in order to reduce local corruption and dereliction of duty, and to speed up the process of democratizing power structures.
- Treat the education of Tibetans as the key to the long-term resolution of "the question of Tibetan areas"; improve educational opportunities available to young Tibetans, especially farmers and herders; develop appropriate content on Tibetan history and culture.
- Respect and protect Tibetan "freedom of religious belief," including recognizing the importance of religion to Tibetans; allow the resumption of "normal religious activities" such as Buddhist teaching, monastic travel to attend Buddhist teaching, and "the transmission of Tibetan Buddhism."⁴⁹
- Seek to "reduce inter-ethnic prejudice, ignorance, and injury"; seek the support of religious figures to help resolve such problems.
- Promote the rule of law in Tibetan areas by encouraging the introduction of "laws and regulations" at the local level;⁵⁰ regulate the ownership and exploitation of natural resources; encourage experts to participate in policy discussions.
- Build up ethnic unity by "propagandizing" the success of the reform and opening up policy in Tibetan areas, and avoid depicting the Tibetan past as "serfdom." Along with highlighting the "vitality" of development, admit that Tibet faces "social problems."

- Handle crisis situations by first determining whether a problem is social, economic, or religious, and use different methods for handling each type. The central government should function as an “arbiter” and keep itself distinct from “local officials’ inappropriate conduct.”

A Tibet issue expert addressed a March 2009 Commission roundtable on the significance of what he identified as a powerful Tibetan “interest group,”⁵¹ and what the OCI report described as a “new aristocratic class.” OCI’s recommendation on reducing local official corruption and dereliction of duty focused principally on “the new aristocracy.”⁵² According to the Tibet issue expert:

In the past 20 years in China, the people who manage Tibet . . . have really gained power. Their economic interests and everything else are built on this power. They blame everything that goes wrong in Tibet . . . on the Dalai Lama, or on Tibetans in exile. . . . [It] is really important to see just how important this group is in the role that they play. Sometimes it looks as though we are seeing only the truly top-level of China’s state leadership, and we assume such high-ranking views are the only reason for what is happening. [If] you look at the details, there’s a messy political process going on. In that process, there are people who have political and economic self-interests playing a role in this particular policy.⁵³

Officials from the Beijing Civil Affairs Bureau shut OCI down on July 17, 2009, according to reports by international media organizations.⁵⁴ Xu Zhiyong, one of OCI’s founders, said the government officials claimed that OCI was not registered as a non-governmental organization (NGO).⁵⁵ According to Xu, OCI did not need registration as an NGO because it is a charity organization functioning under the properly licensed Gongmeng Company. Xu characterized the shutdown of OCI as “unreasonable” and said, “We’ll continue to be conscientious and help those who need help.”⁵⁶ The Commission did not observe any media reports that directly attributed the shutdown of OCI to the organization’s report on the “3.14 incident.” [For more information on the legal research and aid organization OCI see the

Commission's 2009 Annual Report.]

Status of Negotiations Between the Chinese Government and the Dalai Lama or His Representatives

The environment for the dialogue between the Dalai Lama's representatives and Chinese government and Communist Party officials continued to deteriorate during the Commission's 2009 reporting year. Chinese officials increased their efforts to shift the focus of the dialogue away from discussing with the Dalai Lama's envoys measures to protect and preserve the Tibetan culture, religion, and language, and instead to focus on new preconditions on the dialogue that pressure the Dalai Lama to function as an active proponent of Chinese government and Party policies on Tibet-related issues. The Commission's 2008 Annual Report observed that, following the Tibetan protests that began in Lhasa on March 10, 2008,⁵⁷ and, by the end of March, had swept across much of the ethnic Tibetan areas of China,⁵⁸ the dialogue deteriorated from a status characterized by lack of progress to one that may require remedial measures before the dialogue could resume a focus on resolving the Tibet issue.⁵⁹ The outlook for dialogue continued to deteriorate as the dates of sensitive observances and anniversaries in February and March 2009 approached and passed. Chinese security forces maintained crackdowns, Tibetan frustration continued to increase,⁶⁰ protests (generally peaceful)⁶¹ continued to occur, and Chinese public security officials and People's Armed Police met Tibetan protesters with harsh measures. [See For Tibetans, Another Year of Heightened Security, Repression, Isolation below.]

U.S. government policy recognizes the Tibet Autonomous Region (TAR) and Tibetan autonomous prefectures and counties⁶² in other provinces to be a part of China.⁶³ The U.S. State Department's 2009 Report on Tibet Negotiations observed, "[The Dalai Lama] represents the views of the vast majority of Tibetans and his consistent advocacy of non-violence is an important principle for making progress toward resolution of ongoing tensions. China's engagement with the Dalai Lama or his representatives to resolve problems facing Tibetans is in the interest of both the Chinese Government and the Tibetan people."⁶⁴ The Report on Tibet Negotiations stated:

The United States continues to believe that meaningful dialogue represents the best way to resolve tensions in Tibet. We are disappointed that, after seven years of talks, there have not been any concrete results. We are concerned that in 2008 the Chinese

government increased its negative rhetoric about the Dalai Lama, increased repression in Tibetan areas, and further restricted religious freedoms. We continue to urge both sides to engage in substantive dialogue and hope to see a ninth dialogue round in the near future that will lead to positive movement on questions related to Tibetans' lives and livelihoods.⁶⁵

The China-Dalai Lama Dialogue Stalls

The principal results of the eighth round of formal dialogue between the Dalai Lama's representatives and Communist Party officials were the Dalai Lama's envoys' handover of the "Memorandum on Genuine Autonomy for the Tibetan People"⁶⁶ (Memorandum), the Party's rejection of the Memorandum, and the Party's continued insistence that the Dalai Lama fulfill additional preconditions on dialogue. The Dalai Lama and Party officials have referred to the dialogue as having stalled.⁶⁷

The Eighth Round of Dialogue, Handing Over the Memorandum

The Dalai Lama's Special Envoy Lodi Gyari and Envoy Kelsang Gyaltsen arrived in Beijing on October 30, 2008, for the eighth round of formal dialogue since such contacts resumed in 2002.⁶⁸ The envoys returned to India⁶⁹ on November 5 following official meetings in Beijing on November 4 and 5 with Du Qinglin, Head of the Communist Party United Front Work Department (UFWD)⁷⁰ and Vice Chairman of the Chinese People's Political Consultative Conference, UFWD Executive Deputy Head Zhu Weiqun, and UFWD Deputy Head Sita (Sithar).⁷¹ Prior to the meetings, officials escorted the envoys to the Ningxia Hui Autonomous Region.⁷² Academics in Beijing "briefed [the envoys] on the laws, policies and practices concerning China's regional ethnic autonomy system."⁷³

The Dalai Lama's envoys handed over to UFWD officials a memorandum setting out general proposals to create "genuine autonomy for the Tibetan people."⁷⁴ The Memorandum states in its introduction that during the seventh round of dialogue in July 2008, Du Qinglin "invited suggestions from His Holiness the Dalai Lama for the stability and development of Tibet," and 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.”⁷⁵ The 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.”⁷⁶

Party Officials Attack the Dalai Lama, Press Preconditions

The day after the Dalai Lama’s envoys returned to India, UFWD Head Du Qinglin said the Dalai Lama should “fundamentally correct his political proposals.”⁷⁷ Du stated that “at no time under no circumstances” would China tolerate “the slightest wavering or deviation” on what Du characterized as the issue of “safeguarding national unification and territorial integrity.”⁷⁸ “Tibet’s ‘independence’ will not do, ‘semi-independence’ will not do, and ‘independence in disguise’ will not do, either,” he said.⁷⁹ “Any attempt to create ethnic secession or damage ethnic unity under the banner of ‘genuine ethnic autonomy’ is absolutely impermissible,” Du stated.⁸⁰

Du reiterated at the eighth round of dialogue⁸¹ a demand that the Dalai Lama personally fulfill the “four no supports,”⁸² a set of preconditions on the dialogue that Du initially pressed the envoys to deliver to the Dalai Lama during the July 2008 seventh round of dialogue.⁸³ The new preconditions attempt to hold the Dalai Lama personally accountable for Tibetan views and activities that he does not support and that contradict his policies and guidance⁸⁴—such as campaigning for Tibetan independence and discussing the potential use of violence in such a campaign. The “four no supports” pressure the Dalai Lama to take on the role of an active proponent of Chinese government political objectives.⁸⁵

UFWD Executive Deputy Head Zhu Weiqun at a November 2008 State Council Information Office (SCIO) press conference elaborated on the Chinese government’s rejection of the Memorandum.⁸⁶ He accused “the secessionist clique” of seeking to weaken central government authority, reject National People’s Congress legislative authority, and revise the PRC Constitution in an attempt to “have the rights of an independent country.”⁸⁷ Zhu accused the envoys of not having “minimum sincerity” because for more than 20 years Tibetans have sought the creation of what Zhu called a “Greater Tibetan Autonomous Region”—an objective Zhu described as “unrealistic and absolutely impossible.”⁸⁸ Zhu reasserted the government’s

refusal to discuss “the Tibet issue,” but he acknowledged government willingness to allow the Dalai Lama and “some of those by his side” to return to China if the Dalai Lama first fulfills a number of preconditions.⁸⁹

Neither Chinese Officials Nor the Dalai Lama See Progress

Zhu said in the November 2008 SCIO press conference that the dialogue had made no progress and blamed the unsatisfactory result on the envoys’ proposal to create a unified area of Tibetan administration.⁹⁰ In a December 2008 televised interview, Zhu repeated the accusation that the Dalai Lama sought to establish “Greater Tibet,” and sought to discredit the Memorandum’s rationale that a unified administrative area would help to safeguard “the cultural characteristics and religious faith of the Tibetan nationality.”⁹¹

In a March 2009 interview, Zhu stated that the eighth round of dialogue was “stuck in a very difficult position” and once again faulted the Dalai Lama and his envoys.⁹² Zhu emphasized what he said was their failure to “carry out their promise” to abide by the requirements of the “four no supports.”⁹³ (The Dalai Lama’s Special Envoy rejected the demands during the seventh round of dialogue when UFWD officials introduced the demands.)⁹⁴ In June 2009, Zhu told a group of international reporters that the Dalai Lama’s continuing effort to promote “greater autonomy” after the Chinese government rejected the notion showed that the Dalai Lama lacks “honesty” and seeks to “trick” the international public.⁹⁵ Zhu suggested that the Dalai Lama should “reflect on his actions, stop violent separatist activities, and take the ‘road to patriotism.’”⁹⁶

After the apparent collapse of the dialogue, senior Chinese government officials, including Premier Wen Jiabao, continued to claim that talks with the Dalai Lama are possible if the Dalai Lama renounces separatism.⁹⁷ The Dalai Lama continued to state that he is not seeking independence, but that he seeks “genuine autonomy”⁹⁸ (or “meaningful autonomy”)⁹⁹ for the Tibetan people. “Unfortunately, the Chinese side has rejected our memorandum in its totality, branding our suggestions as an attempt at ‘semi-independence’ and ‘independence in disguise’ and, for that reason, unacceptable,” the Dalai Lama said in an address to the European Parliament in December 2008.¹⁰⁰

During the Commission's 2009 reporting year, the Dalai Lama expressed candidly his disappointment with the Chinese government and his concern about the prospects for the Tibetan culture and heritage. "Although my faith in the Chinese leadership with regard to Tibet is becoming thinner and thinner, my faith in the Chinese people remains unshaken," he told European parliamentarians in December 2008.¹⁰¹ In a May 2009 interview, the Dalai Lama likened what he described as "the Tibetan nation, an ancient nation with a unique cultural heritage," as "passing through something like a death sentence."¹⁰²

A Detailed Tibetan Memorandum on "Genuine Autonomy"

The "Memorandum on Genuine Autonomy for the Tibetan People"¹⁰³ (Memorandum) is unprecedented in that:

(1) it is a document (publicly available) that the Dalai Lama's envoys presented directly to Communist Party officials in an effort to advance the dialogue;

(2) it sets out on behalf of the Dalai Lama a more detailed explanation of Tibetan aspirations for "genuine autonomy" than has been available previously or is available in the Dalai Lama's Middle Way Approach (MWA);¹⁰⁴ and

(3) it sets out on behalf of the Dalai Lama an analysis of whether or not the PRC Constitution and Regional Ethnic Autonomy Law (REAL)¹⁰⁵ can accommodate Tibetan aspirations for "genuine autonomy."

Principal Features of the Memorandum

The Memorandum reflects and elaborates on the principles set out in the Dalai Lama's Middle Way Approach (MWA).¹⁰⁶ The Memorandum cites the MWA in its introductory paragraph: "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." The Dalai Lama's official Web site lists eight "important components" of the MWA.¹⁰⁷ The first three are:

(1) Without seeking independence for Tibet, the Central Tibetan Administration¹⁰⁸

strives for the creation of a political entity comprising the three traditional provinces of Tibet;¹⁰⁹

(2) Such an entity should enjoy a status of genuine national regional autonomy;

(3) This autonomy should be governed by the popularly-elected legislature and executive through a democratic process and should have an independent judicial system.

In addition to an introduction, the Memorandum contains a section on each of the following six topics:

(1) The common “language, culture, spiritual tradition, core values, and customs” that Tibetans share regardless of the administrative division in which they live, and the contiguous nature of those administrative divisions.¹¹⁰ The Memorandum seeks to tie the notion of a shared culture across a contiguous area of Tibetan habitation to the PRC Constitution: “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.”¹¹¹

(2) The Tibetan aspiration to “preserve their heritage” and “develop their culture and spiritual life and knowledge . . . without the people losing their Tibetan identity, culture and core values and without putting the distinct and fragile environment of the Tibetan plateau . . . at risk.”¹¹² The Memorandum stresses the leading role that Tibetans should play in such preservation and development: “The Tibetan people’s culture and identity can only be preserved and promoted by the Tibetans themselves and not by any others.”¹¹³

(3) The “basic needs of Tibetans,” which the Memorandum describes as “matters of self-government” and divides into 11 subsections (ordered as in the Memorandum): language, culture, religion, education, environmental protection, utilization of natural resources, economic development and trade, public health, public security, regulation of population migration, and cultural, religious, and educational exchanges with other countries.¹¹⁴ The Memorandum describes Tibetan language as “the most important attribute of the Tibetan people’s identity” and asserts, “In order for Tibetans to use and develop their own

language, Tibetan must be respected as the main spoken and written language.”¹¹⁵

(4) The Tibetan rationale for creating a single administrative entity “comprising all the areas currently designated by the PRC as Tibetan autonomous areas.”¹¹⁶ [See table titled Tibetan Autonomous Areas of China: Tibetan and Han Chinese Population in 2000 below.] The Memorandum states that “the Tibetan nationality within the PRC” can exercise self-governance (regional autonomy) in an effective manner only if “it can do so through an organ of self-government that has jurisdiction over the Tibetan nationality as a whole.”¹¹⁷

(5) The Tibetan aspiration that (within a single administrative entity) the Tibetan people would have the right “to create their own regional government and government institutions and processes” and “legislate on all matters within the competencies of the region.”¹¹⁸ The Memorandum observes that China’s current constitutional and legal framework contains “significant limitations to the decision-making authority of the autonomous organs of government,” and that the Chinese government may need to adopt “a separate set of laws or regulations” to resolve that issue.¹¹⁹

(6) The Tibetan proposal that the Chinese government agree “to start serious discussions on the points raised in this memorandum.”¹²⁰ The Memorandum states, “The objective of the Tibetan Government in Exile is to represent the interests of the Tibetan people and to speak on their behalf,” and that the Dalai Lama “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.”¹²¹

Memorandum Addresses, Has Potential To Resolve, Question of Tibetan Territory

With respect to the meaning of “Tibet,” there have been two principal areas of disagreement between the Chinese government and the Dalai Lama and his envoys. One issue is the territory to be recognized as “Tibet”; the other issue is whether or not all of such territory should be unified into a single administrative area.

The Memorandum's description of territory to be included in a single Tibetan administrative area appears to resolve the first of the two principal areas of divergence between the Chinese government and the Dalai Lama. The Memorandum states explicitly that a single Tibetan administrative area should comprise "all the areas currently designated by the PRC as Tibetan autonomous areas"¹²²—rather than include "the three traditional provinces of Tibet," as the Middle Way Approach states.¹²³ The area of the "traditional provinces of Tibet"¹²⁴ is about 100,000 square miles greater than the total area of the Tibet Autonomous Region (TAR) and the Tibetan autonomous prefectures and counties located in Qinghai, Gansu, Sichuan, and Yunnan provinces.¹²⁵ Aside from pockets of long-term Tibetan settlement in Qinghai province,¹²⁶ most of the additional 100,000 square miles is made up of autonomous prefectures and counties allocated to other ethnic groups,¹²⁷ and none of it is an area of Tibetan autonomy. [See Map 1 below for the names and locations of the Tibetan autonomous areas of China.¹²⁸ See Map 2 below for an indication of areas where "the three traditional provinces of Tibet" extend beyond the Tibetan autonomous areas of China.¹²⁹ See Table 1 below for information on Tibetan and Han Chinese population in the Tibetan autonomous areas of China.]

After the envoys handed over the Memorandum and its description of Tibetan territory based on the Chinese government's designation of areas of Tibetan autonomy, senior Chinese officials continued to accuse the Dalai Lama of trying to establish a "Greater Tibet."¹³⁰ For example, Minister of Foreign Affairs Yang Jiechi said in March 2009, "The Dalai Lama and his followers insist to establish the so-called 'Greater Tibet' on one quarter of the Chinese territory."¹³¹ Yang used the issue of the Dalai Lama's interest in Tibetan territory to call into question the Dalai Lama's legitimacy as a religious figure.¹³²

The Memorandum's proposal to base discussion of territory on the Tibetan autonomous areas of China constitutes an important and unprecedented measure by the Dalai Lama and his representatives to mitigate a key area of disagreement between the two sides. The proposal would render as without basis the Chinese government's long-standing assertion that the Dalai Lama seeks "one-quarter of China" as an area of Tibetan autonomy. The Memorandum's focus on existing areas of Tibetan autonomy already established by the Chinese government could provide an incentive for Chinese officials to resume the dialogue. In addition, mitigation of a key aspect of dispute between the two sides could create an objective basis for officials of other

governments to encourage their Chinese government counterparts to discuss with the Dalai Lama or his representatives opportunities to achieve mutual benefit and take action to realize such benefits.

If, under the terms of the Memorandum, the Dalai Lama and his envoys seek to discuss unification only of areas the Chinese government has already designated as Tibetan autonomous, then the remaining issue is whether or not a change of such magnitude is possible to China's administrative geography. The resulting single area of Tibetan autonomy would include the entire TAR, approximately 97 percent of Qinghai province,¹³³ 52 percent of Sichuan province,¹³⁴ 11 percent of Gansu province,¹³⁵ and 6 percent of Yunnan province.¹³⁶

Such changes to China's map could face formidable opposition, but they are possible in principle under the PRC Constitution and Regional Ethnic Autonomy Law (REAL). The PRC Constitution authorizes establishing and changing areas of administrative geography with the approval of the National People's Congress or the State Council, or both.¹³⁷ The Constitution provides no role for provincial-level people's congresses or governments in establishing or changing areas of administrative geography above the level of towns and townships.¹³⁸ The REAL's requirements are vague ("an autonomous area may not be revoked or merged without proper legal procedures") and require higher- and lower-level state agencies affected by the change to agree to it ("thoroughly consult and formulate an agreement to submit for approval").¹³⁹

At a March 2009 Commission roundtable, three experts on the Tibet issue responded to a question on whether or not the Memorandum's focus on areas China has already designated as Tibetan autonomous would advance the dialogue and help to reduce Chinese government insistence that the Dalai Lama is a "splittist." None of the experts believed the change would result in a positive response from the government.¹⁴⁰

Map 1: Tibetan Autonomous Areas of China



Map 2: Tibetan Autonomous Areas of China and Areas of the “Three Traditional Provinces of Tibet” That Are Outside of the Tibetan Autonomous Areas



Tibetan autonomous areas of China	Total	Tibetan	Han	Other
Tibet Autonomous Region (provincial-level)	2,616,329	(92.7%) 2,427,168	158,570	30,591
Under Qinghai province administration				
Haibei (Tsojang) Tibetan Autonomous Prefecture	258,922	(24.1%) 62,520	94,841	101,561
Hainan (Tsolho) Tibetan Autonomous Prefecture	375,426	(62.8%) 235,663	105,337	34,426
Haixi (Tsonub) Mongol and Tibetan Autonomous Prefecture	332,094	(12.2%) 40,371	215,706	76,017
Huangnan (Malho) Tibetan Autonomous Prefecture	214,642	(66.3%) 142,360	16,194	56,088
Guoluo (Golog) Tibetan Autonomous Prefecture	137,940	(91.6%) 126,395	9,096	2,449
Yushu (Yushul) Tibetan Autonomous Prefecture	262,661	(97.1%) 255,167	5,970	1,524
Under Gansu province administration				
Gannan (Kanlho) Tibetan Autonomous Prefecture	640,106	(51.4%) 329,278	267,260	43,568
Tianzhu (Pari) Tibetan Autonomous County (Wuwei Prefecture)	221,347	(29.9%) 66,125	139,190	16,032
Under Sichuan province administration				
Ganzi (Kardze) Tibetan Autonomous Prefecture	897,239	(78.4%) 703,168	163,648	30,423
Aba (Ngaba) Tibetan and Qiang Autonomous Prefecture	847,468	(53.7%) 455,238	209,270	182,960
Muli (Mili) Tibetan Autonomous County (Liangshan Yi Autonomous Prefecture)	124,462	(32.4%) 40,312	27,199	56,951
Under Yunnan province administration				
Diqing (Dechen) Tibetan Autonomous Prefecture	353,518	(33.1%) 117,099	57,928	178,491
TOTAL	7,282,154	(68.7%) 5,000,864	1,470,209	811,081
Areas without Tibetan autonomy but with at least 5 percent Tibetan population				
Under Qinghai province administration				
Xining Municipality	1,849,713	(5.2%) 96,091	1,375,013	378,609
Haidong Prefecture	1,391,565	(9.2%) 128,025	783,893	479,647
Under Gansu province administration				
Su'nan Yugur Autonomous County (Zhangye prefecture)	36,678	(24.4%) 8,969	17,010	10,699
Under Sichuan province administration				
Shimian county (Ya'an municipality)	123,261	(9.8%) 12,044	97,106	14,111
Baoxing county (Ya'an municipality)	56,137	(8.7%) 4,889	51,182	66
TOTAL	3,457,354	(7.2%) 250,018	2,324,204	883,132

Memorandum's Vision of Autonomy and China's Hierarchy of People's Congresses and Governments

The Memorandum, in a section on “The Nature and Structure of the Autonomy,” sets out the objective for Tibetans to exercise autonomous rights including the right to “create their own regional government and government institutions,” “legislate on all matters within the competencies of the region,” and to “execute and administer decisions autonomously.”¹⁴¹ The Memorandum acknowledges, however, that the PRC Constitution impedes the function of autonomy:

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.¹⁴²

Provisions in the PRC Constitution pose formidable obstacles to the Memorandum's vision of autonomy by creating a state hierarchy of people's congresses,¹⁴³ governments,¹⁴⁴ courts,¹⁴⁵ and procuratorates¹⁴⁶ in which higher-level institutions supervise lower-level institutions. The PRC Constitution's language establishes that autonomous regions, prefectures, and counties—irrespective of their autonomous status—are integrated into the state's hierarchy and are subordinated to tiered supervision.¹⁴⁷

United Front Work Department Executive Deputy Head Zhu Weiqun discussed in a November 2008 State Council Information Office (SCIO) interview his views on why the Chinese government considers the Memorandum's concept of “genuine autonomy” to be inconsistent with the PRC Constitution and law.¹⁴⁸ He stressed that in China the system of “regional national autonomy” subordinates ethnic autonomous areas to “the country's unitary national structure,” unlike “certain countries' federal and confederate systems.”¹⁴⁹ A 2004 Harvard University study of autonomy in the Tibetan autonomous areas of China considered a compilation of 161 laws and regulations “concerning autonomy arrangements,” in the Tibetan

autonomous areas of China and found that poor implementation negates the value of autonomy legislation and erodes the rule of law.¹⁵⁰

The PRC Constitution and law present additional impediments to the Memorandum's objective that the government of a Tibetan area of "genuine autonomy" should enjoy the right to "legislate on all matters within the competencies of the region." The Constitution, for example, empowers only the National People's Congress (NPC) and the NPC Standing Committee (NPCSC) to enact or amend "statutes."¹⁵¹ People's congresses at the provincial, prefectural, and county levels, therefore, cannot enact or amend a "statute." The Constitution (Article 116) authorizes ethnic autonomous people's congresses "to enact autonomy regulations and specific regulations" in light of local circumstances, but the standing committees of higher levels of people's congresses must approve such regulations before they can enter into effect.¹⁵² The PRC Legislation Law, however, intrudes on the right of ethnic autonomous people's congresses to enact regulations by reserving to the State Council the power to issue regulations (if the NPCSC specifically authorizes the State Council to do so).¹⁵³ The Legislation Law, however, authorizes an autonomous people's congress to enact a "self-governing regulation or a separate regulation" that must be approved by the standing committee of a higher-level people's congress at least at the provincial level.¹⁵⁴

The Regional Ethnic Autonomy Law¹⁵⁵ (REAL), China's principal legal instrument for managing the affairs of ethnic minorities,¹⁵⁶ states that the REAL is formulated to accord with the PRC Constitution¹⁵⁷—and as such, the REAL reflects the Constitution's barriers to autonomy. The REAL places ethnic autonomous areas under the state hierarchy of people's institutions and requires ethnic autonomous governments to "place the interests of the state as a whole above all else and actively fulfill all tasks assigned by state institutions at higher levels."¹⁵⁸ Provisions of the REAL subordinate ethnic autonomous people's governments,¹⁵⁹ courts,¹⁶⁰ and procuratorates¹⁶¹ to higher-level institutions.

The REAL (Article 19), in accordance with the Constitution, empowers autonomous people's congresses to enact "self-governing regulations" and "separate regulations" in light of local conditions,¹⁶² but the Legislation Law impinges on the authority of ethnic autonomous people's congresses to enact regulations.¹⁶³ The Legislation Law goes further by interfering with

a provision of the REAL that enables an ethnic autonomous people's government to apply to a higher-level state agency to alter or cancel the implementation of a "resolution, decision, order, or instruction" if it does not "suit the actual conditions in an ethnic autonomous area."¹⁶⁴ The Legislation Law explicitly bars ethnic autonomous governments from enacting any variance to the laws and regulations that matter the most: those that are "dedicated to matters concerning ethnic autonomous areas."¹⁶⁵

The Memorandum's analysis points to "significant limitations" imposed on decisionmaking by ethnic autonomous governments¹⁶⁶ and a lack of clarity on the division of authority between the central government and autonomous governments.¹⁶⁷ At the same time, the Memorandum acknowledges that the PRC Constitution "recognizes 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."

The Memorandum proposes that the "parameters and specifics" of "genuine autonomy" for Tibet, based on the "unique needs and conditions of the Tibetan people and region," should be detailed in a set of regulations enacted under the authority of Article 116 of the Constitution and Article 19 of the REAL.¹⁶⁸ The Legislation Law, however (as noted above), impinges on the authority of ethnic autonomous people's congresses to enact such regulations. The Memorandum proposes that "if it is found to be more appropriate," "a separate set of laws or regulations [should be] adopted for that purpose," and specifically notes that Article 31 of the Constitution "provides the flexibility to adopt special laws to respond to unique situations such as the Tibetan one."¹⁶⁹

Article 31 is the PRC Constitution's sole basis for establishing areas and systems of administration that are not integrated into the state hierarchy of people's congresses, governments, courts, and procuratorates established under Chapter III of the Constitution.¹⁷⁰ (The REAL, for example, reflects provisions in Chapter III, Section 6.) Article 31 provides for the establishment of "special administrative regions"¹⁷¹ (SARs) and requires that the "systems to be instituted" in SARs must be enacted into law by the NPC "in light of the specific conditions."¹⁷²

The language of Article 31 is brief, broad, places no restrictions on the state's application of the article, and has already served as a constitutional tool for creating alternative models of governance. Article 31 contains only one expression of restraint with respect to the establishment of SARs: the state should do so "when necessary."¹⁷³ The NPC so far has established two SARs under the provisions of Article 31: the Hong Kong SAR in 1990¹⁷⁴ and the Macao SAR in 1993.¹⁷⁵ The Chinese government established the Hong Kong and Macao SARs under the rubric of "one country, two systems" and as part of China's campaign of "reunification of the motherland."¹⁷⁶

Chinese officials have stated that a level of administrative and political autonomy such as the NPC provided for Hong Kong and Macao under "one country, two systems" is inapplicable to the Tibetan areas in part simply because the Chinese government intends for autonomy under the REAL to be "different." Zhu Weiqun, for example, said in his SCIO interview, "[R]egional national autonomy is an organic integration of national autonomy and regional autonomy—which is different from the 'one country, two systems' policy China implements in Hong Kong and Macao."¹⁷⁷ More to the point, the Preambles of the Basic Law of the Hong Kong and Macao SARs both indicate that a key feature of the "one country, two systems" is to set aside explicitly the system of communism: "Under the principle of 'one country, two systems,' the socialist system and policies will not be practiced" in the SARs.¹⁷⁸

Chinese officials' arguments that the principles of "one country, two systems" and "reunification of the motherland" do not apply to the Tibetan areas of China, and that Article 31 could not become the basis of a Tibetan solution, overlook the language of Article 31. Irrespective of the single purpose to which Article 31 has been so far applied, the article mentions neither "one country, two systems" nor "reunification of the motherland."

Tibetans in Exile Meet, Decide To Maintain Support for the Middle Way Approach

On October 25, 2008, shortly before the Dalai Lama's envoys arrived in China for the eighth round of dialogue, the Dalai Lama said in a Tibetan-language speech to Tibetans in India that his "faith and trust in the Chinese government is diminishing," and that he could "see no useful purpose being served" by continuing his efforts to bear the responsibility for resolving the

Tibet issue.¹⁷⁹ “However,” he said, “if the Chinese leadership honestly engages in talks, then I may be in a position to take up this responsibility again. I will, then, sincerely engage with them.”¹⁸⁰ He explained to the audience why (on September 11) he had requested “the Tibetan leadership” to convene a meeting to “thoroughly discuss” the views of the Tibetan public:¹⁸¹

The principal point . . . is that all the [Tibetan] people should take responsibility, should take a keen interest in the matter and should come up with the ways and means, as well as practicable actions, for the realisation of our cherished goal.¹⁸²

The Tibetan government-in-exile (TGiE) announced on September 11 that the Dalai Lama had requested the TGiE to convene “a special general meeting to discuss the fundamental issues of Tibet.”¹⁸³ The November 17 to 22 gathering in India included Tibetan political, religious, educational, cultural, and community leaders living outside of China in communities around the world.¹⁸⁴ The Dalai Lama advised his envoys not to make any statements prior to the special meeting about discussions at the just-concluded eighth round of dialogue.¹⁸⁵

Prior to the meeting, Tibetans speculated on whether or not Tibetans would continue to support the Dalai Lama’s Middle Way Approach (MWA). Tsewang Rigzin, President of the pro-independence Tibetan Youth Congress,¹⁸⁶ said in a November 14, 2008, radio broadcast (that also included the Dalai Lama) that the MWA “hasn’t worked, it hasn’t borne any result, and we need to look at other options. . . . We look at independence as a solution.”¹⁸⁷ Tsewang Rigzin expressed hope that the meeting would create an environment “where we can talk and put everything on the table what the future course of our struggle should be.”¹⁸⁸ Participants in the meeting presented views supporting the MWA, independence, and self-determination.¹⁸⁹

The TGiE published recommendations adopted by the meeting participants on November 22. Recommendations included urging the Dalai Lama “to continue to shoulder the responsibility of the spiritual and temporal leadership of the Tibetan struggle”; to continue support for the MWA; and to maintain non-violence irrespective of whether Tibetans pursue the MWA, self-determination, or independence.¹⁹⁰

Religious Freedom for Tibetan Buddhists: Tightening Control Over Tibetan Buddhism, Tibetan Buddhists

Chinese government and Communist Party interference with the norms of Tibetan Buddhism and unremitting antagonism toward the Dalai Lama, key factors underlying the March 2008 eruption of Tibetan protest, continued to deepen Tibetan resentment and fuel additional Tibetan protests during the Commission's 2009 reporting year. The government is taking measures to further increase government and Party influence over the teaching and practice of Tibetan Buddhism. The Party-led campaign to discredit the Dalai Lama as a religious leader and to prevent Tibetans from respecting him as such intensified. Statements by Chinese officials indicate that the government is ready to lead the selection of a successor to the Dalai Lama (now age 74) when he passes away, and that the government expects Tibetan Buddhists to embrace such a development.¹⁹¹

The government has in the past year used institutional, educational, legal, and propaganda channels to pressure Tibetan Buddhists to modify their religious views and aspirations. Escalating government efforts to discredit the Dalai Lama, Tibetan Buddhism's leading teacher, and to transform the religion into a doctrine that promotes government positions and policy has resulted instead in continuing Tibetan demands for freedom of religion and the Dalai Lama's return to Tibet.

Strengthened Efforts To Separate Tibetan Buddhists From the Dalai Lama

The Chinese government and Party have increased efforts to portray the Dalai Lama's activity as an advocate on behalf of the Tibetan people and culture as a basis to deny him status as a religious figure. Seeking to end the Dalai Lama's stature among Tibetans as a paramount religious leader is central to the government campaign to promote what it refers to as "stability" and "harmony" in the Tibetan areas of China.

Government, Party, Buddhist Association Leaders Challenge Dalai Lama's Suitability as a Religious Figure

Senior Chinese officials and media organizations conducted an offensive against the Dalai Lama's role as a religious leader and the right of Tibetan Buddhists to regard him as such during the period preceding a series of sensitive anniversaries and observances in February and March 2009.¹⁹² [See For Tibetans, Another Year of Heightened Security, Repression, Isolation—Rising Tension and a Crackdown as Sensitive Dates Approached, Passed below.] Minister of Foreign Affairs Yang Jiechi told a press conference in March that the Dalai Lama is “by no means a religious figure but a political figure.”¹⁹³ A March People's Daily editorial reasoned that expressing political views is incompatible with status as a religious figure: “‘Democracy,’ ‘government in exile,’ ‘new parliament,’ ‘Middle Way,’ ‘negotiation and talks,’ ‘actual progress’ All these expressions are baffling: how could a ‘religious leader’ have such explicit ‘political fervor’?”¹⁹⁴

Jampa Phuntsog (*Xiangba Pingcuo*), Chairman of the Tibet Autonomous Region (TAR) government, asserted in March that the Chinese government and Communist Party as a matter of policy promote “religious harmony”—and accused the Dalai Lama of having “created disharmony among various religions and caused great confusion among the religious believers.”¹⁹⁵ A senior TAR Party official in February 2009 referred to “the Dalai Clique” and advised a group of “patriotic, law-abiding, and advanced” Tibetan Buddhist monks and nuns that resisting “infiltrating and disrupting activities in monasteries and among the monks and nuns in the name of religion” is a prerequisite for “maintaining harmony and stability in the religious field.”¹⁹⁶

The Buddhist Association of China (BAC), a “patriotic religious organization”¹⁹⁷ established under Chinese government regulation¹⁹⁸ and charged with serving as a “bridge” linking Buddhists to the Chinese government and the Communist Party,¹⁹⁹ provided an example of the dependency of religious stature on political conformity when the BAC decided not to invite the Dalai Lama to the March 2009 “Second World Buddhist Forum.”²⁰⁰ The organizers chose the theme, “A Harmonious World, a Synergy of Conditions,” for the forum, convened in Wuxi city, Jiangsu province.²⁰¹ BAC Vice President Ming Sheng described the Dalai Lama as a

“political fugitive” and accused him of having done “lots of things to secede his motherland and go against his identity of being a Buddhist.”²⁰² Ming reiterated government preconditions of the Dalai Lama and asserted that the Dalai Lama had yet to satisfy the demands.²⁰³ Instead of the Dalai Lama, Gyaltsen Norbu, installed by the government as the Panchen Lama in 1995²⁰⁴ after the government rejected the Dalai Lama’s recognition of Gedun Choekyi Nyima as the Panchen Lama,²⁰⁵ appeared at the forum.²⁰⁶

TAR Buddhist Association Uses Charter To Isolate Monks, Nuns From the Dalai Lama

The “Tibet Branch” (the TAR Branch) of the BAC (TBBAC) in February 2009 amended its charter to pressure Tibetan Buddhist monks and nuns to regard the Dalai Lama as a de facto criminal²⁰⁷ and a threat to Tibetan Buddhism, according to a report in China’s state-controlled media.²⁰⁸ The revised charter “urges” monks and nuns to “see clearly that the 14th Dalai Lama is the ringleader of the separatist political association which seeks ‘Tibet independence,’ a loyal tool of anti-China Western forces, the very root that causes social unrest in Tibet and the biggest obstacle for Tibetan Buddhism to build up its order.”²⁰⁹ Language characterizing the Dalai Lama as a “separatist” incorporated into the charter of a government-designated “religious organization” increases the risk of punishment for monks and nuns who maintain religious devotion to the Dalai Lama even if they do not engage in overt political activity.²¹⁰

The TBBAC is bound under 2006 TAR government regulations to uphold government policy²¹¹ and accept government supervision and management.²¹² The same regulations authorize the TBBAC to establish Democratic Management Committees (DMCs, “management organizations”)²¹³ within each TAR monastery and nunnery,²¹⁴ and to establish provincial-level “measures” that determine how and whether a person may be officially “confirmed” as a monk or nun in a TAR monastery or nunnery.²¹⁵

Government-Built Buddhist Academy Near Lhasa To Teach Politics Along With Religion

Officials announced in October 2008 the start of construction of the Tibet Autonomous Region’s (TAR) first “comprehensive higher educational institution of Tibetan Buddhism”²¹⁶—a

facility that will have the capacity to increase government supervision and standardization of Tibetan Buddhist education. A senior TAR Party official said on the day of the groundbreaking ceremony that the government-built facility²¹⁷ “aims to train patriotic and devotional religious personnel who are widely recognized both in their religious accomplishments and moral character.”²¹⁸ Instructors will also teach courses on non-religious subjects such as “politics and sociology,” the Party official said.²¹⁹ The first phase of construction on the 43-acre campus, located in Qushui (Chushur) county, adjacent to Lhasa city, will include a library and buildings to accommodate “religious activities” and is scheduled to be completed in 2010.²²⁰

Patriotic and Legal Education: Seeking To Reshape Tibetan Buddhism

Chinese government and Communist Party officials continue to respond to Tibetan criticism of government policy and implementation—including on “freedom of religious belief”²²¹— with aggressive campaigns of “patriotic education” (“love the country, love religion”)²²² and legal education.²²³ Patriotic education sessions require monks and nuns to pass examinations on political texts, agree that Tibet is historically a part of China, accept the legitimacy of the Panchen Lama installed by the Chinese government, and denounce the Dalai Lama.”²²⁴ In June 2009, a monastic official who also holds the rank of Vice Chairman of the TAR Chinese People’s Political Consultative Conference (CPPCC) spoke to monks at Jampaling (*Qiangbalin*) Monastery in Changdu (Chamdo) prefecture, TAR, and emphasized the dependency of “freedom of religion” on Party control and patriotism toward China.²²⁵ “Without the Party’s regulations,” he told the monks, “there would be no freedom of religion for the masses. To love religion, you must first love your country.”²²⁶

Officials justify such campaigns as legitimate and necessary state action by seeking to characterize (and conflate) a range of Tibetan objections to state policy into a purported threat to China’s unity and stability. For example, officials including Tibet Autonomous Region (TAR) Party Secretary Zhang Qingli and Vice Minister of Public Security Zhang Xinfeng, speaking during a February 2009 teleconference on “the work of maintaining social stability,” called for “large numbers of party, government, military, and police personnel in Tibet to immediately go into action” and “resolutely smash the savage attacks by the Dalai clique and firmly win the

current people's war against separatism and for stability."²²⁷ Principal speakers²²⁸ at the teleconference stressed the importance of education campaigns in achieving such objectives:

Party and government organizations at various levels, large numbers of cadres, and the broad masses of people in Tibet received profound education in patriotism and warning education in separatism in the blood-and-fire struggle against separatism, maintaining social stability and safeguarding the sanctity of the socialist legal system with their actual deeds.²²⁹

The Party and government do not limit the application of ideological education campaigns that allegedly protect China's unity and stability to religious institutions. For example, a Party-run Web site reported in June 2009 that students at four TAR "institutes of higher education"²³⁰ would receive increased "ideological and political education."²³¹ Among the campaign goals were the creation of "a defensive 'Great Wall of Steel,'" "increasing anti-separatist, political, and ideological resources available on the school websites, and 'cleaning up' and monitoring information on the internet."²³² The campaign would "aim to strengthen the opposition to the Dalai Clique's separatist activities and create a solid educational foundation."²³³ Each of the tertiary education institutions would conduct a speech contest with the theme, "Gratitude for progress, determination for success, give back to the community."²³⁴

Intensive Period of Patriotic, Legal Education Aims for "New Order" in Tibetan Buddhism

The government and Party increased the use of intensive campaigns to "educate" monks and nuns after protests spread through the ethnic Tibetan areas of China in March to April 2008²³⁵ and maintained such campaigns during the Commission's 2009 reporting year. A TAR Party official said on March 9, 2009, the day prior to a sensitive March 10th anniversary,²³⁶ that in the period since March 14, 2008, more than 2,300 officials had been dispatched to 505 TAR monasteries and nunneries²³⁷ to "promote the legal awareness of monks and nuns and dissuade them from being duped by separatist forces and ensure the normal practice of Buddhism."²³⁸

Following the issuance of regulations on Tibetan Buddhism in 2006²³⁹ and 2007,²⁴⁰ Party and government officials have increased the emphasis on the use of legal measures and “legal education” to pressure Tibetan Buddhists into compliance with a state-defined “new order” for the religion. Lobsang Gyaltsen (*Luosang Jianzan*), a senior TAR Party and Chinese People’s Political Consultative Conference (CPPCC) official, said in a February 2009 address, “Large numbers of patriotic monks and nuns should assist the government in strengthening the management of monasteries and religious affairs and improving monastic rules and religious discipline and contribute to building a new order in monasteries and religious activities.”²⁴¹

Another senior TAR CPPCC official, Vice Chairman Pasang Dondrub (*Basang Dunzhu*), called on the Chinese government in March 2009 to further strengthen policies and legal measures that would bring the Tibetan Buddhist institution more firmly under state control and “shape behaviors of monks and nuns.”²⁴² Pasang Dondrub offered a number of recommendations including the following:²⁴³

- “China should secure order of Tibetan Buddhism according to law to stem infiltration of ‘Tibet independence’ separatists.”
- “Monasteries and nunneries must strengthen their management by setting up or improving regulations, which should be used, along with Buddhism doctrines, to shape behaviors of monks and nuns.”
- “Nurture patriotism among the religious circle in Tibet and cultivate a team of personages who are ‘politically reliable, versed in Buddhism studies and morally admirable.’”
- “Law education for religion administrators should also be strengthened to enhance their understanding of the rule of law and their administration capability.”

Officials intend to conduct patriotic and legal education lectures at an unknown number of monastic institutions during the period surrounding October 1, 2009, the 60th anniversary of the Party’s establishment of the People’s Republic of China, according to a TAR official’s May 2009 remarks to Drepung Monastery monks.²⁴⁴ The official, Lobsang Dondrub (*Luosang Dunzhu*), Vice Chairman of the Standing Committee of the TAR People’s Congress and vice

director of a “monastery work group,”²⁴⁵ reportedly told the monks to adhere to “Four Standards” set out by TAR Party Secretary Zhang Qingli. Lobsang Dondrub listed “four demands regarding peaceful monastery work”: (1) preserve national unity and oppose separatism; (2) build a long-term monastic management system to “resolve problems and eliminate the reactionary influence of the Dalai Clique;” (3) increase every monk’s “patriotic, legal, and political consciousness;” and (4) create a monastic implementation plan [for policy and regulations] that includes “organization of all the monks.”²⁴⁶ He told the monks that integrating socialism at the monastery would “ensure long-term stability.”²⁴⁷

Authorities Eject 1,200 Monks From Drepung, Sera; Detention, Education, Abuse Follow

Tibet Autonomous Region (TAR) implementing measures issued in 2006²⁴⁸ for the Regulation on Religious Affairs²⁴⁹ may have played a role in authorities’ efforts to curtail and reverse the inter-provincial movement of monks seeking to study at other monasteries, especially at premier Tibetan Buddhist institutions, in the post-March 2008 period. Public security officials and monastic authorities in Drepung Monastery and Sera Monastery, both located in Lhasa city, sent back to their home provinces (mostly Qinghai, Gansu, and Sichuan) a total of at least 1,200 monks, according to an official March 2009 Chinese media report.²⁵⁰ Seven hundred of the monks were visiting²⁵¹ Drepung and 500 were visiting Sera. Authorities investigating the alleged role of Drepung monks in March 14, 2008, rioting concluded that “most of the rioters were visiting monks,” the report said.²⁵² Commission staff have not seen any Chinese government-published documentation supporting such a conclusion. The head of Drepung’s Democratic Management Committee (DMC) said that monks from elsewhere in the TAR and from other provinces “often spent years at the monastery,” and for the previous three years Drepung officials had not known the exact number of monks living at the monastery.²⁵³

The Drepung DMC assertion that monastery officials did not know how many monks were residing at Drepung as of March 2008 suggests that authorities may not have implemented fully TAR regulatory controls issued in 2006 on the movement of monks between the TAR and other provinces (and vice versa).²⁵⁴ One provision of the TAR 2006 measures includes a requirement that “religious personnel” from another province who wish to visit a TAR

monastery or nunnery to study, or “religious personnel” from the TAR who wish to visit a monastery or nunnery in another province to study, must apply for and receive permission to do so from the provincial-level Religious Affairs Bureau (RAB) in the TAR and in the other province before undertaking travel.²⁵⁵ Requirements also apply to trans-prefectural travel in the TAR for the purpose of monastic study.²⁵⁶ Other provisions stipulate punishment for a monk or nun that can include revocation of status as “religious personnel” if a monk or nun does not fulfill requirements for traveling for the purpose of study.²⁵⁷ The Commission has not observed any reports indicating whether or not TAR authorities used the 2006 regulation as a legal basis for carrying out the expulsion of monks from Drepung and Sera.

The Chinese state-controlled media disclosure in March 2009 that officials ejected a total of 1,200 monks²⁵⁸ from Drepung and Sera in 2008 surpasses the figure of approximately 950 monks reported by an international media organization in August 2008.²⁵⁹ In addition, the official figure of 700 monks deported from Drepung to Qinghai province is greater than the figure of at least 600 monks reported by a non-governmental organization in March 2009.²⁶⁰ Authorities transferred 675 of the monks from Lhasa to Qinghai in late April 2008²⁶¹ and held the monks in a “military detention center”²⁶² guarded by People’s Armed Police²⁶³ near Golmud (Ge’ermu, Kermo) city in Haixi (Tsonub) Mongol and Tibetan Autonomous Prefecture, Qinghai province, where authorities forced the monks to participate in “rule of law education” classes.²⁶⁴ Another report described the classes as “patriotic education.”²⁶⁵ Authorities began returning the monks with Qinghai residency to their hometowns after three months of “education,”²⁶⁶ but it was late August 2008 before officials began to release monks with Sichuan province residency into the custody of government, Party, and public security officials from the monks’ home areas.²⁶⁷

In Golmud, authorities allegedly subjected the monks to “beatings and psychological torture,” according to a media organization report, and “many” monks suffered illness as a result.²⁶⁸ Few details are available about the current status or well-being of the 1,200 monks. A Western reporter encountered some of the monks at a Qinghai monastery in February 2009 and described them as among the most hostile toward Chinese government policy.²⁶⁹ The monks expressed frustration because they could not continue their monastic studies at Drepung and Sera,

and resentment because officials sent 700 monks from Drepung to a camp in Golmud for “patriotic education,” according to the reporter.²⁷⁰

Official “Warns” Dalai Lama That Chinese Government Must Approve Next Dalai Lama

Chinese officials during the Commission’s 2009 reporting year adopted a more assertive tone in expressing determination to select the next Dalai Lama, and to pressure Tibetans living in China to accept only a Dalai Lama approved by the Chinese government. Remarks in March 2009 by Tibet Autonomous Region (TAR) officials emphasized the government position that Tibetans will be permitted to regard as legitimate only a Dalai Lama approved by the government—as currently is the case for the Panchen Lama.²⁷¹

Jampa Phuntsog (*Xiangba Pingcuo*), Chairman of the TAR government, “warned”²⁷² the Dalai Lama not to interfere with what the Chinese government claims are “historical conventions and required religious rituals” that empower Chinese government and Party officials to supervise the selection of reincarnated Tibetan Buddhist teachers (“Living Buddhas”), according to a March 12, 2009, state-run media report.²⁷³ Legchog (*Lieque*), Chairman of the Standing Committee of the TAR People’s Congress, repeated the government claim that a “soul boy” (reincarnated teacher) must be approved by drawing lots from a golden urn “unless the central government agrees to exempt the ‘soul boy’ from the ritual.”²⁷⁴ The Chinese government claims such authority on the basis of a 17th century Qing dynasty edict that directed Tibetan religious leaders to identify reincarnations by drawing a name from an urn in the presence of an imperial Qing official.²⁷⁵ Tibetans used their own methods, however, to identify the current Dalai Lama and his predecessor.²⁷⁶

Jampa Phuntsog expressed confidence that Tibetan Buddhists living in China would not accept a (subsequent) Dalai Lama unless the Chinese government approves that Dalai Lama. “If the Dalai Lama does not follow the convention for political or other purposes,” he said, “I believe his reincarnation would not be acknowledged by religious people in Tibet, and the central government will never approve it.”²⁷⁷ The assertion that the government “will never approve” a Dalai Lama unless the government supervises the Dalai Lama’s selection would ensure that, under China’s current policy and law, a Tibetan Buddhist (in China) who regards an

“unapproved” Dalai Lama as legitimate would be violating Chinese law—just as it currently is illegal for a Tibetan Buddhist (in China) to regard as legitimate Gedun Choekyi Nyima,²⁷⁸ the Panchen Lama whom the Dalai Lama recognized in 1995.²⁷⁹ Chinese security officials and courts have treated expressions of devotion toward Gedun Choekyi Nyima as “splittism” (a crime under Article 103 of the Criminal Law).²⁸⁰

The government took no publicly reported steps during the Commission’s 2009 reporting period to allow international observers to visit Gedun Choekyi Nyima,²⁸¹ who turned 20 years of age in April 2009.²⁸² Chinese officials have held Gedun Choekyi Nyima and his parents in incommunicado custody at unknown locations since May 1995.²⁸³

China’s Panchen Lama: Only the Party Can Lead Tibetans to a Bright Future

China’s leadership has increased the public role of 19-year-old²⁸⁴ Gyaltzen Norbu, installed as the 11th Panchen Lama by the State Council in December 1995.²⁸⁵ He represented Tibetan Buddhists at the March 2009 “Second World Buddhist Forum” in Wuxi city, Jiangsu province,²⁸⁶ and, speaking in English, told conference attendees that “China nowadays enjoys social harmony, stability and religious freedom.”²⁸⁷ Gyaltzen Norbu expressed his positive assessment on March 28,²⁸⁸ the first observance of “Serfs Emancipation Day,” at the peak of a period of heightened sensitivity and security crackdown in the Tibetan areas of China. [See For Tibetans, Another Year of Heightened Security, Repression, Isolation—Rising Tension and a Crackdown as Sensitive Dates Approached, Passed below.] China’s state-run media coverage of the Buddhist forum featured praise of Gyaltzen Norbu’s ability to address the forum in English, a strength that one conference attendee noted would allow him to “impress the world.”²⁸⁹ Gyaltzen Norbu, so far, has not denounced the Dalai Lama or challenged the Dalai Lama’s legitimacy as a religious leader, based on published reports on Gyaltzen Norbu’s remarks.²⁹⁰

Gyaltzen Norbu said in March 2009 that “Tibetan people could only achieve progress and have a bright future under the leadership of [the] Communist Party of China.”²⁹¹ He expressed his intention to “inherit” the 10th Panchen Lama’s “tradition to be a patriot and try to maintain the nation’s unity, stability and harmony.”²⁹² Gyaltzen Norbu’s reference refers to the 10th Panchen Lama (Lobsang Choekyi Gyaltzen),²⁹³ a figure whom Tibet issue advocates regard as a

complex and skillful leader.²⁹⁴ On one hand, the 10th Panchen Lama served as a high-ranking official who worked closely with the Chinese government.²⁹⁵ On the other hand, he focused on protecting the Tibetan culture, language, and religion,²⁹⁶ wrote a critical assessment of Chinese government and Party policy in Tibetan areas,²⁹⁷ and delivered (five days before he died) a public speech questioning whether Chinese development policies had benefitted Tibetans.²⁹⁸

Tibetan Development Initiatives Reinforce Government Priorities: Focus on 2020

The Chinese government pressed forward during the Commission's 2009 reporting year with a Communist Party-led development policy²⁹⁹ that prioritizes infrastructure construction and casts Tibetan support for the Dalai Lama as the chief obstacle to Tibetan development. The government, to a large extent, bases its positive representation of conditions in Tibetan areas on economic growth data,³⁰⁰ and on selective comparisons between pre-1949 Tibet³⁰¹ and post-1978 reform-era China.³⁰² The government announced a major new infrastructure program—the “redesign” of Lhasa—that is scheduled for completion in 2020, the same year that the government plans to have ready for operation several new railways traversing sections of the Tibetan plateau. Tibet Autonomous Region (TAR) Communist Party Secretary Zhang Qingli and Minister of Railways Liu Zhijun held a forum in May 2009 on accelerating the construction of railways that will access the TAR.³⁰³

Party Labels Dalai Lama, “Dalai Clique” as Principal Obstructions to Development

The Chinese government and Communist Party conducted the anti-Dalai Lama campaign within the sphere of economic development, portraying in March 2009 the Dalai Lama and organizations that the government associates with the Dalai Lama as the chief obstruction to Tibetan development.³⁰⁴ Lhasa mayor Dorje Tsedrub (*Duojie Cezhu*) stated that “sabotage from the Dalai Lama group remains the biggest obstacle in the way of Tibet’s development,” and that “the violent riots on March 14 last year denied the autonomous region a good chance of development.”³⁰⁵ Legchog (*Lieque*), Chairman of the Standing Committee of the TAR People’s Congress, said in March 2009 that “the Dalai Lama group” is “not willing to see the stability and development in Tibet” and in 2009 had “intensified their secessionist activities.”³⁰⁶ In an April 2009 interview, Dorje Tsedrub widened the accusation of obstructing Tibetan development to include “international hostile forces.”³⁰⁷

Legchog, in his position as the TAR’s highest-ranking legislator, asserted in March 2009, “We can’t engage in construction amid an earthquake and pursue development in time of

turmoil.”³⁰⁸ He blamed “the Dalai Clique” for “incessant sabotage,” and stated that “stability is the prerequisite for Tibet’s development.”³⁰⁹ The TAR People’s Congress would “strengthen legislation and law enforcement to fight separatism and ensure national security and regional stability,” he said.³¹⁰ The Party-run Tibet Daily asserted in October 2008 that the TAR is unique in China because of “an extremely heavy task of promoting its economic and social development” as “the Dalai clique” seeks to create “disturbances and sabotages.”³¹¹ The article further stated that development would serve as “the foundation for resolving all problems in Tibet.”³¹²

By characterizing the Dalai Lama as hostile to Tibetan development (as well as to national unity and stability, as explained above), the Party seeks to characterize the Dalai Lama as the principal threat to all three of the Party’s principal policy objectives in the Tibetan autonomous areas of China: unity, stability, and development. [See Commission Annual Reports in 2004,³¹³ 2005,³¹⁴ 2006,³¹⁵ 2007,³¹⁶ and 2008³¹⁷ for more information on Chinese government development policy in the Tibetan autonomous areas of China.]

Maintaining the Priority of Infrastructure Construction

The Communist Party and Chinese government continue to prioritize development policies that Tibetans resent and that many Tibetans (including the Dalai Lama) believe threaten the Tibetan culture and environment. The Dalai Lama said in his March 10, 2009, address to Tibetans,³¹⁸ “Many infrastructural developments such as roads, airports, railways, and so forth, which seem to have brought progress to Tibetan areas, were really done with the political objective of sinicising Tibet at the huge cost of devastating the Tibetan environment and way of life.”³¹⁹ The result, the Dalai Lama said, is that, “Today, the religion, culture, language and identity, which successive generations of Tibetans have considered more precious than their lives, are nearing extinction . . .”³²⁰

Lhasa Redesign To Feature “Old” and “New” Downtowns by 2020

Officials announced additional infrastructure projects in 2009 that will have a transformative effect on some Tibetan areas, such as Lhasa, which the government aims to “redesign” by 2020,³²¹ and Rikaze (Shigatse), the TAR’s second largest city, scheduled to have

railway service in 2010³²² and an airport in 2011.³²³ Prioritizing infrastructure construction³²⁴ accords with the Great Western Development campaign that the State Council launched in 2000.³²⁵ Vague language in a March 2009 official media report on the State Council-approved plan to redesign Lhasa suggests that authorities aim to create a city with multiple centers that would include Lhasa's long-established Tibetan community (an "old" downtown) and one or more forthcoming urban centers ("new" downtowns). "(Authorities) ought to coordinate the relations between the ancient and modern civilizations, between the old and new downtowns, and between natural and humanistic resources," the State Council reportedly said in its approval of the plan.³²⁶ The result should be "a coordinated and distinctive modern metropolis."³²⁷

Population in the redesigned Lhasa may soar, depending on the meaning of the plan's reported recommendation to cap Lhasa's "downtown population" at "less than 450,000 persons."³²⁸ Such an urban population figure would be approximately 2.5 times greater than the current population of Lhasa city, and nearly equal to the total population of Lhasa municipality—a prefectural-level area that includes Lhasa city as well as seven counties.³²⁹ According to data on the 2007 Lhasa municipality population available in the 2008 Tibet Statistical Yearbook, the total population of Lhasa municipality was approximately 465,000 persons,³³⁰ and the population of Lhasa city itself was approximately 182,000 persons.³³¹

Officials Acknowledge Tibetan Resentment Against the "Floating Population," but Call for More, Better Migrant Services

The announcement of Lhasa's redesign is concurrent with official acknowledgement that Tibetan resentment against increasing numbers of non-Tibetan workers and traders³³² traveling into the Tibet Autonomous Region (TAR) was a factor in the March 14, 2008, Lhasa riots (the "3.14 incident").³³³ The government acknowledged the role of the Qinghai-Tibet railway in facilitating such an increase.³³⁴ Official TAR population statistics, however, show little increase in the number of non-Tibetans in the TAR following the start of railway operation. [See box titled TAR Statistics Show Little Increase in Non-Tibetan Population After Qinghai-Tibet Railway Startup below.] Most reports in China's state-controlled media blamed rioting on "the Dalai Clique." Jampa Phuntsog (*Xiangba Pingcuo*), Chairman of the TAR government, speaking at a March 2009 press conference, said Tibetans killed 18 persons, injured nearly 400 persons,

and damaged or destroyed more than 1,000 businesses, shops, and residences during the Lhasa rioting.³³⁵ He expressed sympathy for the victims, whom he linked to the Qinghai-Tibet railroad and the issue of the “floating population”:

They conducted legal business here and made contributions to Tibet’s development, but they were killed for no reason. . . . This involves some issues concerning the management of the floating population and issues concerning social management. With the completion of the Qinghai-Tibet railway and increases in the stream of people, the flow of merchandise, and the flow of information, we are behind in some work.³³⁶

Zhang Yijiong, Vice Chairman of the TAR government, in September 2008 addressed the first meeting of the “Working Group for Service and Supervision of Floating Population in the TAR” and described the floating population as “a major force behind constructing a prosperous, peaceful, and harmonious Tibet.”³³⁷ Zhang told the working group that “the work of service and supervision of Tibet’s floating population has encountered many new situations” in recent years following the “increasing strength of reform and opening up,” and “especially” following the opening of the Qinghai-Tibet railway. He advised the working group that “serving and supervising the floating population” should be a high priority, and called on all levels of the government and Party to “help them resolve practical hardships and problems” and to “provide them with more and better basic public services.”³³⁸ Members of the floating population who travel to the TAR should “equally enjoy the achievements of economic and social development, and realistically feel the warmth of the Party and government,” Zhang said.³³⁹

The Communist Party-published Lhasa Evening News (LEN) provided in February 2009 a rare fragment of information about the size of Lhasa city’s floating population.³⁴⁰ The fragment lacks context and is difficult to interpret—yet it suggests that the size of the city’s population of itinerant workers is substantial and (at times) could be similar to the size of the city’s “official” population. Party officials³⁴¹ registered a total of 183,926 persons as “temporary residents” in Lhasa municipality’s urban area (the Chengguan district) during a period that began in June 2008,³⁴² LEN said. The report did not state when the period ended (it could not have been later

than January 2009); it did not provide any information about the ethnicity of the newly registered temporary residents; and it did not provide any data on the average duration of temporary residency or how many such residents are in the Chengguan district at any one time. Lhasa's floating population peaks during the summer months and is at its lowest during the winter.³⁴³ For the purpose of comparison, the figure of 183,926 "temporary residents" registered in Chengguan district during a period of several months beginning in June 2008 is similar to the entire 2007 Chengguan population recorded in the (TAR) 2008 Statistical Yearbook: 181,191.³⁴⁴

TAR Statistics Show Little Increase in Non-Tibetan Population After Qinghai-Tibet Railway Startup

The Chinese government impedes objective study of regional issues by providing inadequate or misleading information about the number of ethnic Han Chinese who live, work, and trade in the TAR and in other Tibetan autonomous areas.³⁴⁵ The Commission has not seen any Chinese government information during the Commission's 2009 reporting year on how many Qinghai-Tibet railway passengers travel to the TAR to seek work or other economic opportunities. The remarks (cited above) by Jampa Phuntsog and Zhang Yijiong,³⁴⁶ the Chairman and Vice Chairman, respectively, of the TAR government, about the "floating population" entering the TAR via the Qinghai-Tibet railway are unprecedented because, prior to the March 14, 2008, Lhasa protests and rioting, officials denied the existence and significance of non-Tibetan population influx into the TAR.³⁴⁷ [See Officials Acknowledge Tibetan Resentment Against "Floating Population," but Call for More, Better Migrant Services above.]

Official statistics, however, provide no evidence of any significant increase in the TAR Han population following the start of Qinghai-Tibet railway operations—instead, such data shows a substantial increase only in ethnic Tibetan population. According to the 2008 Tibet Statistical Yearbook, the Han population in the entire TAR increased by fewer than 6,000 persons during the period 2005 (the year prior to the start of Qinghai-Tibet railway operation) to 2007 (the year following the railway's startup).³⁴⁸ Nearly all (89 percent) of TAR population growth from 2005 to 2007 was made up of Tibetans, according to the 2008 TAR yearbook.³⁴⁹ The TAR's 2007 Han population (110,429) recorded in the 2008 TAR yearbook

is less than the TAR Han population recorded in the 2000 census (158,570).³⁵⁰ Disparities between different government agencies' statistics on Han population are in part due to differing methodology.³⁵¹

Government officials have reported that millions of passengers have traveled to the TAR on the railway, but the reports provide information that is inconsistent or confusing, and officials provide little information about the passengers. According to a TAR tourism official speaking in April 2009, the Qinghai-Tibet railway transported in a two-year period 7.6 million passengers to the TAR, "most" of whom were "visitors."³⁵² The official did not specify when the two-year period started or ended (railway operation commenced on July 1, 2006). Sun Yongfu, the former Vice Minister of Railways, stated in January 2009 that a total of 3 million passengers had traveled to or from the TAR on the railway during the period July 2006 to May 2008 (a 23-month period).³⁵³ No information is available to reconcile the TAR tourism official's statistics with Sun's data. Sun noted that slightly more railway passengers traveled out of the TAR (1.52 million) than traveled into the TAR (1.48 million).³⁵⁴

The 2008 TAR Statistical Yearbook provided additional data that is difficult to reconcile with the TAR tourism official's statement: the total number of railway passengers in the TAR in 2006 and 2007 (i.e., July 2006 through December 2007) was 1,267,400³⁵⁵—a figure that is millions of passengers fewer than the figure provided by the tourism official. The 2008 TAR yearbook data also conflicts with Chinese government sources that reported much higher numbers of railway passengers over the same period.³⁵⁶

Railway Logistics Center Opens, Will Support TAR Rail Links With Surrounding Provinces

Officials announced in April 2009 that construction of the TAR's largest rail traffic logistics center, located near the capital of Naqu (Nagchu) prefecture, would be complete in June 2009.³⁵⁷ An April 20 official Chinese media report said that the center would be complete in June 2009, but the facility began operation on August 17, according to a subsequent report.³⁵⁸ The 1,317 acre³⁵⁹ Naqu Logistics Center, seven kilometers long and one and one-half kilometers

wide,³⁶⁰ is intended to support TAR rail links with Qinghai, Sichuan, Gansu, Shaanxi, and Yunnan provinces, and possibly to the Xinjiang Uyghur Autonomous Region.³⁶¹ A November 2008 official media report reflected the government's ambition for the reach of the logistics center by referring to it as "the bridge tower for landway of south Asia."³⁶² Railways entering the eastern TAR from Chengdu city in Sichuan province and Kunming city in Yunnan province will pass through Naqu before arriving in Lhasa.³⁶³

Statements in China's official media provide information that suggests the government may be considering more than one "Xinjiang-Tibet" railway route. The Ministry of Railways spokesman disclosed in August 2008 that one of the six new railways feeding the Qinghai-Tibet railway would link Golmud (Ge'ermu, Kermo) city in Haixi (Tsonub) Mongol and Tibetan Autonomous Prefecture, Qinghai province, with Ku'erle (Korla) city, the capital of Bayingguoleng (Bayingolin) Mongol Autonomous Prefecture in the XUAR. Such a link would not traverse the TAR. A November 2008 official media report stated that the Naqu logistics center "will influence Nagri [sic: Ngari] Prefecture, which is connected with the [XUAR]."³⁶⁴ It is not clear what the report means by "influence" as compared to "impact" or "connect," other terms that appear in the same report.³⁶⁵ Ali (Ngari) prefecture borders Hetian (Hotan) prefecture in the XUAR; Hetian adjoins Kashi (Kashgar) prefecture; and Kashi is linked by railway to Urumqi, the XUAR capital.

The 254 kilometer westward extension of the railway from Lhasa to Rikaze (Shigatse) is scheduled for completion in 2010, according to an April 2009 official media report.³⁶⁶ At the May 2009 forum led by Zhang Qingli and Liu Zhijun, Zhang noted that "the conditions for the construction of the Lhasa-Xigaze [Rikaze] Railway have matured and the time is ripe."³⁶⁷ In addition, the government began construction of a new airport near Rikaze that is scheduled for completion in 2011.³⁶⁸ Rikaze, the capital of Rikaze prefecture, and Lhasa are the only two TAR urban centers officially designated as a "city" (*shi*). The government so far has not announced plans to extend the railway from Rikaze to Ali (the prefecture that the Naqu Logistics Center will "influence"). Construction of the TAR's fifth civil airport³⁶⁹ began in Rikaze in April 2009. The airport is scheduled for completion in 2011 and is designed to handle 230,000 passengers annually by 2020.³⁷⁰

Official Warns of Global Warming Threat to Qinghai-Tibet Railway

Even as the Chinese government plans additional high-elevation railway lines on the Tibetan plateau, the head of the China Meteorological Association, Zheng Guoguang, warned more than 500 officials attending a meeting on climate change that global warming could threaten Qinghai-Tibet railway operation.³⁷¹ Zheng addressed the officials at a Lhasa meeting in May 2009 and said that global warming is impacting temperature change on the Tibetan plateau at a rate “much higher than the national average,” according to an official Chinese media report.³⁷² In a “worst case” scenario, “such warming could cause permafrost to melt and threaten the plateau railway linking Tibet with the neighboring Qinghai Province,” Zheng said.³⁷³ “Experts believe that, at the current thawing speed, the railway will remain safe for another four decades,” the same report said.³⁷⁴ Yao Tandong, a Chinese expert on glaciers and Director of the Chinese Academy of Science’s Qinghai-Tibet Plateau Research Institute, said in August 2009 that degradation of permafrost on the plateau poses a “huge threat,” and that construction projects in the permafrost region would face “tough challenges” as a result.³⁷⁵ Yao noted, “The Qinghai-Tibet railway and highway surfaces may possibly become deformed in the future.”

Other Chinese experts on climate change expressed concerns prior to the railway’s July 2006 start of operations. For example:

January 2006. Professor Wu Ziwang, a senior expert at the Chinese Academy of Sciences frozen soil engineering laboratory, predicted, “Due to the melting permafrost, I am worried that after ten years the railroad will be unsafe.”³⁷⁶

August 2005. La Youyu, Deputy Director General of the Qinghai-Tibet railway construction headquarters, said that some 550 kilometers of track (about 300 miles) runs on frozen earth (permafrost), which “poses a major challenge to the railway construction.”³⁷⁷

June 2005. Luo Yong, Deputy Director of China’s National Climate Centre, warned, “By 2050, safe operation of the Qinghai-Tibet railway will be affected if temperatures keep rising steadily as observed over the past decades.”³⁷⁸

Work on Sichuan-Tibet Railway To Start, Impact May Far Surpass Qinghai-Tibet Railway

In May 2009, TAR Party Secretary Zhang Qingli and Minister of Railways Liu Zhijun held a forum on accelerating the construction of railways that will access the TAR.³⁷⁹ In August 2009, China's state-run media announced that work on the Sichuan-Tibet railway would begin in September.³⁸⁰ Passengers departing from Chengdu, the capital of Sichuan province, will complete the 1,629 kilometer journey to Lhasa in only eight hours on an electric railway capable of operating at speeds above 200 kilometers per hour.³⁸¹ The Commission reported in its 2008 Annual Report that a Ministry of Railways official announced in August 2008 that the government expects to complete construction of six new rail lines feeding into the Qinghai-Tibet railway by 2020,³⁸² the same year that Lhasa's "redesign" is scheduled to be complete. [See Lhasa Redesign To Feature "Old" and "New" Downtowns by 2020 above.] The Sichuan-Tibet railway was not among the six new rail lines that the Ministry of Railways official announced in 2008.

Commission staff analysis indicates that the potential scale of demographic, economic, and environmental impact that the Sichuan-Tibet railway could have on the Tibet Autonomous Region (TAR) and on other Tibetan autonomous areas of China may far surpass the impact of the Qinghai-Tibet railway, which began operation in July 2006 after a five-year construction period.³⁸³

Table 2 below provides data showing that the Sichuan-Tibet railway will link the TAR to a Sichuan province population that is 17 times larger than the Qinghai province population that the Qinghai-Tibet railway linked to the TAR, based on official Chinese census data for 2000.³⁸⁴ Table 3 below provides data showing that the Sichuan-Tibet railway will link the TAR to a Sichuan provincial economy that includes nearly 23 times more industrial enterprises that generate at least five million yuan revenue from principal business than the Qinghai provincial economy that the Qinghai-Tibet railway linked to the TAR, according to China Statistical Yearbook 2008 data.³⁸⁵

A direct comparison between TAR and Sichuan province population and economic data reveals a far greater disparity than a comparison between the TAR and Qinghai province shows. In 2000, Sichuan had more than 31 times the population of the TAR, according to official census data (Table 2),³⁸⁶ and approximately 107 times as many industrial enterprises that generated at least five million yuan from principal business, according to China Statistical Yearbook 2008 data (Table 3).³⁸⁷

<i>Table 2: Population—Provincial and Municipal-Level Populations Linked Directly by the Qinghai-Tibet Railway or by the Planned Sichuan-Tibet Railway</i>		
Provincial-Level Area	Municipal-Level Area	Population (2000 Census)
Tibet Autonomous Region		2,616,329
Tibet Autonomous Region	Lhasa municipality, TAR	474,499
Qinghai province		4,822,963
Qinghai province	Xining municipality, Qinghai province	1,849,713
Sichuan province		82,348,296
Sichuan province	Chengdu municipality, Sichuan province	11,108,534
<small>Source: Tabulation on Nationalities of 2000 Population Census of China, Department of Population, Social, Science and Technology Statistics, National Bureau of Statistics, and Department of Economic Development, State Ethnic Affairs Commission (Beijing: Ethnic Publishing House, September 2003), Table 10-1.</small>		

The difference between the size and make-up of the industrial economies in Sichuan province and the TAR could prove to be of even greater significance than the difference in the size of population in shaping the Sichuan-Tibet railway's impact on the TAR and other Tibetan autonomous areas. An official Chinese media report on August 31, 2009, stated that the railway "will boost economic growth along its way such as the development of mineral and tourist resources" and "open China's gateway to south Asia for bilateral economic and trade cooperation."³⁸⁸ If the railway functions as planned, it will facilitate swift, efficient transport of passengers, manufactured goods, and raw or semi-processed natural resources between the TAR—China's bottom-ranking industrial economy—and Sichuan's robust economy. [See Table 3 below for information on industrial indicators and national ranking.]

The railway could facilitate, for example, significant expansion of Chinese government exploitation of Tibetan forestry resources. The TAR has the largest volume of total standing forest (2.29 billion cubic meters) of any provincial-level area in China, according to China Statistical Yearbook 2008 data.³⁸⁹ Sichuan province—approximately 52 percent of which is made up of Tibetan autonomous areas³⁹⁰—has China’s second-largest volume of standing forest (1.58 billion cubic meters).³⁹¹ The Sichuan-Tibet railway will cut across three prefectural-level areas that are rich in forestry resources: Ganzi (Kardze) Tibetan Autonomous Prefecture in Sichuan and Changdu (Chamdo) and Linzhi (Kongpo) prefectures in the TAR. A low-resolution, Chinese-language map reprinted in a September 1, 2009, state-run media report shows that five of the seven principal stops between Chengdu and Lhasa cities are in Ganzi, Changdu, and Linzhi prefectures.³⁹² Commission staff analysis shows that approximately three-quarters of the length of the railway will be within the three timber-rich prefectures.³⁹³ The seven principal stops between Chengdu and Lhasa are (east to west):

- Pujiang county, Chengdu municipality;
- Ya’an city, Ya’an municipality, Sichuan;
- Kangding (Dartsedo), the capital of Ganzi (Kardze) TAP, Sichuan;
- Litang (Lithang) county, Ganzi TAP;
- Zuogong (Dzogang) county, Changdu (Chamdo) prefecture, TAR;
- Bomi (Pome) county, Linzhi (Kongpo) prefecture, TAR; and
- Linzhi (Nyingtri) county, Linzhi prefecture.

Table 3 below provides China Statistical Yearbook 2008 data on the industrial business economy in Sichuan and Qinghai provinces and in the TAR, and indicates for each type of data the ranking among China’s 31 provincial-level administrative areas.³⁹⁴ The table compares data from three of the yearbook’s tables: the number of industrial enterprises in a provincial-level area with revenue over five million yuan from principal business (Table 13-4);³⁹⁵ the number of state-owned and state-holding industrial enterprises (Table 13-8);³⁹⁶ and the number of private industrial enterprises (Table 13-12).³⁹⁷ Data in the tables show that the TAR ranks last (31st) in each measure of industrial productivity, and Qinghai ranks between 28th and 30th. Data on Sichuan province, in comparison, shows strength—especially in the private industrial enterprise sector (Table 13-12). Sichuan’s “gross industrial output value” and revenue earned from

principal business in the private industrial sector ranked 8th in the nation. China Statistical Yearbook 2008 defines “gross industrial output value” as: “The total volume of final industrial products produced and industrial services provided during a given period. It reflects the total achievements and overall scale of industrial production during a given period.”³⁹⁸

Table 3: Industry—Provincial-Level Economies Linked Directly by the Qinghai-Tibet Railway or by the Planned Sichuan-Tibet Railway

	Table 13-4: Main Indicators of Industrial Enterprises Above Designated Size by Region (yuan expressed in 100 millions)	Table 13-4 Rank (of 31)	Table 13-8: Main Indicators of State-Owned and State-Holding Industrial Enterprises by Region (yuan expressed in 100 millions)	Table 13-8 Rank (of 31)	Table 13-12: Main Indicators of Private Industrial Enterprises by Region (yuan expressed in 100 millions)	Table 13-12 Rank (of 31)
Sichuan province						
Number of enterprises	10,709	10	878	7	5,672	11
Gross industrial output value (yuan)	11,047.04	9	3,849.12	14	3,117.72	8
Total assets (yuan)	11,690.21	11	6,325.71	11	1,684.51	10
Revenue from principal business (yuan)	10,611.52	10	3,926.09	15	2,899.17	8
Qinghai province						
Number of enterprises	471	30	138	28	161	29
Gross industrial output value (yuan)	822.72	29	610.67	28	101.49	29
Total assets (yuan)	1,645.94	28	1,321.99	28	147.19	29
Revenue from principal business (yuan)	785.91	30	587.23	28	86.06	29
Tibet Autonomous Region						
Number of enterprises	100	31	53	31	15	31
Gross industrial output value (yuan)	41.36	31	18.06	31	6.67	31
Total assets (yuan)	172.18	31	125.24	31	14.38	31
Revenue from principal business (yuan)	36.73	31	16.31	31	6.23	31
Source: National Bureau of Statistics of China (Online), China Statistical Yearbook 2008, last visited 30 September 09, Tables 13-4, 13-8, 13-12. Commission staff determined national ranking by sorting each type of China Statistical Yearbook 2008 provincial data in descending order.						

An additional factor that may result in greater passenger and freight traffic on the Sichuan-Tibet railway compared to the Qinghai-Tibet railway is the shorter travel time between terminal cities. According to timetable information posted on a TAR travel agency Web site on October 1, 2009, the scheduled duration of the 1,972-kilometer Xining-Lhasa journey is 25 hours

and 22 minutes³⁹⁹—approximately triple the estimated 8-hour duration of the Chengdu-Lhasa trip.⁴⁰⁰

Hu Jintao Calls For More “Socialist New Villages”

On March 9, 2009, President Hu Jintao urged Tibet Autonomous Region (TAR) deputies to the National People’s Congress (NPC) to “vigorously advance” the program of constructing “socialist new villages”⁴⁰¹—an initiative that establishes greater control over the Tibetan rural population by implementing programs that will bring to an end the traditional lifestyle of Tibetan nomadic herders by settling them in fixed communities, and reconstructing or relocating farm villages.⁴⁰² The program to construct “socialist new villages” is part of the Great Western Development campaign,⁴⁰³ which the State Council implemented in 2000.⁴⁰⁴ The Commission’s 2008 Annual Report noted that the program is nearing completion throughout Tibetan areas, disrupting an important sector of the Tibetan culture and economy.⁴⁰⁵ Tibetan nomads participated in the wave of protests following March 10, 2008, in substantial numbers, including in counties where no Tibetan political protests had been recorded since the current period of Tibetan political activism began in 1987.⁴⁰⁶

China’s state-run media reported in August 2009 that a program to settle 55,700 nomadic herders living in the Sanjiangyuan National Nature Reserve (SNNR) in Qinghai province would be complete in 2010.⁴⁰⁷ In the past four years nearly 50,000 herders from almost 10,600 families “have bidden farewell to nomadic life and settled down in brick houses” in 86 newly constructed “immigrant communities,” an official said.⁴⁰⁸ Nearly all of the settled nomads are likely to be Tibetans, based on official Chinese census data for the counties within the SNNR.⁴⁰⁹

President Hu called for more “socialist new villages” as part of the drive to promote development and stability as a means to “reinforce the solid Great Wall for combating separatism and safeguarding national unity.”⁴¹⁰ The call for “a Great Wall of stability” preceded “several sensitive dates in Tibet.”⁴¹¹ Hu told the NPC deputies that the TAR “must stick to the development road with Chinese characteristics and Tibetan features.”⁴¹² Hu’s description of the government’s approach to Tibetan development, identifying the main components (“characteristics”) of the developmental model as Chinese, and the superficial aspects (“features”)

as Tibetan, is consistent with the government's implementation of the Regional Ethnic Autonomy Law. [See Status of Negotiations Between the Chinese Government and the Dalai Lama or His Representatives—A Detailed Tibetan Memorandum on “Genuine Autonomy”—Memorandum's Vision of Autonomy and China's Hierarchy of People's Congresses and Governments above.]

Confrontation Over Mining, Hydroelectric Projects; One Possible Successful Resolution

Confrontations between Tibetans and Chinese government and security officials resulted in 2009 when Tibetans protested against natural resource development projects.⁴¹³ One incident appears to provide an unusual example of local Tibetan stakeholders' objecting to a development project and reaching a satisfactory negotiated agreement with government officials. Another incident involved Tibetans protesting against upcoming forced relocation to accommodate the construction of a hydroelectric project. In a third incident, Tibetans reportedly petitioned local government officials to shut down a mine.

In the first incident, Tibetans objected to the planned start of a gold mining operation on a mountain Tibetan Buddhists regard to be a sacred site in Mangkang (Markham) prefecture, Tibet Autonomous Region, and began to protest against the project months before the issue came to a head in May.⁴¹⁴ By mid-May, as many as 500 local Tibetans entered into a standoff with Chinese government and security officials as the Tibetans sought to block a bridge that provided access to the mining site.⁴¹⁵ On June 8, Tibetans agreed to an arrangement that would cancel the planned mining operation and provide environmental cleanup and testing of existing mining waste that Tibetans said is “poisonous.”⁴¹⁶ A source told Radio Free Asia (RFA) that “all the points of the agreement were set down in writing” in the presence of government officials.⁴¹⁷ No information is available on whether or not government and mining company officials signed the agreement, or if the agreement is legally binding. Nonetheless, the government decision to engage local Tibetans to resolve a disagreement on an economic development issue represents a positive development.

In the second incident, an India-based Tibetan non-governmental organization (NGO) reported that on May 24, officials told Tibetans in Yajiang (Nyagchukha) and Daofu (Tawu)

counties, Ganzi (Kardze) Tibetan Autonomous Prefecture, Sichuan province, that construction would begin on a large hydroelectric dam, displacing a large number of Tibetans from their village homes.⁴¹⁸ When Tibetans began to protest and shout their refusal to give up their “ancestral dwelling place,” public security officials and People’s Armed Police allegedly used tear gas and gunfire to disperse the Tibetans, reportedly wounding six Tibetan women.⁴¹⁹ The NGO report provided no details about the dam, and Commission staff had seen no confirmation of the alleged shooting as of June 2009. Commission staff analysis suggests that the dam may be the Lianghekou Hydroelectric Project, currently in a preparatory stage of construction in Yajiang county, south of Daofu, at the confluence of the Yalong and Xianshui rivers.⁴²⁰

In the third incident, on June 20, 2009, Tibetans in Jiama (Gyama) township, Mozhugongka (Maldro Gongkar) county, Lhasa municipality, Tibet Autonomous Region (TAR), protested against mining activity that allegedly resulted in dumping toxic wastes in a river and river channelizing projects that prevented farmers from cultivating their land, according to reports by Tibetan organizations based in India.⁴²¹ A substantial number of livestock died as a result of poisoning by toxic wastes dumped into a river.⁴²² “[A]ngry villagers took to [the] streets . . . and clashed with Chinese miners,” resulting in a “police crackdown” that left three Tibetans “wounded,” one of the reports said.⁴²³ On June 21, Mozhugongka officials and TAR officials who traveled from Lhasa city met with Tibetan residents of Jiama, who demanded that the mining and water diversion cease immediately.⁴²⁴ The Communist Party-run Tibet Daily reported on August 16 that Mozhugongka officials held a ceremony to announce the establishment of a “harmonious mining district” in Jiama township,⁴²⁵ but the article provided no information on whether or not officials had resolved Tibetan grievances. According to an August 18 report, Jiama residents filed a petition with local government authorities requesting that the mining be stopped.⁴²⁶ A non-governmental organization based in London reported on September 23 that authorities had declined to become involved in the dispute and said that it was up to the mining company to address residents’ concerns.⁴²⁷

For Tibetans, Another Year of Heightened Security, Repression, Isolation

The Chinese government and Party crackdown on Tibetan communities, monasteries, nunneries, schools, and workplaces following the wave of Tibetan protests that began on March 10, 2008, continued during the Commission's 2009 reporting year.⁴²⁸ As of September 2009, the Commission had not seen public reports suggesting that Chinese authorities had lessened repressive security measures in Tibetan communities. The Commission's 2008 Annual Report noted that the repression of Tibetans' freedoms of speech, religion, and association had increased to what may be the highest level since approximately 1983, when Tibetans were able to set about reviving Tibetan Buddhist monasteries and nunneries.⁴²⁹

Chinese authorities continued to attempt to prevent information from leaving ethnic Tibetan areas on the abuse, detention, and punishment of peaceful Tibetan protesters; the political detention of Tibetans for non-protest activity; patriotic and legal education campaigns; other measures to enforce what the government and Party describe as "stability"; and measures by officials to restrict or prevent the flow of information about conditions in Tibetan areas of China.⁴³⁰ During the Commission's 2009 reporting year, Chinese judicial officials have sentenced to lengthy terms of imprisonment Tibetans who shared information about Tibetan protests with individuals or groups outside of China.⁴³¹ Authorities also took measures in various locations to prevent Tibetans from receiving information originating outside of China via the Internet.⁴³² According to a June 2009 Radio Free Asia (RFA) report, government staff in Gannan (Kanlho) Tibetan Autonomous Prefecture (TAP) resorted to destroying satellite dishes that enabled Tibetans to receive Tibetan language RFA and Voice of America television broadcasts.⁴³³ Gannan TAP officials reportedly distributed "letters" that cited a State Council document and described "unprecedented efforts to collect satellite dishes" in order to restrict access to "long-distance broadcasts."⁴³⁴

International media organizations reported that Chinese authorities took measures to close Tibetan areas to foreign travelers (including international journalists) in advance of the sensitive dates in 2009.⁴³⁵ [See *Rising Tension and a Crackdown as Sensitive Dates Approached, Passed below.*] Several foreign journalists reported being expelled from unspecified Tibetan-

populated areas of China during the first week of February, according to an international media organization report that did not name the journalists.⁴³⁶ In early March, People's Armed Police detained a New York Times reporter at a checkpoint in Gannan TAP.⁴³⁷ Public security officials "interrogated" him and put him on a plane to Beijing.⁴³⁸ The reporter explained why he was not surprised that authorities expelled him from the area: "I was reporting on Tibet, one of the most delicate issues in the eyes of the Chinese government. And I was traveling through Tibetan areas of Qinghai and Gansu Provinces as the government was deploying thousands of troops to clamp down on any unrest."⁴³⁹ [See the Commission's 2009 Annual Report, Section II—Freedom of Expression, for more information on international journalists' access to Tibetan areas.]

Rising Tension and a Crackdown as Sensitive Dates Approached, Passed

Security measures intensified in some Tibetan areas during a months-long period that bracketed a series of three sensitive anniversaries and observances in February and March 2009.⁴⁴⁰ In each case, Chinese government and security officials sought either to pressure Tibetans to participate in a publicly visible event when Tibetans preferred not to do so, or to prevent Tibetans from participating in a publicly visible event (a political protest) when some Tibetans may have wished to do so.

The first date, February 25, was an instance when some Tibetans chose to "boycott" (i.e., not to celebrate) Tibetan New Year (Losar),⁴⁴¹ but Chinese officials pressed Tibetans to celebrate in the customary fashion.⁴⁴² The second date, March 10, was the anniversary of a key event in modern Tibetan political history (the 1959 "Tibetan People's Uprising" in Lhasa),⁴⁴³ and marked the potential for renewed Tibetan protest—a possibility that Chinese security officials were determined to prevent.⁴⁴⁴ March 10 was also the first anniversary of the start of Tibetan protests in 2008. The third date, March 28, was an instance when Tibetans sought to avoid participating in an official holiday ("Serfs Emancipation Day") that celebrated the 1959 dissolution of the former Tibetan government in Lhasa,⁴⁴⁵ but Chinese officials staged closely-managed ceremonies anyway.

In a March 13, 2009, Commission roundtable, a U.S. expert on Tibet linked the creation of "Serfs Emancipation Day" to government attempts to counter expressions of Tibetan

nationalism on March 10, and to the collapse of the China-Dalai Lama dialogue. [See Status of Negotiations Between the Chinese Government and the Dalai Lama or His Representatives above.]

Now March is with us, and the struggle is between the Tibetan adherence to marking March 10 as a national day . . . and China's determination to purge the month of any such significance by instituting instead a new holiday: March 28, Serfs Emancipation Day. . . . The creation of this new holiday is relevant to our understanding of the collapse of talks between the Dalai Lama's representatives and the Chinese government in November. . . . [The Chinese government] rejected any compromise with the Dalai Lama on any of his proposals about the nature of autonomy within Tibet and stated that, while the door was open for him to return, he would have to recognize the errors of his ways. . . . China's decision to recognize and commemorate March 28, 1959 as Serfs Emancipation Day put 1959 back on the table and signaled that the talks really are at a dead-end. But that was already clear.⁴⁴⁶

Officials in Lhasa implemented a “strike hard” anti-crime campaign from mid-January until late March 2009—a period of time that bracketed all three sensitive dates—according to a series of reports in the Communist Party-run Lhasa Evening News (LEN).⁴⁴⁷ The campaign's stated aim, LEN reported, was to “strike hard according to law against all kinds of illegal criminal activity and to vigorously uphold the city's social order and stability.”⁴⁴⁸ Public security officials conducted checks of residences, hotels, guest houses, bars, and Internet cafes to confirm whether or not the persons they encountered had a residence permit for Lhasa.⁴⁴⁹ In the first three days of the campaign, police conducted “comprehensive checks” on a total of 5,766 persons, one of the LEN reports said.⁴⁵⁰ During the campaign's first week, police checked 8,424 persons and found only 148 (1.8 percent) who did not have an appropriate permit. Police detained a total of 51 of the 8,424 persons (0.6 percent) on suspicion of criminal activity, including 30 on suspicion of theft, burglary, and prostitution. Two of the detainees had “reactionary discussion” and “reactionary songs” on their cell phones, LEN reported.⁴⁵¹

The strike hard campaign's focus on residence permits would have increased pressure on persons in Lhasa without permits to either register with police, or to leave the city. The LEN reports did not provide any information indicating that officials targeted Tibetan neighborhoods or individuals. It is unlikely, however, that Lhasa officials would have conducted a "winter strike hard" campaign⁴⁵² to identify unregistered Han Chinese workers and traders in Lhasa: January is in the season when most migrant Han workers and traders have left Lhasa to avoid the cold temperatures and returned to their homes for Chinese New Year (Spring Festival).⁴⁵³ A non-governmental organization (NGO) reported in January 2009 that the Lhasa government had issued a notice requiring "outside visitors" intending to stay for more than three days and less than one month to apply to the Lhasa Public Security Bureau for a permit.⁴⁵⁴

February 25: Tibetans Express Grief Through Non-Observance of Lunar New Year

Some Tibetans living in Tibetan autonomous areas of China decided to express passively their grief and discontent with protest-related developments over the previous year, especially the death and imprisonment of Tibetan protesters, by foregoing traditional celebrations of Tibetan New Year (Losar).⁴⁵⁵ A Tibetan NGO based in India reported in January 2009 that the Tibetan protests and Chinese security forces' responses to the protests had since March 2008 resulted in at least 120 "known deaths,"⁴⁵⁶ more than 6,500 detentions,⁴⁵⁷ and the "enforced disappearance"⁴⁵⁸ of at least 1,000 Tibetans.⁴⁵⁹ The Tibetan lunar New Year occurred on February 25 in 2009. As Losar approached, a popular, trans-provincial Tibetan movement to boycott celebration of Losar developed and gained momentum, according to western media reports.⁴⁶⁰ [See box titled Losar Boycotts in 2009 in Areas Where Tibetans Protested in 2008 below.]

Chinese government officials pressured Tibetans to celebrate the New Year in the usual manner. Nyima Tsering, Vice Chairman of the Tibet Autonomous Region (TAR) People's Congress Standing Committee, at a February 10 press conference in Lhasa responded to "an underground campaign by some secessionists to boycott the festival to 'mourn the dead of 2008'" by advising that Tibetans proceed with Losar celebrations.⁴⁶¹ "Tibetan people are enjoying a good life now," Nyima Tsering said, "there is no reason for them to forgo [sic]

celebrating their traditional holiday this year.”⁴⁶² Linking the Losar boycott to a “campaign by some secessionists” could pressure Tibetans to choose between celebrating Losar or face the possibility of punishment for activity that officials characterize as “splittism,” a crime under the Criminal Law.⁴⁶³ (In the period following Losar, Commission staff did not see reports of Tibetans facing criminal detention or investigation for failing to celebrate Losar.)

Losar Boycotts in 2009 in Areas Where Tibetans Protested in 2008

A sample follows of reporting on the 2009 Losar boycott in some of the areas where Tibetan protesters were active in March 2008.

Lhasa city, TAR. A Lhasa resident told Radio Free Asia (RFA) just prior to Losar, “[The traditional pilgrimage route and market area of] Barkhor is packed with soldiers as Losar and March approach.”⁴⁶⁴ Another Tibetan spoke of central Lhasa’s most revered Buddhist sites, the Jokhang Temple and Ramoche Monastery: “Ramoche temple area is packed with soldiers. Usually the Jokhang [Temple] is packed with pilgrims prostrating in front, now there [is] barely anyone doing prostrations at the Jokhang.”⁴⁶⁵

Tongren (Rebgong) county, Qinghai province. Tibetans in Tongren, the capital of Huangnan (Malho) Tibetan Autonomous Prefecture (TAP), and the location of Rongbo Gonchen Monastery, told Reuters that they “would quietly show their unhappiness by marking their traditional New Year, or Losar, bereft of celebration.”⁴⁶⁶ A Rongbo Gonchen monk told the New York Times that Losar in 2009 was a matter of mourning, not of celebration: “There is no Losar. They killed so many people last year.”⁴⁶⁷

Guinan (Mangra) county, Qinghai province.⁴⁶⁸ On February 25, 2009 (Tibetan New Year), more than 100 monks from Lutsang Monastery, located near the seat of Guinan county, Hainan (Tsolho) TAP, walked to government offices in the early morning and staged a peaceful candlelight protest (“vigil”), RFA reported.⁴⁶⁹ Monks called for officials to “recognize the will” of Tibetans and allow the Dalai Lama’s return to Tibet.⁴⁷⁰ The monks returned to the monastery after Tibetan community leaders asked them to do so,⁴⁷¹ but security officials began detaining the monks on February 27 and eventually detained, interrogated, and sometimes beat or tortured about 120 monks, according to the International Campaign for

Tibet (ICT).⁴⁷² After forcing the monks to participate in patriotic and legal education (“rule of law education”),⁴⁷³ authorities began to release them on March 20.⁴⁷⁴ According to an April report, a local court had sentenced four of the monks to two years’ imprisonment.⁴⁷⁵ [See the Commission’s Political Prisoner Database for information on the detention or sentencing of Lutsang Monastery monks in connection with their Losar protest.]

Xiahe (Sangchu) county, Gansu province. Reuters reported in early February from Xiahe, Gannan (Kanlho) TAP, “Riot police marched through Xiahe’s tense main street at regular intervals.” A monk in Xiahe, the location of Labrang Tashikhyil Monastery, told Reuters, “Last year, because of the Olympics, people were confident China could not be too harsh with us. But this year, nothing much will happen because people are much more afraid.”⁴⁷⁶ The New York Times reported that Xiahe was one of four Tibetan areas where the government “significantly increased security forces across Tibet in the face of a grass-roots movement to boycott festivities during the coming Tibetan New Year”⁴⁷⁷

Ganzi (Kardze) county, Sichuan province. A Tibetan resident of Ganzi, in Ganzi TAP, told Radio Free Asia (RFA), “On a regular Losar, we see many Tibetans visit monasteries and involved in many celebratory activities. But today, the first day of Losar is very somber with no signs of celebrations.”⁴⁷⁸ Another local resident told RFA that local monasteries had refused government offers of money to pay for Losar celebrations.⁴⁷⁹ RFA reported that when government-sponsored dance troupes visited Kardze villages for Losar performances, protest posters urging local residents not to attend appeared, and few Tibetans turned up for the performances.⁴⁸⁰

Litang (Lithang) county, Sichuan province. Monk Lobsang Lhundrub set off a substantial political protest in Ganzi TAP on February 15 when he staged a solo protest in the Litang market, shouting slogans calling for Tibetan independence, the Dalai Lama’s long life and return to Tibet, and for Tibetans to skip celebration of Losar, according to a Tibetan Centre for Human Rights and Democracy report.⁴⁸¹ Police detained and beat Lobsang Lhundrub after he had protested for 15 or 20 minutes.⁴⁸² Free Tibet Campaign reported that 100 to 200 Tibetans had joined Lobsang Lhundrub’s protest, and that after about one hour approximately 100 armed public security officials and People’s Armed Police (PAP) arrived

and beat the protesters with batons and rifle butts.⁴⁸³ The next day, February 16, a larger group of Tibetans gathered and staged a protest against Lobsang Lhundrub's detention.⁴⁸⁴ PAP beat the protesters and detained more than 20 of them, according to accounts.⁴⁸⁵ [See the Commission's Political Prisoner Database for information on Tibetans reportedly detained in Lithang on February 15 and 16 in connection with the "No Losar" protests.]

Aba (Ngaba) county, Sichuan province. A Tibetan source told ICT about the mood in Aba county, located in Aba Tibetan and Qiang Autonomous Prefecture: "Local people are not celebrating [the New Year]. Tibetan women are in the streets, with solemn faces, showing sadness rather than happiness, and to symbolize the non-celebratory mood they carry around dry bread and eat that."

March 10: Security Forces Prevent New Tibetan Protests Marking Events in 1959, 2008

March 10, 2009, was a double anniversary for Tibetans. It was the first anniversary of March 10, 2008, the day when monastic protests in Lhasa started a wave of protests that by April had reached across the Tibet Autonomous Region (TAR) and Tibetan autonomous areas located in Qinghai, Gansu, and Sichuan provinces. The greater significance of the date was its status as the 50th anniversary of March 10, 1959, the date that the Dalai Lama and most Tibetans regard as the beginning of the "Tibetan People's Uprising" in Lhasa.⁴⁸⁶ Tens of thousands of Tibetans in Lhasa gathered outside the Dalai Lama's Norbulingka residence because they feared a People's Liberation Army plot to harm him.⁴⁸⁷ The Dalai Lama escaped from Lhasa and fled into exile on March 17, 1959.⁴⁸⁸

Government and security officials speaking shortly before March 10, 2009, acknowledged the possibility that Tibetans might again seek to stage protests, but officials sought to portray the situation as "stable" in "most" Tibetan areas.⁴⁸⁹ Jampa Phuntsog (*Xiangba Pingcuo*), Chairman of the TAR government, referred on March 6 to "special days"⁴⁹⁰ during the month of March and acknowledged that some individuals might make "reckless moves."⁴⁹¹ "Measures like martial law" would not be necessary, he said, but Lhasa authorities would take the "usual, necessary security measures during the anniversaries of the riots last year and the

democratic reform that emancipated millions of serfs and slaves 50 years ago.”⁴⁹² Senior officials blamed security risks and the possibility of resurgent protest on groups linked to the Dalai Lama and pro-independence “Western groups,”⁴⁹³ and on activity carried out “under the disguise of [a] religious cause.”⁴⁹⁴

Immediately prior to March 10, senior officials at the national and TAR levels emphasized publicly the priority placed upon maintaining security in the TAR. President Hu Jintao joined a panel discussion with TAR deputies to the National People’s Congress on March 9 and said that the central and local governments must “reinforce the solid Great Wall for combating separatism and safeguarding national unity.”⁴⁹⁵ Legchog (*Lieque*), Chairman of the Standing Committee of the TAR People’s Congress, said on March 8 that People’s Armed Police (PAP) forces in the TAR had temporarily “enhanced their service in some parts of Tibet,” but that “some foreign media’s reports about increasing tension in Tibet” were untrue.⁴⁹⁶ The PAP had increased their presence, Legchog said, because in 2009 “the Dalai group” had “intensified secessionist activities.”⁴⁹⁷ Major General Kang Jinzhong,⁴⁹⁸ the TAR PAP political commissar, said on March 9 that his troops were “ready to handle any infiltration and sabotage activities by the Dalai Lama clique and other hostile forces.”⁴⁹⁹ “Nearly 70,000 [PAP] were reportedly sent to Tibet in the run-up to the first anniversary of the crackdown in March,”⁵⁰⁰ according to a media report that did not say whether the figure represented an increase, a troop rotation, or both.

The relatively low number of reports of Tibetan political protests and detentions on and immediately following March 10, 2009, may indicate that reinforced security measures prevented renewed protest.⁵⁰¹ Commission staff as of May 2009 had seen public reports of only 2 Tibetans detained in connection with protest activity on March 10, 2009,⁵⁰² and a total of 14 Tibetans detained during the week of March 10 to 16.⁵⁰³ One Tibetan detained that week, Ragya Monastery monk Tashi Zangpo, reportedly escaped PSB custody, leaped into a river gorge, and drowned.⁵⁰⁴ Of the 14 Tibetans detained during the week of March 10 to 16, 11 Tibetans were residents of Ganzi Tibetan Autonomous Prefecture in Sichuan province, according to data available in the Commission’s Political Prisoner Database.

March 28: Officials Pressure Tibetans To Celebrate New Holiday Marking the 1959 Dissolution of Dalai Lama's Government

On January 19, 2009, deputies to the Tibet Autonomous Region (TAR) People's Congress voted to establish "Serfs Emancipation Day" as a public holiday⁵⁰⁵ to celebrate the March 28, 1959, Chinese government decree that dissolved the Dalai Lama's Lhasa-based Tibetan government.⁵⁰⁶ The decree also initiated the process of "democratic reforms" that brought to an end the Tibetan political, social, cultural, and religious system centered in Lhasa⁵⁰⁷—a system that the Party and government describe as "feudal serfdom."⁵⁰⁸ The Dalai Lama had escaped from Lhasa 11 days prior to issuance of the decree.⁵⁰⁹

China's state-controlled media heralded "Serfs Emancipation Day" as the commemoration of one of the 20th century's greatest human rights and anti-slavery milestones⁵¹⁰—comparable to the abolition of slavery in the United States.⁵¹¹ Senior Tibetan officials, however, including Legchog (*Lieque*), the Chairman of the Standing Committee of the TAR People's Congress, described establishing the holiday as "an important move to wage a 'tit-for-tat' struggle against the Dalai clique."⁵¹²

Government and Party officials acted in a provocative manner at a time of heightened Tibetan sensitivity by pressuring Tibetans to celebrate "Serfs Emancipation Day" and the end of the Dalai Lama's government—and by association, the departure of the Dalai Lama. TAR Party Secretary Zhang Qingli called on TAR Party cadres to "seriously organize" the celebration,⁵¹³ and Legchog said that Serfs Emancipation Day would "strengthen Tibetans' patriotism."⁵¹⁴ Chairman of the TAR government Jampa Phuntsog (*Xiangba Pingcuo*) announced that "grand celebrations" would take place in Lhasa and Beijing.⁵¹⁵ TAR prefectural and county officials met prior to the formal establishment of the holiday to "ensure that all people mark the occasion with festivities," according to a January media report that cited a TAR official who asked not to be identified and acknowledged that Tibetans were unwilling to celebrate the anniversary.⁵¹⁶

Government pressure on Tibetans to participate in the celebration of "Serfs Emancipation Day" resulted in Tibetan protest, according to the limited information reaching the international community despite official efforts to prevent protest and hinder information flow. For example,

about 300 Tibetans, including Denma Choekhorling Monastery⁵¹⁷ monks, protested on January 10 in Jiangda (Jomda) county,⁵¹⁸ Changdu (Chamdo) prefecture, in the TAR in an attempt to dissuade local officials from sending a Tibetan dance troupe to Lhasa to participate in Serfs Emancipation Day celebrations.⁵¹⁹ Prior to the protest, two explosions were set off on January 5, damaging township government buildings.⁵²⁰ Officials forced the dance troupe to depart for Lhasa on January 15, and on January 24 authorities detained at least seven monks on suspicion of involvement with the explosions.⁵²¹ The source of the report described government pressure on Tibetans to celebrate Serfs Emancipation Day as “a deliberate attempt to humiliate the Tibetans who are not completely recovered from last year’s military crackdown.”⁵²²

Tibetan Protesters Persist During Period of Heightened Security

The chronology below provides brief descriptions of some of the Tibetan political protests in Tibetan areas during the period of the heightened security in February and March 2009 when Tibetan New Year (Losar), the March 10 anniversary, and “Serfs Emancipation Day” took place. Each of the protests listed below resulted in one or more political detentions on which records are available in the Commission’s Political Prisoner Database.⁵²³

January 5. Public security officials detained and beat a Tibetan male for staging a brief political protest near the Public Security Bureau in the seat of Ganzi (Kardze) county, Ganzi Tibetan Autonomous Prefecture (TAP), Sichuan province.⁵²⁴

January 7. Public security officials detained and beat a Tibetan male for shouting slogans in Shiqu (Sershul) county, Ganzi TAP.⁵²⁵

January 15. Public security officials in Aba (Ngaba) county, Aba Tibetan and Qiang Autonomous Prefecture, Sichuan province, detained a Kirti Monastery monk when he was photocopying leaflets urging locals to disregard an official order to conduct a Tibetan Buddhist festival (Monlam) prior to the normal lunar date.⁵²⁶

January 20. Public security officials detained three Tibetans as they staged a peaceful political protest in the seat of Zuogong (Dzogang) county, Changdu (Chamdo) prefecture, Tibet Autonomous Region (TAR). The men displayed a pro-independence banner, shouted slogans,

and scattered leaflets.⁵²⁷ Police reportedly beat them severely.⁵²⁸ One protester, Pema Tsepag, reportedly died from his injuries on January 23 in the Changdu prefecture hospital.⁵²⁹ Local officials told Pema Tsepag's family that he committed suicide by jumping from a roof.⁵³⁰

January 24. [See *Rising Tension and a Crackdown as Sensitive Dates Approached, Passed—March 28: Officials Pressure Tibetans To Celebrate New Holiday Marking the 1959 Dissolution of Dalai Lama's Government*, above, for an account of detentions of Denma Choekhorling Monastery monks in Jiangda (Jomda) county, Changdu prefecture.]⁵³¹

January 27. Public security officials in Dege county, Ganzi (Kardze) TAP, Sichuan province detained more than 20 Dege Gonchen Monastery monks for protesting (6 were named).⁵³² The monks were angry because after they refused a request to greet visiting Chinese officials, Chinese police dressed as monks and did so.⁵³³ A large group of Tibetans gathered at the local government office to demand the detained monks' release.⁵³⁴ Officials released the monks on January 31; authorities reportedly had beaten all of them.⁵³⁵

January 29. Public security officials in Basu (Pashoe) county, Changdu prefecture, TAR, detained two Mera Monastery monks for staging a peaceful political protest near the county government offices.⁵³⁶ The monks, aged 16 and 20, shouted, "Wake up Tibetan brothers and sisters," and called for Tibetan independence. Police subsequently detained a monk described as "the head of [the] monastery."⁵³⁷

February 15, 16 (two protests). [See *Rising Tension and a Crackdown as Sensitive Dates Approached, Passed—February 25: Tibetans Express Grief Through Non-Observance of Lunar New Year*, above, for an account of the detention of a solo protester on February 15 and the detentions of at least 16 protesters in Litang (Lithang) county, Ganzi TAP.]⁵³⁸

February 27 (two protests). After a Kirti Monastery monk in Aba (Ngaba) county, Aba Tibetan and Qiang Autonomous Prefecture, Sichuan province, attempted self-immolation while holding up a Tibetan flag to protest against official interference in a monastic festival, police reportedly shot at him, took him into custody, and later hospitalized him.⁵³⁹ [For information on the second protest, see *Rising Tension and a Crackdown as Sensitive Dates Approached, Passed—February 25: Tibetans Express Grief Through Non-Observance of Lunar New Year*,

above, for an account of a February 25 protest that led to detention beginning on February 27 of more than 100 Lutsang Monastery monks in Guinan (Mangra) county, Hainan (Tsolho) TAP, Qinghai province.]⁵⁴⁰

March 3, 5. Public security officials detained one monk on March 3 and two monks on March 5 (one named) from Kirti Monastery. Police suspected the monks of distributing leaflets announcing that four Kirti monks intended to self-immolate on March 10.⁵⁴¹

March 5 (at least two protests). Public security officials detained a total of five Tibetans (four named), including three teenagers and a nun, for staging two or three separate political protests in the seat of Ganzi county, Ganzi TAP.⁵⁴²

March 6. Public security officials detained a nun for staging a solo political protest in the seat of Ganzi county.⁵⁴³

March 10 (two protests). [See Rising Tension and a Crackdown as Sensitive Dates Approached, Passed—March 10: Security Forces Prevent New Tibetan Protests Marking Events in 1959, 2008, above, for an account of one detention in Litang county and one detention in Lajia (Ragya) township, Maqin (Machen) county, Guoluo (Golog) TAP, Qinghai province.]⁵⁴⁴

March 11. Public security officials detained three female teenagers in the seat of Ganzi county when they scattered leaflets and shouted slogans.⁵⁴⁵ Public security officials detained a Nurma Monastery monk when he visited Labrang Tashikhyil Monastery in Xiahe (Sangchu) county, Gannan TAP.⁵⁴⁶ Police suspected him of providing information about protests and detentions to “separatist forces” in exile.⁵⁴⁷

March 12. Public security officials detained a young Tibetan male for scattering leaflets and shouting slogans in the seat of Ganzi county.⁵⁴⁸

March 14 (two protests). Public security officials detained four Tibetan males (including three teenagers) for staging a protest and shouting slogans in the seat of Ganzi county.⁵⁴⁹ In another incident, public security officials detained a Tibetan male for scattering leaflets and shouting slogans in the seat of Ganzi county.⁵⁵⁰

March 16. Public security officials detained six Tibetans (two named) in Ganzi county for alleged involvement in a “farming boycott,”⁵⁵¹ a “civil disobedience movement” to protest “repressive policies.”⁵⁵² [See A “Farming Boycott Movement” Results in Confrontation, Detention below.]

March 19. Public security officials in Ganzi county detained a Tsitsang Monastery monk for alleged involvement in a “farming boycott movement.”⁵⁵³

March 21. Public security officials in Ganzi county detained three Tibetans for alleged involvement in a “farming boycott movement.”⁵⁵⁴

March 22 (two protests). Public security officials in the seat of Litang county, Ganzi TAP, detained a Lithang Monastery monk for staging a solo protest.⁵⁵⁵ Security officials in Lajia township, Maqin county, Guoluo TAP, Qinghai province, detained approximately 93 Ragya Monastery monks (7 named) and 2 other persons who stormed the township police station the previous day to protest the death by apparent suicide of monk Tashi Zangpo.⁵⁵⁶ (See March 10 entry above.) A Tibetan non-governmental organization based in India reported that on August 13, 2009, a Guoluo court sentenced six Ragya monks and two laypersons to periods of imprisonment ranging from six months to seven years for what the NGO described as “inciting protests and demonstrations.”⁵⁵⁷

March 23. Public security officials in Luhuo (Draggo) county, Ganzi TAP, detained a Tibetan male they suspected of posting leaflets calling on farmers “not to till their land.”⁵⁵⁸

March 24. Public security officials in the seat of Ganzi county detained two Lamdrag Nunnery nuns as they scattered leaflets and shouted slogans.⁵⁵⁹

March 25. Public security officials in Luhuo county, Ganzi TAP, detained two Lhagang Monastery monks for calling on farmers not to farm their land.⁵⁶⁰

March 27. Public security officials in Luhuo county reportedly detained approximately 20 Tibetans after they refused to cooperate with government employees who brought equipment to help farmers prepare their fields for planting. (The farmers were supporting the “farming

boycott movement.”) The police allegedly beat at least 11 of the detainees so badly that they required hospitalization.⁵⁶¹

A “Farming Boycott Movement” Results in Threats, Detention, Beatings, Shooting

Tibetan agricultural communities in some areas of Ganzi TAP undertook a “farming boycott movement” beginning in March 2009, based on reports published in March and April.⁵⁶² The protests were based on a “civil disobedience”⁵⁶³ model and entailed Tibetan farmers’ refraining from tilling their land and planting crops at the usual time.⁵⁶⁴ The farming boycott was a Tibetan attempt to address the same grievances that the Losar boycott did: the death and imprisonment of Tibetan protesters in 2008, and the ongoing crackdown since the protests.⁵⁶⁵ Tibetans adopted the same passive strategy for the farming boycott that they did for Losar—avoiding direct protest activity, and instead refraining from carrying out normal activity. [See *Rising Tension and a Crackdown as Sensitive Dates Approached, Passed—February 25: Tibetans Express Grief Through Non-Observance of Lunar New Year* above.]

Officials in Ganzi (Kardze), Luhuo (Draggo), and Xinlong (Nyagrong) counties in Ganzi TAP sought to force farmers to resume normal farming activity,⁵⁶⁶ and threatened farmers with confiscation of their land if they did not comply.⁵⁶⁷ Public security officials detained Tibetans in connection with the boycott in each of the counties.⁵⁶⁸ After reports in July of May detentions linked to the boycott in Jiangda (Jomda) county,⁵⁶⁹ Changdu (Chamdo) prefecture, TAR, the Commission’s Political Prisoner Database contained 31 records of detention linked to the farming boycott—a figure certain to be incomplete because some reports did not name all of the detainees, and it is unlikely that reports on every instance of detention have reached the international community. Security officials reportedly beat Tibetans upon detention, in some cases so severely that authorities reportedly hospitalized the detainees for treatment of their injuries.⁵⁷⁰ A Tibetan monk, Phuntsog Rabten, died from a beating on March 25 after officials caught him putting up posters urging Tibetans to support the farming boycott, according to reports.⁵⁷¹ On April 15, armed security forces in Xinlong county reportedly opened fire on Tibetans protesting peacefully against a court verdict, and against the crackdown that followed

the farming boycott.⁵⁷² The report stated that the shooting resulted in “injuries,” but provided no details.⁵⁷³

The Tibetan government-in-exile (TGiE) issued a statement on March 22 appealing to Tibetans to resume farming.⁵⁷⁴ Samdhong Rinpoche, the elected head of the TGiE, urged Tibetans on April 6 in a Tibetan-language radio broadcast to heed the call to start farming.⁵⁷⁵ He said that a non-violent approach such as a boycott is praiseworthy, but he feared that it would provoke a violent crackdown on Tibetans.⁵⁷⁶ As of September 2009, Commission staff had observed no additional information on whether or not some fields remained idle, and what effect, if any, the boycott would have on the 2009 harvest.

Political Detention and Imprisonment of Tibetans

2009 Overview

The series of Tibetan political protests that began in Lhasa on March 10, 2008,⁵⁷⁷ and the resulting Chinese government and Communist Party crackdown on Tibetan communities, continued during the Commission's 2009 reporting year. The surge in the number of Tibetan political detainees and prisoners beginning in March 2008 appears to be the largest since the current period of Tibetan political activism began in 1987.⁵⁷⁸ As of September 2009, the Commission's Political Prisoner Database (PPD) recorded the detention or imprisonment of 517 Tibetans in 2008 and an additional 153 Tibetans in 2009 for engaging in activity such as staging peaceful political protests. These figures are certain to be incomplete. [See chart titled Tibetan Political Detention by Year, 1987-2009 below.] Based on PPD information, the number of news media and non-governmental organization (NGO) reports of Tibetan political protests that contained detailed information about the political detention⁵⁷⁹ of Tibetans declined steeply from May to August 2008,⁵⁸⁰ the period preceding and during the Beijing Summer Olympic Games.⁵⁸¹ The number of reports of Tibetan political detention remained at a very low level until December 2008,⁵⁸² and then climbed during January to April 2009. [See chart titled Tibetan Political Detentions Recorded Per Month: September 2007-August 2009 below.]

Chart 1: Tibetan Political Detention by Year, 1987-2009

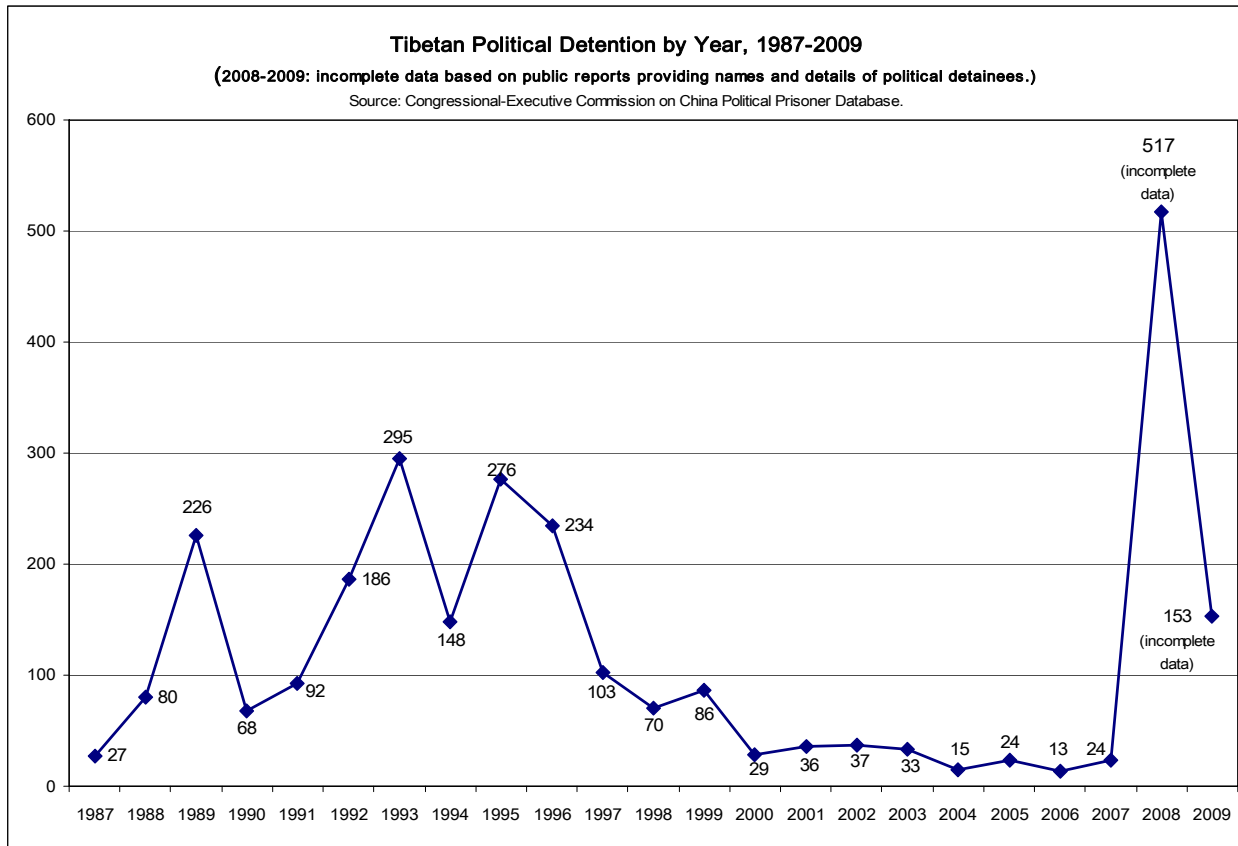
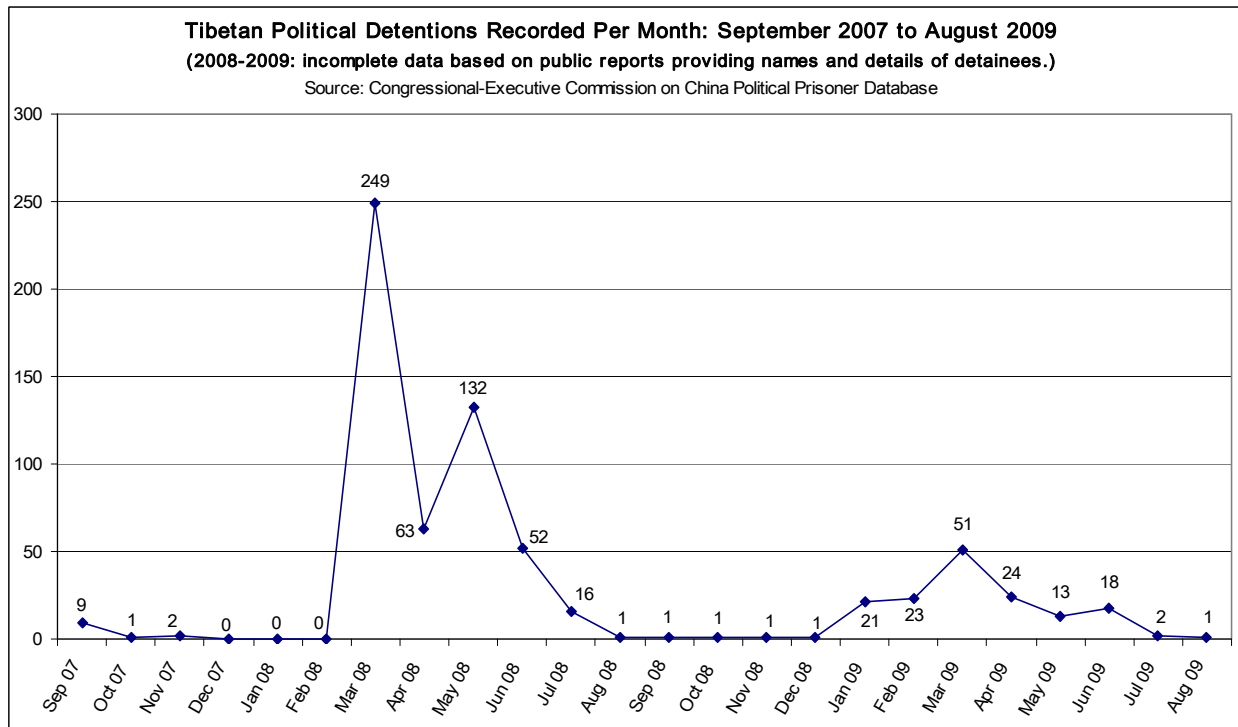


Chart 2: Tibetan Political Detentions Recorded Per Month: September 2007 to August 2009



Protesters Persist, Adapt

Tibetan protesters resumed in January 2009 their calls for Tibetan independence (or Tibetan “freedom”),⁵⁸³ the Dalai Lama’s return to Tibet, and freedom of religion, as a series of sensitive observances and anniversaries in February and March 2009 approached and passed. For the period January to April 2009 (the period bracketing the sensitive dates of February and March), the PPD records 119 political detentions of Tibetans, a figure certain to be incomplete. [See chart titled Tibetan Political Detentions Recorded Per Month, September 2007 to August 2009, above.]

As a result of increased government security measures and harsh action against protesters, Tibetan political protests in 2009 were smaller and of briefer duration than the Tibetan protests of March and April 2008. Tibetan protesters faced the presence of well-entrenched security forces tasked with ensuring “social stability.”⁵⁸⁴ Public security officials and People’s Armed Police carried out their assignment in part by seeking to deter Tibetan political protests and, should one or more Tibetans attempt to protest, by halting the protest promptly and detaining the protesters. Security officials allegedly sometimes used excessive force such as beating protesters with batons, metal rods, or rifle butts.⁵⁸⁵

Tibetans staging political protests during the Commission’s 2009 reporting year remained peaceful with two alleged exceptions, based on Commission staff monitoring.⁵⁸⁶ One incident, in March 2009 in Qinghai province, followed the apparent suicide of a Ragya Monastery monk immediately after he escaped police custody.⁵⁸⁷ Angry monks and other Tibetans “attacked” a township police station when they learned of the death and allegedly caused “minor injuries” to government workers, according to an official Chinese media report.⁵⁸⁸ The report provided no details about the government victims or their alleged injuries. In another incident, a public security official alleged in June 2009 that Tibetan protesters in an eastern TAR county had beat a village head, but provided no details about the alleged incident.⁵⁸⁹ Tibetans have set off small explosions in a few instances that caused limited property damage but no casualties, according to reports by China’s official media and international media reports.⁵⁹⁰ [See 2009 Developments—Tibetan Bombers: An Exception to Peaceful Protest below.]

Deaths of peaceful Tibetan protesters while in police custody, including a death that resulted from an alleged lethal beating, occurred during this reporting year. Three reported cases were of deaths within a relatively short period of detention or attempted detention: Pema Tsepag,⁵⁹¹ monk Tashi Zangpo,⁵⁹² and monk Phuntsog Rabten.⁵⁹³ In each case, the victim's friends, families, or associates were nearby, learned of the death, and were able to convey information about the death to destinations outside of China. Virtually no information, however, is available about the health and well-being of a substantial but unknown number of Tibetan protesters who have been detained or imprisoned for longer periods following March 10, 2008, and who are either far away from families, friends, or associates, or whom authorities hold in locations that are unknown to families and friends.

Targeting Tibetan Writers, Publishers, Pop Culture

Chinese authorities during the Commission's 2009 reporting year targeted and detained Tibetan writers and publishers who did not engage in overt protest activity, but who sought to explore and express Tibetan views on issues that affect Tibetan culture and religion. Four examples of such cases took place in the Tibetan autonomous areas of Qinghai, Gansu, and Sichuan provinces: a Web site operator detained in Gannan (Kanlho) Tibetan Autonomous Prefecture (TAP), Gansu province;⁵⁹⁴ a monk detained for writing essays and publishing them to the Web in Gannan TAP;⁵⁹⁵ a monk detained for writing and publishing in Aba (Ngaba) Tibetan and Qiang Autonomous Prefecture, Sichuan province;⁵⁹⁶ and a monk-filmmaker who resided in Gannan TAP, hailed from Ganzi (Kardze) TAP, Sichuan province, and assisted a filmmaker from Haidong prefecture, Qinghai province, in making a documentary filmed in Qinghai.⁵⁹⁷

According to July and August 2009 reports, Qinghai authorities charged the filmmaker, Dondrub Wangchen, with "inciting separatism" and barred a Beijing-based lawyer from representing him.⁵⁹⁸ A non-governmental organization reported in September 2009 that authorities had formally arrested Dondrub Wangchen in July 2008 "under suspicion of 'inciting separatism and stealing, secretly gathering, purchasing, and illegally providing intelligence for an organisation, institution, or personnel outside the country.'"⁵⁹⁹ [For information on Tibetans sentenced on similar charges in Lhasa in November 2008, see table titled Lhasa Intermediate People's Court: Punishing Tibetans for Sharing Information With 'The Dalai Clique' below.]

Officials also targeted wider expressions of Tibetan cultural identity evident in pop culture, and penalized Tibetans who possessed copies of songs that officials deemed to be “reactionary.” Xin Yuanming, Deputy Director of the Lhasa City Public Security Bureau (PSB) said at a December 23, 2008, press conference that the PSB had “cracked down on illegal downloading and spreading of reactionary information”—a reference to “reactionary songs.”⁶⁰⁰ The police had “captured five criminal suspects” since December 4 at commercial sites in Lhasa who had “illegally downloaded reactionary songs from the Internet and sold them to people in the city in the form of CD’s, MP3, and MP4, and other electronic products to make excessive profit and to interfere and undermine the stable political situation in Lhasa City,” Xin said.⁶⁰¹ No details are available about any of the persons whom police detained for downloading, selling, or possessing “reactionary songs,” or about whether or not they faced criminal charges and trials. In a January to March 2009 “strike hard” campaign in Lhasa, public security officials detained two Tibetans for having recordings of “reactionary” songs on their cell phones.⁶⁰²

Where Are the Tibetan Political Protesters? Detained, Imprisoned, or Released?

The scale of the wave of Tibetan protests that began on March 10, 2008, and of the surge in political detention of Tibetans, far surpasses the amount of information available about the detainees.⁶⁰³ The Chinese government has provided almost no information about Tibetans whom security officials detained for peacefully protesting, or for peacefully expressing their views through means other than staging a political protest. As a result, non-governmental organizations (NGOs) and issue experts face (at present) insurmountable obstacles in creating an accurate account of the number of Tibetan political detainees and their status under China’s legal system (e.g., detained, released, imprisoned, or serving reeducation through labor).

The Commission’s Political Prisoner Database (PPD), for example, contained as of September 2009 a total of 670 records of Tibetans detained on or after March 10, 2008, for exercising rights such as the freedoms of speech, religion, assembly, and association. Of those 670 records—a number certain to be far short of the true number of political detentions during the period—the PPD listed 643 Tibetans as currently known or believed to be detained or imprisoned. The other 27 persons are recorded as released or deceased. Of the 643 records that

indicate current detention or imprisonment, the PPD provided a sentence length for only 105 records—a figure certain to be incomplete. A total of 538 of the 643 records of current detention contain no information about charges or sentencing. It is likely that Chinese authorities have sentenced some of those 538 Tibetans and released many of the others.

The Chinese government's failure to provide adequate information about the detention, prosecution, and release of Tibetans detained since March 10, 2008, makes it impossible for the Commission to determine which existing PPD records should reflect current detention or imprisonment, and which records should reflect release. In addition, missing and incomplete information prevents the Commission from creating additional records of Tibetan political detention to represent Tibetan political detainees and prisoners not yet recorded in the PPD. As a result, the PPD cannot accurately reflect the current status of an unusually large number of Tibetan political detainees and prisoners.

Summary Information: Tibetan Political Detention and Imprisonment

As of September 2009, the Commission's Political Prisoner Database (PPD) contained records of 715 Tibetan political prisoners believed to be currently detained or imprisoned. Of those 715 records of current Tibetan political imprisonment, 643 are records of Tibetans detained on or after March 10, 2008, and 72 are records of Tibetans detained prior to March 10, 2008. It is certain that PPD information is far from complete for the period after March 10, 2008. [See 2009 Overview—Where Are the Tibetan Political Protesters? Detained, Imprisoned, or Released? above.]

More than half (342) of the 643 Tibetan political prisoners believed to be currently detained or imprisoned and who were detained on or after March 10, 2008, are detained or imprisoned in Sichuan province, according to PPD data. The rest of the Tibetan political prisoners believed to be currently detained or imprisoned and who were detained on or after March 10, 2008, are detained or imprisoned in the Tibet Autonomous Region (129), Gansu province (92), Qinghai province (79), and Yunnan province (1) according to PPD information. The 72 Tibetans currently detained or imprisoned and who were detained prior to March 10, 2008, are detained or imprisoned in the TAR (35), Sichuan (30), Qinghai (4), or in an unknown location (3), according to PPD data.

Tibetan Buddhist monks and nuns make up 445 (62 percent) of the 715 cases of current Tibetan political detention and imprisonment, according to information available in the PPD. Of those 445 persons, 107 are nuns, 332 are monks, and the gender of 6 persons is unknown. Of the 107 nuns, 103 were detained on or after March 10, 2008; of the 332 monks, 292 were detained on or after March 10, 2008.

Sentencing information is available for only 146 of the 715 Tibetans the PPD records as believed to be currently imprisoned or detained, according to PPD data as of September 2009. Of the 146 Tibetan political prisoners for whom sentencing information is available, 104 were detained on or after March 10, 2008. The 104 sentences range in length from six months to life imprisonment.⁶⁰⁴ The average length of the 104 sentences imposed on Tibetan political prisoners detained on or after March 10, 2008, is approximately four years and eight months.⁶⁰⁵ Of the 146 Tibetan political prisoners for whom sentencing information is available, 42 were detained prior to March 10, 2008. The 42 sentences range in length from three years to life imprisonment. The average length of the 42 sentences currently being served by Tibetan political prisoners detained prior to March 10, 2008, is approximately 12 years and eight months.

Two non-governmental organizations published in 2009 lists of Tibetan prisoners detained in the period following March 2008. The International Campaign for Tibet (ICT) published on October 1, 2009, a list of 735 “Tibetans detained since March 2008.”⁶⁰⁶ The report did not state whether or not ICT considers all of the 735 Tibetans to be political prisoners. The Tibetan Centre for Human Rights and Democracy (TCHRD) published in January 2009 a list of 1,863 Tibetans reportedly detained or imprisoned since March 10, 2008.⁶⁰⁷ TCHRD did not represent the 1,863 listed Tibetans as “political prisoners,” or provide information about the activity that may have resulted in each detention.⁶⁰⁸ Of the 1,863 Tibetans, 1,386 are designated as detained and 477 are designated as released.⁶⁰⁹ Courts in various Tibetan autonomous areas by January had sentenced “at least” 190 of the Tibetans to imprisonment, TCHRD reported.⁶¹⁰

TCHRD reported in April 2009 that former Tibetan monk Jigme Gyatso⁶¹¹ (detained in 1996 and serving an extended 18-year sentence for printing leaflets, distributing posters, and later shouting pro-Dalai Lama slogans in prison) is “seriously ill following years of torture and ill-treatment.”⁶¹² The report provided no details on the illness. Jigme Gyatso is due for release in March 2014.⁶¹³ The Commission is not aware of new developments in the cases of monk

Choeying Khedrub⁶¹⁴ (sentenced in 2000 to life imprisonment for printing leaflets); reincarnated lama Bangri Chogtrul⁶¹⁵ (detained in 1999 and serving a sentence of 18 years commuted from life imprisonment for “inciting splittism”); or nomad Ronggyal Adrag (sentenced in November 2007 to 8 years’ imprisonment for shouting political slogans at a public festival).⁶¹⁶

2009 Developments

Tibetans in Ganzi TAP Dominate Reports of Peaceful Protest Activity

Ganzi (Kardze) Tibetan Autonomous Prefecture (TAP), Sichuan province, continues to be the area where Tibetans are most active in political protest against Chinese policies and implementation,⁶¹⁷ based on information available in the Commission’s Political Prisoner Database (PPD). Political detention of Tibetans in Ganzi accounted for 284 of the 670 political detentions of Tibetans (42 percent) in the period beginning March 10, 2008, based on information available in the PPD as of September 2009. It is certain that PPD documentation of Tibetan political detention since March 10, 2008, is incomplete. Political detention in Ganzi TAP accounted for 67 of the 119 Tibetans (56 percent) detained during the January to April 2009 period bracketing sensitive anniversaries and observances, according to PPD data as of September 2009.

Buddhist monks and nuns make up a significant proportion of PPD records of Tibetans detained in Ganzi TAP for political activity since March 10, 2008: 180 of the 284 PPD records (63 percent) of such political detentions are of Tibetan Buddhist monks and nuns,⁶¹⁸ based on PPD data as of September 2009. Unusually, the number of Tibetan Buddhist nuns detained in the period beginning on March 10, 2008, surpasses the number of monks: 104 nuns and 76 monks. The high proportion of nuns is due to a large number of Pangri Nunnery nuns detained during a May 14, 2008, protest march.⁶¹⁹ [See High-Profile Ganzi Defendant Gains a High-Profile Beijing Defense, below, for below for information on the prosecution of Phurbu Tsering, the head of Pangri Nunnery.]

Tibetan political protests in Ganzi TAP during the Commission’s 2009 reporting year generally have been small⁶²⁰—about half were carried out by a single person based on information available in the PPD—but the protests have been relatively numerous. For example,

based on the summary provided in “Tibetan Protests Continue During Period of Heightened Security” above, at least 19 of the 30 protests in the January to March period that resulted in a PPD detention record took place in Ganzi TAP, based on PPD data as of May 2009.⁶²¹ At least 9 of those 19 Ganzi TAP protests were carried out by a single Tibetan.⁶²² Although such protests are small, they reflect an individual’s decision to undertake risk in order to make a public statement.

Commission staff have not seen any published reports of the consequences of the “Measures for Dealing Strictly With Rebellious Monasteries and Individual Monks and Nuns” (the Ganzi Measures).⁶²³ The Commission’s 2008 Annual Report provided detailed analysis of the unprecedented measures, which seek to punish or eliminate from Ganzi prefecture’s Tibetan Buddhist institutions those monks, nuns, religious teachers, and monastic officials whom public security officials accuse of involvement in political protests in the prefecture. It is not known whether the harsh Ganzi Measures served to keep monastic protest in Ganzi at a level lower than it would otherwise have been, or if the measures instead antagonized monks and nuns and contributed to a relatively high level of political activism in the prefecture.

For information on a case of political detention and criminal prosecution of a Tibetan Buddhist teacher in Ganzi TAP, see box titled High Profile Ganzi Defendant Gains a High-Profile Beijing Defense below.

High-Profile Ganzi Defendant Gains a High-Profile Beijing Defense

One Ganzi TAP case of political detention in 2009 demonstrated both harmful and potentially positive aspects of the legal system’s function in China—the government’s questionable application of criminal charges to achieve an apparent political purpose, yet at the same time the defendant’s potential access to a competent and vigorous legal defense. On May 18, 2008, officials detained Phurbu Tsering, the head of Pangri Nunnery in Ganzi (Kardze) county, Ganzi TAP, Sichuan province, believed by Tibetan Buddhists to be a reincarnated teacher.⁶²⁴ Previously, on May 14, more than 50 Pangri nuns had staged a political protest; police detained and allegedly beat them.⁶²⁵ The nuns, reports said, were angered by demands during patriotic education classes to denounce the Dalai Lama and their teacher, Phurbu

Tsering.⁶²⁶

Additional information on Phurbu Tsering's case did not emerge until April 21, 2009, when Li Fangping, one of two Beijing-based lawyers⁶²⁷ representing Phurbu Tsering, said in an interview with an international media organization that the Ganzi Intermediate People's Court had put Phurbu Tsering on trial the same day on the charge of illegally possessing weapons⁶²⁸ (an offense under the Criminal Law, Article 128).⁶²⁹ Li reportedly described the charge as "untenable."⁶³⁰ On April 25, Jiang Tianyong, the other lawyer defending Phurbu Tsering, said in a telephone interview that the court would pronounce a verdict on April 28, and that Phurbu Tsering faced a second criminal charge: "embezzlement"⁶³¹ (an offense under the Criminal Law, Article 271).⁶³² Prosecutors accused him of attempting "to illegally take possession" of a home for the elderly that he had established.⁶³³ Jiang said in the interview that Phurbu Tsering anticipated that authorities would detain him because the Pangri nuns had staged a protest.⁶³⁴ On April 27, one of the judges contacted Jiang Tianyong to inform him that the court would not announce the verdict the following day, and that the court had postponed the verdict without setting a new date.⁶³⁵ No new developments in the case had been reported as of September 2009.

According to a translation of the lawyers' statement on behalf of Phurbu Tsering to the Ganzi Intermediate People's Court,⁶³⁶ some of the alleged flaws in the government's case against Phurbu Tsering included:

Coerced confession. At the Luhuo (Draggo) county detention center where authorities held Phurbu Tsering for arraignment: "He was handcuffed by an alternating hand each day to an iron pillar in the interrogation room and with arms outstretched and unable to sit down he was interrogated continuously for four days and four nights by a team of six people in three units of two people; at the same time defendant was told that if he did not confess that the weapons and explosive[s] were his, then his wife and son would be detained."⁶³⁷

Insufficient evidence to prove "illegally possessing weapons and explosives."⁶³⁸ The defense pointed to police failure to conduct tests and investigation that would conclusively show the gun and ammunition police found in Phurbu Tsering's residence were his, and that

he was not framed by someone who put the gun in his home.⁶³⁹ The evidence did not meet standards required under the PRC Criminal Procedure Law,⁶⁴⁰ and witnesses and experts failed to appear in court for cross examination.⁶⁴¹

Insufficient evidence to prove “illegally occupying state property.”⁶⁴² The defense outlined a complex series of factors including financial transactions and registrations in order to bring about the operation of an elderly persons’ home. The defense held that Phurbu Tsering had legally acquired the right to use state-owned land,⁶⁴³ that he had used his personal funds to pay for all the construction on the property,⁶⁴⁴ and that the home was registered as a “civic private non-enterprise” and was neither a collective work unit nor state-owned.⁶⁴⁵

Phurbu Tsering is the most senior Tibetan Buddhist figure whom Ganzi TAP officials have detained in the period following March 10, 2008. Two previous cases of imprisonment of popular Tibetan Buddhist teachers in Ganzi, however, stirred Tibetan resentment and established a precedent for Ganzi officials seeking to jail Tibetan Buddhist teachers on what Tibetans believe were fabricated or political accusations. In both cases, authorities sought to link the Tibetans to crimes of violence. In one case, the Ganzi Intermediate People’s Court in December 2002 convicted Tenzin Deleg on charges of “splittism” (Criminal Law, Article 103) and “causing explosions” (Criminal Law, Article 114) and sentenced him to death with a two-year reprieve (commuted to life imprisonment in January 2005).⁶⁴⁶ Tenzin Deleg claimed that he was innocent and denied that he confessed to the charges.⁶⁴⁷ In the other case, public security officials detained monk Sonam Phuntsog in October 1999 on “suspicion of taking part in a bombing incident.”⁶⁴⁸ The Ganzi Intermediate People’s Court convicted him on the charge of “splittism” in November 2000 and sentenced him to five years’ imprisonment.⁶⁴⁹

Lhasa Court Hands Down Long Sentences for Sharing Information

The Communist Party-run Lhasa Evening News (LEN) provided in November 2008 the first (and, so far, only)⁶⁵⁰ detailed official information about Tibetans convicted and sentenced to terms of imprisonment for non-violent activity that authorities seek to link to rioting on March 14, 2008, in and near Lhasa.⁶⁵¹ The LEN report asserted that a total of seven Tibetans prosecuted in four different cases had “endangered state security.”⁶⁵² All of the cases involved providing

information (“intelligence”) to Tibetan organizations based in India that are part of what the Chinese government and Communist Party refer to collectively as “the Dalai Clique.”⁶⁵³ The Lhasa Intermediate People’s Court sentenced one Tibetan to life imprisonment and six Tibetans to fixed terms of imprisonment ranging from 8 to 15 years on charges of “espionage” (PRC Criminal Law, Article 110) or “illegally sending intelligence abroad” (PRC Criminal Law, Article 111).⁶⁵⁴ [See table titled Lhasa Intermediate People’s Court: Punishing Tibetans for Sharing Information With “The Dalai Clique” below.]

The charges and sentences show how China’s law enforcement and judicial officials are able to exercise broad discretion in identifying and punishing behavior that they deem to “concern” or “harm” China’s security, honor, and interests. The court accused six of the defendants of activity “concerning the security and interests of the state” and one defendant of activity “harming the security and interests of the state,” according to information in the LEN report (summarized in the table below). The PRC Constitution (Article 54) states that Chinese citizens “must not commit acts detrimental to the security, honor, and interests of the motherland.”⁶⁵⁵ The Criminal Law chapter on “Crimes of Endangering National Security” (Articles 102 to 113), however, mentions the “security” of the state only once (in Article 102) and only with respect to colluding with a “foreign State”⁶⁵⁶—a description that is not applicable to “the Dalai Clique.” The chapter does not mention the “honor” or “interests” of the state or link them to specific crimes.

<i>Table 4: Lhasa Intermediate People’s Court: Punishing Tibetans for Sharing Information With “The Dalai Clique”⁶⁵⁷</i>					
Pinyin Name Tibetan Name	Alleged Activity	Criminal Charge	Criminal Law	Sentence Date	Sentence Length
<i>Wangdui</i> Wangdu	Copied “splittist” CD-ROMs and leaflets; sent “intelligence” to “the Dalai Clique”	“Espionage”	Art. 110	October 27, 2008	Life imprisonment
<i>Mima Dunzhu</i> Migmar Dondrub	Distributed “splittist” CD-ROMs and leaflets; sent “intelligence” to “the Dalai Clique”	“Espionage”	Art. 110	October 27, 2008	14 years
<i>Pingcuo Duoje</i> Phuntsog Dorje	“Collected intelligence”; “illegally sent intelligence abroad [to “the Dalai Clique”] via Wangdu”	Unlawfully provided “intelligence” to an organization or individual outside of China	Art. 111	October 27, 2008	9 years
<i>Ciwang Duoje</i> Tsewang Dorje	“Collected intelligence”; “illegally sent intelligence abroad [to “the Dalai Clique”] via Wangdu”	Unlawfully provided “intelligence” to an organization or individual outside of China	Art. 111	October 27, 2008	8 years

<i>Suolang Zhaba</i> Sonam Dragpa	Joined “the Dalai Clique’s ‘Tibetan Youth Congress,’” collected and sent “intelligence” to the TYC	Unlawfully provided “intelligence” to an organization or individual outside of China	Art. 111	October 27, 2008	10 years
<i>Yixi Quzhen</i> Yeshe Choedron	Received “financial aid” from “the Dalai Clique’s ‘Security Department’” for providing “intelligence and information”	“Espionage”	Art. 110	November 7, 2008	15 years
<i>Suolang Cidian</i> Sonam Tseten	Collected and provided “intelligence” to “the Dalai Clique’s ‘9, 10, 3’ [Gu-Chu-Sum] splittist organization”	Unlawfully provided “intelligence” to an organization or individual outside of China	Art. 111	November 7, 2008	10 years

At least two of the Tibetans sentenced for providing information to groups in India previously have served sentences as political prisoners, according to information in the Commission’s Political Prisoner Database (PPD). Wangdu, an HIV/AIDS activist when public security officials detained him on March 14, 2008, and a Jokhang Monastery monk prior to 1989, served eight years in prison after detention on March 8, 1989, the day martial law took effect in Lhasa after three days of protest and rioting.⁶⁵⁸ Phuntsog Dorje, a former employee of a Lhasa hotel popular with international backpackers and tourists, served 10 years’ imprisonment after detention in 1990 on suspicion of links to a pro-independence organization.⁶⁵⁹

Sentences for Lhasa “Rioters” Include Death, Death With Reprieve, Life Imprisonment

Nearly all of the information that Chinese government officials and state-controlled media have provided about the judicial punishment of Tibetans involved in protest activity has been about Tibetans convicted of committing alleged violent crimes, including arson and murder, during the “3.14 incident”—the protests in Lhasa and nearby communities on March 14 and 15, 2008.⁶⁶⁰ By the end of April 2009, TAR courts (principally the Lhasa Intermediate People’s Court) had sentenced 84 Tibetans to punishments ranging from fixed-term imprisonment to life imprisonment, and to sentences of death or death with a two-year reprieve.⁶⁶¹ The Chinese government so far has provided details on few of the cases, and has highlighted cases that involved the most serious consequences, such as civilian deaths due to alleged arson.⁶⁶² The PRC Criminal Procedure Law (CPL) requires a provincial high people’s court to review a death sentence and the Supreme People’s Court (SPC) to approve a death penalty before an execution is carried out.⁶⁶³ The CPL requires a provincial high people’s court to approve a sentence of

death with a two-year reprieve, and requires the SPC to approve the execution (if the sentence is not commuted).⁶⁶⁴

Official media reports disclosed that the Lhasa Intermediate People's Court had sentenced in April 2009 a total of 8 Tibetans accused of setting a total of five fires that killed a total of 13 persons: the court sentenced 2 of the Tibetans to death, 3 Tibetans to death with a two-year reprieve, 2 Tibetans to life imprisonment, and 1 Tibetan to 10 years' imprisonment.⁶⁶⁵ Chinese officials have stated that a total of 18 persons died as a result of the Lhasa riots.⁶⁶⁶ Information is not available about cases of criminal prosecution or sentencing arising from the five alleged deaths that the April verdicts did not address.

In a February 2009 interview, Kalsang Dorje (*Gesang Duoje*), Deputy Head of the Criminal Tribunal of the Lhasa People's Intermediate Court, and lawyer Sun Wenge of the Dingming Law Firm in Beijing defended the court's conduct of trials linked to the Lhasa rioting.⁶⁶⁷ The judge and lawyer asserted, "The court has designated defense lawyers for all the accused and the proceedings are conducted in Tibetan, so that the accused can receive ample defense and have their legitimate rights protected."⁶⁶⁸ The Chinese government has not permitted any independent entity to review and corroborate any such claims.

A Human Rights Watch (HRW) report stated in March 2009 that the organization had "examined dozens of court reports, statements by leading officials, local judicial statistics, and official Chinese press reports," and that the Chinese government had "refused every external request for a real accounting of the detention, arrest and sentencing of those involved with the Tibetan protests."⁶⁶⁹ HRW's analysis concluded that the judicial system (in Tibetan autonomous areas) was "so highly politicized as to preclude any possibility of protesters being judged fairly."⁶⁷⁰

Tibetan Bombers: An Exception to Peaceful Protest

In nine instances during the period following March 10, 2008, bombers allegedly set off small explosions that caused mostly minor damage to local government buildings or official property, according to reports. Chinese authorities alleged that Tibetans caused the blasts in seven of the nine incidents (see details below). Public reports had not disclosed any information about suspects in the other two explosions as of September 2009. Unidentified persons allegedly

may have positioned explosives that did not detonate in two additional cases, according to unconfirmed reports (see details below).

None of the 2008 and 2009 blasts resulted in reported injuries or casualties,⁶⁷¹ and none of the blasts were carried out in a manner that suggests the bombers intended to cause casualties.⁶⁷² Tibetans allegedly set off explosions in previous years in the central TAR (up to eight explosions in 1995 to 1996)⁶⁷³ and in Ganzi TAP (seven explosions in 1999, 2001, and 2002).⁶⁷⁴ The protests following March 10, 2008, differ from the previous Tibetan bombing incidents because the 2008 and 2009 explosions are concurrent with a surge of Tibetan political protest and official measures to repress and punish protest, and because the 2008 and 2009 explosions encompass a wider area of the eastern TAR and Ganzi TAP. [See information below for a description of the area.]

In 2008, Tibetans allegedly set off a total of five explosions in March,⁶⁷⁵ April,⁶⁷⁶ and September⁶⁷⁷ in a total of three counties located in Changdu (Chamdo) prefecture, Tibet Autonomous Region (TAR), according to international media organization reports and China's state-run media. In 2009, Tibetans allegedly caused two blasts in January in Changdu prefecture,⁶⁷⁸ and unidentified persons caused one blast in March in Ganzi (Kardze) Tibetan Autonomous Prefecture (TAP),⁶⁷⁹ Sichuan province, and another blast in March in Guoluo (Golog) TAP, Qinghai province.⁶⁸⁰ Public security officials in Changdu prefecture in January 2009 reportedly discovered several kilograms of explosives under a bridge,⁶⁸¹ and a People's Armed Police newspaper published a claim in March 2009 that PAP patrolling the Lhasa railway station "in early spring" found and destroyed a pink suitcase packed with explosives.⁶⁸²

If the reports of bombings are accurate, and if Tibetans carried them out, it demonstrates that a small number of Tibetans (including monks) decided to carry out such attacks despite calls from the Dalai Lama to avoid violence,⁶⁸³ and as an exception to the generally peaceful nature of Tibetan protest. It is not clear, based on available information, whether such incidents result from isolated instances of extreme anger, or if the bombings collectively indicate an emerging pattern of exception to the Tibetan preference for peaceful protest.

The geographic concentration of the alleged bombings suggests a regional pattern—eight of the nine incidents took place in two adjoining prefectures in the eastern Tibetan area that Tibetans know traditionally as Kham.⁶⁸⁴ A more distinct geographic concentration of the Tibetan expression of resentment against Chinese government policy following March 10, 2008, is evident if peaceful protest is considered along with alleged incidents of bombing. Peaceful protest or alleged bombings (or both) reportedly had taken place by the end of April 2009 in a 16-county contiguous area of Chamdo prefecture and Ganzi TAP that straddles the Yangtze (Chang Jiang, Driчу) River.⁶⁸⁵

ENDNOTES

¹ When Chinese government and Party officials refer to “Tibet,” they generally refer to the area of what is today the Tibet Autonomous Region.

² See, e.g., “Top Lawmakers of China, U.S. Meet on Wide-Ranging Issues,” Xinhua (Online), 27 May 09. Wu Bangguo, Chairman of the Standing Committee of the National People’s Congress (and a member of the Standing Committee of the Politburo of the Central Committee of the Communist Party) told Speaker Nancy Pelosi of the U.S. House of Representatives that “The key to the bilateral relationship lies in respecting and taking care of each other’s core interests,” and identified “Taiwan and Tibet” as “the most important and sensitive ones.”

³ “Wrong Stance on Tibet Hinders Ties With China,” People’s Daily, 2 March 09, reprinted in China Daily (Online), 5 March 09. The People’s Daily opinion advanced the notion that other countries in the West would find “cooperation” with China “impossible” unless countries “develop an objective and unbiased stance on Tibet.”

⁴ Guo Jiping, “Mistaken Knowledge About Tibet Runs Contrary to Development, Progress,” People’s Daily, 2 March 09 (translated in Open Source Center, 3 March 09). “The crux of the so-called ‘Tibet question’ is not really a question of nationality, religion or human rights, but a question of damaging China’s sovereignty, destroying China’s territorial integrity, and involves China’s core interests.” “Dalai by No Means a Religious Figure, but a Political One: Chinese FM,” Xinhua (Online), 7 March 09. Minister of Foreign Affairs Yang Jiechi said, “The difference between China and [the] Dalai Lama has nothing to do with religion, human rights, ethnic relations and culture. It is an issue of whether to defend China’s unity against attempts to separate Tibet from China.”

⁵ “Hu Calls for Great Wall of Stability in Tibet,” Xinhua (Online), 9 March 09.

⁶ Prepared Statement of Dai Bingguo, State Councilor of the People’s Republic of China, The Brookings Institution (Online), “Address at the Dinner Marking the 30th Anniversary of the Establishment of China-US Diplomatic Relations Hosted by the Brookings Institution,” 11 December 08.

⁷ Ibid.

⁸ Yan Feng, “PRC Embassy in the US Issues a Press Communiqué Marking the 30th Anniversary of the Establishment of China-US Diplomatic Relations,” Xinhua, 1 January 09 (translated in Open Source Center, 2 January 09).

⁹ “PRC Embassy in the US Issues a Press Communiqué Marking the 30th Anniversary of the Establishment of China-US Diplomatic Relations,” Xinhua, 1 January 09 (translated in Open Source Center, 2 January 09). The complete sentence provided in the communiqué: “In the final analysis, China-US relations will surely achieve sustained progress and be more successful in bringing benefit to the two countries and the two peoples so long as the two countries can firmly keep to the general direction of constructive cooperation in their bilateral relations, stay committed to closer dialogues, cooperation and exchanges, earnestly respect and accommodate each other’s core interests and major concerns, and properly handle such differences and sensitive issues such as trade imbalance, IPR protection, Taiwan, Tibet, human rights, and freedom of religious belief.”

¹⁰ “Communist Party Adds Tibetan Affairs Bureau to the United Front Work Department,” Congressional Executive Commission on China (Online), 12 September 06. The CECC article describes the United Front Work Department: “The UFD oversees the implementation of Party policy toward China’s eight “democratic” political parties, ethnic and religious groups, intellectuals, and entrepreneurs, among other functions.”

¹¹ “China’s Official Brain Truster Expresses Position on the Situation in Tibet on the ‘Sensitive Day,’” Zhongguo Tongxun She, 10 March 09 (translated in Open Source Center, 10 March 09). The article describes Zhu Xiaoming as “secretary of the party group of the China Tibetology Research Center in Beijing” and as “the person in charge of the official think tank.” (Zhu Xiaoming was Deputy Secretary General of the Communist Party United Front Work Department in 2002.)

¹² Ibid. Zhu Xiaoming said: “On the issue of responding to the financial crisis, China’s stable development is in itself the best help to the world to deal with the crisis.”

¹³ Ibid. “However, some people in the West, on the one hand, make China undertake more responsibilities and contribute more to handling the crisis; and, on the other, exploit the question of Tibet to create trouble for China,” “which is self-contradictory.” (E.g., if people in the West support the Tibet issue, that forces the Chinese government to put more government resources into managing the Tibet “crisis,” which in turn forces the government to contribute less to recovery from the financial crisis, which in turn undermines China’s capacity to “help the world.”)

¹⁴ “Wrong Stance on Tibet Hinders Ties With China,” People’s Daily, 2 March 09, reprinted in China Daily (Online), 5 March 09. “With China’s status rising on the world stage and contacts deepening with the rest of the world, Western ideas about Tibet are also changing. . . . Relations between China and the rest of the world have experienced a historic transition. China’s development is now tied to the world’s, while the rest of the world also needs greater cooperation with China.”

¹⁵ Ibid. “However, it is impossible for the West to cooperate with China unless it develops an objective and unbiased stance on Tibet.”

¹⁶ Guo Jiping, “Mistaken Knowledge About Tibet Runs Contrary to Development, Progress,” People’s Daily, 2 March 09 (translated in Open Source Center, 3 March 09).

¹⁷ Zhang Haizhou, “The Time Has Come for Country To Set Its Own Rules in Diplomacy,” China Daily (Online), 12 March 09. “But the ‘China doctrine’ is a totally new concept to the international community and in the international relations discipline. So why is China pursuing it? And what principles are at its core? . . . In an earlier interview, China’s ambassador to Germany Ma Canrong told me many Westerners still do not understand that Tibet is China’s core concern.”

¹⁸ Ibid. According to the China Daily article: Yang used the news conference as an opportunity to let the world know the autonomous region is integral to China’s core interest. He urged the international community “to not allow the Dalai Lama to visit their countries” and “to not allow him to use their territories to separate Tibet from China.” “PRC Foreign Minister Yang Jiechi’s News Conference With Chinese and Foreign Media at the Great Hall of the People in Beijing,” China Central Television, 7 March 09 (translated in Open Source Center, 10 March 09). According to the transcript, Yang said: “In handling their relations with China, no country in the world should allow Dalai to pay visits or use their territory to engage in separatist activities. That should be within the norms of international relations, not a so-called special favor to China. We simply hope that various countries would do things according to the standards they have established and proclaimed to the outside world, which is to respect the norms of international relations, respect international law, respect China’s Constitution, and respect China’s law of autonomy in ethnic regions.”

¹⁹ Gao Zugui, “‘Tibet Issue’ a Thorn in China-Europe Ties,” China Daily, reprinted in Xinhua (Online), 19 June 09. (The CICIR was established in 1960 through an initiative by Mao Zedong and Zhou Enlai to provide the Chinese government with policy studies. “China Institute of Contemporary International Relations (CICIR),” Japan Center for International Exchange (Online), last visited 20 June 09.)

²⁰ Ibid.

²¹ Ibid.

²² Among the types of U.S. Treasury securities are Treasury notes, Treasury bills, Treasury bonds, Treasury Inflation-Protected Securities (TIPS), and savings bonds. U.S. Department of the Treasury, “Treasury Securities & Programs,” last visited 15 October 09.

²³ Li Hongmei, “Meetings With the Dalai Lama Should Be Deterred, Not Just Deferred,” People’s Daily (Online), 24 September 09. See also “PRC Foreign Minister Yang Jiechi’s News Conference With Chinese and Foreign Media at the Great Hall of the People in Beijing,” China Central Television, 7 March 09 (translated in Open Source Center, 10 March 09). According to the transcript, Yang said: “In handling their relations with China, no country in the world should allow Dalai to pay visits or use their territory to engage in separatist activities. That should be within the norms of international relations, not a so-called special favor to China.

²⁴ See, e.g., U.S. Department of the Treasury, “Major Foreign Holders of Treasury Securities,” 16 September 09. According to the data table, as of July 2009, China (US\$800.5 billion) was the largest “major foreign holder” of U.S.

Treasury securities, followed by Japan (US\$724.5 billion). Based on data in the table, China's holdings of U.S. Treasury securities made up 23.4 percent of the grand total of U.S. Treasury securities (US\$3.428 trillion) held by "major foreign holders." U.S. Department of the Treasury, "Treasury Securities & Programs," last visited 15 October 09. Among the types of U.S. Treasury securities are Treasury notes, Treasury bills, Treasury bonds, Treasury Inflation-Protected Securities (TIPS), and savings bonds.

²⁵ Office of the Press Secretary, The White House, "Press Briefing by Press Secretary Robert Gibbs," 6 October 09. Referring to a meeting "later in the year," the Press Secretary said, "It's the time in which both parties thought it would be the best time to meet."

²⁶ Li Hongmei, "Meetings With the Dalai Lama Should Be Deterred, Not Just Deferred," People's Daily (Online), 24 September 09. According to the article, ". . . Obama has quietly postponed an audience with the Dalai Lama until after his first official visit to China in November"

²⁷ Lodi Gyaltzen Gyari, "Getting It Straight on the Dalai Lama," Washington Post (Online), 7 October 09. In a Letter to the Editor, the Dalai Lama's Special Envoy, Lodi Gyari, stated that "we were involved in the decision for President Obama to meet His Holiness after the U.S.-China summit and not during his visit to Washington this week." International Campaign for Tibet (Online), "Dalai Lama Arrives in US: Schedule for Washington, DC, Visit (October 5-10)," 24 September 09. The article states that the Dalai Lama would be in Washington, DC from October 5 to 10.

²⁸ See, e.g., John Pomfret, "Obama's Meeting With the Dalai Lama Is Delayed: Move Appears To Be a Nod to Chinese," 5 October 09. The article links postponement of the meeting to what U.S. Administration officials reportedly referred to as a policy of "strategic reassurance" that "entails the U.S. government taking steps to convince China that it is not out to contain the emerging Asian power."

²⁹ Office of the Press Secretary, The White House, "Press Briefing by Press Secretary Robert Gibbs," 6 October 09. Asked why the President was "skipping" a meeting with the Dalai Lama, the Press Secretary said, "I saw something that said a meeting had been postponed, and that's simply inaccurate." Lodi Gyaltzen Gyari, "Getting It Straight on the Dalai Lama," Washington Post (Online), 7 October 09. In a Letter to the Editor, the Dalai Lama's Special Envoy, Lodi Gyari, referred to the October 5 Washington Post article titled "Obama's Meeting With the Dalai Lama Is Delayed" and said the article "failed to state clearly that we were involved in the decision for President Obama to meet His Holiness after the U.S.-China summit and not during his visit to Washington this week." Gyari stated, "We came to this arrangement because we believe that it is in our long-term interests."

³⁰ Li Hongmei, "Meetings With the Dalai Lama Should Be Deterred, Not Just Deferred," People's Daily (Online), 24 September 09.

³¹ Ibid.

³² Ibid.

³³ See *The Crisis in Tibet: Finding a Path to Peace*, Hearing of the Committee on Foreign Relations, U.S. Senate, 23 April 08, Written Statement Submitted by Steven Marshall, Senior Advisor, Congressional-Executive Commission on China. "Tibetan protestors, in their widespread calls for Tibetan independence, have provided an unprecedented referendum on China's autonomy system. Weak implementation of the Regional Ethnic Autonomy Law is a principal factor preventing Tibetans from protecting their culture, language, and religion. The Chinese leadership's refusal to recognize the role of Chinese policy in driving Tibetan discontent, and their insistence on blaming the Dalai Lama, puts the leadership in an increasingly risky position."

³⁴ CECC staff research cannot locate any information indicating that a government maintaining diplomatic relations with China challenges China's sovereignty over the Tibetan areas of China.

³⁵ See, e.g., European Parliament (Online), European Parliament Resolution of 10 April 2008 on Tibet, 10 April 08. The EU Parliament resolution welcomes the Dalai Lama's proposal for "genuine cultural and political autonomy and religious freedom" and "reaffirms its attachment to China's territorial integrity." Parliament of Canada, "Journals of the Senate," 1st Session, 39th Parliament, Issue 70, 14 February 07. In Order No. 14, the Canadian Senate does not explicitly criticize Chinese government policy and implementation, but the Senate does it does urge the Chinese government and the Dalai Lama in a forward-looking manner that will lead to pragmatic solutions that respect the

Chinese constitutional framework, the territorial integrity of China and fulfill the aspirations of the Tibetan people for a unified and genuinely autonomous Tibet.”

³⁶ Office of the Special Coordinator for Tibetan Issues, U.S. Department of State, Report on Tibet Negotiations, April 2008. The Report is mandated by Section 611 of the Foreign Relations Authorization Act, 2003. “The United States recognizes the Tibet Autonomous Region (TAR) and Tibetan autonomous prefectures and counties in other provinces to be a part of the People’s Republic of China. This long-standing policy is consistent with the view of the international community.”

³⁷ A Year After the March 2008 Protests: Is China Promoting Stability in Tibet?, Staff Roundtable of the Congressional-Executive Commission on China, 13 March 09, Written Statement of Warren W. Smith, Writer, Radio Free Asia, Tibetan Service.

³⁸ Austin Ramzy, “Failed Government Policies Sparked Tibet Riots,” Time Magazine (Online), 26 May 09. The article refers to the Open Constitution Initiative as “a Beijing-based think tank,” and describes OCI as “a six-year-old NGO run by Chinese lawyers. The group focuses on issues such as last year’s tainted milk powder scandal and reform of China’s household registration policy, which limits migration from the countryside to cities.” Edward Wong, “Report Says Valid Grievances at Root of Tibet Unrest,” New York Times (Online), 5 June 09. The article stated that, according to the report, “[The] Tibetan riots and protests of March 2008 were rooted in legitimate grievances brought about by failed government policies—and not through a plot of the Dalai Lama, the exiled Tibetan spiritual leader.”

³⁹ Gongmeng Law Research Center, “An Investigative Report Into the Social and Economic Causes of the 3.14 Incident in Tibetan Areas,” Google Docs (Online), translated in International Campaign for Tibet (Online), “Bold Report by Beijing Scholars Reveals Breakdown of China’s Tibet Policy,” 1 June 09. OCI described “the 3.14 incident,” which is not constrained either to Lhasa or to March 14, 2008, in the first sentence of the Foreword: “From March to April of 2008, a series of mass violent incidents occurred in the Lhasa, Gannan [Tib: Kanlho, in Gansu province] and Aba [Tib: Ngaba, in Sichuan province] regions of our country.”

⁴⁰ “Crush ‘Tibet Independence’ Forces’ Conspiracy, People’s Daily Urges,” Xinhua, reprinted in People’s Daily (Online), 22 March 08. “Evidence shows that the violent incidents were created by the ‘Tibet independence’ forces and masterminded by the Dalai Lama clique with the vicious intention of undermining the upcoming Olympics and splitting Tibet from the motherland.”

⁴¹ Gongmeng Law Research Center, “An Investigative Report Into the Social and Economic Causes of the 3.14 Incident in Tibetan Areas,” Google Docs (Online), translated in International Campaign for Tibet (Online), “Bold Report by Beijing Scholars Reveals Breakdown of China’s Tibet Policy,” 1 June 09. “The 3.14 incident of course had its external causes, such as the political and religious demands from groups of Tibetans in exile overseas, and the influence of the Dalai Lama abroad. However, such a large social contradiction could not have been created solely by external factors; there must have been internal causes, but the news reports gave little detailed consideration to exposing the social roots of these violent incidents.”

⁴² Although authorities generally refer only to “Lhasa” and only to the date “3.14,” some of the violent activity took place in counties adjacent to Lhasa city and under Lhasa municipality administration (e.g., Linzhou (Lhundrub), Dazi (Tagtse), and Duilongdeqin (Toelung Dechen) counties), and some of the violent activity took place on March 15 (e.g., in Dazi county). “Judgments Pronounced Publicly on Some Defendants Involved in Lhasa’s ‘14 March’ Incident,” Xinhua, 29 April 08 (Open Source Center, 30 April 08). The Xinhua article refers to five monks sentenced for rioting in Dechen township of Duilongdeqing county. “94 Criminal Suspects in Linzhou County Surrender Themselves to Justice,” Tibet Daily, 19 March 08 (Open Source Center, 19 March 08). The Tibet Daily article reports the surrender of persons allegedly involved in “serious incidents of beating, smashing, looting, and burning” in Linzhou county. “Tibet Issues Arrest Warrants for 16 Suspects in Riot,” Xinhua (Online), 5 April 08. According to the April article in Xinhua, the 16 suspects allegedly took part in a March 15 riot in Dechen township, located in Dazi county.

⁴³ Edward Wong, “Report Says Valid Grievances at Root of Tibet Unrest,” New York Times (Online), 5 June 09.

⁴⁴ Gongmeng Law Research Center, “An Investigative Report Into the Social and Economic Causes of the 3.14 Incident in Tibetan Areas,” Google Docs (Online), translated in International Campaign for Tibet (Online), “Bold

Report by Beijing Scholars Reveals Breakdown of China's Tibet Policy," 1 June 09. According to ICT, the Chinese-language report was posted online on May 12, 2009. According to the report, Gongmeng researchers conducted their investigation in two county-level areas of the TAR (Lhasa city, the capital of the TAR, and Naidong (Nedong) county, the location of Zedang (Tsethang), the capital of Shannan (Lhoka) prefecture), and two county-level areas of Gannan (Kanlho) Tibetan Autonomous Prefecture, Gansu Province (Hezuo (Tsoe) city, and Xiahe (Sangchu) county). Edward Wong, "Report Says Valid Grievances at Root of Tibet Unrest," *New York Times* (Online), 5 June 09. "[The report] represents the first independent investigation into the causes of the widespread protests, . . ." (The OCI report did not include research and analysis of reported rioting in Aba (Ngaba) Tibetan and Qiang Autonomous Prefecture, Sichuan province.)

⁴⁵ "Kham," on a current map of China, would include: part of Chamdo prefecture in the eastern Tibet Autonomous Region (TAR); part of southeastern Yushu (Yushul) Tibetan Autonomous Prefecture (TAP) in Qinghai province; Ganzi (Kardze) TAP and Muli (Mili) Tibetan Autonomous County in Sichuan province; and Diqing (Dechen) TAP in Yunnan province.

⁴⁶ Gongmeng Law Research Center, "An Investigative Report Into the Social and Economic Causes of the 3.14 Incident in Tibetan Areas," Google Docs (Online), translated in International Campaign for Tibet (Online), "Bold Report by Beijing Scholars Reveals Breakdown of China's Tibet Policy," 1 June 09. For example: the report states that external causes such as "the political and religious demands from groups of Tibetans in exile overseas, and the influence of the Dalai Lama abroad," played a role in the "3.14" incident; the report mentions the Dalai Lama only 3 times and does not introduce the topic of the China-Dalai Lama dialogue; the report refers 29 times to "contradictions" [a vague term Party and government officials use to refer to problems arising from social and economic conditions and policies]. The report states that the Party-led system of regional ethnic autonomy is generally successful and utilizes Party terminology in doing so: "Since the establishment of the new China and under the leadership of the Party and government, regional ethnic autonomy has generally been realized in the Tibetan region of Amdo, and the Tibetan people have exercised the right to be their own masters."

⁴⁷ Ibid.

⁴⁸ Ibid.

⁴⁹ "The transmission of Tibetan Buddhism" refers to the Tibetan Buddhist process of identifying and educating Tibetan Buddhist teachers whom Tibetan Buddhists believe are reincarnations of a teacher who passed away. See, e.g., "New Legal Measures Assert Unprecedented Control Over Tibetan Buddhist Reincarnation," Congressional-Executive Commission on China (Online), 22 August 07; State Administration for Religious Affairs, Measures on the Management of the Reincarnation of Living Buddhas in Tibetan Buddhism [Zangchuan fojiao huofu zhuanshi guanli banfa], issued 13 July 07, effective 1 September 07.

⁵⁰ See section, "Memorandum's Vision of Autonomy and China's Hierarchy of People's Congresses and Governments" for an analysis of local autonomous governments' right to pass legal measures. Local autonomous governments are not empowered by China's legal system to pass "laws" or "regulations," but they may issue "self-governing regulations" and "separate regulations" within certain limitations.

⁵¹ A Year After the March 2008 Protests: Is China Promoting Stability in Tibet?, Staff Roundtable of the Congressional-Executive Commission on China, 13 March 09, Testimony of Tseten Wangchuk, Senior Research Fellow, Tibet Center, University of Virginia; Senior Editor, Voice of America, Tibetan Language Service.

⁵² Gongmeng Law Research Center, "An Investigative Report Into the Social and Economic Causes of the 3.14 Incident in Tibetan Areas," Google Docs (Online), translated in International Campaign for Tibet (Online), "Bold Report by Beijing Scholars Reveals Breakdown of China's Tibet Policy," 1 June 09, Section III, b. The report addresses "the new aristocracy" in the section on "Problems in Power Structures Within Regional Autonomy in Tibetan Areas," and states that such problems "inevitably lead to a high incidence of corruption and dereliction of duty."

⁵³ A Year After the March 2008 Protests: Is China Promoting Stability in Tibet?, Staff Roundtable of the Congressional-Executive Commission on China, 13 March 09, Testimony of Tseten Wangchuk, Senior Research Fellow, Tibet Center, University of Virginia; Senior Editor, Voice of America, Tibetan Language Service.

⁵⁴ Edward Wong, “China Shuts Down Office of Volunteer Lawyers,” *New York Times* (Online), 17 July 09; “China v. Civil Society,” *Wall Street Journal* (Online), 21 July 09.

⁵⁵ Edward Wong, “China Shuts Down Office of Volunteer Lawyers,” *New York Times* (Online), 17 July 09.

⁵⁶ *Ibid.*

⁵⁷ “China Detains Tibetan Monks Protesting on Key Anniversary,” *Radio Free Asia* (Online), 10 March 08.

⁵⁸ CECC, 2008 Annual Report, 31 October 08, 183-200. See also, *The Crisis in Tibet: Finding a Path to Peace*, Hearing of the Committee on Foreign Relations, U.S. Senate, 23 April 08, Written Statement Submitted by Steven Marshall, Senior Advisor, Congressional-Executive Commission on China; “Protests Fueled by Patriotic Education Continue Amidst Lockdowns,” *Congressional-Executive Commission on China* (Online), 10 April 08.

⁵⁹ CECC, 2008 Annual Report, 31 October 08, 187.

⁶⁰ For example, “a Beijing-based source with contacts in Tibetan areas” told Reuters after hundreds of Tibetans “rioted” in Lajia (Ragya) township, Qinghai province: “Protesters know they could be arrested and beaten up for shouting slogans or distributing leaflets near police stations or barracks, but they are not afraid. It’s a sign they have given up all hope.” Emma Graham-Harrison, “Riot Shows Desperate Tibetans May Defy Security,” *Reuters* (Online), 23 March 09. The alleged “riot” took place on March 21, 2009. “Lawbreakers Who Participated in Attacking the Police Station in Ragya Township and Assaulting Policemen and Government Workers Were All Brought to Justice,” *Xinhua*, 22 March 09 (Open Source Center, 22 March 09).

⁶¹ During the Commission’s 2009 Annual Report period, there were few exceptions to peaceful protest. Small-scale bombings allegedly carried out by Tibetans resulted in property damage, but not injuries or deaths, based on reports observed by the Commission during the Commission’s 2009 Annual Report period. See, e.g., “Tibetan Protesters Beaten, Detained,” *Radio Free Asia* (Online), 21 January 09 (reports an alleged bombing in Jiangda (Jomda) county, Changdu (Chamdo) prefecture, TAR); Audra Ang, “Bomb Lobbed at Police Station in China’s West,” *Associated Press*, reprinted in *Google* (Online), 17 March 09 (reports a bombing in Litang (Lithang) county, Ganzi (Kardze) TAP, Sichuan province); “Police Probe Six Suspects Over NW China Police Car Explosion,” *Xinhua* (Online), 10 March 09 (reports a bombing in Banma (Pema) county, Guoluo (Golog) TAP, Qinghai province).

⁶² Steven Marshall and Susette Cooke, *Tibet Outside the TAR: Control, Exploitation and Assimilation: Development With Chinese Characteristics* (Washington, DC: self-published CD-ROM, 1997), Table 7. The 13 Tibetan autonomous areas include the provincial-level Tibet Autonomous Region (TAR), with an area of 1.2 million square kilometers (463,320 square miles), as well as 10 Tibetan autonomous prefectures (TAP) and two Tibetan autonomous counties (TAC) located in Qinghai, Gansu, Sichuan, and Yunnan provinces. Qinghai province: Yushu TAP, 197,791 square kilometers (76,367 square miles); Guoluo (Golog) TAP, 78,444 square kilometers (30,287 square miles); Huangnan (Malho) TAP, 17,901 square kilometers (6,912 square miles); Hainan (Tsolho) TAP, 41,634 square kilometers (16,075 square miles); Haibei (Tsojang) TAP, 52,000 square kilometers (20,077 square miles); Haixi (Tsonub) Mongol and Tibetan AP, 325,787 square kilometers (125,786 square miles). Gansu province: Gannan (Kanlho) TAP, 45,000 square kilometers (17,374 square miles); Tianzhu (Pari) TAC, 7,150 square kilometers (2,761 square miles). Sichuan province: Ganzi (Kardze) TAP, 153,870 square kilometers (59,409 square miles); Aba (Ngaba) Tibetan and Qiang AP, 86,639 square kilometers (33,451 square miles); Muli (Mili) TAC, 11,413 square kilometers (4,407 square miles). Yunnan province: Diqing (Dechen) TAP, 23,870 square kilometers (9,216 square miles). The Table provides areas in square kilometers; conversion to square miles uses the formula provided on the Web site of the U.S. Geological Survey (USGS): one square kilometer = 0.3861 square mile. Based on data in the Table, the 10 TAPs and 2 TACs have a total area of approximately 1.04 million square kilometers (402,000 square miles). The TAR and the Tibetan autonomous prefectures and counties are contiguous and total approximately 2.24 million square kilometers (865,000 square miles). Xining city and Haidong prefecture, located in Qinghai province, have a total area of 20,919 square kilometers (8,077 square miles) and are not Tibetan autonomous areas.

⁶³ Office of the Special Coordinator for Tibetan Issues, U.S. Department of State, *Report on Tibet Negotiations*, March 2009. The Report is mandated by Section 611 of the Foreign Relations Authorization Act, 2003.

⁶⁴ *Ibid.*

⁶⁵ Ibid.

⁶⁶ “Memorandum on Genuine Autonomy for the Tibetan People,” Tibetan Government-in-Exile (Online), 16 November 08.

⁶⁷ “Dalai Lama Says He Is Loosing Faith on Talks With China,” Phayul (Online), 26 October 09. Speaking on October 25, 2008, just before the eighth round of dialogue took place, the Dalai Lama referred to an upcoming November meeting of Tibetans and said, according to the report: “So, in the coming meeting Tibetan people must take serious responsibility to discuss the future course of action on Tibet and find out where what has stalled our dialogue process.” “Official: Dalai Lama ‘Stubborn in Talks, Not True to His Word,’” Xinhua, reprinted in People’s Daily (Online), 26 March 09. According to the article, Zhu Weiqun said the talks were “stuck in a very difficult position.” “19th Task Force Meeting Starts in Dharamsala,” Tibetan Government-in-Exile (Online), 16 June 09. The article states that the dialogue “came to a standstill.”

⁶⁸ “China-Dalai Lama Dialogue Round Ends: Party Restates Hard Line, Tibetans Begin Meeting,” Congressional-Executive Commission on China (Online), 17 November 08. The report discusses the seventh round of dialogue in July 2008 and the eighth round in November 2008. “Dalai Lama’s Envoys To Begin China Visit on May 3,” Congressional-Executive Commission on China (Online), 5 May 08. The report lists the first six sessions of dialogue: September 2002, May-June 2003, September 2004, June-July 2005, February 2006, and June-July 2007. All of the rounds of dialogue took place in China except in 2005, when the envoys met their counterparts in Bern, Switzerland.

⁶⁹ The Dalai Lama lives in exile near the town Dharamsala, located in the state of Himachal Pradesh, India. The Tibetan government-in-exile is based near the Dalai Lama’s residence. Office of His Holiness the Dalai Lama (Online), “Contact,” last visited 9 June 09; “CTA Contact Addresses,” Tibetan Government-in-Exile (Online), 26 February 08.

⁷⁰ The United Front Work Department has functioned as the Dalai Lama’s envoys’ hosts and interlocutors since formal dialogue resumed in 2002. “Communist Party Adds Tibetan Affairs Bureau to the United Front Work Department,” Congressional Executive Commission on China (Online), 12 September 06. The CECC article describes the United Front Work Department: “The UFWD oversees the implementation of Party policy toward China’s eight ‘democratic’ political parties, ethnic and religious groups, intellectuals, and entrepreneurs, among other functions.”

⁷¹ “China-Dalai Lama Dialogue Round Ends: Party Restates Hard Line, Tibetans Begin Meeting,” Congressional-Executive Commission on China (Online), 17 November 08; “Statement by Special Envoy of His Holiness the Dalai Lama, Kasur Lodi Gyaltzen Gyari,” Tibetan Government-in-Exile (Online), 5 July 08.

⁷² The Hui are a Chinese-speaking, principally Muslim ethnic minority.

⁷³ “Dalai Lama Urged To Truly Not Support ‘Tibet independence’,” Xinhua (Online), 6 November 08.

⁷⁴ “Statement of Special Envoy Kasur Lodi Gyari, Head of the Tibetan Delegation, Following the 8th Round of Discussions With Representatives of the Chinese Leadership,” Tibetan Government-in-Exile (Online), 6 November 08.

⁷⁵ “Memorandum on Genuine Autonomy for the Tibetan People,” Tibetan Government-in-Exile (Online), last visited 16 November 08. The Memorandum’s original language is: “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.”

⁷⁶ Ibid.

⁷⁷ “Du Qinglin Meets the Dalai Lama’s Personal Representatives and Their Entourage,” Xinhua, 6 November 08 (translated in Open Source Center, 7 November 08).

⁷⁸ Ibid.

⁷⁹ Ibid.

⁸⁰ Ibid.

⁸¹ State Council Information Office, “Transcript of PRC State Council Information Office 10 November News Briefing on Contacts and Talks With the Dalai Lama’s Private Representatives,” 10 November 08 (translated in Open Source Center, 13 November 08). “When we held talks with Gyari and his party, we pointed this out to them first: during the contacts last July, you pledged that you would not have any problem meeting the Central Government’s ‘four not-support’ requirement.”

⁸² “The Responsible Person of the Central United Front Work Department Answers Xinhua Reporter’s Questions on the Recent Contact With Dalai Lama’s Personal Representatives,” Xinhua, 6 July 08 (Open Source Center, 7 July 08). The “four no supports” directed the Dalai Lama to “give an open and explicit promise and take corresponding actions” that he would give (ordered as in Xinhua) “no support for activities that aimed to disturb and sabotage the Beijing Olympic Games”; “no support for and making no attempt to conspire and incite violent criminal activities”; “no support for and taking earnest steps to check the violent terrorist activities of the ‘Tibetan Youth Association’” [Tibetan Youth Congress]; and “no support for any propositions [*zhuzhang*] or activities that sought to achieve ‘Tibet independence’ and split the motherland.”

⁸³ “China Demands That the Dalai Lama Fulfill Additional Preconditions to Dialogue,” Congressional-Executive Commission on China (Online), 30 July 08.

⁸⁴ Ibid. The Dalai Lama has expressed support for the 2008 Beijing Olympic Games; he counsels Tibetans not to engage in violent activity; he does not lead the Tibetan Youth Congress (which does not support the Dalai Lama’s Middle Way Approach); he seeks “genuine autonomy,” not independence. The Dalai Lama’s Special Envoy said in his July 5, 2008, statement that the envoys “categorically rejected the Chinese attempt to label [the TYC] as a violent and terrorist organization.”

⁸⁵ Ibid. “Beijing Holds Talks With Dalai’s Representatives,” Xinhua, reprinted in China Daily (Online), 3 July 08.

⁸⁶ State Council Information Office, “Transcript of PRC State Council Information Office 10 November News Briefing on Contacts and Talks With the Dalai Lama’s Private Representatives,” 10 November 08 (translated in Open Source Center, 13 November 08).

⁸⁷ Ibid. Zhu Weiqun said, “The provisions in the ‘Memoranda’ concerning ‘genuine autonomy’ are provisions that attempt to pit the Central Government’s centralized leadership against regional national autonomy; attempt to reject, restrict and weaken the Central Government’s authority; reject the supreme legislative authority of the National People’s Congress; and even attempt to let you people of the secessionist clique revise the Constitution so that you actually can have the rights of an independent country.”

⁸⁸ Ibid. “Before we talked with the representatives, we went over the records of the talks made during the contacts between central leaders and departments concerned and some members of the groups that Dalai sent to visit the country during the early 1980s. During the early 1980s, Xi Zhongxun and other central leading comrades seriously told those members (one of whom was Mr Lodi Gyari) this: China will not permit Tibet to be turned into a country, nor a region enjoying any so-called ‘high degree of autonomy.’ Creating what you call a Greater Tibetan Autonomous Region simply is unrealistic and absolutely impossible. Now, after more than 20 years, you still want to talk to the central authorities on this issue, albeit in a roundabout way. This specifically shows that you don’t even have the minimum sincerity. Now the contacts and talks have made no progress, and you should bear all the responsibilities.”

⁸⁹ Ibid. “The things we talked with them were those about the Dalai Lama’s need to completely renounce his secessionist proposition and activities, his plea for the understanding of the Central Government and the people of the country, and his future and the future of some of those by his side. We simply would not discuss with them about any so-called ‘Tibet issue.’ . . . There are certain things the Dalai Lama can do. Our central government has clearly specified what he can do: truly abandoning his position of dividing the country, stopping his activities of dividing the motherland, openly acknowledging that Tibet is an inalienable part of China, openly acknowledging that Taiwan

is an inalienable part of China, and acknowledging that the People's Republic of China is the only legitimate government of China. Then, we may continue to have contacts and talks with him on his personal future."

⁹⁰ Ibid. "Creating what you call a Greater Tibetan Autonomous Region simply is unrealistic and absolutely impossible. Now, after more than 20 years, you still want to talk to the central authorities on this issue, albeit in a roundabout way. This specifically shows that you don't even have the minimum sincerity. Now the contacts and talks have made no progress, and you should bear all the responsibilities."

⁹¹ "Text Version of TV Interview With PRC Tibet Affairs Official on CPC-Dalai Talks," Hong Kong Phoenix Net (*Fenghuang wang*), 23 December 08 (translated in Open Source Center, 25 December 08). "What he seeks is a so-called 'Greater Tibet' that never existed in history. It has no basis either in history or in reality. But in the memorandum, this issue was blatantly brought up to the central government, yet again. They did not give much justification. The only rationale they cited was that they could only safeguard the cultural characteristics and religious faith of the Tibetan nationality by bringing together the Tibetans in all the places where Tibetans live." (According to the transcript, Zhu then sought to discredit the envoys' rationale by asking them why they didn't attempt to gather in a single location all Tibetans living in exile in order to preserve their cultural characteristics.)

⁹² "Official: Dalai Lama 'Stubborn in Talks, Not True to His Word'," Xinhua, reprinted in People's Daily (Online), 26 March 09.

⁹³ Ibid. (Following the July 2008 seventh round of dialogue, Chinese officials characterized as a "promise" the envoys alleged "acceptance" of the conditions of the "four not supports.") In the interview, Zhu Weiqun said: "They absolutely forgot to carry out their promise and did not stop boycotting and destroying the Beijing Olympics. Instead, they intensified sabotaging activities and continued to attack the central government. They supported the 'Tibetan Youth Congress' and other organizations to publicly advocate 'Tibetan independence' and fanned or organized violent criminal activities. They also continued to set up a claim to internationalize the Tibet issue, trying to make use of foreigners to press the central government. They continued to collude with such dregs as overseas democracy activists, 'Falun Gong elements' and 'Eastern Turkistan terrorists,' trying to form so-called 'united front work' to oppose the central government and split the motherland." "The Responsible Person of the Central United Front Work Department Answers Xinhua Reporter's Questions on the Recent Contact With Dalai Lama's Personal Representatives," Xinhua, 6 July 08 (Open Source Center, 7 July 08). "During the discussion, Dalai's personal representatives recognized the requirement as a new gist put forward by the central government, and indicated that they would accept the requirement raised by the central government." "Chinese Official Urges Dalai Lama To Respond With Sincerity After Recent Contact," Xinhua (Online), 7 July 08. The article states that the "four not supports" are "detailed measures" of the "three stops": "stop activities aimed at splitting China, stop plotting and inciting violence, and stop disrupting and sabotaging the Beijing Olympic Games." (The intent of the "three stops" apparently is to instruct the Dalai Lama to take broad measures to bring about an end to each of the types of activity.)

⁹⁴ "Statement by Special Envoy of His Holiness the Dalai Lama, Kasur Lodi Gyaltzen Gyari," Tibetan Government-in-Exile (Online), 5 July 08. "[T]hey are now urging His Holiness not to support violence, terrorism, and sabotaging the Olympics. We stated in the strongest possible terms that no one needs to urge us on this as His Holiness and the Tibetan struggle are universally acknowledged and appreciated for consistently rejecting and opposing such acts. . . . His Holiness has repeatedly and clearly stated publicly he is not seeking separation and independence of Tibet."

⁹⁵ "United Front Work Department: Dalai Lama Must Thoroughly Reflect, Mend His Ways," China Tibet News, 16 June 09 (summarized translation in Open Source Center, 16 June 09).

⁹⁶ Ibid.

⁹⁷ "Chinese Premier Says Talks May Continue if Dalai Lama Sincere," Xinhua (Online), 13 March 09. President Wen Jiabao said at a press conference on March 13, 2009, that the Chinese government would continue talks with the Dalai Lama "if he is sincere and abandons his secessionism."

⁹⁸ "Memorandum on Genuine Autonomy for the Tibetan People," Tibetan Government-in-Exile (Online), 16 November 08. The memorandum that the Dalai Lama's envoys submitted to Chinese UFWD officials used the term "genuine autonomy" throughout. Office of His Holiness the Dalai Lama (Online), "Address by H.H. the Dalai Lama to the European Parliament," 4 December 08. "The essence of my Middle Way Approach is to secure genuine autonomy for the Tibetan people within the scope of the Constitution of the PRC."

⁹⁹ Office of His Holiness the Dalai Lama (Online), “Statement of His Holiness the Dalai Lama on the Fiftieth Anniversary of the Tibetan National Uprising Day,” 10 March 09. “We Tibetans are looking for a legitimate and meaningful autonomy, an arrangement that would enable Tibetans to live within the framework of the People’s Republic of China.”

¹⁰⁰ Office of His Holiness the Dalai Lama (Online), “Address by H.H. the Dalai Lama to the European Parliament,” 4 December 08.

¹⁰¹ Ibid.

¹⁰² “Interview With the Dalai Lama; Crisis in Pakistan,” CNN (Online), 10 May 09.

¹⁰³ “Memorandum on Genuine Autonomy for the Tibetan People,” Tibetan Government-in-Exile (Online), 16 November 08.

¹⁰⁴ Office of His Holiness the Dalai Lama (Online), “His Holiness’s Middle Way Approach for Resolving the Issue of Tibet,” last visited 9 June 09.

¹⁰⁵ PRC Regional Ethnic Autonomy Law, enacted 31 May 84, effective 1 October 84, amended 28 February 01, effective same day.

¹⁰⁶ Office of His Holiness the Dalai Lama (Online), “His Holiness’s Middle Way Approach for Resolving the Issue of Tibet,” last visited 9 June 09.

¹⁰⁷ Office of His Holiness the Dalai Lama (Online), “His Holiness’s Middle Way Approach for Resolving the Issue of Tibet,” last visited 9 June 09. (Numbers added for clarity.) (1) Without seeking independence for Tibet, the Central Tibetan Administration strives for the creation of a political entity comprising the three traditional provinces of Tibet; (2) Such an entity should enjoy a status of genuine national regional autonomy; (3) This autonomy should be governed by the popularly-elected legislature and executive through a democratic process and should have an independent judicial system; (4) As soon as the above status is agreed upon by the Chinese government, Tibet would not seek separation from, and remain within, the People’s Republic of China; (5) Until the time Tibet is transformed into a zone of peace and non-violence, the Chinese government can keep a limited number of armed forces in Tibet for its protection; (6) The Central Government of the People’s Republic of China has the responsibility for the political aspects of Tibet’s international relations and defense, whereas the Tibetan people should manage all other affairs pertaining to Tibet, such as religion and culture, education, economy, health, ecological and environmental protection; (7) The Chinese government should stop its policy of human rights violations in Tibet and the transfer of Chinese population into Tibetan areas; (8) To resolve the issue of Tibet, His Holiness the Dalai Lama shall take the main responsibility of sincerely pursuing negotiations and reconciliation with the Chinese government.

¹⁰⁸ The “Central Tibetan Administration” is the formal name used by the organization widely known as the “Tibetan government-in-exile.” The Tibetan government-in-exile maintains offices in Dharamsala, India. Office of the Special Coordinator for Tibetan Issues, U.S. Department of State, Report on Tibet Negotiations, April 2008. The 2008 “Report on Tibet Negotiations” states, “Because we do not recognize Tibet as an independent state, the United States does not conduct official diplomatic relations with the Tibetan ‘government-in-exile’ in Dharamsala, India.”

¹⁰⁹ “Tibet at a Glance,” Tibetan Government-in-Exile (Online), last visited 9 June 09. “The term TIBET here means the whole of Tibet known as Cholka-Sum (U-Tsang, Kham and Amdo). It includes the present-day Chinese administrative areas of the so-called Tibet Autonomous Region, Qinghai Province, two Tibetan Autonomous Prefectures and one Tibetan Autonomous County in Sichuan Province, one Tibetan Autonomous Prefecture and one Tibetan Autonomous County in Gansu Province and one Tibetan Autonomous Prefecture in Yunnan Province.” Steven Marshall and Susette Cooke, *Tibet Outside the TAR: Control, Exploitation and Assimilation: Development With Chinese Characteristics* (Washington, DC: self-published CD-ROM, 1997), 66. The only prefectural-level administrative areas in Qinghai province that are not areas of Tibetan autonomy are Xining municipality and Haidong prefecture. Together, Xining municipality and Haidong prefecture make up approximately 21,000 square kilometers. “Provinces and Autonomous Regions,” China Internet Information Center (Online), last visited 27 March 09. The area of Qinghai province is approximately 721,200 square kilometers. Xining municipality and Haidong prefecture make up approximately 3 percent of the area of Qinghai. Tabulation on Nationalities of 2000 Population Census of China, Department of Population, Social, Science and Technology Statistics, National Bureau of Statistics, and Department of Economic Development, State Ethnic Affairs Commission (Beijing: Ethnic

Publishing House, September 2003), Table 10-4. According to official Chinese 2000 census data, Xining municipality and Haidong prefecture contained approximately 67 percent (approximately 3.24 million persons) of Qinghai's total population (approximately 4.82 million persons). Tibetans made up approximately 6.9 percent (approximately 224,000 persons) of the population of Xining municipality and Haidong prefecture.

¹¹⁰ “Memorandum on Genuine Autonomy for the Tibetan People,” Tibetan Government-in-Exile (Online), last visited 16 November 08, section II—Respect for the Integrity of the Tibetan Nationality; Steven Marshall and Susette Cooke, *Tibet Outside the TAR: Control, Exploitation and Assimilation: Development With Chinese Characteristics* (Washington, DC: self-published CD-ROM, 1997), Table 7. The table lists 13 Tibetan autonomous areas in China: the provincial-level Tibet Autonomous Region (TAR); 10 Tibetan autonomous prefectures (TAPs), and 2 Tibetan autonomous counties (TACs) located in Qinghai, Gansu, Sichuan, and Yunnan provinces. The TAR and the Tibetan autonomous prefectures and counties are contiguous and total approximately 2.24 million square kilometers (865,000 square miles).

¹¹¹ *Ibid.*, section II—Respect for the Integrity of the Tibetan Nationality.

¹¹² *Ibid.*, section III—Tibetan Aspirations.

¹¹³ *Ibid.*, section III—Tibetan Aspirations.

¹¹⁴ *Ibid.*, section IV—Basic Needs of Tibetans.

¹¹⁵ *Ibid.*, section IV—Basic Needs of Tibetans.

¹¹⁶ *Ibid.*, section V—Application of a Single Administration for the Tibetan Nationality in the PRC. Steven Marshall and Susette Cooke, *Tibet Outside the TAR: Control, Exploitation and Assimilation: Development With Chinese Characteristics* (Washington, DC: self-published CD-ROM, 1997), Table 7. There are 13 Tibetan autonomous areas in China: the provincial-level Tibet Autonomous Region (TAR); 10 Tibetan autonomous prefectures (TAPs), and 2 Tibetan autonomous counties (TACs) located in Qinghai, Gansu, Sichuan, and Yunnan provinces. The TAR and the Tibetan autonomous prefectures and counties are contiguous and total approximately 2.24 million square kilometers (865,000 square miles).

¹¹⁷ “Memorandum on Genuine Autonomy for the Tibetan People,” Tibetan Government-in-Exile (Online), last visited 16 November 08, section V—Application of a Single Administration for the Tibetan Nationality in the PRC.

¹¹⁸ *Ibid.*, section VI—The Nature and Structure of the Autonomy.

¹¹⁹ *Ibid.*, section VI—The Nature and Structure of the Autonomy.

¹²⁰ *Ibid.*, section VII—The Way Forward.

¹²¹ *Ibid.*, section VII—The Way Forward.

¹²² *Ibid.* “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.”

¹²³ Office of His Holiness the Dalai Lama (Online), “His Holiness’s Middle Way Approach for Resolving the Issue of Tibet,” last visited 9 June 09. “Without seeking independence for Tibet, the Central Tibetan Administration strives for the creation of a political entity comprising the three traditional provinces of Tibet.”

¹²⁴ “Tibet at a Glance,” Tibetan Government-in-Exile (Online), last visited 1 October 09. “Land Size: 2.5 million square kilometres, which includes U-Tsang, Kham and Amdo provinces.” (The same Web site provides a map of the area that many Tibetans consider to be the [traditional Tibetan provinces](#). The Web site also provides a [larger image](#) of the same map.)

¹²⁵ Steven Marshall and Susette Cooke, *Tibet Outside the TAR: Control, Exploitation and Assimilation: Development With Chinese Characteristics* (Washington, DC: self-published CD-ROM, 1997), Table 7. The total area of the TAR, 10 Tibetan autonomous prefectures, and 2 Tibetan autonomous counties is approximately 2.24 million square kilometers (865,000 square miles). The area that Tibetans claim as Tibet, 2.5 million square kilometers, is approximately 965,000 square miles.

¹²⁶ Ibid. The only prefectural-level administrative areas in Qinghai province that are not areas of Tibetan autonomy are Xining municipality and Haidong prefecture. Together, Xining municipality and Haidong prefecture make up approximately 21,000 square kilometers. “Provinces and Autonomous Regions,” China Internet Information Center (Online), last visited 27 March 09. The area of Qinghai province is approximately 721,200 square kilometers. Xining municipality and Haidong prefecture make up approximately 3 percent of the area of Qinghai. Tabulation on Nationalities of 2000 Population Census of China, Department of Population, Social, Science and Technology Statistics, National Bureau of Statistics, and Department of Economic Development, State Ethnic Affairs Commission (Beijing: Ethnic Publishing House, September 2003), Table 10-4. According to official Chinese 2000 census data, Xining municipality and Haidong prefecture contained approximately 67 percent (approximately 3.24 million persons) of Qinghai’s total population (approximately 4.82 million persons). Tibetans made up approximately 6.9 percent (approximately 224,000 persons) of the population of Xining municipality and Haidong prefecture.

¹²⁷ The territory that Tibetans claim outside the existing Tibetan autonomous areas contain parts of autonomous prefectures or counties named to reflect ethnic groups including the Hui, Salar, and Tu in Qinghai province; the Kazak, Mongol, Yugur, Hui, Dongxiang, and Bao’an in Gansu province; the Yi in Sichuan province; the Naxi, Lisu, Nu, Bai, and Pumi in Yunnan province; and, according to some maps, the Mongol in Xinjiang. Substantial Han Chinese populations are also included, some established for centuries. As of June 9, 2009, neither the Office of His Holiness the Dalai Lama or the Tibetan government-in-exile have published a map indicating the portion of each area of administrative geography established by the Chinese government that falls within what Tibetans consider to be “Tibet.” See, e.g., “Map of Tibet,” Tibetan Government-in-Exile (Online), last visited 9 June 09.

¹²⁸ CECC Staff Analysis. Commission staff prepared the map using as a basis a map published jointly by an official Chinese government publishing house and a European publisher. Map of the People’s Republic of China (Beijing: Cartographic Publishing House, and Sweden: Liber Kartor AB, 1995).

¹²⁹ CECC Staff Analysis. Commission staff compared a map of China published jointly by an official Chinese government publishing house and a European publisher with a map of Tibet published by the Tibetan government-in-exile. Map of the People’s Republic of China (Beijing: Cartographic Publishing House, and Sweden: Liber Kartor AB, 1995); “Map of Tibet,” Tibetan Government-in-Exile (Online), last visited 1 October 09. The image of the Tibetan government-in-exile map contains the title “Tibet Under PR China 1949-1999—The Year & Types of Territorial Subdivisions.” (The same Web page provides a link for a larger image of the same map.)

¹³⁰ CECC Staff Analysis. The Dalai Lama, his envoys, and the Tibetan government-in-exile do not use the term “Greater Tibet.” Chinese government officials use the term “Greater Tibet” to describe the Tibetan depiction of “Tibet,” especially the single area of Tibetan autonomy that the Dalai Lama seeks under the Middle Way Approach. See, e.g., “The Same Tibet but Widely Different Views—an Exclusive Interview With Qiangba Puncog, Chairman of the Tibet Autonomous Regional Government,” Xinhua, 13 March 09 (translated in Open Source Center, 15 March 09), (Chinese official use of the term “Greater Tibet”); Office of His Holiness the Dalai Lama (Online), “His Holiness’s Middle Way Approach for Resolving the Issue of Tibet,” last visited 9 June 09 (defines Tibet as “the three traditional provinces of Tibet”).

¹³¹ “Dalai by No Means a Religious Figure, but a Political One: Chinese FM,” Xinhua (Online), 7 March 09; “Signed Article Refutes ‘Memorandum’ of the Dalai Clique,” Xinhua (Online), 21 November 08. According to the article, “The so-called ‘Greater Tibet,’ which takes one quarter of China’s territory, had no historical, realistic and legal basis.” “Geography,” People’s Daily (Online), last visited 9 June 09. China’s area is 9.6 million square kilometers. “Tibet at a Glance,” Tibetan Government-in-Exile (Online), last visited 9 June 09. “Land Size: 2.5 million square kilometres, which includes U-Tsang, Kham and Amdo provinces.” (Based on the Tibetan government-in-exile statement that the area of Tibet is 2.5 million square kilometers, Tibet would make up approximately one-quarter of China.)

¹³² “Dalai by No Means a Religious Figure, but a Political One: Chinese FM,” Xinhua (Online), 7 March 09. “Do you call such a person a religious figure?” he asked.

¹³³ Steven Marshall and Susette Cooke, *Tibet Outside the TAR: Control, Exploitation and Assimilation: Development With Chinese Characteristics* (Washington, DC: self-published CD-ROM, 1997), Table 7. The only prefectural-level administrative areas in Qinghai province that are not areas of Tibetan autonomy are Xining

municipality and Haidong prefecture. Together, Xining municipality and Haidong prefecture make up approximately 21,000 square kilometers. “Provinces and Autonomous Regions,” China Internet Information Center (Online), last visited 9 June 09. The area of Qinghai province is approximately 721,200 square kilometers. (Xining municipality and Haidong prefecture make up approximately 3 percent of the area of Qinghai.)

¹³⁴ Steven Marshall and Susette Cooke, *Tibet Outside the TAR*, Table 7. Together, the areas of Ganzi (Kardze) TAP (153,870 square kilometers), Aba (Ngaba) Tibetan and Qiang AP (86,639 square kilometers), and Muli (Mili) TAC (11,413 square kilometers) total approximately 251,800 square kilometers. “Provinces and Autonomous Regions,” China Internet Information Center (Online), last visited 27 March 09. The area of Sichuan province is approximately 485,000 square kilometers. (Ganzi TAP, Aba Tibetan and Qiang Autonomous Prefecture, and Muli Tibetan Autonomous County make up approximately 52 percent of Sichuan province.)

¹³⁵ Steven Marshall and Susette Cooke, *Tibet Outside the TAR*, Table 7. Together, the areas of Gannan (Kanlho) TAP (45,000 square kilometers) and Tianzhu (Pari) TAC (7,150 square kilometers) total approximately 52,150 square kilometers. “Provinces and Autonomous Regions,” China Internet Information Center (Online), last visited 27 March 09. The area of Gansu province is approximately 454,400 square kilometers. (Gannan TAP and Tianzhu TAC make up approximately 11 percent of Gansu province.)

¹³⁶ Steven Marshall and Susette Cooke, *Tibet Outside the TAR*, Table 7. The area of Diqing (Dechen) TAP is approximately 23,870 square kilometers. “Provinces and Autonomous Regions,” China Internet Information Center (Online), last visited 27 March 09. The area of Yunnan province is approximately 394,000 square kilometers. (Diqing TAP makes up approximately 6 percent of Gansu province.)

¹³⁷ PRC Constitution, passed 4 December 82, effective same day, amended 12 April 88, 29 March 93, 15 April 99, 14 March 04, art. 62(12). The National People’s Congress exercises the function and power to “approve the establishment of provinces, autonomous regions, and municipalities directly under the Central Government.” PRC Constitution, art. 89(15). The State Council exercises the function and power to “approve the geographic division of provinces, autonomous regions, and municipalities directly under the Central Government, and to approve the establishment and geographic division of autonomous prefectures, counties, autonomous counties, and cities.”

¹³⁸ *Ibid.*, art. 107. “People’s governments of provinces and municipalities directly under the Central Government decide on the establishment and geographic division of townships, nationality townships and towns.”

¹³⁹ PRC Regional Ethnic Autonomy Law, enacted 31 May 84, effective 1 October 84, amended 28 February 01, effective same day, art. 14. “Once established, an autonomous area may not be revoked or merged without proper legal procedures. Once defined, the boundaries of an ethnic autonomous area may not be altered without proper legal procedures. If it is truly necessary to revoke autonomy, or merge or change areas, the ethnic autonomous organs and the concerned department of the next higher level state organs must thoroughly consult and formulate an agreement to submit for approval according to the procedures prescribed by law.”

¹⁴⁰ A Year After the March 2008 Protests: Is China Promoting Stability in Tibet?, Staff Roundtable of the Congressional-Executive Commission on China, 13 March 09. Testimony of Elliot Sperling, Associate Professor, Department of Central Eurasian Studies, Indiana University: “[T]he dialogue process was entered into as a means of dragging it all out, walking a proposal to death, if you will. I’m not against dialogue, people talking, but it was clear, many, many, many years ago that this was not a dialogue that was being entered into sincerely by both parties; rather, on the part of one party it was a tactic to drag things out to irresolution until the Dalai Lama passes away.” Testimony of Tseten Wangchuk, Senior Research Fellow, Tibet Center, University of Virginia; Senior Editor, Voice of America, Tibetan Language Service: “I think in many ways I agree with Professor Sperling, that what the Dalai Lama says may not make much difference right now. The reasons, really, that China is not able to come to some sort of a realization about having an alternative policy toward Tibet is, by and large, determined by the Chinese political system right now, by the political atmosphere in China.” Testimony of Warren W. Smith, Writer, Radio Free Asia, Tibetan Service: “The answer to Steve’s question is no. That will not make any difference, that they have more accurately defined now the territorial limits of what they mean by the Greater Tibetan Autonomous Region. . . . I am glad to see that Dharamsala has clearly defined that at last, but I don’t think it’s going to make any difference. As everyone else has said, you can see the different reasons that China uses to claim that the Dalai Lama has not met their conditions, and therefore they will not dialogue with him.”

¹⁴¹ “Memorandum on Genuine Autonomy for the Tibetan People,” Tibetan Government-in-Exile (Online), last visited 16 November 08.

¹⁴² Ibid.

¹⁴³ With respect to the hierarchy of people’s congresses, see, e.g., PRC Constitution, arts. 67(8), 104, 116. Article 67 stipulates, “The Standing Committee of the National People’s Congress exercises the following functions and powers: . . . (8) To annul those local regulations or decisions of the organs of state power of provinces, autonomous regions and municipalities directly under the Central Government that contravene the Constitution, the statutes or the administrative rules and regulations; . . .” Article 104 states, “The standing committee of a local people’s congress at and above the county level . . . ‘annuls inappropriate resolutions of the people’s congress at the next lower level’; . . .” Article 116 directs that, “People’s congresses of national autonomous areas have the power to enact autonomy regulations and specific regulations in the light of the political, economic and cultural characteristics of the nationality or nationalities in the areas concerned. The autonomy regulations and specific regulations of autonomous regions shall be submitted to the Standing Committee of the National People’s Congress for approval before they go into effect. Those of autonomous prefectures and counties shall be submitted to the standing committees of the people’s congresses of provinces or autonomous regions for approval before they go into effect, and they shall be reported to the Standing Committee of the National People’s Congress for the record.”

¹⁴⁴ With respect to the hierarchy of governments, see, e.g., PRC Constitution, arts. 89(4, 11, 15), 108. Article 89 states, “The State Council exercises the following functions and powers: . . . (4) To exercise unified leadership over the work of local organs of state administration at different levels throughout the country, and to lay down the detailed division of functions and powers between the Central Government and the organs of state administration of provinces, autonomous regions and municipalities directly under the Central Government; . . . (11) To direct and administer affairs concerning the nationalities and to safeguard the equal rights of minority nationalities and the right of autonomy of the national autonomous areas; . . . (15) To approve the geographic division of provinces, autonomous regions and municipalities directly under the Central Government, and to approve the establishment and geographic division of autonomous prefectures, counties, autonomous counties and cities; . . .” Article 108 stipulates, “Local people’s governments at and above the county level direct the work of their subordinate departments and of people’s governments at lower levels, and have the power to alter or annul inappropriate decisions of their subordinate departments and people’s governments at lower levels.”

¹⁴⁵ With respect to the hierarchy of courts, see PRC Constitution, art. 127. “The Supreme People’s Court is the highest judicial organ. The Supreme People’s Court supervises the administration of justice by the local people’s courts at different levels and by the special people’s courts; people’s courts at higher levels supervise the administration of justice by those at lower levels.”

¹⁴⁶ With respect to the hierarchy of procuratorates, see PRC Constitution, art. 132. “The Supreme People’s Procuratorate is the highest procuratorial organ. The Supreme People’s Procuratorate directs the work of the local people’s procuratorates at different levels and of the special people’s procuratorates; people’s procuratorates at higher levels direct the work of those at lower levels.”

¹⁴⁷ See, e.g., PRC Constitution arts. 67(8, 12), 89(4, 11, 15), 104, 108, 115, 116, 127, and 132.

¹⁴⁸ State Council Information Office, “Transcript of PRC State Council Information Office 10 November News Briefing on Contacts and Talks with the Dalai Lama’s Private Representatives,” 10 November 08 (translated in Open Source Center, 13 November 08).

¹⁴⁹ Ibid. “Second, you must correctly understand the system of regional national autonomy. All places enjoying national autonomy are inseparable parts of the People’s Republic of China; regional national autonomy is a form of autonomy under the country’s unitary national structure and it is different from certain countries’ federal and confederate systems; . . .”

¹⁵⁰ China’s Regional Ethnic Autonomy Law: Does It Protect Minority Rights?, Staff Roundtable of the Congressional-Executive Commission on China, 11 April 05, Written Statement and Testimony of David L. Phillips, Senior Fellow, Council on Foreign Relations. Phillips told the roundtable that a study of Tibetan autonomy laws and regulations that he co-authored in 2004 considered “a compilation of 161 laws and regulations concerning autonomy arrangements in the ethnic Tibetan areas of [the Tibet Autonomous Region, and Sichuan, Qinghai, Gansu, and

Yunnan provinces].” Theodore C. Sorenson and David L. Phillips, *Legal Standards and Autonomy Options for Minorities in China: The Tibetan Case* (Cambridge: Harvard University, Belfer Center for Science and International Affairs, 2004), 45. The report lists seven areas of concern about the practice of ethnic minority rights of Tibetans in China: basic freedoms, access to information, economy, religion, education, healthcare, and environment. The report states, “Shortcomings in implementation of laws on autonomy and ethnic minority rights give rise to the above concerns. Faulty implementation [of laws and regulations] negates the value of legislation and erodes the rule of law.”

¹⁵¹ PRC Constitution, passed 4 December 82, effective same day, amended 12 April 88, 29 March 93, 15 April 99, 14 March 04, arts. 62(3), 67(2). Article 62 stipulates, “The National People’s Congress exercises the following functions and powers: . . . (3) To enact and amend basic statutes concerning criminal offences, civil affairs, the state organs and other matters; . . .” Article 67 states, “The Standing Committee of the National People’s Congress exercises the following functions and powers: . . . (2) To enact and amend statutes with the exception of those which should be enacted by the National People’s Congress; . . .”

¹⁵² *Ibid.*, art. 116. “People’s congresses of national autonomous areas have the power to enact autonomy regulations and specific regulations in the light of the political, economic and cultural characteristics of the nationality or nationalities in the areas concerned. The autonomy regulations and specific regulations of autonomous regions shall be submitted to the Standing Committee of the National People’s Congress for approval before they go into effect. Those of autonomous prefectures and counties shall be submitted to the standing committees of the people’s congresses of provinces or autonomous regions for approval before they go into effect, and they shall be reported to the Standing Committee of the National People’s Congress for the record.”

¹⁵³ PRC Legislation Law, enacted 15 March 00, effective 1 July 00, art. 9. “In the event that no national law has been enacted in respect of a matter enumerated in Article 8 hereof, the National People’s Congress and the Standing Committee thereof have the power to make a decision to enable the State Council to enact administrative regulations in respect of part of the matters concerned for the time being, except where the matter relates to crime and criminal sanctions, the deprivation of a citizen’s political rights, compulsory measure and penalty restricting the personal freedom of a citizen, and the judicial system.”

¹⁵⁴ *Ibid.*, art. 66. “. . . a self-governing regulation or a separate regulation enacted by an autonomous region shall come into force after it is reviewed and approved by the Standing Committee of [the] National People’s Congress. A self-governing regulation or a separate regulation enacted by an autonomous prefecture or autonomous county shall come into force after it is reviewed and approved by the Standing Committee of the People’s Congress of the province, autonomous region, or municipality directly under the central government.”

¹⁵⁵ PRC Regional Ethnic Autonomy Law, enacted 31 May 84, effective 1 October 84, amended 28 February 01, effective same day.

¹⁵⁶ *Ibid.*, Preamble. “Regional ethnic autonomy reflects the state’s full respect for and guarantee of ethnic minorities’ right to administer their internal affairs and its adherence to the principle of equality, unity and common prosperity for all nationalities.” (The Preamble contains the REAL’s only reference to the right of ethnic minorities “to administer their internal affairs.”)

¹⁵⁷ *Ibid.*, art. 1. “The People’s Republic of China Regional Ethnic Autonomy Law is formulated in accordance with the Constitution of the People’s Republic of China.”

¹⁵⁸ *Ibid.*, art. 7. “Institutions of self-government in ethnic autonomous areas shall place the interests of the state as a whole above all else and actively fulfill all tasks assigned by state institutions at higher levels.”

¹⁵⁹ *Ibid.*, art. 15. “The people’s governments of ethnic autonomous areas are responsible to and report on their work to the people’s congresses at corresponding levels and to the administrative organs of the state at the next higher level. When the people’s congresses at corresponding levels are not in session, they are responsible to and report on their work to the standing committees of these people’s congresses. The people’s governments of all ethnic autonomous areas are administrative organs of the state under the unified leadership of the State Council and are subordinate to it.”

¹⁶⁰ *Ibid.*, art. 46. “The administration of justice by the people’s courts of ethnic autonomous areas shall be supervised by the Supreme People’s Court and by people’s courts at higher levels.”

¹⁶¹ Ibid., art. 46. “The people’s procuratorates of ethnic autonomous areas shall also be responsible to the people’s procuratorates at higher levels. . . . The work of the people’s procuratorates of ethnic autonomous areas shall be directed by the Supreme People’s Procuratorate and by people’s procuratorates at higher levels.”

¹⁶² Ibid., art. 19. “The people’s congresses of ethnic autonomous areas shall have the power to enact self-governing regulations and separate regulations in the light of the political, economic and cultural characteristics of the nationality or nationalities in the areas concerned.” (Reflecting the requirements of the Article 116 of the PRC Constitution, Article 19 of the REAL requires that higher levels of people’s congresses approve “self-governing regulations” and “separate regulations” before they go into effect.)

¹⁶³ PRC Legislation Law, enacted 15 March 00, effective 1 July 00, art. 9. “In the event that no national law has been enacted in respect of a matter enumerated in Article 8 hereof, the [NPC] and the Standing Committee thereof have the power to make a decision to enable the State Council to enact administrative regulations in respect of part of the matters concerned for the time being, except where the matter relates to crime and criminal sanctions, the deprivation of a citizen’s political rights, compulsory measure and penalty restricting the personal freedom of a citizen, and the judicial system.”

¹⁶⁴ PRC Regional Ethnic Autonomy Law, enacted 31 May 84, effective 1 October 84, amended 28 February 01, effective same day, art. 20. “If a resolution, decision, order, or instruction of a state agency at a higher level does not suit the actual conditions in an ethnic autonomous area, an autonomous agency of the area may report for the approval of that higher level state agency to either implement it with certain alterations or cease implementing it altogether. . . .”

¹⁶⁵ PRC Legislation Law, enacted 15 March 00, effective 1 July 00, art. 66. “. . . A self-governing regulation or a separate regulation may vary the provisions of a law or administrative regulation, provided that any such variance may not violate the basic principles thereof, and no variance is allowed in respect of any provision of the Constitution or the Law on Ethnic Area Autonomy and provisions of any other law or administrative regulations which are dedicated to matters concerning ethnic autonomous areas.”

¹⁶⁶ “Memorandum on Genuine Autonomy for the Tibetan People,” Tibetan Government-in-Exile (Online), last visited 16 November 08. “The above-mentioned legal provisions do contain significant limitations to the decision-making authority of the autonomous organs of government.”

¹⁶⁷ Ibid. “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.”

¹⁶⁸ Ibid. The Memorandum notes that articles grant to ethnic autonomous people’s congresses “the power to enact separate regulations in the light of the political, economic and cultural characteristics of the nationality or nationalities in the areas concerned.” (The Memorandum does not take note of the adverse effects of the PRC Legislation Law on the right of ethnic autonomous people’s congresses to enact such regulations.)

¹⁶⁹ Ibid.

¹⁷⁰ PRC Constitution, passed 4 December 82, effective same day, amended 12 April 88, 29 March 93, 15 April 99, 14 March 04, Chapter III, Sections 1-7, arts. 57-135.

¹⁷¹ Ibid., art. 31. “The state may establish special administrative regions when necessary. The systems to be instituted in special administrative regions shall be prescribed by law enacted by the National People’s Congress in the light of the specific conditions.”

¹⁷² Ibid.

¹⁷³ Ibid.

¹⁷⁴ The Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China, enacted by the National People’s Congress 4 April 90, effective 1 July 97, Preamble. “Upholding national unity and territorial integrity, maintaining the prosperity and stability of Hong Kong, and taking account of its history and realities, the People’s Republic of China has decided that upon China’s resumption of the exercise of sovereignty over Hong

Kong, a Hong Kong Special Administrative Region will be established in accordance with the provisions of Article 31 of the Constitution of the People's Republic of China, and that under the principle of 'one country, two systems,' the socialist system and policies will not be practised in Hong Kong.”

¹⁷⁵ Basic Law of the Macao Special Administrative Region of the People's Republic of China, enacted by the National People's Congress 31 March 93, effective 20 December 99, Preamble. “Upholding national unity and territorial integrity, contributing to social stability and economic development, and taking account of its history and realities, the People's Republic of China has decided that upon China's resumption of the exercise of sovereignty over Macao, a Macao Special Administrative Region will be established in accordance with the provisions of Article 31 of the Constitution of the People's Republic of China, and that under the principle of 'one country, two systems,' the socialist system and policies will not be practiced in Macao.”

¹⁷⁶ Ministry of Foreign Affairs (Online), “General Outline of the Hong Kong Special Administrative Region,” 13 October 03. “The return of Hong Kong to the motherland and the establishment of the Hong Kong Special Administrative Region marked the success of the great concept of “one country, two systems” put forward by Deng Xiaoping and a substantial achievement scored by the Chinese people in their efforts to realize a complete reunification of the motherland.” Ministry of Foreign Affairs (Online), “General Outline of the Macao Special Administrative Region,” 13 October 03. “The smooth return of Macao to the motherland and the establishment of the Macao Special Administrative Region are another historical monument in the process of the great cause of the Chinese people to realize the reunification of the motherland following the return of Hong Kong.”

¹⁷⁷ State Council Information Office, “Transcript of PRC State Council Information Office 10 November News Briefing on Contacts and Talks with the Dalai Lama's Private Representatives,” 10 November 08 (translated in Open Source Center, 13 November 08).

¹⁷⁸ The Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, enacted by the National People's Congress 4 April 90, effective 1 July 97. Preamble. “. . . , a Hong Kong Special Administrative Region will be established in accordance with the provisions of Article 31 of the Constitution of the People's Republic of China, and that under the principle of 'one country, two systems,' the socialist system and policies will not be practised in Hong Kong.” Basic Law of the Macao Special Administrative Region of the People's Republic of China, enacted by the National People's Congress 31 March 93, effective 20 December 99, Preamble. “. . . , a Macao Special Administrative Region will be established in accordance with the provisions of Article 31 of the Constitution of the People's Republic of China, and that under the principle of 'one country, two systems,' the socialist system and policies will not be practiced in Macao.”

¹⁷⁹ Office of His Holiness the Dalai Lama (Online), “Clarifications on H.H. the Dalai Lama's Remarks,” 28 October 08. (The article stated: “. . . some remarks on the issue of Tibet that are now being quoted out of context in some media reports. Consequently, to clarify the situation we are issuing the gist of His Holiness' remarks below as well as a separate translation of a transcript of what he really said.”)

¹⁸⁰ Ibid.

¹⁸¹ Ibid.

¹⁸² Ibid. In his speech, the Dalai Lama identifies “the sustenance of our national identity” as the goal of Tibetans.

¹⁸³ “His Holiness Calls for Special General Meeting on Tibet,” Tibetan Government-in-Exile (Online), 11 September 08. (The original title of the article posted on the TGiE Web site was, “His Holiness Calls for Emergency General Meeting on Tibet.” On an unknown date, the title of the article was changed to, “His Holiness Calls for Special General Meeting on Tibet.” Instances in the article's text of “emergency general meeting” were changed to “special general meeting.” The revised article did not signify that it had been updated.)

¹⁸⁴ “His Holiness Approves Proposal for Special Meeting on Tibet,” Tibetan Government-in-Exile (Online), 29 September 08. The notice listed invited participants: “The composition of the representatives for the meeting include members of the Tibetan Parliament-in-Exile (TPiE); former members of the TPiE; members of the Kashag; former Kalons; Dharamshala-based CTA officials above joint secretary; two members each from the rank below deputy secretary; two envoys of His Holiness the Dalai Lama; representatives of His Holiness the Dalai Lama; representatives of the Tibetan Settlements; two members each from the local assemblies; one member each from Bod Rawang Denpai Legul Tsogchung; one member each from the overseas Tibetan Associations; two members

each from the Tibetan non-governmental organizations viz, Executive Committees of U-Tsang, Do-tod and Do-med, Tibetan Youth Congress, Tibetan Women's Association, National Democratic Party of Tibet, Gu-Chu-Sum, Ngari Chithun Association, Bod Gyalyong Chigdril Tsogpa and Bod Gyalyong Chapsi Tsondrol Tsogpa; heads of the Tibetan schools; six representatives each from the four schools of Tibetan Buddhism and Bon religion and one representative each from autonomous institutions viz, Tibetan Institute of Performing Arts, Library of Tibetan Works & Archives, Central Institute of Higher Tibetan Studies, Varanasi, Norbulingka Institute, Manjushree Center of Tibetan Culture, Darjeeling, Tibet House, Delhi, Head Office of the Tibetan Children's Village, Tibetan Home's Foundation, Mussoorie, Sambhota Tibetan Schools Society, The Central Council of Tibetan Medicine, Tibetan Medical & Astro Institute and Delek hospital."

¹⁸⁵ "Statement of Special Envoy Kasur Lodi Gyari, Head of the Tibetan Delegation, Following the 8th Round of Discussions With Representatives of the Chinese Leadership," Tibetan Government-in-Exile (Online), 6 November 08. "As a special general meeting of the Tibetan people is being convened later this month at the suggestion of His Holiness the Dalai Lama, we have been advised not to make statements about our discussions before this meeting."

¹⁸⁶ Tibetan Youth Congress (Online), "About Us," last visited 1 April 09. "The Tibetan Youth Congress (TYC) is a worldwide Organisation of Tibetans united in our common struggle for the restoration of complete independence for the whole of Tibet, which includes the tradition[al] three provinces of U-Tsang, Do-toe, and Do-med. An independent Organisation, with a written constitution and its own plans and programmes, TYC has emerged as the largest and most active non-governmental Organisation of Tibetans in exile. It has more than 30,000 members worldwide."

¹⁸⁷ "Historic Tibetan Meeting May Push for Independence," Australia Broadcasting Corporation (Online), 14 November 08.

¹⁸⁸ Ibid.

¹⁸⁹ "MWA Retains Prominence at the Special Meeting," Phayul (Online), 21 November 08. "Views and opinions of those supporting the current policy of Middle Way Approach, Independence, Self Determination and also of those supporting any approach shown by the Dalai Lama were presented before the house."

¹⁹⁰ "Recommendations of the First Special General Meeting Convened Under Article 59 of the Charter," Tibetan Government-in-Exile (Online), 22 November 08.

¹⁹¹ "Tibetan Official: Dalai Lama's Reincarnation Needs Nod From Central Gov't," Xinhua (Online), 12 March 09. Jampa Phuntsog (*Xiangba Pingcuo*), Chairman of the TAR government, said, "The reincarnation of the Dalai Lama, like that of any Grand Living Buddha, must follow historical conventions and required religious rituals, and, more importantly among the traditions, approval from the central government. If the Dalai Lama does not follow the convention for political or other purposes, I believe his reincarnation would not be acknowledged by religious people in Tibet, and the central government will never approve it."

¹⁹² "Ahead of Sensitive Dates, Lhasa Officials Add 'Strike Hard' to Crackdown," Congressional-Executive Commission on China (Online), 25 February 09. The CECC article lists these dates in February and March 2009: February 25 (Tibet New Year, or Losar), March 10 (the 1st anniversary of the start of Tibetan protests in 2008, and the 50th anniversary of the start of events in 1959 that led to the Dalai Lama's escape into exile), and March 28 (the first observance of "Serfs Emancipation Day" (a new TAR holiday commemorating a Chinese government decree that dissolved the Dalai Lama's Lhasa-based Tibetan government).

¹⁹³ "Dalai by No Means a Religious Figure, but a Political One: Chinese FM," Xinhua (Online), 7 March 09. Minister Yang Jiechi made his remark at a press conference during the National People's Congress in Beijing.

¹⁹⁴ "Political Plot Under Religious Banner," People's Daily, 18 March 09 (translated in Open Source Center, 16 April 09).

¹⁹⁵ "The Same Tibet but Widely Different Views—An Exclusive Interview With Qiangba Puncog, Chairman of the Tibet Autonomous Regional Government," Xinhua, 13 March 09 (translated in Open Source Center, 15 March 09).

¹⁹⁶ "Ten Patriotic, Law-Abiding, and Advanced Monasteries and 36 Patriotic, Law-Abiding, and Advanced Monks and Nuns in Tibet Are Commended," Tibet Daily, 19 February 09 (translated in Open Source Center, 23 February 09. Lobsang Gyaltsen (*Luosang Jianzan*), a member of the TAR Party Committee Standing Committee told a group

of monks and nuns receiving commendations on February 18, 2009: “Large numbers of monks and nuns in Tibet must clearly understand the reactionary nature of the Dalai clique in splitting the motherland and see through its conspiracy to carry out infiltrating and disrupting activities in monasteries and among the monks and nuns in the name of religion; you must further enhance their consciousness and steadfastness in resisting its infiltration, opposing its separatism, and earnestly maintaining harmony and stability in the religious field; you must strictly abide by state laws and regulations and the rules and regulations of monasteries; you must conscientiously not participate in any activities aimed at splitting the motherland, illegal demonstrations, or any other activities disrupting public order; you must firmly maintain normal order in monasteries; you must accept the leadership of local governments and the management of religious affairs departments on your own initiative and take an active part in conducting propaganda and education in the law in monasteries; you must keep enhancing your understanding of the motherland and government, your awareness of the law, and your civil sense; and you must conscientiously defend the sanctity of the law, protect the interests of the people, uphold ethnic unity, and safeguard the unification of the country.”

¹⁹⁷ “At the CPC Central Committee Political Bureau’s Second Collective Study, Hu Jintao Stresses the Need To Comprehensively Implement the Party’s Basic Policy on Religious Work and Actively Do a Good Job in Religious Work Under the New Situation,” Xinhua, 19 December 07 (translated in Open Source Center, 20 December 07. Communist Party General Secretary Hu Jintao addressed members of the Political Bureau (Politburo) of the Party’s Central Committee and discussed the role of “patriotic religious organizations” in performing the Party’s “religious work”: “We should bring into play the positive role of patriotic religious organizations, help and guide them to increase their ability of self-cultivation, exercise self-management according to law and regulations, portray the wishes of religious believers, and earnestly protect the legitimate rights and interests of religious circles.” “Tibet Leader Speaks on Dalai, Regional Stability,” Tibet People’s Radio, 27 October 99 (translated in Open Source Center, 27 October 99). Jiabao, Vice Chairman of the TAR government, told “regional leaders” attending the seventh congress of the Tibet Branch of the Buddhist Association of China, “The BAC is a patriotic religious organization under the leadership of the party and the government and is a bridge for linking believers with the party and the government.”

¹⁹⁸ PRC Regulation on Religious Affairs (RRA) [Zongjiao shiwu tiaoli], issued 30 November 04, effective 1 March 05, translated on the Web site of China Elections and Governance, art. 6. “The establishment, alteration, or cancellation of registration, of a religious body shall be registered in accordance with the provisions of the Regulations on Registration Administration of Associations. The articles of association of a religious body shall comply with the relevant provisions of the Regulations on Registration Administration of Associations.” Tibet Autonomous Region Temporary Measures on the Management of Religious Affairs, issued by the Standing Committee of the Tibet Autonomous Region People’s Government on December 9, 1991, art. 15. “The Buddhist Association is a mass organization of personages from religious circles and religious believers, and a bridge for the Party and government to unite and educate personages from religious circles and the believing masses. Its effectiveness shall be vigorously brought into play under the administrative leadership of the government’s religious affairs department.”

¹⁹⁹ “Tibet Leader Speaks on Dalai, Regional Stability,” Tibet People’s Radio, 27 October 99 (translated in Open Source Center, 27 October 99). Jiabao, Vice Chairman of the TAR government, told “regional leaders” attending the seventh congress of the Tibet Branch of the Buddhist Association of China, “The BAC is a patriotic religious organization under the leadership of the party and the government and is a bridge for linking believers with the party and the government. . . . Patriotism, unity, and progress constitutes a brilliant policy of the party for guiding people of religious circles and religious believers and also constitutes a political demand from them.”

²⁰⁰ “Dalai Lama Not Invited to World Buddhist Forum in Eastern Chinese City,” Xinhua (Online), 27 March 09. Vice President Ming Sheng of the Buddhist Association of China (BAC) explained that the BAC would have invited the Dalai Lama to the forum if the BAC deemed that the Dalai Lama had adequately fulfilled a set of Chinese government political demands: “[Ming Sheng] said the organizers would have considered sending invitation to him, had the 14th Dalai Lama been willing to abandon his ‘Tibet independence’ claims, stop secessionist activities and publicly avow that Tibet and Taiwan are both inalienable parts of China, and the People’s Republic of China is the sole legal government of China.”

²⁰¹ “Panchen Lama To Attend World Buddhist Forum in Eastern Chinese City,” Xinhua (Online), 27 March 09. “The forum, with the theme ‘A harmonious world, a synergy of conditions,’ was jointly organized by the Buddhist Association of China, the Buddha’s Light International Association, the Hong Kong Buddhist Association, and the China Religious Culture Communication Association.”

²⁰² “Dalai Lama Not Invited to World Buddhist Forum in Eastern Chinese City,” Xinhua (Online), 27 March 09.

²⁰³ Ibid. After listing the demands that the Dalai Lama must “abandon his ‘Tibet independence’ claims, stop secessionist activities and publicly avow that Tibet and Taiwan are both inalienable parts of China, and the People’s Republic of China is the sole legal government of China,” Meng stated, “It is evident that the precondition doesn’t exist for the time being.”

²⁰⁴ “New Panchen Lama Enthroned at Ceremony, 8 December Events Summarized,” Xinhua, 8 December 95 (Open Source Center, 8 December 95). The enthronement ceremony in Rikaze (Shigatse) was on December 8, 1995. “The ceremony was jointly presided over and monitored by Li Tieying, the representative of the State Council and a State Councilor, Gyalcan Norbu [Gyaltzen Norbu], special commissioner and chairman of the Tibet Autonomous Regional People’s Government, and Ye Xiaowen, special commissioner and director of the State Council’s Religious Affairs Bureau.” (The Chairman of the TAR government and the boy whom Chinese officials installed as the Panchen Lama were both named Gyaltzen Norbu.)

²⁰⁵ CECC, 2008 Annual Report, 31 October 08, 189. See, e.g., “The Panchen Lama and the Golden Urn: China’s Model for Selecting the Next Dalai Lama” for more information on the Chinese government’s supervision of the installation of Gyaltzen Norbu as the Panchen Lama.

²⁰⁶ “Panchen Lama To Attend World Buddhist Forum in Eastern Chinese City,” Xinhua (Online), 27 March 09; “Panchen Lama says China enjoys religious freedom,” Xinhua (Online), 28 March 09. According to the Xinhua article, Gyaltzen Norbu told forum attendees that “China nowadays enjoys social harmony, stability and religious freedom.”

²⁰⁷ PRC Criminal Law, enacted 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, art. 103 (“organize, plot or carry out the scheme of splitting the State or undermining unity of the country”; “incites others to split the State or undermine unity of the country”).

²⁰⁸ “Revised Tibetan Buddhists Constitution Says No to Separatism,” Xinhua (Online), 18 February 09.

²⁰⁹ Ibid.

²¹⁰ See, e.g., Tibet Autonomous Region Implementing Measures for the “Regulation on Religious Affairs” (Trial Measures) [Xizang zizhiqu shishi “zongjiao shiwu tiaoli” banfa (shixing)], issued 19 September 06, effective 1 January 07, arts. 3, 46. The second clause of Article 3 requires “religious personnel” (monks and nuns) to “safeguard the unification of the country, ethnic unity, and social stability.” The third clause forbids “religious personnel” from carrying out activities that, among other things, “harm national security.” Article 46 states that “religious personnel” who violate the third clause of Article 3 may face administrative punishment if the circumstances are not “serious,” or criminal proceedings if the circumstances are “serious.” (Article 103 of the Criminal Law punishes “inciting” the split of the state. Chinese public security officials, prosecutors, and courts may treat even the possession of a photograph of the Dalai Lama as a separatist crime. See, e.g., “RFA: Three Tibetans, Previously Unknown, Serve Prison Sentences for Dalai Lama Photos, Teachings,” Congressional-Executive Commission on China (Online), 26 January 06.)

²¹¹ Tibet Autonomous Region Implementing Measures for the “Regulation on Religious Affairs” (Trial Measures) [Xizang zizhiqu shishi “zongjiao shiwu tiaoli” banfa (shixing)], issued 19 September 06, effective 1 January 07, arts. 3-5. Article 3 (“safeguard the unification of the country, ethnic unity, and social stability”), Article 4 (“religious organizations, venues for religious activities, and religious affairs are not subject to the domination of foreign state forces and forces from beyond the borders”), Article 5 (“government shall actively guide religious organizations, venues for religious activities, and religious personnel in a love of the country and of religion, in protecting the country and benefiting the people, in uniting and moving forward, and in guiding the mutual adaptation of religion and socialism”).

²¹² Ibid., arts. 5, 8. Article 5: “All levels of the people’s government shall actively guide religious organizations, venues for religious activities, and religious personnel in a love of the country and of religion, in protecting the country and benefiting the people, in uniting and moving forward, and in guiding the mutual adaptation of religion and socialism.” Article 8: “Religious organizations accept supervision and management by the people’s government religious affairs department and civil affairs department in accordance with the law.”

²¹³ Monks or nuns who administer a monastery or nunnery form the Democratic Management Committee (DMC). DMC members must implement Party policies on religion and ensure that monks and nuns obey government regulations on religious practice.

²¹⁴ Tibet Autonomous Region Implementing Measures for the “Regulation on Religious Affairs” (Trial Measures) [Xizang zizhiqu shishi “zongjiao shiwu tiaoli” banfa (shixing)], issued 19 September 06, effective 1 January 07, art. 9. “Religious organizations are responsible for establishing ‘Rules for the Democratic Management of Venues for Religious Activities,’ and organizing and implementing assessment and promotion work for religious ranks.” (“Religious organizations” (Buddhist associations) exercise supervisory authority over “venues for religious activity” (monasteries and nunneries) principally by setting up and overseeing the work of “management organizations” (Democratic Management Committees) in each monastery and nunnery.)

²¹⁵ Ibid., art. 29. Article 29: “Religious personnel, after having received confirmation from a religious organization and having reported [this] for the record to the people’s government religious affairs department at the county level or above, may engage in professional religious activities. Religious organizations at the autonomous region level are responsible for instituting measures for confirming the status of religious personnel.”

²¹⁶ “Tibet Builds First Buddhism Academy,” Xinhua (Online), 18 October 08. Image caption: “A foundation-laying ceremony of Tibetan Buddhism College is held in Lhasa, capital of southwest China’s Tibet Autonomous Region, on Oct. 18, 2008. With a total investment of 80 million yuan (about 11 million U.S. dollars) and an area of 17.5 hectares, the college is expected to be the first comprehensive higher educational institution of Tibetan Buddhism in the region.”

²¹⁷ Ibid. “Its total investment is all from the central government budget.”

²¹⁸ Ibid. The article reports that “Lobsang Gyaincan” (Lobsang Gyaltsen, or *Luosang Jianzan*) is the head of the United Front Work Department of the TAR Communist Party Committee. (A Commission staff delegation met in Lhasa in 2003 with Lobsang Gyaltsen when he served as Vice Chairman of the TAR government.)

²¹⁹ Ibid.

²²⁰ Ibid. “The first phase of construction will cost about 50 million yuan [US\$7.32 million] and is scheduled for completion in 2010. Its design includes a library and buildings for religious activities.”

²²¹ PRC Constitution, passed 4 December 82, effective same day, amended 12 April 88, 29 March 93, 15 April 99, 14 March 04, art. 36. China’s Constitution grants Chinese citizens the “freedom of religious belief,” not the freedom of religion. The Constitution forbids citizens from using religion to “disrupt public order” or “interfere with the educational system of the state.”

²²² “A Reader for Advocating Science and Technology and Doing Away With Superstitions” (translated by International Campaign for Tibet in *When the Sky Fell to Earth: The New Crackdown on Buddhism in Tibet*, 2004). “Conducting patriotic education among the monks and nuns in the monasteries is an important aspect of strengthening the management of religious affairs by the government. . . . Dalai’s bloc has never stopped penetrating and engaging in splittist activities in our region under the support of international antagonistic forces. . . . The monks and nuns should be religious professionals who love the country, love religion, obey the discipline, and abide by the law.”

²²³ Campaigns at monasteries and nunneries emphasize “legal,” “political,” and “patriotic” issues. The relative importance and emphasis on legal issues has increased as state regulation of religion has increased.

²²⁴ “Lhasa Area Monks and Nuns Face a New Round of ‘Patriotic Education,’” CECC China Human Rights and Rule of Law Update, November 2005, 10; Tibetan Centre for Human Rights and Democracy (Online), “China Recommences ‘Patriotic Education’ Campaign in Tibet’s Monastic Institutions,” 13 October 05.

²²⁵ “Zongluo Xiangbakezhu: ‘Patriotism, Religion Are Part of Me,’” China Tibet News, 20 June 09 (summarized translation in Open Source Center, 22 June 09). According to the OSC summary, “*Xiangbakezhu*” [*Xiangba Kezhu*, Jampa Khedrub] is a “Chinese People’s Political Consultative Conference [CPPCC] eleventh session National Committee member, vice chairman of the Regional CPPCC, vice chairman of the Changdu [Qamdo] Provincial CPPCC, and religious leader at the Qiangbalin Monastery.”

²²⁶ Ibid.

²²⁷ “Tibet Makes All-Round Arrangements for the Work of Maintaining Social Stability,” China Tibet News, 19 February 09 (translated in Open Source Center, 21 February 09).

²²⁸ Ibid. According to the article: “Secretary Zhang Qingli of the Tibet Autonomous Regional Party Committee, Vice Minister Zhang Xinfeng of the Public Security Ministry, and Deputy Secretary Zhang Yijiong attended and made important speeches at the teleconference. Legqog [Legchog, *Lieque*], deputy secretary of the Tibet Autonomous Regional Party Committee and chairman of the standing committee of the regional people’s congress, presided over the teleconference.”

²²⁹ Ibid.

²³⁰ Official Chinese reports on the number of TAR university-level institutions of learning are inconsistent. Two of the following official sources report that there are four such institutions and two report that there are six. The four official sources name a total of seven university-level institutions. None of the sources list the Tibet Academy of Social Sciences. The seven university-level institutions listed by at least one of the following sources are: Tibet University, Tibet College of Tibetan Medicine, Tibet Ethnic Nationality Institute, Lhasa Teacher Training Academy, Tibet Police Academy, Tibet Technology Institute, and Tibet Institute of Agriculture and Animal Husbandry (listed only in a 2000 Chinese government white paper). A plausible list of the four institutions where students will undergo ideological education may be the four institutions listed on a current English-language Ministry of Education Web page: Ministry of Education (Online), “List of Chinese Higher Education Institutions,” last visited 12 June 09. The ministry reports on an English-language Web page that there are four university-level institutions in the TAR: “Tibet University, Tibet University of Traditional Tibet Medical, Tibet Institute for Nationalities, and Tibet Institute of Police Officer.” Ministry of Education (Online), “List of Chinese Higher Education Institutions [Quanguo putong gaoxiao mingdan],” last visited 12 June 09. The ministry reports on a Chinese-language page that there are six university-level institutions in the TAR: Tibet University, Tibet College of Tibetan Medicine, Tibet Ethnic Nationality Institute, Lhasa Teacher Training Academy, Tibet Police Academy, and Tibet Technology Institute. State Council Information Office, White Paper on Protection and Development of Tibetan Culture, 25 September 08. The white paper states, “At present, there are . . . six colleges and universities [in the TAR], with students numbering 27,000 and an enrollment rate of 17.4 percent.” State Council Information Office, White Paper on The Development of Tibetan Culture (2000), June 2000. “Tibet has now established four universities—the Tibet Ethnic Institute, Tibet Institute of Agriculture and Animal Husbandry, Tibet University, and Tibet College of Tibetan Medicine, with a total enrollment of 5,249.” (The NPC Web site omits identification of the State Council Information Office as the white paper’s publisher. The China Internet Information Center Web site posts the white paper and identifies the SCIO as the publisher.)

²³¹ “Tibetan Schools Increase Ideological, Political Education Activities,” China Tibet News, 11 June 09 (summarized translation in Open Source Center, 11 June 09).

²³² Ibid.

²³³ Ibid.

²³⁴ Ibid.

²³⁵ CECC, 2008 Annual Report, 31 October 08, 199.

²³⁶ “Ahead of Sensitive Dates, Lhasa Officials Add ‘Strike Hard’ to Crackdown,” Congressional-Executive Commission on China (Online), 25 February 09. The Commission article lists sensitive dates in February and March 2009. Among the three dates (February 25, March 10, and March 28), March 10 represents two anniversaries: the 1st anniversary of the start of Tibetan protests in 2008 and the 50th anniversary of the start of events in 1959 that led to the Dalai Lama’s escape into exile.

²³⁷ Details are not available about the 505 TAR monasteries and nunneries where officials conducted education campaigns between March 2008 and March 2009. “Religious sites” can refer to places (e.g. temples and hermitages) that are not a monastery or nunnery. Chinese officials have throughout the period 1996 to 2009 stated that in the TAR there are approximately 46,000 monks and nuns and 1,700 “religious sites” for Tibetan Buddhism. State Council Information Office, White Paper on Fifty Years of Democratic Reform in Tibet, Xinhua (Online), 2 March 09. “The freedom of religious belief and normal religious activities of the Tibetan people are protected. Today, there are more than 1,700 religious venues in Tibet, with more than 46,000 resident monks and nuns, which can fully meet the needs of religious believers in Tibet.” “Actively Guide Religion To Accommodate Itself to Socialist Society,” Tibet Daily, 4 November 96 (translated in Open Source Center, 4 November 96). “Relevant data and statistics show that in 1986, 50 monasteries in Tibet were open, 43 were under renovation but still open, and there were 408 spots for religious activities. At that time, it was planned that 229 monasteries would be renovated and opened, but the actual situation is that in early 1996, there are 1,787 monasteries, which is greater than the total number of towns and townships in the region. There are over 46,000 nuns and monks, outnumbering secondary school students throughout the region.”

²³⁸ “China Focus: Legal Education at Tibetan Monasteries Bears Fruits,” Xinhua (Online), 9 March 09. Sonam Rigzin (*Suolang Renzeng*), deputy head of the United Front Work Department of the TAR Communist Party Committee, made the remark.

²³⁹ Tibet Autonomous Region Implementing Measures for the “Regulation on Religious Affairs” (Trial Measures) [Xizang zizhiqu shishi “zongjiao shiwu tiaoli” banfa (shixing)], issued 19 September 06, effective 1 January 07.

²⁴⁰ State Administration for Religious Affairs, Measures on the Management of the Reincarnation of Living Buddhas in Tibetan Buddhism [Zangchuan fojiao huofu zhuanshi guanli banfa], issued 13 July 07, effective 1 September 07.

²⁴¹ “Ten Patriotic, Law-Abiding, and Advanced Monasteries and 36 Patriotic, Law-Abiding, and Advanced Monks and Nuns in Tibet Are Commended,” Tibet Daily, 19 February 09 (translated in Open Source Center, 23 February 09).

²⁴² “Tibetan Political Advisor: Secure Religious Order and Stem Separatism Infiltration,” Xinhua (Online), 9 March 09). Pasang Dondrub (*Basang Dunzhu*) made the recommendations.

²⁴³ Ibid.

²⁴⁴ “Zhebang Monastery Launches Assembly for Monks To Establish Peaceful Monastery Work,” China Tibet News, 27 May 09 (summarized translation in Open Source Center, 22 June 09). (The OSC summary did not provide any information on the extent of the education campaign that will take place over the October 1, 2009, period. Officials generally conduct such campaigns at what they deem to be appropriate institutions within one or more administrative areas. Because the 60th anniversary of the founding of the People’s Republic of China is significant nationwide, it is possible that such education campaigns may take place in Tibetan autonomous areas outside the Tibet Autonomous Region as well as within the TAR.)

²⁴⁵ Party and government offices sometimes set up “work groups” to assist and advise on various matters. An especially prominent “work group” with respect to Tibetan issues is the Communist Party’s “Central Tibet Work Coordination Group.” See “Party Congress Promotes Officials Linked to Harsh Policies Toward Tibetans,” Congressional-Executive Commission on China (Online), 22 January 08.

²⁴⁶ “Zhebang Monastery Launches Assembly for Monks To Establish Peaceful Monastery Work,” China Tibet News, 27 May 09 (summarized translation in Open Source Center, 22 June 09). According to the OSC summary, which does not state explicitly whether or not the demands Lobsang Dondrub listed are Zhang Qingli’s “Four Standards”: “Luosang Dunzhu reportedly made four demands regarding peaceful monastery work, including preserving unity of the motherland and opposing ethnic separatism, building a long-term management system within the monastery to resolve problems and eliminate the reactionary influence of the Dalai Clique, increase the patriotic, legal, and political consciousness of every monk, and create an implementation plan at the monastery which includes the organization of all the monks.”

²⁴⁷ Ibid.

²⁴⁸ Tibet Autonomous Region Implementing Measures for the “Regulation on Religious Affairs” (Trial Measures) [Xizang zizhiqi shishi “zongjiao shiwu tiaoli” banfa (shixing)], issued 19 September 06, effective 1 January 07, art. 43.

²⁴⁹ PRC Regulation on Religious Affairs (RRA) [Zongjiao shiwu tiaoli], issued 30 November 04, effective 1 March 05, translated on the Web site of China Elections and Governance, art. 6.

²⁵⁰ “China Focus: Legal Education at Tibetan Monasteries Bears Fruits,” Xinhua (Online), 9 March 09. “After the riots, the management sent away about 700 visiting monks back to their home provinces and only the registered 600 stayed on at Drepung. The Sera, another major monasteries in Lhasa, cleaned out more than 500 visiting monks and lodgers in the post-riots head-count.”

²⁵¹ The monks were “visiting” Drepung and Sera Monasteries for the purpose of Buddhist study. For centuries, monks from throughout what is today the TAR and the Tibetan areas of Qinghai, Gansu, Sichuan, and Yunnan provinces have engaged in (often advanced) study at the Drepung and Sera.

²⁵² “China Focus: Legal Education at Tibetan Monasteries Bears Fruits,” Xinhua (Online), 9 March 09.

²⁵³ Ibid.

²⁵⁴ Tibet Autonomous Region Implementing Measures for the “Regulation on Religious Affairs” (Trial Measures) [Xizang zizhiqi shishi “zongjiao shiwu tiaoli” banfa (shixing)], issued 19 September 06, effective 1 January 07, art. 43.

²⁵⁵ Ibid. “Our region’s religious personnel who go to outside provinces (regions, cities) to study scripture, and religious personnel from other provinces (regions, cities) who study scripture at venues for religious activities in our region shall consult with and obtain consent from both provincial-level people’s government religious affairs departments.”

²⁵⁶ Ibid. “Our region’s religious personnel who cross prefectures (cities) to study scripture shall obtain approval from the administrative office (people’s government) religious affairs department in the area (city) where the venue for religious activities is located, and report for the record to the autonomous region’s people’s government religious affairs department.”

²⁵⁷ Ibid., art. 53. “Where religious personnel, in violation of the provisions in Articles 41, 42, 43, and 44 of these measures, cross zones for religious activities, without approval or putting on record [these activities], the people’s government religious affairs department at the county level or above orders amends. Where the circumstances are serious, the people’s government religious affairs department at the county level or above recommends to the relevant religious organization that they disqualify their religious personnel as such.”

²⁵⁸ “China Focus: Legal Education at Tibetan Monasteries Bears Fruits,” Xinhua (Online), 9 March 09. “After the riots, the management sent away about 700 visiting monks back to their home provinces and only the registered 600 stayed on at Drepung. The Sera, another major monasteries in Lhasa, cleaned out more than 500 visiting monks and lodgers in the post-riots head-count.”

²⁵⁹ “Tibetan Monks Still Held in Qinghai,” Radio Free Asia (Online), 28 August 08. According to RFA’s source: “On April 10 in the afternoon, security forces detained 550 monks from Drepung monastery, took them to the Nyethang Military School, and detained them on the school campus.” (Nyethang (Nedang) is a township located in Qushui (Chushur) county, adjacent to Lhasa city.) “Then, on the night of April 14, a huge contingent of Chinese security forces arrived at Sera monastery and took away about 400 monks and detained them at a military prison in Tsal Gungthang.” (Tsal Gungthang is a township under the administration of Lhasa city.)

²⁶⁰ International Campaign for Tibet (Online), “A Great Mountain Burned by Fire: China’s Crackdown in Tibet,” March 2009, 16. (ICT released the report on March 7, 2009. International Campaign for Tibet (Online), “A Great Mountain Burned by Fire: China’s Crackdown in Tibet,” 7 March 09.)

²⁶¹ “Tibetan Monks Still Held in Qinghai,” Radio Free Asia (Online), 28 August 08. “According to an authoritative source who spoke on condition of anonymity, 675 Tibetan monks from the three targeted monasteries were put on a train from Lhasa on April 25.”

²⁶² Ibid. RFA’s source said: “They were transported to a military detention center in Golmud.”

²⁶³ International Campaign for Tibet (Online), “A Great Mountain Burned by Fire: China’s Crackdown in Tibet,” March 2009, 16. The report states, “. . . installations surrounded by uniformed PAP. . .” (ICT released the report on March 7, 2009. International Campaign for Tibet (Online), “A Great Mountain Burned by Fire: China’s Crackdown in Tibet,” 7 March 09.)

²⁶⁴ Ibid.

²⁶⁵ Edward Wong, “Tibetans Greet New Year in Opposition,” New York Times (Online), 25 February 09. According to the article, “About 700 [monks] were sent to a camp in Golmud, in Qinghai, for patriotic education, then ordered to return to their hometowns, said three young monks who were at the camp.”

²⁶⁶ International Campaign for Tibet (Online), “A Great Mountain Burned by Fire: China’s Crackdown in Tibet,” March 2009, 16. (ICT released the report on March 7, 2009. International Campaign for Tibet (Online), “A Great Mountain Burned by Fire: China’s Crackdown in Tibet,” 7 March 09.)

²⁶⁷ “Tibetan Monks Freed From Detention in Golmud,” Radio Free Asia (Online), 3 September 08. With respect to monks resident in Sichuan province, the RFA report said: “On Aug. 26, a group of 60 monks detained in Golmud was moved to the Aba area in Sichuan. Officials of the United Front and Religious Affairs Bureau, along with a group of local police, went to Golmud and took charge of the monks belonging to their respective counties. Other monks belonging to different areas in Sichuan were moved in different groups on Aug. 27, 28, and 29 from Golmud under escort by officials from their respective United Front and Religious Affairs Bureaus and the police. The last group of 14 monks was moved on Aug. 29 to the Kardze area from Golmud.” Monks resident in Qinghai province were turned over to officials earlier, according to the report, which did not provide specific dates: “Monks originally from Qinghai had been released earlier into the custody of officials from Qinghai’s United Front and Religious Affairs Bureau and taken from Golmud into house arrest near their homes.”

²⁶⁸ Ibid. According to an RFA source, “The monks who were held in Golmud had endured beatings and psychological torture. As a result, many became ill and several developed heart problems.” For an additional report of abusive treatment of monks under detention, see International Campaign for Tibet (Online), “A Great Mountain Burned by Fire: China’s Crackdown in Tibet,” March 2009, 17. (ICT released the report on March 7, 2009. International Campaign for Tibet (Online), “A Great Mountain Burned by Fire: China’s Crackdown in Tibet,” 7 March 09.) In a February 3, 2009, blog entry, Tibetan writer Woesser (Oezer, *Weise*) reported that an unnamed monk “simply couldn’t bear it any longer. He started banging his head against the wall and then jumped from the window when he was taken to hospital. He broke several bones and is deaf in one ear.”

²⁶⁹ Edward Wong, “Tibetans Greet New Year in Opposition,” New York Times (Online), 25 February 09. Discussing contacts with monks at Rongbo Gonchen Monastery, located in Tongren (Rebgong) county, Huangnan (Malho) Tibetan Autonomous Prefecture, the report said: “Some of the greatest hostility comes from 30 or so monks from the Drepung and Sera monasteries in Lhasa who have sought refuge here, even as some monks from Rongwo have tried fleeing across the Himalayas to India.”

²⁷⁰ Ibid. According to the article, “About 700 [monks] were sent to a camp in Golmud, in Qinghai, for patriotic education, then ordered to return to their hometowns, said three young monks who were at the camp.” One of the monks told the reporter, “We want to go back to our monastery in Lhasa, but the police would check our ID cards and evict us.”

²⁷¹ The Chinese government does not permit Tibetan Buddhists in China to treat as a legitimate religious figure Gedun Choekyi Nyima, the boy the Dalai Lama recognized as the Panchen Lama in May 1995. The Chinese State Council declared the Dalai Lama’s recognition of Gedun Choekyi Nyima “illegal and invalid” and supervised the selection and installation of another boy, Gyaltzen Norbu, as the Panchen Lama. “It Is Both Illegal and Invalid for the Dalai Lama to Universally Identify the Reincarnated Soul Boy of the Panchen Lama,” People’s Daily, 1 December 95 (Open Source Center, 1 December 95). “New Panchen Lama Enthroned at Ceremony, 8 December Events Summarized,” Xinhua, 8 December 95 (Open Source Center, 8 December 95). The enthronement ceremony in Rikaze (Shigatse) was on December 8, 1995. “The ceremony was jointly presided over and monitored by Li Tieying, the representative of the State Council and a State Councilor, Gyalcan Norbu [Gyaltzen Norbu], special commissioner and chairman of the Tibet Autonomous Regional People’s Government, and Ye Xiaowen, special commissioner and director of the State Council’s Religious Affairs Bureau.” (The Chairman of the TAR government and the boy whom Chinese officials installed as the Panchen Lama were both named Gyaltzen Norbu.)

²⁷² “Tibetan Official: Dalai Lama’s Reincarnation Needs Nod From Central Gov’t,” Xinhua (Online), 12 March 09. “A top Tibetan official on Thursday warned the Dalai Lama not to break the conventions in reincarnation and reiterated the succession of a ‘Living Buddha’ needs approval from the central government by tradition.”

²⁷³ Ibid. “The reincarnation of the Dalai Lama, like that of any Grand Living Buddha, must follow historical conventions and required religious rituals, and, more importantly among the traditions, approval from the central government, Qiangba Puncog, chairman of Tibet’s regional government, told Xinhua on the sidelines of the national legislative session in Beijing.”

²⁷⁴ Ibid.

²⁷⁵ Ministry of Foreign Affairs (Online), “Did Tibet Become an Independent Country After the Revolution of 1911?” 15 November 00. “In 1792 the twenty-nine-article Imperial Ordinance was issued. It stipulated in explicit terms for the reincarnation of the Living Buddhas in Tibet as well as the administrative, military and foreign affairs.” (The edict sought to impose Qing control over religious, administrative, military, fiscal, commercial, and foreign affairs. The edict demanded that the Amban, “Resident Official” representing the imperial court, would have equal status to the Dalai and Panchen Lamas, and function as the supervisor of the Tibetan administration.)

²⁷⁶ Tibet Information Network, “Search Party Abbot and Assistant ‘Held Incommunicado’ for 12 Days,” 31 May 95. “The ferocity of Chinese anger at the Dalai Lama’s pre-emptive announcement has taken observers by surprise, but much of Beijing’s claim to rule Tibet rests on its right to appoint the Dalai Lama and the Panchen Lama. China had no involvement in the selection of the 13th Dalai Lama, and its claim to have had a hand in the selection of the current, 14th, Dalai Lama was rubbished by Ngawang Ngapo Jigme, then the seniormost Tibetan official in China, in a newspaper article in China in 1991.”

²⁷⁷ “Tibetan Official: Dalai Lama’s Reincarnation Needs Nod From Central Gov’t,” Xinhua (Online), 12 March 09.

²⁷⁸ A November 1995 broadcast by Communist Party-operated Tibet People’s Radio provided questions and answers outlining the government position on the Dalai Lama’s recognition of Gedun Choekyi Nyima as the Panchen Lama. Two of the questions asked why the Dalai Lama’s action was “illegal.” The first answer focused on the Chinese government’s view of Tibetan Buddhist religious processes and historical tradition; the second answer focused on China’s sovereignty over Tibet. The first answer stated that “the search for and confirmation of the Panchen’s reincarnation must proceed according to religious rituals and historical norms” which include, among other things, “drawing lots from the golden urn, and submitting the results to the central government for approval.” The second response was short and indicates that failure to accept the Chinese government’s role in approving reincarnations is deemed to be a rejection of China’s sovereignty over “Tibet” (therefore, a potentially criminal act under Article 103 of the Criminal Law): “Tibet is an inalienable part of China. Since the Yuan dynasty [1271 to 1368], Tibet’s local administrative systems have been set up by the central government and its political and religious leaders could not exercise their authority if they were not appointed by the central government.” “Questions and Answers Regarding the Reincarnated Child of the 10th Panchen” compiled by the Tibet Autonomous Regional Nationalities and Religious Affairs Commission, Tibet People’s Radio Network, 4 November 95 (translated in Open Source Center, 4 November 95).

²⁷⁹ P. Jeffrey Hopkins, “The Identification of the Eleventh Panchen Lama,” University of Virginia, Center for South Asian Studies Newsletter, Fall 1995. “May 14, 1995. After extensive analysis of over thirty children is performed, four prophecies are consulted from oracles, and nine divinations including the dough-ball ritual are performed, the Dalai Lama formally recognizes a six-year-old boy, Dedhun [Gedun] Choekyi Nyima, born on April 25, 1989, in the Lhari District of Nagchu, Tibet, as the eleventh Panchen Lama.”

²⁸⁰ CECC Staff Interview, September 2003. A Chinese judicial official explained that a photograph of Gedun Choekyi Nyima is illegal because the Chinese government had already approved a legal Panchen Lama (Gyaltzen Norbu). Disseminating photos of an illegal Panchen Lama can endanger the sovereignty and unity of the country, and aims to spit the country.

²⁸¹ U.S. Commission on International Religious Freedom, Annual Report of the U.S. Commission on International Religious Freedom, May 2009, 79. “The Chinese government continues to deny repeated international requests for access to 19-year old Gedhun Choekyi Nyima, whom the Dalai Lama designated as the 11th Panchen Lama when he was six years old. No one has seen him since, nor have any independent or transparent interviews taken place. While

he is a ‘disappeared’ person, government officials claim that he is in fact alive and well and being ‘held for his own safety.’”

²⁸² Gedun Choekyi Nyima’s date of birth is April 25, 1989. International Campaign for Tibet (Online), “The Panchen Lama’s 17th Birthday: More Control of Religion in Tibet, Ban on Prayer-Flags in One Tibetan Area,” 25 April 06. The ICT states that April 25, 2006, was Gedun Choekyi Nyima’s 17th birthday.

²⁸³ P. Jeffrey Hopkins, “The Identification of the Eleventh Panchen Lama,” University of Virginia, Center for South Asian Studies Newsletter, Fall 1995. The chronology entry for May 21, 1995, includes this statement: “The boy and his family, as well as two other children who were leading candidates, have disappeared and are reported to have been removed to Beijing.” (For more information, see CECC, 2008 Annual Report, Section V on Tibet, “The Panchen Lama and the Golden Urn: China’s Model for Selection the Next Dalai Lama,” 189.)

²⁸⁴ “Panchen Lama Returns Home After 11-Year Absence,” Xinhua, reprinted in People’s Daily (Online), 31 August 06. “Gyaincain Norbu, the leader of the Tibetan Buddhism, arrived on Sunday at Lhari county, Nagqu prefecture in northern Tibet, where he was born on February 13, 1990.”

²⁸⁵ “New Panchen Lama Enthroned at Ceremony, 8 December Events Summarized,” Xinhua, 8 December 95 (Open Source Center, 8 December 95). The enthronement ceremony in Rikaze (Shigatse) was on December 8, 1995. “The ceremony was jointly presided over and monitored by Li Tieying, the representative of the State Council and a State Councilor, Gyalcan Norbu [Gyaltzen Norbu], special commissioner and chairman of the Tibet Autonomous Regional People’s Government, and Ye Xiaowen, special commissioner and director of the State Council’s Religious Affairs Bureau.”

²⁸⁶ “Panchen Lama To Attend World Buddhist Forum in E Chinese City,” Xinhua (Online), 27 March 09.

²⁸⁷ “Panchen Lama Says China Enjoys Religious Freedom,” Xinhua (Online), 28 March 09.

²⁸⁸ Ibid. According to the Xinhua article, Gyaltzen Norbu made the remark on Saturday, March 28.

²⁸⁹ Ibid. Abbot Shi Yongxin of Shaolin Temple said, “Since English is an international language, the 11th Panchen Lama’s speech in English this time will definitely impress the world.”

²⁹⁰ Commission staff monitoring of China’s state-run media and of international media organization reports has not located an instance of Gyaltzen Norbu discussing the Dalai Lama. For example, the lengthy “signed article” by the Gyaltzen Norbu published on March 22, 2009, and heralding the first observance of “Serfs Emancipation Day,” makes no reference to the Dalai Lama. “Further Cherish Democratic Reform Achievements—Marking the 50th Anniversary of Freeing One Million of Serfs and Slaves in Tibet,” Xinhua, 22 March 09 (translated in Open Source Center, 22 March 09).

²⁹¹ “Panchen Lama promises to maintain stability in Tibet,” Xinhua (Online), 15 March 09.

²⁹² Ibid.

²⁹³ The complete name of the 10th Panchen Lama was Lobsang Trinley Lhundrub Choekyi Gyaltzen. Shorter forms of the name, such as Lobsang Choekyi Gyaltzen and Choekyi Gyaltzen were also in use. “The Panchen Lama Turns 20, Dharamsala Offers Long Life Prayers,” Tibetan Government-in-Exile (Online), 26 April 09 (Lobsang Trinley Lhundrub Choekyi Gyaltzen); International Campaign for Tibet (Online), “When the Sky Fell to Earth: the New Crackdown on Buddhism in Tibet,” 9 July 2004, 34 (Lobsang Choekyi Gyaltzen); Tibetan Centre for Human Rights and Democracy (Online), “11 Years On! The 11th Panchen Lama, Gendun Choekyi Nyima, Still Remain Disappeared,” 24 April 06 (Choekyi Gyaltzen).

²⁹⁴ See, e.g., International Campaign for Tibet (Online), “The Tenth Panchen Lama,” last visited 17 May 09.

²⁹⁵ Ibid. According to ICT, the 10th Panchen Lama served as Acting Chairman of the Preparatory Committee for the Autonomous Region of Tibet, and later as a Vice Chairman of the Chinese People’s Political Consultative Conference.

²⁹⁶ Ibid. According to ICT, after the Dalai Lama fled to India in 1959, the 10th Panchen Lama “became a key figure in the struggle to preserve Tibetan cultural and religious traditions and to promote Tibetan autonomy under Chinese

occupation.” Following nearly 10 years of imprisonment from 1967-1977, the Panchen Lama began in 1979 to work on “promoting Tibetan language, culture and religion.”

²⁹⁷ Ibid. According to ICT, the 10th Panchen Lama submitted a 70,000 character petition described as “a strong criticism of Chinese policies towards Tibetans.” The Panchen Lama documented his petition with “case stories” of his own travel through Tibet. He discussed the petition with Premier Zhou Enlai in May 1962; in June “the petition was printed and circulated among the leaders.”

²⁹⁸ Ibid. According to ICT, on January 23, 1989, during a visit to Tashi Lhunpo Monastery (the historical seat of the Panchen Lamas) in Shigatse (Rikaze), Tibet Autonomous Region, the Panchen Lama stated in a public speech, “If we compare the price of the sacrifice we (Tibetans) have made with the development that we have seen, my feeling is that the value of our sacrifice has been far greater. Our sacrifice far outweighs our development.” The Panchen Lama passed away five days later on January 28 “after a mysterious illness.”

²⁹⁹ “At the Symposium on the 50th Anniversary of Tibet Nationalities Institute, Zhang Qingli Emphasized Implementing the Strategy of Rejuvenating Tibet Through Science, Education and Employment of Talented Personnel, and Working Hard To Carry Out Education to the People’s Satisfaction,” Tibet Daily, 6 October 08 (translated in Open Source Center, 28 October 08). Zhang Qingli, Secretary of the Communist Party Committee of the Tibet Autonomous Region, emphasized Party leadership in developing Tibet in an October 2008 speech: “Through its development in the previous more than half a century, education in Tibet had formed its own system, made remarkable achievements, and realized a historical leap forward. Facts had strongly proved that, only under the leadership of the CPC, in the arms of the big family of the motherland and by unswervingly following the socialist road could Tibet have a bright prospect and beautiful future.”

³⁰⁰ See, e.g., State Council Information Office, White Paper on “Fifty Years of Democratic Reform in Tibet,” 2 March 09, reprinted in Xinhua (Online), 2 March 09; “Thanks to the care of the central authorities and the support of the whole nation, Tibet has witnessed remarkable progress in economic and social development. From 1959 to 2008, the local GDP soared from 174 million yuan to 39.591 billion yuan, a 65-fold increase or an average annual growth of 8.9 percent at comparable prices.” “Overall Situation Stable in Tibet,” Xinhua (Online), 6 March 09. According to the article, TAR GDP in 2008 surpassed 39.59 billion yuan (US\$ 5.82 billion), an increase of 10.1 percent over 2007. Rural per capita income in the TAR in 2008 averaged 3,176 yuan in 2008, an increase of 13.9 percent over 2007. Urban per capita income in the TAR in 2008 averaged 12,482 yuan, an increase of 12.1 percent over 2007.

³⁰¹ When Chinese government and Party officials refer to “Tibet,” they generally refer to what is today the Tibet Autonomous Region.

³⁰² See, e.g., State Council Information Office, White Paper on “Fifty Years of Democratic Reform in Tibet,” 2 March 09, reprinted in Xinhua (Online), 2 March 09. With respect to education: “In old Tibet there was not a single school in the modern sense. The enrollment rate for school-age children was less than two percent, while the illiteracy rate was as high as 95 percent. . . . The enrollment rate for primary school-age children has reached 98.5 percent, that for junior high school 92.2 percent, and that for senior high school 51.2 percent. There are 884 primary schools, 117 high schools and 1,237 teaching venues now in Tibet.” With respect to highway infrastructure: “In the old days, there was not a single highway in Tibet. Today, a convenient transportation network has taken shape, with highway transportation as the backbone and air, rail and pipeline transportation as supplement, stretching from Lhasa to all directions. In 2008, nearly all counties in Tibet became accessible by highways.” (Commission staff cannot confirm the accuracy of Chinese government statistics on educational infrastructure and student attainment in the TAR. The Commission’s 2006 Annual Report stated, based on official Chinese government 2000 census data: “Education levels among Tibetans are much lower than those of ethnic Han, undermining the ability of Tibetans to compete for employment and other economic advantages in an emerging market economy that attracts an increasing number of Han. Based on 2000 census data, the Tibetan rate of illiteracy (47.55 percent) is more than five times higher than for Han (8.60 percent), while Han reach senior middle school at more than five times the rate of Tibetans (8.83 percent compared to 1.70 percent).” CECC, 2006 Annual Report, 20 September 06, 169.)

³⁰³ “Tibet Party Chief: Conditions Ripe for Building Lhasa-Xigaze Railway,” Tibet Daily, 3 June 09 (summarized translation in Open Source Center, 22 June 09). According to the OSC summary: “Zhang Qingli, secretary of the Tibet CPC Committee, and Minister of Railways Liu Zhijun on 30 May have a forum on accelerating the construction and development of railways in Tibet.”

³⁰⁴ See, e.g., “Dalai Lama Group’s Sabotage Biggest Obstacle to Tibet’s Development,” Xinhua (Online), 6 March 09.

³⁰⁵ Ibid.

³⁰⁶ “Tibet Remains Stable Despite Repeated Secessionist Attempts,” Xinhua (Online), 8 March 09.

³⁰⁷ “Lhasa Mayor: Separatist Activities Biggest Obstacle to Development,” China Tibet News, 28 April 09 (translated in Open Source Center, 29 April 09). “According to Duoji Cizhu, the biggest obstacle to development in Tibet is the international hostile forces and the Dalai Clique, whose damaging influence was demonstrated by the ‘14 March’ incident.”

³⁰⁸ “Tibet To Step Up Legislation, Law Enforcement To Fight Splittism,” Xinhua (Online), 12 March 09.

³⁰⁹ Ibid.

³¹⁰ Ibid.

³¹¹ “Comprehensively Carrying out the Guiding Ideology Set by the Central Authorities for the Tibet Work in the New Period—First Commentary on Launching Activities for Thoroughly Studying and Practicing the Scientific Development Concept,” Tibet Daily, 10 October 08 (translated in Open Source Center, 19 October 08). “One prominent feature about Tibet, which makes Tibet different from all the other provinces, regions, and municipalities in the country, is that Tibet is shouldered with an extremely heavy task of promoting its economic and social development on the one hand and the Dalai clique is trying its utmost to make disturbances and sabotages on the other.”

³¹² “Comprehensively Carrying out the Guiding Ideology Set by the Central Authorities for the Tibet Work in the New Period—First Commentary on Launching Activities for Thoroughly Studying and Practicing the Scientific Development Concept,” Tibet Daily, 10 October 08 (translated in Open Source Center, 19 October 08). “Facing the strong anticipations of the masses of all ethnic groups in our region for a happy and wonderful life, we must firmly establish the thinking that development serves as the foundation for resolving all problems in Tibet; . . .”

³¹³ CECC, 2004 Annual Report, Section VI on Tibet, “Culture, Demography, and Development,” 5 October 04, 98-100.

³¹⁴ CECC, 2005 Annual Report, Section VI on Tibet, “Culture, Development, and Demography,” 11 October 05, 108-110.

³¹⁵ CECC, 2006 Annual Report, Section VIII on Tibet, “Culture, Development, and Demography,” 20 September 06, 165-170.

³¹⁶ CECC, 2007 Annual Report, Section IV on Tibet: Special Focus for 2007, “Tibetan Culture Under Chinese Development Policy and Practice,” 10 October 07, 200-207.

³¹⁷ CECC, 2008, Annual Report, Section V on Tibet, “Economic Development vs. Ethnic Minorities’ Autonomous Rights,” 31 October 08, 192-194.

³¹⁸ The Dalai Lama has made a statement on the anniversary of the March 10, 1959, Lhasa uprising every year that he has lived in exile, beginning in 1960. The statements for the years 1961 to 2009 are available on the Web site of His Holiness at <http://www.dalailama.com/page.104.htm>.

³¹⁹ Office of His Holiness the Dalai Lama (Online), “Statement of His Holiness the Dalai Lama on the Fiftieth Anniversary of the Tibetan National Uprising Day,” 10 March 09.

³²⁰ Ibid.

³²¹ See, e.g., Hu Yanan, “Lhasa To Boast Modern Redesign,” China Daily (Online), 17 March 09.

³²² “Tibet Starts Building 5th Civil Airport,” Xinhua (Online), 30 April 09. “China is also building a 254-km railway linking Xigaze with the regional capital Lhasa. Construction on the 11-billion-yuan [US\$1.61 billion] Qinghai-Tibet railway’s extension line started in 2008 and was expected to be completed in 2010.”

³²³ Ibid. Construction began on April 29, 2009, according to the article, and would be complete in two years.

³²⁴ “Opinions on the Implementation of Certain Policy Measures for the Large-Scale Development of the West Region (by the State Council Office for the Development of the West Region on 28 August 2001),” Xinhua, 20 December 01 (translated in Open Source Center, 20 December 01). Under the subheading, “Giving Priority to the West Region in Making Arrangements for Construction Projects,” the State Council Opinion states, “It is necessary to give priority to the west region in making arrangements for construction and other development projects, including water conservancy, highway, railway, airport, oil and gas pipes, telecommunications and other infrastructure construction projects; ecological and environmental improvement; the development of agriculture with special characteristics and hydroelectric power; the production of fine coal, petroleum, natural gas, copper, aluminum, potassium, phosphorus and other advantageous energy sources; the development of tourism and high-technology with special characteristics; and the industrialization of military technologies for civilian use.”

³²⁵ Ibid. (The opinion provides 2000 as the date of a State Council circular on implementation of the Great Western Development campaign.) “The implementation of the strategy of large-scale development of the west region and the acceleration of the development of China’s central and west regions is a major policy decision of the party Central Committee after taking the overall situation into consideration with great foresight. According to the ‘State Council Circular on Implementing Certain Policy Measures for the Large-Scale Development of the West Region’ (Guo Fa [2000] No. 33), the State Council Office for the Development of the West Region has further studied and formulated opinions on the implementation of certain policy measures for the large-scale development of the west region in conjunction with concerned departments.”

³²⁶ Hu Yinan, “Lhasa To Boast Modern Redesign,” China Daily (Online), 17 March 09.

³²⁷ Ibid.

³²⁸ Ibid. “According to the plan, Lhasa, Tibet’s largest city, should cap its downtown population at less than 450,000, while constraining its land used for urban development within 75 sq km.”

³²⁹ Tibet Statistical Yearbook 2008 (Beijing: China Statistics Press, June 2008), Table 3-7, “Population by Region,” 36. The seven counties included in Lhasa municipality are Linzhou (Lhundrub), Dangxiong (Damshung), Nimu (Nyemo), Qushui (Chushur), Duilongdeqing (Toelung Dechen), Dazi (Tagtse), and Mozhugongka (Maldro Gongkar).

³³⁰ Tibet Statistical Yearbook 2008 (Beijing: China Statistics Press, June 2008), Table 3-7, “Population by Region,” 36; Tabulation on Nationalities of 2000 Population Census of China, Department of Population, Social, Science and Technology Statistics, National Bureau of Statistics, and Department of Economic Development, State Ethnic Affairs Commission (Beijing: Ethnic Publishing House, September 2003), Table 10-4. The total 2007 population of Lhasa municipality (464,736 persons) and of Lhasa city (181,191) provided in the 2008 Tibet Statistical Yearbook are less than the population for the same areas recorded in the official 2000 census: Lhasa municipality (474,499); Lhasa city (223,001). (The notion that Lhasa’s population in 2007, after the opening of the Qinghai-Tibet railway, was lower than in 2000, before the construction of the railway, is an example of problems that official Chinese population data can pose, especially when comparing census data on population with population data in provincial statistical yearbooks. The national census and annual provincial population surveys use different methods to collect data. See CECC 2006 Annual Report, section on Tibet, 168-169; CECC 2005 Annual Report, section on Tibet, 110.)

³³¹ Tibet Statistical Yearbook 2008 (Beijing: China Statistics Press, June 2008), Table 3-7, “Population by Region,” 36. The yearbook provides the following data for 2007: Lhasa municipality total (464,736). Lhasa city (181,991); Linzhou (Lhundrub) county (58,426); Dangxiong (Damshung) county (43,534); Nimu (Nyemo) county (30,394); Qushui (Chushur) county (33,159); Duilongdeqing (Toelung Dechen) county (45,551); Dazi (Tagtse) county (26,723); Mozhugongka (Maldro Gongkar) county (44,958).

³³² For a discussion of official Chinese reports on the number and characterization of passengers traveling on the Qinghai-Tibet railway into the Tibet Autonomous Region, and of the views of some Tibetan residents of Lhasa toward the increase in non-Tibetans in Lhasa, see CECC, 2007 Annual Report, 10 October 07, 203-204.

³³³ “Transcript of Tibet Officials’ 6 Mar Interview With Reporters During NPC Session,” Xinhua, 6 March 09 (translated in Open Source Center, 15 March 09); Lan Jinshan, “Zhang Yijiong’s Emphasis on the Promotion of Services and Management for Floating Population Sets a New Platform” [Zhang Yijiong qiangdiao tuidong liudong

renkou fuwu he guanli mai shang xin taijie], China Tibet News (Online), 3 September 08; See also “Unavoidable Internal Problems, Separatists Blamed for Lhasa Riot,” China Daily (Online), 19 March 09.

³³⁴ “Transcript of Tibet Officials’ 6 Mar Interview With Reporters During NPC Session,” Xinhua, 6 March 09 (translated in Open Source Center, 15 March 09); Lan Jinshan, “Zhang Yijiong’s Emphasis on the Promotion of Services and Management for Floating Population Sets a New Platform” [Zhang Yijiong qiangdiao tuidong liudong renkou fuwu he guanli mai shang xin taijie], China Tibet News (Online), 3 September 08. According to the report, Zhang Yijiong said: “In recent years, following the increasing strength of reform and opening up in Tibet, especially following the opening of the Green Tibet Railroad, the work of service and supervision of Tibet’s floating population has encountered many new situations, is facing many new problems, and requires that we research and find solutions with increased sincerity.”

³³⁵ “Transcript of Tibet Officials’ 6 Mar Interview With Reporters During NPC Session,” Xinhua, 6 March 09 (translated in Open Source Center, 15 March 09). Referring to the March 14 rioting, Jampa Phuntsog (Xiangba Pingcuo) said: “At that time, the violent acts of the thugs caused 18 deaths of innocent people and injured 382 people, and some became disabled. The thugs set fires at more than 300 places including five hospitals, 908 shops, and 120 civilian houses.”

³³⁶ Ibid.

³³⁷ Lan Jinshan, “Zhang Yijiong’s Emphasis on the Promotion of Services and Management for Floating Population Sets a New Platform” [Zhang Yijiong qiangdiao tuidong liudong renkou fuwu he guanli mai shang xin taijie], China Tibet News (Online), 3 September 08.

³³⁸ Ibid.

³³⁹ Ibid.

³⁴⁰ “With People First, Do Good Floating Population Management Work” [Chengguan qu liudong renkou guanli gongzuo huiyi qiangdiao], Lhasa Evening News (Online), 4 February 09. “It is understood that since June of last year, the autonomous region, Lhasa Municipality and Chengguan District have sent 40 county-level cadres and 147 normal cadres into the 40 village (neighborhood) committees in Chengguan District to work on floating population service and management stations. In total, 69,000 rental accommodation units have been checked and registered, 183,926 people have been registered with temporary residency, 61,380 rented accommodation [law and] order responsibility contracts have been signed, and 59,186 rented accommodation [law and] order leases have been signed.”

³⁴¹ Ibid. (Although the article refers to the officials who registered temporary residents in Lhasa’s Chengguan district as *ganbu* (cadres), they may have held government jobs in addition to their Party post if they were registering residents, a government function.)

³⁴² Ibid. “It is understood that since June of last year, the autonomous region, Lhasa Municipality and Chengguan District have sent 40 county-level cadres and 147 normal cadres into the 40 village (neighborhood) committees in Chengguan District to work on floating population service and management stations. In total, 69,000 rental accommodation units have been checked and registered, 183,926 people have been registered with temporary residency, 61,380 rented accommodation [law and] order responsibility contracts have been signed, and 59,186 rented accommodation [law and] order leases have been signed.”

³⁴³ CECC Staff Interview, May 2002. According to a Chinese academic, the population of temporary residents of Lhasa’s urban area peaked during summer at around 100,000 and dipped to about 10,000 during late winter and Spring Festival (a period including Chinese New Year). (The interview preceded the start of operation of the Qinghai-Tibet railway in July 2006.)

³⁴⁴ Tibet Statistical Yearbook 2008 (Beijing: China Statistics Press, June 2008), Table 3-7, “Population by Region,” 36. The yearbook provides the following data for 2007: Lhasa municipality total (464,736), Lhasa city (181,991).

³⁴⁵ CECC Staff Analysis. For more information see CECC, 2007 Annual Report, 10 October 07, 203-204.

³⁴⁶ “Transcript of Tibet Officials’ 6 Mar Interview With Reporters During NPC Session,” Xinhua, 6 March 09 (translated in Open Source Center, 15 March 09). Jampa Phuntsog: “This involves some issues concerning the

management of the floating population With the completion of the Qinghai-Tibet railway and increases in the stream of people, . . . we are behind in some work.” Lan Jinshan, “Zhang Yijiong’s Emphasis on the Promotion of Services and Management for Floating Population Sets a New Platform” [Zhang Yijiong qiangdiao tuidong liudong renkou fuwu he guanli mai shang xin taijie], China Tibet News (Online), 3 September 08. According to the report, Zhang Yijiong said that “the work of service and supervision of Tibet’s floating population has encountered many new situations” in recent years, “especially following the opening of the ‘Green Tibet Railway’ [Qinghai-Tibet railway].”

³⁴⁷ CECC, 2005 Annual Report, 11 October 05, 109-110; “No Immigration of Other Ethnic Groups: Tibetan Official,” Xinhua (Online), 26 September 03. Jampa Phuntsog, then TAR Deputy Party Secretary, said “there has been no immigration of other ethnic groups into Tibet.” “Ethnic Tibetans Remain Majority in Tibet: Tibetan Chairman,” People’s Daily (Online), 05 September 02. Legchog, then TAR Deputy Party Secretary, said that it was an “absurdity” to suggest that Chinese population could overtake Tibetans. “Raidi Meets Hong Kong Journalists, Gives Interview,” Tibet Daily, 07 August 01 (translated in Open Source Center, 07 August 01). Ragdi, then Executive Deputy TAR Party Secretary, said “[S]ome people say that with immigration, the Tibetan population is greatly reduced and Tibetan culture will be extinguished. There is absolutely no basis for such talk.”

³⁴⁸ Tibet Statistical Yearbook 2008 (Beijing: China Statistics Press, June 2008), Table 3-4, “Population Nationality,” 33. The total Han population in the TAR in 2005 is recorded as 104,647 persons; the total in 2007 is recorded as 110,429. (Han population increased by 5,782 persons in the period from 2005-2007, according to 2008 TAR yearbook data.)

³⁴⁹ Ibid. The total population in the TAR in 2005 is recorded as 2,675,520 persons; the total in 2007 is recorded as 2,735,867. (The total TAR population increased by 60,347 persons in the period from 2005 to 2007, according to TAR yearbook data.) The total Tibetan population in the TAR in 2005 is recorded as 2,549,293 persons; the total in 2007 is recorded as 2,602,788. (Tibetan population increased by 53,495 persons in the period from 2005 to 2007, according to 2008 TAR yearbook data. Tibetans made up 53,495 (89 percent) of the 60,347 increase in TAR population in the period from 2005 to 2007, according to TAR yearbook data.)

³⁵⁰ Tabulation on Nationalities of 2000 Population Census of China, Department of Population, Social, Science and Technology Statistics, National Bureau of Statistics, and Department of Economic Development, State Ethnic Affairs Commission (Beijing: Ethnic Publishing House, September 2003), Table 10-4; Tibet Statistical Yearbook 2008 (Beijing: China Statistics Press, June 2008), Table 3-4, “Population Nationality,” 33. (In 2000, when the national census recorded 158,570 Han in the TAR, the TAR yearbook states that there were 72,122 Han in the TAR.)

³⁵¹ The national census uses a method of enumeration (see below) that attempts to record more of the population as present in the locations where they actually are, rather than at the location recorded on their permanent residence registration certificates. Provincial annual statistical yearbooks, on the other hand, rely on data compiled by the local public security bureau. See, e.g., Sichuan Statistical Yearbook 2005 (Beijing: China Statistics Press, 2005), Table 3-1, “Population and Its Composition,” 41. A note appended to Table 3-1 states: “Data in this table were taken from the annual reports of the Bureau of Public Security, which were different than from that of permanent residents.” National Bureau of Statistics of China (Online), “Measures for Fifth National Population Census,” 23 April 02, Chapter 2, art. 7. Article 7 includes instructions that the following persons should be enumerated in the places where they are: “those who have resided in the townships, towns and street communities for more than half a year but the places of their permanent household registration are elsewhere”; “those who have resided in the townships, towns and street communities for less than half a year but have been away from the place of their permanent household registration for more than half a year”; and “those who live in the townships, towns and street communities during the population census but the places of their household registration have not yet settled.”

³⁵² “Tibet To Receive Three Million Tourists in 2009,” Xinhua (Online), 12 April 09. “The Qinghai-Tibet Railway had brought 7.6 million passengers to Tibet in two years and most of them were visitors, said Wang Songping, deputy director of Tibet Autonomous Region Tourism Administration.” For a discussion on Chinese officials’ using terms such as “passenger” and “tourist” interchangeably, see CECC, 2007 Annual Report, 10 October 07, 203.

³⁵³ “Qinghai-Tibet Rail Line Opens Way for Future,” China Daily (Online), 10 January 09. “By last May, 1.48 million passengers have ridden the train into Tibet and 1.52 million out of Tibet, said Sun Yongfu [former vice-

minister of railways], who is also an academician with China Academy of Sciences.” (The inbound and outbound figures total three million passengers.)

³⁵⁴ Ibid. “By last May, 1.48 million passengers have ridden the train into Tibet and 1.52 million out of Tibet, . . .”

³⁵⁵ Tibet Statistical Yearbook 2008 (Beijing: China Statistics Press, June 2008), Table 12-2, “Turnover Volume of Passenger and Freight Traffic by Region,” 218-219. Under the heading, “Total Passenger Traffic,” the total for “railways” in 2006 is recorded as 378,900. The total for 2007 is recorded as 888,500. The total number of railway passengers for 2006 and 2007 is 1,267,400.

³⁵⁶ “Qinghai-Tibet Railway Statistics Add to Confusion, Mask Impact on Local Population,” Congressional-Executive Commission on China (Online), 4 March 08; “Qinghai-Tibet Railway Transports 5.95 Mln Tourists,” Xinhua (Online), 8 February 08.

³⁵⁷ “Construction of Tibet’s Largest Logistics Center Nears Completion,” Xinhua, 20 April 09, reprinted in China Internet Information Center (Online); “Nagqu Logistics Center: Beautiful Scenery in Changtang,” China Tibet Information Center (Online), 9 April 09.

³⁵⁸ “Tibet’s Largest Logistics Center Starts Operation,” Xinhua, reprinted in China Daily (Online), 18 August 09.

³⁵⁹ “Construction of Tibet’s Largest Logistics Center Nears Completion,” Xinhua, 20 April 09, reprinted in China Internet Information Center (Online). The report states that the facility occupies 533 hectares (1,317 acres).

³⁶⁰ “Key Railway Logistics Center Set Up in Tibet,” Xinhua (Online), 17 August 09.

³⁶¹ “Nagqu Logistics Center: Beautiful Scenery in Changtang,” China Tibet Information Center (Online), 9 April 09. “[The logistics center] . . . will have a great impact on Chamdo county of TAR, Sichuan Province, and Yunnan Province in the east and in the west it will influence Ngari county [sic: prefecture], which is connected with the Xinjiang Uygur Autonomous Region. In the north, Nagqu Logistics Center will connect Shaanxi Province, Gansu Province and Qinghai Province while in the south it will boost the central areas of the Tibet Autonomous Region.”

³⁶² “Nagqu Logistics Center: Bridge Tower for Landway of S Asia,” Xinhua (Online), 25 November 08.

³⁶³ “Qinghai-Tibet Rail Line Opens Way for Future,” China Daily (Online), 10 January 09. According to the article, “In the near future, a new railway will be built from Lhasa to Xigaze, and before 2020 a railway is planned connecting Xinjiang Uygur autonomous region and Tibet.” Sun Yongfu, former Vice-Minister of Railways said, “In the long term, there will also be railways entering Tibet from Chengdu in Sichuan province and Kunming in Yunnan province.”

³⁶⁴ “Nagqu Logistics Center: Bridge Tower for Landway of S Asia,” Xinhua (Online), 25 November 08. “[The Naqu logistics center] . . . will influence Nagri [sic: Ngari] Prefecture, which is connected with the Xinjiang Uygur [sic: Uyghur] Autonomous Region.”

³⁶⁵ Ibid. “[The Naqu logistics center] will have a great impact on Chamdo Prefecture of Tibet, Sichuan Province, and Yunnan Province in the east In the north, Nagqu Logistics Center will connect Shaanxi Province, Gansu Province and Qinghai Province”

³⁶⁶ “Tibet Starts Building 5th Civil Airport,” Xinhua (Online), 30 April 09. “China is also building a 254-km railway linking Xigaze with the regional capital Lhasa. Construction on the 11-billion-yuan [US\$1.61 billion] Qinghai-Tibet railway’s extension line started in 2008 and was expected to be completed in 2010.”

³⁶⁷ “Tibet Party Chief: Conditions Ripe for Building Lhasa-Xigaze Railway,” Tibet Daily, 3 June 09 (summarized translation in Open Source Center, 22 June 09).

³⁶⁸ “Tibet Starts Building 5th Civil Airport,” Xinhua (Online), 30 April 09. Construction began on April 29, 2009, according to the article, and would be complete in two years.

³⁶⁹ The other four TAR civil airports: Lhasa airport is located in Gongga (Gongkar) county, Shannan (Lhoka) prefecture; Bangda airport serves Changdu (Chamdo) and is located near Bangda (Pangda) township, Basu (Pashoe) county, Chamdo prefecture; Linzhi (Nyingtri, or Nyingchi) airport is located in Linzhi county, Linzhi prefecture; Gonsa airport serves Ali (Ngari) prefecture and is located near Gonsa township, Ge’er (Gar) county, Ali prefecture.

-
- ³⁷⁰ “Tibet Starts Building 5th Civil Airport,” Xinhua (Online), 30 April 09.
- ³⁷¹ “Met Chief: Tibet Challenged by Global Warming,” Xinhua (Online), 6 May 09.
- ³⁷² Ibid. China Meteorological Administration chief Zheng Guoguang told officials at the meeting: “In Tibet, the mercury has climbed an average 0.32 degrees Celsius every decade since records began in 1961. This is much higher than the national average temperature rise of 0.05-0.08 degrees Celsius every 10 years.”
- ³⁷³ Ibid.
- ³⁷⁴ Ibid.
- ³⁷⁵ “Qinghai-Tibet Plateau Warming Will Bring Serious Problems, Experts Warn,” Xinhua, reprinted in People’s Daily (Online), 17 August 09.
- ³⁷⁶ “Experts at the Chinese Academy of Sciences Are Concerned That Disaster Could Strike Ten Years From Now” [Zhongkeyuan youguan zhuanjia biaoshi 10 nian hou zhezhong weixie jiang xianxian], Beijing News (Online), 22 January 06; “Frozen Soil Thawing Faster, Endangering Qinghai-Tibet Railway,” Xinhua (Online), 5 February 06.
- ³⁷⁷ “New Height of World’s Railway Born in Tibet,” Xinhua (Online), 24 August 05.
- ³⁷⁸ “Warm Weather To Threaten World’s Highest Railway,” China Daily (Online), 23 June 05.
- ³⁷⁹ “Tibet Party Chief: Conditions Ripe for Building Lhasa-Xigaze Railway,” Tibet Daily, 3 June 09 (summarized translation in Open Source Center, 22 June 09). According to the OSC summary: “Zhang Qingli, secretary of the Tibet CPC Committee, and Minister of Railways Liu Zhijun on 30 May have a forum on accelerating the construction and development of railways in Tibet.”
- ³⁸⁰ “Work on Sichuan-Tibet Railway To Begin in September,” China Tibet Online (Online), 31 August 09.
- ³⁸¹ A September 2, 2009, Xinhua article reported that railway officials said that a Sichuan-Tibet railway construction timetable had yet to be established. The report did not take issue with any other details previously reported. “Ministry Refutes Media Reports on New Railway to Tibet,” Xinhua (Online), 2 September 09. “Work on Sichuan-Tibet Railway To Begin in September,” China Tibet Online (Online), 31 August 09. According to the report, the planned 8-hour journey from Chengdu to Lhasa on the Sichuan-Tibet railway will be a fraction of the current 45 hours from Chengdu to Lhasa via the Qinghai-Tibet railway.
- ³⁸² “Qinghai-Tibet Railway To Get Six New Lines,” China Daily (Online), 17 August 08. “The six new tracks include one from Lhasa to Nyingchi [Linzhi] and one from Lhasa to Xigaze [Rikaze], both in the Tibet autonomous region. Three tracks will originate from Golmud in Qinghai province and run to Chengdu in Sichuan province, Dunhuang in Gansu province, and Kuerle [Ku’erle] of the Xinjiang Uygur Autonomous Region. The sixth will link Xining, capital of Qinghai, with Zhangye in Gansu.” “Qinghai-Tibet Plateau To Embrace 6 More Railway Lines by 2020,” Xinhua (Online), 3 December 08. Authorities had announced two of the six rail lines (Lhasa-Rikaze, and Lhasa-Linzhi) prior to 2008. CECC China Human Rights and Rule of Law Update, September 2006, 14; “Government Announces Extension of Qinghai-Tibet Railway to Rikaze,” Congressional-Executive Commission on China (Online), 28 August 06.
- ³⁸³ “Qinghai-Tibet Railway Project To Start on June 29,” Xinhua (Online), 17 June 01. “The massive construction project of the Qinghai-Tibet Railway is scheduled to begin on June 29 [2001] . . .” See also “Qinghai-Tibet Railway Begins Operation,” Congressional-Executive Commission (Online), 25 July 06.
- ³⁸⁴ Tabulation on Nationalities of 2000 Population Census of China, Department of Population, Social, Science and Technology Statistics, National Bureau of Statistics, and Department of Economic Development, State Ethnic Affairs Commission (Beijing: Ethnic Publishing House, September 2003), Table 10-1. The population of Sichuan province in 2000 (82,348,296) was 17.07 times greater than the population of Qinghai province (4,822,963).
- ³⁸⁵ National Bureau of Statistics of China (Online), China Statistical Yearbook 2008, last visited 30 September 09, Table 13-4. The number of industrial enterprises in Sichuan province (10,709) with revenue over five million yuan from principal business was 22.74 times greater than the number of such enterprises in Qinghai province (471). (“China Statistical Yearbook 2008 . . . covers data for 2007. . .” National Bureau of Statistics of China (Online), China Statistical Yearbook 2008, last visited 30 September 09, “Editor’s Notes.”)

³⁸⁶ Tabulation on Nationalities of 2000 Population Census of China, Department of Population, Social, Science and Technology Statistics, National Bureau of Statistics, and Department of Economic Development, State Ethnic Affairs Commission (Beijing: Ethnic Publishing House, September 2003), Table 10-1. The population of Sichuan province in 2000 (82,348,296) was 31.47 times greater than the population of the Tibet Autonomous Region (2,616,329).

³⁸⁷ National Bureau of Statistics of China (Online), China Statistical Yearbook 2008, last visited 30 September 09, Table 13-4. The number of industrial enterprises in Sichuan province (10,709) with revenue over five million yuan from principal business was 107.1 times greater than the number of such enterprises in the Tibet Autonomous Region (100).

³⁸⁸ “Work on Sichuan-Tibet Railway To Begin in September,” China Tibet Online (Online), 31 August 09.

³⁸⁹ National Bureau of Statistics of China (Online), China Statistical Yearbook 2008, last visited 30 September 09, Table 11-33.

³⁹⁰ The Tibetan autonomous areas of Sichuan province make up nearly 52 percent of Sichuan province. Steven Marshall and Susette Cooke, *Tibet Outside the TAR: Control, Exploitation and Assimilation: Development With Chinese Characteristics* (Washington, DC: self-published CD-ROM, 1997), Table 7. Tibetan autonomous areas in Sichuan province are the following: Ganzi (Kardze) Tibetan Autonomous Prefecture, 153,870 square kilometers; Aba (Ngaba) Tibetan and Qiang Autonomous Prefecture, 86,639 square kilometers; and Muli (Mili) Tibetan Autonomous County, 11,413 square kilometers. (The total area of Ganzi TAP, Aba T&QAP, and Muli TAC, based on sources cited in *Tibet Outside the TAR*, Table 7, is approximately 251,922 square kilometers, or approximately 51.9 percent of Sichuan province based on a provincial area of 485,000 square kilometers.) See also Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva, “Regional Autonomy for Ethnic Minorities in China,” last visited 30 September 09. The article provides the following areas for the Tibetan autonomous areas in Sichuan province: Ganzi (Kardze) Tibetan Autonomous Prefecture, 152,629 square kilometers; Aba (Ngaba) Tibetan and Qiang Autonomous Prefecture, 84,242 square kilometers; and Muli (Mili) Tibetan Autonomous County, 13,252 square kilometers. (The total area of Ganzi TAP, Aba T&QAP, and Muli TAC, according to data posted on the PRC Mission to the UN Office at Geneva, is 250,123 square kilometers, or approximately 51.6 percent of Sichuan province.)

³⁹¹ National Bureau of Statistics of China (Online), China Statistical Yearbook 2008, last visited 30 September 09, Table 11-33.

³⁹² “Construction of Sichuan-Tibet Railway To Start in Sept,” China Daily (Online), 1 September 09. “Construction of the Sichuan-Tibet railway will begin this month, *scol.com.cn*, a Sichuan-based news portal reported Tuesday, with details on the railway’s scale, direction and number of stops recently released by the China Railway No 2 Bureau in Chengdu, capital of Southwest China’s Sichuan province.”

³⁹³ Amnye Machen Institute, *Tibet and Adjacent Areas Under Chinese Communist Occupation* (Dharamsala: Amnye Machen Institute, 1998); “Construction of Sichuan-Tibet Railway To Start in Sept,” China Daily (Online), 1 September 09 (providing a low-resolution, Chinese-language map of the railway route). Based on Commission staff analysis using information provided by the low-resolution map reprinted in China Daily, and scaling distances on the Amnye Machen Tibetan-language map, the straight-line sectors between principal stops from Chengdu city to Lhasa city total approximately 1,540 kilometers (compared to the actual distance of 1,629 kilometers reported by China Daily). Of the approximately 1,540-kilometer total length of straight-line sectors, approximately 78 percent (1,200 kilometers) is within Ganzi (Kardze) Tibetan Autonomous Prefecture (TAP), Sichuan province, and Linzhi (Kongpo) and Changdu (Chamdo) prefectures in the Tibet Autonomous Region. The approximate lengths of each sector and approximately how much of that length is within Ganzi, Linzhi, and Changdu prefectures are: Chengdu city to Ya’an city (130 kilometers, entirely outside the three prefectures); Ya’an city to Kangding (Dartsedo) (100 kilometers; 20 kilometers within Ganzi TAP); Kangding to Litang (Lithang) (160 kilometers; entirely within Ganzi TAP); Litang to Zuogong (Dzogang) (410 kilometers; entirely within Ganzi TAP and Changdu prefecture); Zuogong to Bomi (Pome) (280 kilometers; entirely within Changdu and Linzhi prefectures); Bomi to Lhasa city (460 kilometers; 330 kilometers within Linzhi prefecture).

³⁹⁴ Commission staff determined national ranking by sorting each type of China Statistical Yearbook 2008 provincial data in descending order.

³⁹⁵ National Bureau of Statistics of China (Online), China Statistical Yearbook 2008, last visited 30 September 09, Table 13-4.

³⁹⁶ Ibid., Table 13-8.

³⁹⁷ Ibid., Table 13-12.

³⁹⁸ Ibid., “Editor’s Notes.”

³⁹⁹ “Tibet Lhasa Train Timetable,” Tibet Tours, reprinted on Sichuan China Travel Service (Online), last visited 1 October 09. According to the timetable, Train N917 from Xining (Qinghai province) to Lhasa (Tibet Autonomous Region) departs from Xining at 20:28 p.m. and arrives in Lhasa the next day at 21:50 p.m. (The total travel time, based on the timetable, is 25 hours and 22 minutes.)

⁴⁰⁰ The eight-hour travel time reported for the Chengdu-Lhasa journey appears to allow no time for stops or for sub-maximum speeds during travel in mountainous terrain. Based on official Chinese government information on the length of the Sichuan-Tibet railway (1,629 kilometers) and the railway’s maximum speed (above 200 kilometers per hour), the train would complete the journey in eight hours and nine minutes if it maintained an average speed of 200 kilometers per hour for the entire journey. “Work on Sichuan-Tibet Railway To Begin in September,” China Tibet Online (Online), 31 August 09.

⁴⁰¹ “Hu Calls for Great Wall of Stability in Tibet,” Xinhua (Online), 9 March 09. “The President urges Tibet to vigorously advance the program of building ‘socialist new villages,’ develop industries with distinguished features and strengthen ecological and environmental protection.”

⁴⁰² See CECC, 2007 Annual Report, Section IV on Tibet, “Tibetan Culture Under Chinese Development Policy and Practice,” Rebuilding the Tibetan Countryside: Allegations of Forced Settlement, Re-housing, 10 October 07, 204-207.

⁴⁰³ “Opinions of the Tibet Autonomous Regional CPC Committee and the Tibet Autonomous Regional People’s Government on Agriculture, Animal Husbandry, and on the Work in Agricultural and Pastoral Areas During the 10th Five-Year Plan Period (4 April 2000),” Tibet Daily, 11 April 00 (translated in Open Source Center, 11 April 00). (This series of excerpts establishes the “socialist new villages” construction as part of the Great Western Development campaign.) “In order to seize the historical opportunities of extensively developing the west regions, . . . the regional party committee and government specially studied and formulated the opinions on the regional agriculture, animal husbandry and the work in agricultural and pastoral areas for the ‘10th Five-Year Plan’ period. . . . 7. Promote the Comprehensive Social Development of Agricultural and Pastoral Areas. . . . 18. Construction of socialist spiritual civilization should be intensified. Construction of spiritual civilization should be aimed at improving the quality of farmers and herdsmen and building socialist new villages.”

⁴⁰⁴ “Grand Western Development Is a Vivacious Chapter in Implementation of ‘Three Represents,’” People’s Daily, 20 October 02 (Open Source Center, 20 October 02). “Since 1999, Comrade Jiang Zemin has frequently presided over meetings to specifically study the issue of implementing the strategy of great western development and has issued a series of important directives. In early 2000, the State Council founded a leading group for the development of the western region and presented the strategy of great western development.”

⁴⁰⁵ CECC, 2008 Annual Report, Section V on Tibet, “Economic Development vs. Ethnic Minorities’ Autonomous Rights,” 31 October 08, 194; Human Rights Watch (Online), “‘No One Has the Liberty To Refuse’—Tibetan Herders Forcibly Relocated in Gansu, Qinghai, Sichuan, and the Tibet Autonomous Region,” 11 June 07.

⁴⁰⁶ For example, incidents of political protest were reported in nomadic areas such as Banma (Pema), Jiuzhi (Chigdril), and Dari (Darlag) counties in Guoluo (Golog) TAP, Qinghai province. “Latest Updates on Tibet Demonstrations,” Tibetan Government-in-Exile (Online), 26 March 08. Banma county: “After the arrival and the subsequent tight restrictions by Chinese military forces in Pema County, a protest was held during which the people demanded concrete results in the Sino-Tibetan dialogue. The same evening in Panchen, Pangrue and Markhog villages, Tibetans held peaceful demonstrations.” “Latest Updates on Tibet Demonstrations,” Tibetan Government-in-Exile (Online), 23 March 08. Jiuzhi county: “Around 500 monks and lay people from Palyul village are holding a sit-down on a hill-top to demand that Karwang Nyima Rinpoche (Dharthang Monastery head) not be harassed by the Chinese military. The people have also demanded the United Nations, U.S. and other countries intervene to resolve

the issue.” “Latest Updates on Tibet Demonstrations,” Tibetan Government-in-Exile (Online), 22 March 08. Dari county: “Around 200 protesters (including many horsemen) held protests in Toema and Meyma villages.”

⁴⁰⁷ “China Resettles 50,000 Herdsmen To Protect Environment of Qinghai-Tibet Plateau,” Xinhua (Online), 24 August 09.

⁴⁰⁸ Ibid. According to Xinhua, the project commenced in 2003 and was stepped up in 2005. Li Xiaonan, Deputy Director of the Sanjiangyuan Ecological Preservation and Construction Office, told Xinhua, “A total of 49,631 people from 10,579 families has moved out of the reserve during the last few years. There has been an input of more than 300 million yuan and public infrastructures have been constructed for 86 immigrant communities,”

⁴⁰⁹ According to information available on the Web site of the non-governmental organization Plateau Perspectives, the geographic area of the Sanjiangyuan National Nature Reserve includes a total of 17 counties in four of Qinghai province’s Tibetan Autonomous Prefectures and one Mongol and Tibetan Autonomous Prefecture. Yushu (Yulshul) TAP, six counties: Yushu (Kyegudo), Nangqian (Nangchen), Zaduo (Dzatoe), Zhiduo (Dritoe), Chengduo (Tridu), and Qumalai (Chumarleb) counties. Guoluo (Golog) TAP, six counties; Maqin (Machen), Banma (Pema), Gande (Gade), Dari (Darlag), Jiuzhi (Chigdril), and Maduo (Matoe) counties. Hainan (Tsolho) TAP, two counties: Xinghai (Tsigorthang) and Tongde (Gepasumdo). Huangnan (Malho) TAP, two counties: Zeku (Tsekhog) county and Henan (Yulgan) Mongol Autonomous County. Haixi (Tsonub) M&TAP, one county-level area: Ge’ermu (Golmud, Kermo) city. Plateau Perspectives (Online), “Sanjiangyuan (Three Rivers’ Headwaters) National Nature Reserve (SNNR),” last visited 31 August 09. Tabulation on Nationalities of 2000 Population Census of China, Department of Population, Social, Science and Technology Statistics, National Bureau of Statistics, and Department of Economic Development, State Ethnic Affairs Commission (Beijing: Ethnic Publishing House, September 2003), Tables 10-2, 10-4. According to 2000 census data, a total of 529,526 Tibetans and 32,173 Mongols lived in the 17 county-level areas that are partially or entirely within the SNNR. Of the 32,173 Mongols, 28,879 lived in Henan MAC. (Mongols also have a tradition of living as nomadic herders.)

⁴¹⁰ “Hu Calls for Great Wall of Stability in Tibet,” Xinhua (Online), 9 March 09.

⁴¹¹ Ibid. “Chinese President Hu Jintao called for the building of a Great Wall of stability in Tibet here on Monday, prior to the 50th anniversary of the foiling of an armed rebellion led by the Dalai Lama’s supporters. . . . Hu’s remarks came ahead of several sensitive dates in Tibet.”

⁴¹² Ibid.

⁴¹³ This report is not a complete account of all 2008 to 2009 disagreements between Tibetans and Chinese government officials involving natural resource development projects.

⁴¹⁴ “Standoff at Tibet Gold Mine,” Radio Free Asia (Online), 24 May 09. RFA sources stated: “Tibetan Buddhists regard [the mountain] as a sacred site”; and “the protest had been continuing for several months.”

⁴¹⁵ “Mine Standoff Said Resolved,” Radio Free Asia (Online), 28 May 09. According to local residents: “On May 16, a contingent of police and security forces arrived, but as many as 500 Tibetans began blocking the road, according to residents there.” Pema Trinley, a senior TAR official, traveled to Mangkang earlier in the year to persuade Tibetans to accept the mining project, but Tibetans continued to protest and Pema Trinley returned to Lhasa on April 5, RFA said. (The RFA report referred to Pema Trinley as “vice chairman of the TAR Communist Party.” (The RFA report identified “Pema Thinley” as the “vice chairman of the TAR Communist Party.” A March 2008 Xinhua report identified “Baima Chilin” (Pema Trinley) as the Executive Vice Chairman of the TAR government.) Wang Cong and De Ji, “Tibet Official Says No Punitive Measures Will Be Taken Against a Small Number of Monks Who Obstructed Chinese and Foreign Reporters,” Xinhua, 27 March 08 (translated in Open Source Center, 28 March 08.)

⁴¹⁶ “Mine Dispute Largely Settled,” Radio Free Asia (Online), 9 June 09. According to the RFA source: “It was agreed in writing that there will be no mining in the area.” According to RFA sources: “[Q]uestions remain regarding the disposal of poisonous waste at the site.” Mangkang PSB official, Mr. Wang: “So it was decided that the Tibetans will hire a professional group from China to examine it, and the government will assign the TAR Environmental Protection Department to carry out its own examination.”

⁴¹⁷ Ibid. According to the RFA source: “All points of agreement were set down in writing in the presence of prefecture- and county-level officials.”

⁴¹⁸ Tibetan Centre for Human Rights and Democracy (Online), “China Displaces Tens and Thousands of Tibetans in Tawu County,” 25 May 09; Tibetan Centre for Human Rights and Democracy (Online), “6 Tibetans Seriously Wounded in Protests Against China’s Hydroelectric Dam Project,” 26 May 09. Both reports claimed that the dam’s construction would displace “tens of thousands of local Tibetans,” but did not provide any basis for the estimate. (Commission staff research suggests a dam is unlikely to displace “tens of thousands of Tibetans.” If the dam is the Lianghekou Hydroelectric Project, as available information suggests, the reservoir will be principally in Yajiang county. According to China’s 2000 census, the population of Yajiang county was 39,701 persons and the population of Daofu county was 44,848 persons. Tabulation on Nationalities of 2000 Population Census of China, Department of Population, Social, Science and Technology Statistics, National Bureau of Statistics, and Department of Economic Development, State Ethnic Affairs Commission (Beijing: Ethnic Publishing House, September 2003), Table 10-4.)

⁴¹⁹ Ibid.

⁴²⁰ Ertan Hydropower Development Company, “Lianghekou Hydroelectric Project,” last visited 22 June 09. “The project sits where the Yalong merges respectively with the Qingda and Xianshui rivers, hence the name ‘lianghekou’ (meaning ‘estuary of two rivers’). Because of its particular location with one dam blocking three rivers, and because of its large reservoir, this project is truly a controlling project in the middle and lower reaches of the Yalong.” The reservoir will have a storage capacity of 6.33 billion cubic meters and power generation capacity of 3,000 megawatt/hours. (According to a graphic on the construction company’s Web site, the Lianghekou dam will result in what appears to be the second largest reservoir of the series of hydroelectric dams constructed or planned for the Yalong river. The scaling of the graphic suggests that the dam may be approximately 275 meters (approximately 900 feet) high. The graphic is available at http://www.ehdc.com.cn/newsite/en/big_pic.html.)

⁴²¹ “Tibetans in Meldro Gongkar Clash With Miners, 3 Injured,” Phayul (Online), 23 June 09. According to the report, farmers who could not use their agricultural land as a result of the channelizing projects did not receive any compensation. See also “Protests Over China’s Mining Project in Tibet, 3 Tibetans Seriously Injured,” Tibetan Government-in-Exile (Online), 23 June 09.

⁴²² “Tibetans in Meldro Gongkar Clash With Miners, 3 Injured,” Phayul (Online), 23 June 09. According to the Phayul report, “Toxic wastes dumped into Gyama Shingchu river resulted in the death of a large number of cattle last year.” “Protests Over China’s Mining Project in Tibet, 3 Tibetans Seriously Injured,” Tibetan Government-in-Exile (Online), 23 June 09. Toxic wastes dumped into the river “resulted in deaths of more than 1000 domestic and wild animals,” according to the report. (The report did not identify the time period when the livestock and wild animal deaths allegedly took place.)

⁴²³ Ibid. (Neither report provided information on how the police allegedly injured the three Tibetans.)

⁴²⁴ Ibid.

⁴²⁵ “Mozhugongka County Actively Creates a Harmonious Mining District” [Mozhugongka xian jiji chuangjian hexie kuangqu], Tibet Daily, reprinted in China Tibet News (Online), 16 August 09. According to the article, the mine is operated by the China Gold Corporation, but mining in Jiama township is primarily for copper. County officials stated that the county would “organize and mobilize the masses a step better to forcefully promote the localization of workers at the mining enterprise, ceaselessly optimizing the environment, serving the enterprise, promoting development and creating prosperity for the masses.”

⁴²⁶ “Mining Project in Tibet’s Meldro Gungkar Puts Human Lives and Environment in Jeopardy,” Tibetan Government-in-Exile, 18 August 09. (The report did not provide the date when Jiama township residents filed the petition with the Mzhugongka county government.)

⁴²⁷ TibetInfoNet (Online), “Tibet News Digest, 12. Sep 2009 - 25. Sep 2009,” last visited 10 October 09. According to the news digest, Jinshan Gold Mines, Inc., had “executed a memorandum of understanding with China National Gold Corporation ‘and another partner’ to acquire a 100% interest in the Gyama (Chin: Jiama) mining property.” (The news digest provided no information on whether or not Tibetan protests against the mining operation played any role in the sale of the mine to another company.)

⁴²⁸ See, e.g., “Chinese forces fire in Nyagrang, arrest 9 Tibetans,” Phayul (Online), 20 April 09 (Sichuan province, April 2009): “The local Tibetans also defied the government order to begin farming activities despite stringent

measures adopted by the authorities to quell the movement that is still continuing in various Tibetan inhabited areas.”); Emma Graham-Harrison, “Riot Shows Desperate Tibetans May Defy Security,” Reuters (Online), 23 March 09 (March, Qinghai province: “A weekend riot by hundreds of ethnic Tibetans was a spontaneous response to tough Chinese security measures, activists and an expert said on Monday, and more destabilising outbursts are likely in coming months.”); “6 Monks of Lutsang, 2 Others Released,” Phayul (Online), 13 April 09 (Qinghai province, February 2009: About 100 Lutsang Monastery monks staged a candlelight protest “in memory of Tibetans killed in the ongoing crackdown following protests across Tibet since March 10, 2008.”); “Tibetan Monk Beaten to Death,” Radio Free Asia (Online), 30 March 09 (Sichuan province, March 2009: according to the reports, on March 25, monk Phuntsog Rabten “distributed several leaflets in the Draggio area calling on Tibetans not to till their land to protest Chinese crackdowns and to mourn Tibetans killed in last year’s protests [against Chinese rule].”); International Campaign for Tibet (Online), “New Protest Today in Ngaba After Officials Ban Prayer Ceremony,” 1 March 09 (Sichuan province, March 2009: “The crackdown in Ngaba has been particularly severe following a major protest involving monks from Kirti monastery and local people on March 16 last year, and the presence of troops in the area has been stepped up more recently.”); Edward Wong, “China Adds to Security Forces in Tibet Amid Calls for a Boycott,” New York Times (Online), 19 February 09 (Lhasa and Qinghai, Gansu, Sichuan provinces, February 2009: “Chinese officials have significantly increased security forces across Tibet in the face of a grass-roots movement to boycott festivities during the coming Tibetan New Year, according to residents of the region and recent visitors.”); Ariana Eunjung Cha, “Clash Over Tibet Has County in Lockdown,” Washington Post (Online), 19 February 09 (Lhasa, February 2009: “With the approach [in March 2009] of the 50th anniversary of the Tibetan uprising of 1959 that ended with the flight of the Dalai Lama to India, the crackdown has become even harsher, residents say.”); Tibetan Centre for Human Rights and Democracy (Online), “China Re-arrests Monk Who Exposed Chinese Crackdown to Foreign Media,” 4 November 08 (Gansu province, February 2009: A monk told Voice of America’s Tibetan language service on September 12, 2008, that the crackdown at Labrang Tashikhyil Monastery was still continuing.); Mark Magnier, “China Tightening Control in Tibet Region, Exiles Say,” Los Angeles Times (Online), 20 November 08 (Lhasa, November 2008: “We’ve monitored an even more intense crackdown in the past couple of weeks,” said Kate Saunders, communication director with the International Campaign for Tibet.); International Campaign for Tibet (Online), “‘A choked silence’; images from Tibet of crackdown,” 31 October 08 (“New images and footage from Tibet depict the continuing crackdown in Tibet and convey an atmosphere of fear and intimidation across the plateau.”).

⁴²⁹ The past 25 years (since approximately 1983) in the Tibetan areas of China have been characterized by factors including the Tibetan rebuilding of the Tibetan Buddhist monastic institution and the resumption of Tibetan Buddhism as a central (though constrained) feature in the lives of most Tibetans. See, e.g., Tibetan Centre for Human Rights and Democracy (TCHRD) (Online), Human Rights Situation in Tibet: Annual Report 2005, 21 February 06, 118. The TCHRD 2005 Annual Report states, “The period between 1983 and 1987 was one of rapid growth for monasteries and nunneries.” (Human Rights Situation in Tibet: Annual Report 2005 does not provide a publication date. A TCHRD press release, however, provides the publication date. Tibetan Centre for Human Rights and Democracy (Online), “Human Rights Situation in Tibet: Annual Report 2005,” 21 February 06.) Tibet Information Network, News Review No. 26: Reports From Tibet—1997, April 1998, 4. The report states, “Until 1983 some 70 monks at Drepung monastery were married men with families.”

⁴³⁰ See, e.g., the following reports of Chinese government obstruction of information flow: Maureen Fan, “China Tightens Grip as Tibet Revolt Hits 50-Year Mark,” Washington Post (Online), 16 March 09. “The owner of an Internet cafe in Ma’erkang county, in the Abo [Tibetan and Qiang] Autonomous Prefecture, said he had been without Internet service for a week. ‘The whole prefecture has no Internet connection now,’ said the owner, surnamed He. ‘There was no notice, it was just cut.’” The article said that Tibetan blogger Woesser had written that “in at least 17 counties of the Ganzi Tibetan Autonomous Prefecture in Sichuan province, cell phone messaging and Internet service were cut off in mid-February,” and that “Phone calls from foreign countries to Tibetan areas cannot get through.” International Campaign for Tibet (Online), “Amdo Monks Taken for ‘Study’ After Peaceful Protest,” 16 March 09. Andrew Jacobs, “Tibet Atrocities Dot Official China History,” New York Times (Online), 13 March 09. “With Tibet closed to foreign journalists and much of the region suddenly, and mysteriously, troubled by patchy phone and Internet service, . . .” Audra Aung, “China’s Show of Force Keeps Tibet Quiet,” Associated Press, reprinted in Yahoo! (Online), 10 March 09. “Lhasa residents received notice on their cell phones Tuesday from carrier China Mobile that voice and text messaging services may face disruptions from March 10 to May 1 for ‘network improvements.’ Similar measures were recently taken in other Tibetan communities as the government

sought to unplug communications that activists used to spread word of the protests last year.” “Police Tighten Control of Lhasa Monasteries Before Anniversary,” *South China Morning Post* (Online), 5 March 09. “A middle-aged monk at Sera Monastery said it had been without communications since police confiscated all their mobile phones and other equipment last April [2008].” The article said of Drepung Monastery: “Since last year’s unrest, authorities have sent hundreds of young monks home and confiscated the communication devices of those left behind.” Royston Chan, “Heavy Security as Tibetans Prepare for New Year,” *Reuters* (Online), 22 February 09. “In a further sign of government wariness, Internet services throughout [parts of Ganzi Tibetan Autonomous Prefecture] the area have been cut and people are unable to send or receive mobile telephone text messages, residents say.”

⁴³¹ “Lhasa Court Sentences Tibetans for Sharing Information With ‘The Dalai Clique,’” Congressional-Executive Commission on China (Online), 22 January 09. The Lhasa Intermediate People’s Court in late October and early November 2008 sentenced seven Tibetans to terms of imprisonment ranging from 8 years to life imprisonment on charges of “espionage” (Criminal Law, Article 110) or unlawfully providing “intelligence” to an organization or individual outside of China (Criminal Law, Article 111). The Tibetans allegedly provided information (“intelligence”) to Tibetan organizations based in India that are part of what the Chinese government and Party refer to collectively as “the Dalai Clique.”

⁴³² See, e.g., the following reports of Chinese government obstruction of Internet and television access: Maureen Fan, “China Tightens Grip as Tibet Revolt Hits 50-Year Mark,” *Washington Post* (Online), 16 March 09. According to the owner of an Internet cafe in Ma’erkang (Barkham) county, Aba Tibetan and Qiang Autonomous Prefecture: “The whole prefecture has no Internet connection now.” Tibetan blogger Woesser had written that “in at least 17 counties of the Ganzi Tibetan Autonomous Prefecture in Sichuan province . . . Internet service [was] cut off in mid-February, . . .” Andrew Jacobs, “Tibet Atrocities Dot Official China History,” *New York Times* (Online), 13 March 09. The article described the TAR as “mysteriously, troubled by patchy phone and Internet service.”

⁴³³ “Tibetan TV Dishes Pulled,” *Radio Free Asia* (Online), 12 June 09. According to the report, a Tibetan resident of Xiahe (Sangchu) county, Gannan (Kanlho) TAP, told RFA: “Beginning in April of this year, the local broadcasting department in Kanlho prefecture dispatched staff to the counties to install cable lines and to pull down the satellite dishes used by local Tibetans to listen to foreign broadcasts like RFA and VOA Tibetan programs.” A photographic image published with the report shows a monk standing near a large pile of severely damaged satellite dishes, a Tibetan Buddhist temple behind the satellite dishes, and has the following caption: “Satellite dishes confiscated and destroyed by authorities in Labrang, Amdo, May 20, 2009.”

⁴³⁴ *Ibid.* The RFA report referred to “State Council document #129.” According to an RFA source, “Local Tibetans were told by officials that they were carrying out the directives of central and provincial level authorities. They distributed copies of the letters issued by the government.”

⁴³⁵ Malcolm Moore, “China Closes Tibet to Foreigners,” *Telegraph* (U.K.), 18 February 09; “Official: Tibetan Areas Closed to Foreigners,” *Associated Press*, reprinted in *Washington Post*, 12 February 09.

⁴³⁶ “Official: Tibetan Areas Closed to Foreigners,” *Associated Press*, reprinted in *Washington Post*, 12 February 09. “Several foreign journalists have reported being expelled from Tibetan-populated areas in China in the past week.”

⁴³⁷ Edward Wong, “The Heights Traveled to Subdue Tibet,” *New York Times* (Online), 15 March 09. According to the report (datelined Maqu (Machu), Gannan TAP): “The paramilitary officer took our passports. It was close to midnight, and he and a half-dozen peers at the checkpoint stood around our car on the snowy mountain road. After five days, our travels in the Tibetan regions of western China had come to an abrupt end.”

⁴³⁸ *Ibid.* “We were to be escorted to the local police station, interrogated and put on a plane back to Beijing.”

⁴³⁹ *Ibid.*

⁴⁴⁰ See, e.g., Emma Graham-Harrison, “Riot Shows Desperate Tibetans May Defy Security,” *Reuters* (Online), 23 March 09 (March, Qinghai province: “A weekend riot by hundreds of ethnic Tibetans was a spontaneous response to tough Chinese security measures, activists and an expert said on Monday, and more destabilising outbursts are likely in coming months.”); “Tibetan Monk Beaten to Death,” *Radio Free Asia* (Online), 30 March 09 (Sichuan province, March 2009: According to the report, on March 25, Phuntsog Rabten “distributed several leaflets in the Draggio area calling on Tibetans not to till their land to protest Chinese crackdowns and to mourn Tibetans killed in last year’s protests [against Chinese rule].”); International Campaign for Tibet (Online), “New Protest Today in Ngaba After

Officials Ban Prayer Ceremony,” 1 March 09 (Sichuan province, March 2009: “The crackdown in Ngaba has been particularly severe following a major protest involving monks from Kirti monastery and local people on March 16 last year, and the presence of troops in the area has been stepped up more recently.”); Edward Wong, “China Adds to Security Forces in Tibet Amid Calls for a Boycott,” *New York Times* (Online), 19 February 09 (Lhasa and Qinghai, Gansu, Sichuan provinces, February 2009: “Chinese officials have significantly increased security forces across Tibet in the face of a grass-roots movement to boycott festivities during the coming Tibetan New Year, according to residents of the region and recent visitors.”); Ariana Eunjung Cha, “Clash Over Tibet Has County in Lockdown,” *Washington Post* (Online), 19 February 09 (Lhasa, February 2009: “With the approach [in March 2009] of the 50th anniversary of the Tibetan uprising of 1959 that ended with the flight of the Dalai Lama to India, the crackdown has become even harsher, residents say.”).

⁴⁴¹ Edward Wong, “China Adds to Security Forces in Tibet Amid Calls for a Boycott,” *New York Times* (Online), 19 February 09. “The campaign for the boycott of Losar, the Tibetan New Year, has spread via text and e-mail messages and fliers.” Barbara Demick, “China Expects Tibet To Celebrate, or Else,” *Los Angeles Times* (Online), 23 February 09. “Even among Tibetans, there is a vigorous debate about the campaign to boycott Losar.” “Tibetan Monks in Protest March,” *Radio Free Asia* (Online), 26 February 09. “Tibetans have largely boycotted traditional Losar festivities this year in memory of Tibetans killed and jailed in protests against Chinese rule throughout the region last year.”

⁴⁴² Edward Wong, “China Adds to Security Forces in Tibet Amid Calls for a Boycott,” *New York Times* (Online), 19 February 09. According to the article, “[A] monk said many Tibetans in Lhasa were talking of joining the boycott. But he said that Chinese officials were urging the Tibetans to carry on with festivities and were even offering them money to do so.” Barbara Demick, “China Expects Tibet To Celebrate, or Else,” *Los Angeles Times* (Online), 23 February 09. “The tactic appears to be driving Chinese authorities crazy. They’re countering with their own campaign of forced merriment, organizing concerts, pageants, fireworks, horse races, archery competitions.”

⁴⁴³ Office of His Holiness the Dalai Lama (Online), “Chronology of Events,” last visited 9 May 09. The chronology refers to the Lhasa events of March 10, 1959, as the beginning of the “Tibetan People’s Uprising.” (The March 10, 1959, events in Lhasa are sometimes referred to as the “1959 Lhasa Uprising.”)

⁴⁴⁴ See, e.g., “Tibet Remains Stable Despite Repeated Secessionist Attempts,” *Xinhua* (Online), 8 March 09. “Legqog, chairman of the Standing Committee of the Tibetan Autonomous Regional People’s Congress, confirmed that armed police have enhanced their service in some parts of Tibet but stressed that they are temporary security measures.” Choi Chi-yuk, “Police Chiefs Replaced in Troubled Regions,” *South China Morning Post* (Online), 20 May 09. “Almost 70,000 [PAP] were reportedly sent to Tibet in the run-up to the first anniversary of the crackdown in March.”

⁴⁴⁵ “TAR Creates March 28 Holiday To Celebrate 1959 Dissolution of Dalai Lama’s Government,” *Congressional-Executive Commission on China* (Online), 6 February 09.

⁴⁴⁶ A Year After the March 2008 Protests: Is China Promoting Stability in Tibet?, Staff Roundtable of the Congressional-Executive Commission on China, 13 March 09, Written Statement of Elliot Sperling, Associate Professor of Tibetan Studies, Department of Central Eurasian Studies, Indiana University.

⁴⁴⁷ “Ahead of Sensitive Dates, Lhasa Officials Add ‘Strike Hard’ to Crackdown,” *Congressional-Executive Commission on China* (Online), 25 February 09; “Winter Strike Hard Unified Checking Campaign Progresses Steadily” [Dongji yanda tongyi qingcha xingdong wenbu tuijin], *Lhasa Evening News* (Online), 23 January 09 (the “strike hard” campaign started on January 18); “Behind the Scenes of the 42-Day Winter Strike Hard” [42 tiandongji yanda lakai xumu], *Lhasa Evening News* (Online), 23 January 09 (the “strike hard” campaign will be of 70 days duration). (For a full translation of “Winter Strike Hard Unified Checking Campaign Progresses Steadily,” *Lhasa Evening News*, 23 January 09, see *International Campaign for Tibet* (Online), “Authorities Launch ‘Strike Hard’ Campaign, Heightening Lhasa Tension,” 27 January 09.)

⁴⁴⁸ “Ahead of Sensitive Dates, Lhasa Officials Add ‘Strike Hard’ to Crackdown,” *Congressional-Executive Commission on China* (Online), 25 February 09; “Winter Strike Hard Unified Checking Campaign Progresses Steadily” [Dongji yanda tongyi qingcha xingdong wenbu tuijin], *Lhasa Evening News* (Online), 23 January 09 (the “strike hard” campaign started on January 18); (For a full translation of “Winter Strike Hard Unified Checking

Campaign Progresses Steadily,” Lhasa Evening News, 23 January 09, see International Campaign for Tibet (Online), “Authorities Launch ‘Strike Hard’ Campaign, Heightening Lhasa Tension,” 27 January 09.)

⁴⁴⁹ “Ahead of Sensitive Dates, Lhasa Officials Add ‘Strike Hard’ to Crackdown,” Congressional-Executive Commission on China (Online), 25 February 09; “Lhasa City Police Corps Winter Strike Hard Campaign Achieves Successes” [Lasa shi gonganju xingjing zhidui dongji yanda zhuanxiang xingdong qude chengxiao], Lhasa Evening News (Online), 25 January 09. “From January 18 when the winter strike-hard campaign started until yesterday [January 24], Lhasa city police had mobilized a police force of 203 people and 60 vehicles. In those seven days, people’s police carried out operations night and day checking a total of 30 residential courtyards, 3813 rented residences, 33 hotels and guest houses, and 56 bars and internet cafes. A total of 8424 people were checked, among whom 148 were found not to have [resident’s] permits, . . .”

⁴⁵⁰ “Winter Strike Hard Unified Checking Campaign Progresses Steadily” [Dongji yanda tongyi qingcha xingdong wenbu tuijin], Lhasa Evening News (Online), 23 January 09. “In order to strike hard according to law against all kinds of criminal activity and to vigorously uphold the city’s social order and stability, starting on January 18 entire city’s investigative police jointly carried out three unified checking actions. As of dawn on January 21, the investigative police had mobilized more than 600 personnel, more than 160 vehicles, checking in total 7 large residential blocks, checking 2922 rented accommodations, checking 14 hotels and guest-houses, 18 bars and 3 internet cafes, carrying out comprehensive checks on a total of 5766 people.”

⁴⁵¹ “Ahead of Sensitive Dates, Lhasa Officials Add ‘Strike Hard’ to Crackdown,” Congressional-Executive Commission on China (Online), 25 February 09; “Lhasa City Police Corps Winter Strike Hard Campaign Achieves Successes” [Lasa shi gonganju xingjing zhidui dongji yanda zhuanxiang xingdong qude chengxiao], Lhasa Evening News (Online), 25 January 09. “A total of 8424 people were checked, among whom 148 were found not to have [resident’s] permits, 51 were suspected of criminal activity, 30 people were detained on suspicion of theft, burglary and prostitution, including 5 people detained in the process of stealing a motorbike, and 2 people who had reactionary opinions and reactionary songs on their cell phones.”

⁴⁵² Official Chinese media reports referred to the campaign as a “winter strike hard campaign.” See, e.g., “Lhasa City Police Corps Winter Strike Hard Campaign Achieves Successes” [Lasa shi gonganju xingjing zhidui dongji yanda zhuanxiang xingdong qude chengxiao], Lhasa Evening News (Online), 25 January 09. “Ahead of Sensitive Dates, Lhasa Officials Add ‘Strike Hard’ to Crackdown,” Congressional-Executive Commission on China (Online), 25 February 09;

⁴⁵³ CECC Staff Interview, May 2002. According to a Chinese academic speaking in May 2002, the population of temporary residents of Lhasa’s urban area peaked during the summer at around 100,000 and dipped to about 10,000 during late winter and Spring Festival (a period including Chinese New Year). Most temporary residents are Han, according to the official. Temporary residents are required to register with the local public security bureau and the local neighborhood committee, but many do not. (The May 2002 interview preceded the start of operation of the Qinghai-Tibet railway in July 2006.)

⁴⁵⁴ Tibetan Centre for Human Rights and Democracy (Online), “China Grills 5766 Tibetans Under Winter ‘Strike Hard’ Campaign in Lhasa,” 23 January 09. The report also stated, “The notice warned that those failing to procure the same would be severely dealt with legal actions.”

⁴⁵⁵ “Tibetans Plan ‘Subdued’ New Year,” Radio Free Asia (Online), 16 January 09. According to the report, “Tibetans in exile and under Chinese rule plan to boycott upcoming New Year celebrations in a gesture aimed at honoring Tibetans who died during protests in 2008.” A source at Kirti Monastery in Aba (Ngaba) TAP, Sichuan province said, “They are observing a year of mourning in memory of those who were killed, tortured, and jailed during the protests in Tibet.”

⁴⁵⁶ Tibetan Centre for Human Rights and Democracy (Online), “Press Release—Human Rights Situation in Tibet: Annual Report 2008,” 22 January 09. (The Commission is not aware of a TCHRD publication providing names and details on the “more than 120 known Tibetans who were killed in the recent series of protests.” As of March 2009, the Tibetan government-in-exile reported a total of Tibetan fatalities associated with the protests that exceeds the TCHRD figure by about 100. See, e.g., “Fact Sheet: Tibetan Deaths Under China’s Crackdown Since March 2008,” Tibetan Government-in-Exile (Online), 20 March 09. “As of 20 March 2009, a total of 220 Tibetans have died under

China's brutal crackdown since 10 March 2008." The report stated that information was available on 107 of the 220 deceased Tibetans, and that 113 of them were "yet to be identified."

⁴⁵⁷ Tibetan Centre for Human Rights and Democracy (Online), "Human Rights Situation in Tibet: Annual Report 2008, Appendix 2: List of Known Tibetans Who Were Arrested, Detained and Released in the Aftermath of Uprising in Tibet Since 10 March 2008," 22 January 09, 125-163. (TCHRD has not provided a detailed analysis of how the organization arrived at the figure of 6,500 Tibetans "arbitrarily detained or arrested for their participation in the pan-Tibet protest of suspected of political activities.") (Human Rights Situation in Tibet: Annual Report 2008 does not provide a publication date. A TCHRD press release, however, provides the publication date. Tibetan Centre for Human Rights and Democracy (Online), "Press Release—Human Rights Situation in Tibet: Annual Report 2008," 22 January 09.)

⁴⁵⁸ Office of the United Nations High Commissioner for Human Rights (Online), Fact Sheet No. 6 (Rev. 2), Enforced or Involuntary Disappearances, last visited 10 June 09. "According to the Declaration on the Protection of All Persons From Enforced Disappearance, proclaimed by the General Assembly in its resolution 47/133 of 18 December 1992, an enforced disappearance occurs when "persons are arrested, detained or abducted against their will or otherwise deprived of their liberty by officials of different branches or levels of Government, or by organized groups, or private individuals acting on behalf of, or with the support, direct or indirect, consent or acquiescence of the Government, followed by a refusal to disclose the fate or whereabouts of the persons concerned or a refusal to acknowledge the deprivation of their liberty, which places such persons outside the protection of the law."

⁴⁵⁹ Tibetan Centre for Human Rights and Democracy (Online), "Press Release—Human Rights Situation in Tibet: Annual Report 2008," 22 January 09. (The TCHRD report described "enforced disappearance" of the more than 1,000 Tibetans as "Tibetans whose current whereabouts and well being remains completely unknown to their family members and their close associates or affiliated monasteries.")

⁴⁶⁰ See, e.g., Edward Wong, "China Adds to Security Forces in Tibet Amid Calls for a Boycott," *New York Times* (Online), 19 February 09: "Chinese officials have significantly increased security forces across Tibet in the face of a grass-roots movement to boycott festivities during the coming Tibetan New Year, according to residents of the region and recent visitors. The movement aims to use the holiday period to mourn Tibetans who were killed during the government crackdown last March and express concern for those arrested or tortured." Ariana Eunjung Cha, "Clash Over Tibet Has County in Lockdown," *Washington Post* (Online), 19 February 09: "The protests this week were related to plans by Tibetans in exile and in China to observe a year of mourning and forego Tibetan New Year celebrations in memory of those who were killed during last year's violence." Barbara Demick, "China Expects Tibet To Celebrate, or Else," *Los Angeles Times* (Online), 23 February 09: "The Tibetan New Year, or Losar, is normally the most festive holiday of the year, . . . But this year, Tibetans have declared a moratorium on celebrating their own holiday, saying they will instead observe a mourning period for people killed last year during protests against Chinese rule."

⁴⁶¹ "76 People Convicted Over Lhasa Violence," *Xinhua* (Online), 11 February 09.

⁴⁶² *Ibid.*

⁴⁶³ PRC Criminal Law, enacted 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, art. 103.

⁴⁶⁴ "Clampdown in Tibet," *Radio Free Asia* (Online), 24 February 09.

⁴⁶⁵ *Ibid.*

⁴⁶⁶ "Tibetans Mark Subdued New Year," *Reuters* (Online), 25 February 09.

⁴⁶⁷ Edward Wong, "Tibetans Greet New Year in Opposition," *New York Times* (Online), 25 February 09.

⁴⁶⁸ Monks from Lutsang Monastery, located in Guinan (Mangra) county, Qinghai province, also protested on March 10, 2008. "Military, Police Deployed at Buddhist Monasteries in Tibet," *Associated Press*, 13 March 08, reprinted in *International Herald Tribune*, 13 March 08. Referring to protest activity on March 10, 2008, *Associated Press* reported: "Demonstrations also spilled over into traditionally Tibetan areas in the neighboring province of Qinghai. Monks at two other monasteries — the Lutsang monastery and Ditsa monastery — also held small protests but were not detained by police, according to U.S. government-funded *Radio Free Asia*."

⁴⁶⁹ “Tibetan Monks in Protest March,” Radio Free Asia (Online), 26 February 09.

⁴⁷⁰ International Campaign for Tibet (Online), “Authorities Surround Monastery; Issue 48 Hour Ultimatum for Organizers To ‘Surrender’ After Latest Protest in Tibet,” 27 February 09. “On February 25, the Lutsang monks marched to the government headquarters in Mangra (in the Tibetan area of Amdo) on Wednesday morning, where they asked for the central Chinese government to ‘recognize the will of the Tibetan people,’ and called for the return of the Dalai Lama to Tibet, according to RFA.” (ICT attributed some of the information in the ICT report to a Tibetan-language RFA report.)

⁴⁷¹ “Tibetan Monks in Protest March,” Radio Free Asia (Online), 26 February 09. A source told RFA: “The monks observed their vigil for about 30 minutes and then dispersed at the urging of Tibetan community leaders and senior officials of the monastery.”

⁴⁷² International Campaign for Tibet (Online), “Amdo Monks Taken for ‘Study’ After Peaceful Protest,” 16 March 09. “In the ensuing days, around 120 monks were interrogated both at the monastery and in other locations, with many if not most suffering beatings or torture during the process, according to the same single source.”

⁴⁷³ Ibid. The ICT report cites a Chinese-language blog that stated: “The authorities have not said where they are taking the 109 monks and have not said for how long, saying only that they are to be given secluded [bishi—shut-away style] thought education, including ‘patriotic education’ and ‘rule of law education.’”

⁴⁷⁴ “6 Monks of Lutsang, 2 Others Released,” Phayul (Online), 13 April 09. According to the report, Lutsang monks Jamyang Sherab, Jamyang Ngodrub, Jamyang Khyenrab, Lungthog, Thabkhe Gyatso, and Kunsang were released early in April. (Thabkhe Gyatso was subsequently redetained in April, according to a later report.)

⁴⁷⁵ “Court Sentences 4 Tibetans to 2 Years in Jail,” Phayul (Online), 28 April 09. Phayul stated that the report is based on a Voice of Tibet report. The article stated that no information is available about the trial date, sentence date, or the criminal charges against the monks. According to the report, the “Mangra county court” (Guinan County People’s Court) sentenced monks Kalsang Gyatso, Lungtog Gyatso, and two monks named Zoepa Gyatso to two years’ imprisonment. Monks Thabkhe Gyatso and Kunchog Gyatso were redetained (on an unspecified date in April).

⁴⁷⁶ Nir Elias, “Security Forces Patrol Tibetan Town in NW China,” Reuters (Online), 7 February 09.

⁴⁷⁷ Edward Wong, “China Adds to Security Forces in Tibet Amid Calls for a Boycott,” New York Times (Online), 19 February 09. (The four “crucial areas” named in the report where government officials “significantly increased security forces” were: “Lhasa, the capital; Xiahe, a town in Gansu Province that is home to a large and restive monastery; Tongren, a monastery town in Qinghai Province; and Lithang, a town in Sichuan Province that has been locked down this week.”)

⁴⁷⁸ “Tibetans Skip New Year,” Radio Free Asia (Online), 25 February 09.

⁴⁷⁹ Ibid.

⁴⁸⁰ “Tibetans Refuse State Dance Troupes,” Radio Free Asia (Online), 5 March 09.

⁴⁸¹ Tibetan Centre for Human Rights and Democracy (Online), “China Arrests a Solo Protester in Lithang,” 16 February 09. TCHRD reported that a source reported that Lobsang Lhundrub’s slogans included “Long live the Dalai Lama,” “Independence for Tibet,” “Swift return of the Dalai Lama to Tibet,” and “No Losar celebration this year.” Free Tibet Campaign (Online), “Hundreds of Tibetans Protest Over Two Days in Restive Lithang County,” 17 February 09. FTC reported that two sources reported that Lobsang Lhundrub’s slogans included “Long live His Holiness the Dalai Lama” and “No Losar this year,” as well as demanding the return of the Dalai Lama to Tibet.

⁴⁸² Ibid. Free Tibet Campaign (Online), “Hundreds of Tibetans Protest Over Two Days in Restive Lithang County,” 17 February 09. “The sources reported that Lhundup was swiftly joined by more Tibetan protesters. . . . Eyewitnesses told the sources that the armed police used batons and rifle butts to beat the protesters, many of whom were badly bruised and bleeding as a result of their injuries.”

⁴⁸³ Free Tibet Campaign (Online), “Hundreds of Tibetans Protest Over Two Days in Restive Lithang County,” 17 February 09. “The sources reported that Lhundup was swiftly joined by more Tibetan protesters. One source reported a total of about one hundred protesters and the other source reported between 150 and 200 protesters. Both

sources stated that the protest lasted for about one hour before about 100 police and Public Security Bureau (PSB) officials arrived at the scene of the protest. Eyewitnesses told the sources that the armed police used batons and rifle butts to beat the protesters, many of whom were badly bruised and bleeding as a result of their injuries.”

⁴⁸⁴ Ibid. According to the Free Tibet Campaign report, “Sunday’s [February 15] protest was followed by a much larger protest in the same location the next day. Both sources reported that the protest of 16 February started in the morning when 14 Tibetans, including relatives of Lobsang Lhundup, started shouting slogans: ‘Free Tibet’; ‘Long live His Holiness the Dalai Lama’; ‘Don’t celebrate Losar’; and ‘Release Lobsang Lhundup.’ . . . The protesting Tibetans were quickly joined by between 300 and 400 Tibetans, according to both sources.” “New Tibetan Protests Erupt,” Radio Free Asia (Online), 18 February 09. According to an RFA source: “[The protesters] marched on the morning of Feb. 16 in protest in downtown Lihang. . . . Many residents of Dekyi town in Lihang also joined the protests, including Tibetan officials in the Chinese administration.”

⁴⁸⁵ Free Tibet Campaign (Online), “Hundreds of Tibetans Protest Over Two Days in Restive Lihang County,” 17 February 09. According to the report, “The protest did not last long before it was violently put down by large numbers of armed police wielding batons and rifle butts. . . . The sources reported that a total of 23 Tibetans were detained . . .” Tibetan Centre for Human Rights and Democracy (Online), “More Cases of Detention and Disappearance Emerges After Lihang Protest,” 17 February 09. Referring to the protest on February 16, TCHRD reported: “The Lihang County Public Security Bureau (PSB) and People’s Armed Police (PAP) detained five more Tibetans along with 15 other known Tibetans who staged a peaceful protest demonstration in Lihang on 16 February 2009 and were brutally beaten, manhandled at the site of the demonstration before being forcibly loaded into military trucks.” (Based on the reports, the following Tibetans are some of the persons detained on February 16: Lobsang Phande, Jamyang Palden, Tenzin Sanggye, Lobsang Wangchug, Lobsang Tashi, Jampa Yonten, Jampa Tsering, Ado Gyaltsen, Geleg Kunga, Gedun Jampal, Gedun Choephel, Lobsang Dargyal, Jampa Thogme, Lobsang Tenzin, and Sonam Tenpa.)

⁴⁸⁶ Office of His Holiness the Dalai Lama (Online), “Chronology of Events,” last visited 9 May 09. The chronology refers to the Lhasa events of March 10, 1959, as the beginning of the “Tibetan People’s Uprising.” (The March 10, 1959, events in Lhasa are sometimes referred to as the “1959 Lhasa Uprising.”)

⁴⁸⁷ Office of His Holiness the Dalai Lama (Online), “From Birth to Exile,” last visited 9 May 09. “One winter day of 1959 (March 10) General Chiang Chin-wu of Communist China extended a seemingly innocent invitation to the Tibetan leader to attend a theatrical show by a Chinese dance troupe. When the invitation was repeated with new conditions that no Tibetan soldiers [were] to accompany the Dalai Lama and that his bodyguards be unarmed, an acute anxiety befell the Lhasa populace. Soon a crowd of tens of thousands of Tibetans gathered around the Norbulingka Palace, determined to thwart any threat to their young leader’s life.”

⁴⁸⁸ Office of His Holiness the Dalai Lama (Online), “Chronology of Events,” last visited 9 May 09.

⁴⁸⁹ “Tibet Remains Stable Despite Repeated Secessionist Attempts,” Xinhua (Online), 8 March 09. According to the article, Legchog said, “Most parts of Tibet are stable. People live a life as normal as usual. Religious activities, including major rituals, are also going on as usual.”

⁴⁹⁰ “No Martial Law in Lhasa on ‘Special’ Days,” Xinhua (Online), 6 March 09. According to article, “Lhasa will have no martial law but only usual, necessary security measures around the ‘special’ days this month, a top Tibet official said here Friday.”

⁴⁹¹ Ibid. Jampa Phuntsog reportedly said, “I cannot swear that some individuals wouldn’t make reckless moves next week, but riots like those in last March won’t happen again.” “Tibet Official: March Lhasa Riots Won’t Repeat,” Xinhua (Online), 6 March 09.

⁴⁹² “No Martial Law in Lhasa on ‘Special’ Days,” Xinhua (Online), 6 March 09.

⁴⁹³ “Tibet Remains Stable Despite Repeated Secessionist Attempts,” Xinhua (Online), 8 March 09. According to the report, Legchog described the PAP security enhancements as “defensive against possible disturbance from the Dalai Lama’s group and some Western groups of ‘Tibet independence.’”

⁴⁹⁴ “Tibet’s Armed Police Chief Says Ready To Handle Incident,” Xinhua (Online), 9 March 09. According to the report TAR PAP political commissar Kang Jinzhong said, “If there were really disturbance, it must be caused by a few people instigated under the disguise of religious cause.”

⁴⁹⁵ “Hu Calls for Great Wall of Stability in Tibet,” Xinhua (Online), 9 March 09.

⁴⁹⁶ “Tibet Remains Stable Despite Repeated Secessionist Attempts,” Xinhua (Online), 8 March 09. “Legqog, chairman of the Standing Committee of the Tibetan Autonomous Regional People’s Congress, confirmed that armed police have enhanced their service in some parts of Tibet but stressed that they are temporary security measures.”

⁴⁹⁷ Ibid. “But, the Dalai Lama’s group has never stopped promoting ‘Tibet independence,’ . . . This year they have intensified their secessionist activities.” “Tibet Patrols Increased To Ensure Stability,” China Daily (Online), 9 March 09. Legchog said: “But because the Dalai group has not stopped trying to create chaos in Tibet since the March 14 violence last year, armed police have stepped up their presence. . . . This year [the Dalai group] have intensified secessionist activities, trying to collude with their agents in Tibet.”

⁴⁹⁸ Choi Chi-yuk, “Police Chiefs Replaced in Troubled Regions,” South China Morning Post (Online), 20 May 09. According to the article, Major General Kang Jinzhong was transferred to the post of Political Commissar of the PAP Guangdong Provincial Command. Kang was promoted to the post of PAP Political Commissar in the TAR in February 2006. The SCMP article cites a May 19, 2009, Tibet Daily article.

⁴⁹⁹ “Tibet’s Armed Police Chief Says Ready To Handle Incident,” Xinhua (Online), 9 March 09.

⁵⁰⁰ Choi Chi-yuk, “Police Chiefs Replaced in Troubled Regions,” South China Morning Post (Online), 20 May 09.

⁵⁰¹ An additional factor in the low number of reported protests and detentions during the week of March 10 to 16, 2009, may have been authorities’ measures to hinder the flow of information about protests or detentions from protest areas. See, e.g., Maureen Fan, “China Tightens Grip as Tibet Revolt Hits 50-Year Mark,” Washington Post (Online), 16 March 09. The owner of an Internet cafe in Ma’erkang county, in the Aba Qiang and Tibetan Autonomous Prefecture, said he had been without Internet service for a week. The same article said that according to Tibetan blogger Woesser, in “at least 17 counties of the Ganzi Tibetan Autonomous Prefecture in Sichuan province, cell phone messaging and Internet service were cut off in mid-February.” See also Audra Aung, “China’s Show of Force Keeps Tibet Quiet,” Associated Press, reprinted in Yahoo! (Online), 10 March 09. “Lhasa residents received notice on their cell phones Tuesday from carrier China Mobile that voice and text messaging services may face disruptions from March 10 to May 1 for ‘network improvements.’” “Police Tighten Control of Lhasa Monasteries Before Anniversary,” South China Morning Post (Online), 5 March 09. “A middle-aged monk at Sera Monastery said it had been without communications since police confiscated all their mobile phones and other equipment last April [2008].” The article said of Drepung Monastery: “Since last year’s unrest, authorities have sent hundreds of young monks home and confiscated the communication devices of those left behind.”

⁵⁰² According to the Commission’s Political Prisoner Database, on March 10, 2009, plainclothes police detained Lithang Monastery monk Lobsang Wangchug when he staged a peaceful political protest in the seat of Litang (Lithang) county, Ganzi TAP, Sichuan province. Security officials in Lajia (Ragya) township, Maqin (Machen) county, Guoluo (Golog) TAR, Qinghai province, detained Ragya Monastery monk Tashi Zangpo on March 10 on suspicion of having a Tibetan flag in his room.

⁵⁰³ As of September 2009, the CECC Political Prisoner Database recorded the detentions of 14 Tibetans for political protest activity during the week of March 10 to 16, 2009.

⁵⁰⁴ Tibetan Centre for Human Rights and Democracy, “Ragya Monastery Encircled, Reeling Under Severe Restriction,” 23 March 09. TCHRD reported that police subjected Tashi Zangpo to “harsh beatings, inhumane torture and long interrogation,” and that on March 21 he escaped from the police compound while on a bathroom break and committed suicide by leaping into the nearby Machu River (Huanghe, Yellow River) gorge. “Lawbreakers Who Participated in Attacking the Police Station in Ragya Township and Assaulting Policemen and Government Workers Were All Brought to Justice,” Xinhua, 22 March 09 (translated in Open Source Center, 22 March 09). The Xinhua report partially corroborates the TCHRD account: on March 21, a monk “suspected of breaking the law and under investigation at the Ragya police station” climbed over the wall while on a toilet break. “Someone reported to the local police” that the monk “jumped into the Yellow River after his escape and attempted to swim to the

opposite bank.” (A CECC staff member has visited the area and considers it unlikely that a monk would jump into the gorge in order to “attempt to swim to the opposite bank.”)

⁵⁰⁵ “‘The Day That Changed My Life’—Tibet Sets ‘Serfs Emancipation Day,’” Xinhua (Online), 19 January 09. Legchog (Lieque), Chairman of the Standing Committee of the TAR People’s Congress, said, “The 382 legislators attending the session unanimously voted for the proposal.”

⁵⁰⁶ “Setting of ‘Emancipation Day for Millions of Tibetan Serfs’ Exposes Reactionary Nature and Darkness of Old Tibet’s Feudal System,” Xinhua, 19 January 09 (translated in Open Source Center, 22 January 09). According to the article, Karma Dorje (*Gama Duojie*), Vice Chairman of the Standing Committee of the TAR People’s Congress, said, “In order to permanently preserve the serf system that mixes religion and politics . . . the reactionary clique at the upper levels of Tibet led by the Dalai launched an all-round armed rebellion on 10 March 1959, aimed at splitting the motherland. Premier Zhou Enlai signed a PRC State Council decree on 28 March 1959, declaring a disbandment of the Tibet local government.” “‘The Day That Changed My Life’—Tibet Sets ‘Serfs Emancipation Day,’” Xinhua (Online), 19 January 09. “On March 28, 1959, the central government announced it would dissolve the aristocratic local government of Tibet and replace it with a preparatory committee for establishing the Tibet Autonomous Region.” See also “TAR Creates March 28 Holiday To Celebrate 1959 Dissolution of Dalai Lama’s Government,” Congressional-Executive Commission on China (Online), 6 February 09.

⁵⁰⁷ Communist Party “democratic reforms” were not implemented in the Tibetan area that is today the Tibet Autonomous Region until after the March 28, 1959, Chinese government decree dissolved the Lhasa-based Tibetan government. Delaying indefinitely the implementation of “democratic reforms” was a concession that the Chinese government agreed to provide to the Tibetan government under the May 23, 1951, 17-Point Agreement (“The Agreement of the Central People’s Government and the Local Government of Tibet on Measures for the Peaceful Liberation of Tibet”). A chronology available on the Web site of the Office of His Holiness the Dalai Lama (OHHDL) describes the 17-Point Agreement as “signed by the Tibetan delegation in Peking under duress.” A biography on the OHHDL Web site states that the Dalai Lama “formally repudiated” the 17-Point Agreement on June 20, 1959, at a press conference in India. The Web site of the U.S.-based Tibet Justice Center provides a translation of Point 11 of the 17-Point Agreement: “In matters related to various reforms in Tibet, there will be no compulsion on the part of the Central Authorities. The Local Government of Tibet should carry out reforms of its own accord, and when the people raise demands for reform, they must be settled through consultation with the leading personnel of Tibet.” Since the Chinese government considered the 17-Point Agreement to apply only to the Tibetan area that the Tibetan government in Lhasa administered (“the local government of Tibet”), and the Chinese government did not regard the Tibetan government in Lhasa to be administering the area that Tibetans traditionally refer to as Kham and Amdo, located today in Qinghai, Gansu, Sichuan, and Yunnan provinces, the Chinese government did not consider the 17-Point Agreement to apply to those areas. The Chinese government and Party implemented “democratic reforms” in the Tibetan areas that are today in Qinghai, Gansu, Sichuan, and Yunnan beginning in 1955, according to a Tibet Information Network article, and by 1956 the democratic reforms had resulted in “chaos,” according to the Dalai Lama’s March 10, 2009, statement. “Setting of ‘Emancipation Day for Millions of Tibetan Serfs’ Exposes Reactionary Nature and Darkness of Old Tibet’s Feudal System,” Xinhua, 19 January 09 (translated in Open Source Center, 22 January 09); “The Agreement of the Central People’s Government and the Local Government of Tibet on Measures for the Peaceful Liberation of Tibet,” Tibet Justice Center (Online), last visited 10 May 09. Ministry of Foreign Affairs, “Transcript of 14 November 2008 Interview Between BBC Editor John Simpson and Zhu Weiqun, Executive Deputy Head of the Central United Front Department, on Tibet Issues,” 25 November 08 (translated in Open Source Center, 26 November 08). Zhu Weiqun said of the area administered by the then-Tibetan government in Lhasa: “We know that the current Tibet Autonomous Region has an area of 1.2 million square kilometers, and that historically this is the place where the local Tibetan government has been administering. When Tibet was peacefully liberated, the Dalai Lama himself also acknowledged that the Tibet Autonomous Region today was the place where his local government could administer at that time.” See also Office of His Holiness the Dalai Lama (Online), “Chronology of Events, visited 10 May 09; Office of His Holiness the Dalai Lama (Online), “From Birth to Exile,” last visited 10 May 09; Tibet Information Network, “A Struggle of Blood and Fire”—The Imposition of Martial Law in 1989 and the Lhasa Uprising in 1959,” 25 February 99 (reprinted on the Web site of International Campaign for Tibet); Office of His Holiness the Dalai Lama (Online), “Statement of His Holiness the Dalai Lama on the Fiftieth Anniversary of the Tibetan National Uprising Day,” 10 March 09.

⁵⁰⁸ “Setting of ‘Emancipation Day for Millions of Tibetan Serfs’ Exposes Reactionary Nature and Darkness of Old Tibet’s Feudal System,” Xinhua, 19 January 09 (translated in Open Source Center, 22 January 09). According to the article, Karma Dorje (*Gama Duojie*), Vice Chairman of the Standing Committee of the TAR People’s Congress, said, “From then on, millions of Tibetan serfs, under CPC leadership, suppressed the rebellion on one hand and conducted democratic reform on the other, which brought about their liberation and enabled them to become masters of their own affairs.” “Tibet Proposes Setting of ‘Serfs Emancipation Day,’” Xinhua (Online), 16 January 09. “The People’s Liberation Army quelled the rebellion and the Dalai Lama fled to India where he established a ‘government in exile’.” Later the democratic reform was introduced to end the feudal serfdom and abolish the hierarchic social system characterized by theocracy, with the Dalai Lama as the core of the leadership.”

⁵⁰⁹ Office of His Holiness the Dalai Lama (Online), “Chronology of Events,” last visited 9 May 09.

⁵¹⁰ “Glorious Chapter in History of Human Rights in the World,” People’s Daily, 26 March 09 (translated in Open Source Center, 7 April 09). “The emancipation brought about by Tibet’s Democratic Reform of 1959 was a continuation of mankind’s anti-slavery movement of the past several centuries. It also marked the high point of that movement in the 20th century. . . . However you look at it, Tibet’s Democratic Reform, just like the abolition of slavery in the United States, can be described as an important milestone in the advance of human rights. . . . Of all the anti-slavery movements in the various countries, only that in China’s Tibet took the route of democratic reform, where the freedom and emancipation of a million serfs was effected in a peaceful way. No doubt this was a historic ground-breaking event in history.”

⁵¹¹ Ibid. “On the one hand, Tibet’s Democratic Reform under CPC leadership was a great historic event on a par with the emancipation of the slaves in the United States, the abolition of serfdom in Europe, and the abolition of apartheid in South Africa.”

⁵¹² “Setting of Serfs Emancipation Day Major Move To Fight Dalai Clique,” Xinhua (Online), 6 March 09. “The setting of Serfs Emancipation Day is an important move to wage a ‘tit-for-tat struggle’ against the Dalai clique, a senior Tibetan legislator [Legqog] said here Friday.” “Setting of ‘Emancipation Day for Millions of Tibetan Serfs’ Exposes Reactionary Nature and Darkness of Old Tibet’s Feudal System,” Xinhua, 19 January 09 (translated in Open Source Center, 22 January 09). According to the article, Karma Dorje (*Gama Duojie*), Vice Chairman of the Standing Committee of the TAR People’s Congress, said, “The designation of the ‘Emancipation Day for Millions of Serfs in Tibet’ is a important move to show our clear-cut, tit-for-tat struggle against the Dalai clique.”

⁵¹³ “Tibet Party Secretary Calls for Vigilance Against Sabotage by Dalai Clique,” China News Agency, 23 March 09 (summarized translation in Open Source Center, 23 March 09).

⁵¹⁴ “Tibet Proposes Setting of ‘Serfs Emancipation Day,’” Xinhua (Online), 16 January 09.

⁵¹⁵ “Official: Grand Celebrations To Be Held on Serfs Emancipation Day in Beijing, Lhasa,” Xinhua (Online), 5 March 09.

⁵¹⁶ “Tibetans Plan ‘Subdued’ New Year,” Radio Free Asia (Online), 16 January 09. According to the RFA report: “An official in the Tibet Autonomous Region (TAR), asking not to be named, confirmed the plans, saying that a meeting of prefecture and county leaders had recently been held in Lhasa to ‘ensure that all people mark the occasion with festivities.’ ‘However, the local Tibetans are not willing,’ [the official] said.”

⁵¹⁷ “7 Monks Arrested, Abbot Missing in Chamdo,” Phayul (Online), 9 February 09. The Phayul report refers to the monastery as “Denchoekhor” Monastery. (“Denchoekhor” is a contraction of Denma Choekhorling.)

⁵¹⁸ Commission staff research. Denma Choekhorling Monastery is located in Dengke (Denkhog Nubma) township.

⁵¹⁹ “Ahead of Sensitive Dates, Lhasa Officials Add ‘Strike Hard’ to Crackdown,” Congressional-Executive Commission on China (Online), 25 February 09; “7 Monks Arrested, Abbot Missing in Chamdo,” Phayul (Online), 9 February 09. “Around 300 people including monks of Den Choekhor monastery in Jomda County took part in a protest demonstration at the government administrative office on January 10, 2009. The source told Phayul that the protest was carried out to stop the local authorities from taking a Tibetan dance troupe to Lhasa to participate in the celebration of the ‘Serf Emancipation Day’ on March 28.”

⁵²⁰ “7 Monks Arrested, Abbot Missing in Chamdo,” Phayul (Online), 9 February 09. According to the report, two explosions were set off on January 5, 2009, near government offices in “Choekhor” (Denkhog Nubma) township

and authorities suspected “Den Choekhor” (Denma Choekhorling) monks of causing the explosions. The explosions caused “heavy damage to property but no casualties,” according to Phayul’s source. Tibetan Centre for Human Rights and Democracy (Online), “Chinese Court Sentences Six Monks in Chamdo,” 27 May 08. On May 22, 2009, the Jiangda County People’s Court sentenced six Denma Choekhorling monks, including the abbot and chant master, to periods of imprisonment ranging from 12 to 15 years for alleged involvement in the blast.

⁵²¹ Tibetan Centre for Human Rights and Democracy (Online), “Chinese Court Sentences Six Monks in Chamdo,” 27 May 08. On May 22, 2009, the Jiangda County People’s Court sentenced six Denma Choekhorling monks, including the abbot and chant master, to periods of imprisonment ranging from 12 to 15 years for alleged involvement in the blast. “Ahead of Sensitive Dates, Lhasa Officials Add ‘Strike Hard’ to Crackdown,” Congressional-Executive Commission on China (Online), 25 February 09; “7 Monks Arrested, Abbot Missing in Chamdo,” Phayul (Online), 9 February 09. According to the report, two explosions were set off on January 5, 2009, near government offices in “Choekhor” (Denkhog Nubma) township and authorities suspected “Den Choekhor” (Denma Choekhorling) monks of causing the explosions. The explosions caused “heavy damage to property but no casualties,” according to Phayul’s source. Police detained monks Nyima Tsering, Lhundrub, Nyiche, Tsering Palden, Ngawang Tashi, Tado (Tashi Dorje), and Tashi Dawa. (The Phayul report does not state whether the monks detained on January 24 were suspected of participating in the January 10 protest, or for alleged involvement in the January 5 explosions. The principal focus of the article is the local protest against official efforts to send a dance troupe to the Serfs Emancipation Day ceremony in Lhasa.)

⁵²² “7 Monks Arrested, Abbot Missing in Chamdo,” Phayul (Online), 9 February 09.

⁵²³ Commission Political Prisoner Database records are available only for detainees or prisoners about whom reports include adequate information.

⁵²⁴ “Tibetans in New Kardze Protests,” Radio Free Asia (Online), 9 January 09. The detained Tibetan protester was named Ngawang Sonam.

⁵²⁵ “Report: Chinese Authorities Arrest Tibetans in Ngaba and Karze, Tibet,” Tibetan Government-in-Exile (Online), 29 January 09. The Tibetan detained and beaten was named Namkha Sonam.

⁵²⁶ “Kirti Monk Arrested for Defiance, 2 Others Sentenced,” Phayul (Online), 20 January 09. The monk detained for photocopying leaflets was named Lobsang Kirti.

⁵²⁷ “Tibetan Protesters Beaten, Detained,” Radio Free Asia (Online), 21 January 09. RFA’s source said, “They carried a white banner reading ‘Independence for Tibet,’ threw paper fliers in the air, and shouted slogans.” The report named the protesters: Trinley Ngodrub, Dargyal, and Pema Tsepag.

⁵²⁸ Ibid. A local source told RFA, “They were severely beaten.”

⁵²⁹ “Tibetan Youth Dies in Custody,” Radio Free Asia (Online), 30 January 09. RFA reported that, according to a Tibetan living in India who has contacts in Chamdo prefecture, “[Pema Tsepag] was so severely beaten that his kidneys and intestines were badly damaged. He was initially taken to Dzogang [county] hospital, but they could not treat him, and they took him to Chamdo hospital instead.” “China Beats Tibetan Youth to Death,” Phayul (Online), 27 January 09.

⁵³⁰ “Tibetan Youth Dies in Custody,” Radio Free Asia (Online), 30 January 09. A Tibetan from the same village as the deceased Tibetan told RFA, “Chinese officials said he jumped off a building, but we believe he was beaten to death and then thrown off the building.”

⁵³¹ “Monks Arrested, Abbot Missing in Chamdo,” Phayul (Online), 9 February 09. The report named seven of the detained monks: Nyima Tsering, Lhundrub, Nyiche, Tsering Palden, Ngawang Tashi, Tado (probably Tashi Dorje), and Tashi Dawa.

⁵³² “Tibet: China Tortures Tibetan Youth to Death, More Protests Reported in Kham,” Tibetan Government-in-Exile (Online), 28 January 09 (six monks reported detained: Dongthog Tashi, Choejor Palden, Sonam Norbu, Tashi Dorje, Chuga, Tsering Wangchug); “Gunshots at Monastery, Monks Arrested: Sources,” Phayul (Online), 29 January 09 (five or six monks reported detained); “Tibetans Report Kardze Shooting,” Radio Free Asia (Online), 30 January 09 (five monks reported detained); “Details of Kardze Protests Emerge,” Radio Free Asia (Online), 5 February 09.

According to the February 5 RFA report, a “representative of the Dege county police station” said that police had detained “more than 20” monks, and had since released them.

⁵³³ “Details of Kardze Protests Emerge,” Radio Free Asia (Online), 5 February 09. One RFA source, a U.S.-based Tibetan with contacts in Gonchen Monastery, said that after monks refused to greet the officials, “Some of the local Chinese Public Security Bureau officials then dressed as monks and greeted the officials. The Tibetan monks were angered when they heard about it, so they protested and clashed with local police.”

⁵³⁴ Ibid. According to one RFA source, “about 1,000 local Tibetans, including 300 monks” demanded release of the monks. Another source said “two hundred monks, led by an elderly monk named Lama Gala” did so.

⁵³⁵ Ibid. “A representative of the Dege county police station said that police officers had arrested more than 20 monks, but had since released them.” A Tibetan source told RFA, “The monks were released on Jan. 31, but were severely beaten during their detention.”

⁵³⁶ “Two monks arrested in Tsawa Pashoe,” Phayul (Online), 31 January 09. Phayul stated the report is based on a Voice of Tibet report. The monks detained were Tenzin Choephel and Lobsang Gyaltzen.

⁵³⁷ Ibid. The “head of [the] monastery” whom officials reportedly detained was named Anam.

⁵³⁸ Based on reports in February, security officials allegedly detained as many as 24 protesters in Litang on February 15 to 16, of whom the reports named at least 16: Lobsang Lhundrub, Lobsang Phande, Jamyang Palden, Tenzin Sanggye, Lobsang Wangchug, Lobsang Tashi, Jampa Yonten, Jampa Tsering, Ado Gyaltzen, Geleg Kunga, Gedun Jampal, Gedun Choephel, Lobsang Dargyal, Jampa Thogme, Lobsang Tenzin, and Sonam Tenpa. Free Tibet Campaign (Online), “Hundreds of Tibetans Protest Over Two Days in Restive Lithang County,” 17 February 09; “New Tibetan Protests Erupt,” Radio Free Asia (Online), 18 February 09.

⁵³⁹ The monk who attempted to self-immolate was Tashi (or Tabe). International Campaign for Tibet (Online), “Monk in Tibet Sets Himself on Fire; Shot by Police During Protest,” 27 February 09; Free Tibet Campaign (Online), “Tibetan Monk Shot by Chinese Police After Setting Himself Alight in Tense Ngaba,” 27 February 09; “Self-Immolating Tibet Monk Recovering—Xinhua,” Reuters (Online), 5 March 09.

⁵⁴⁰ Reports as of late April 2009 named a total of 11 of the Lutsang monks: Kalsang Gyatso, Lungtog Gyatso, and two monks named Zoepa Gyatso were sentenced in April to two years’ imprisonment; monks Konchog Gyatso and Thabkhe Gyatso had been released but were redetained in April; monks Jamyang Sherab, Jamyang Ngodrub, Jamyang Khyenrab, Lungtog, and Kunsang were released in April.

⁵⁴¹ Free Tibet Campaign (Online), “Three Monks Arrested at Tense Kirti Monastery,” 10 March 09. “According to a well-placed source who spoke to Free Tibet, the monks were arrested on suspicion of distributing flyers in Ngaba town; the flyers had announced that four Tibetans were intending to set themselves alight in protest against Chinese rule in Tibet on March 10 . . .” The monk detained on March 3 was Jamyang Phuntsog; the monk detained on March 5 was Gyatso (or “Mewa Gyatso”).

⁵⁴² The accounts in the two reports are generally, but not fully, consistent with each other. The four Tibetans detained were nun Pema Yangtso, monk Choenyi Gyatso, and teenage students Rinchen Phuntsog and Tsering Dragpa. “Tibetans Refuse State Dance Troupes,” Radio Free Asia (Online), 5 March 09; “Tibetans Stage Peaceful Protests in Karze, Nagchu, Mangra and Ngapa; 16 Arrested,” Tibetan Government-in-Exile (Online), 15 March 09.

⁵⁴³ Tibetan Centre for Human Rights and Democracy (Online), “A Solo Nun Stages Protest March in Kardze,” 17 March 09. The Gewa Drag nun detained was named Lobsang Khadro.

⁵⁴⁴ The Lithang Monastery monk detained was Lobsang Wangchug; the Ragya Monastery monk detained was named Tashi Zangpo.

⁵⁴⁵ “Tibetans Protest in Sichuan,” Radio Free Asia (Online), 15 March 09. The report named two of the three teenage females detained: Tsering Wangmo and Choetso.

⁵⁴⁶ “Monk Arrested for Allegedly Leaking State Secrets,” Phayul (Online), 4 April 09. The Nurma Monastery monk detained while he was visiting Labrang Tashikhyil Monastery was named Thugsam.

⁵⁴⁷ Ibid.

⁵⁴⁸ “Tibetans Protest in Sichuan,” Radio Free Asia (Online), 15 March 09. A source told RFA: “On March 12 and 14, two boys identified as Sonam and Dawa Tsering staged similar protests respectively also in Kardze town.” International Campaign for Tibet (Online), “China Tightens Screws on Tibet for October 1st 60th Anniversary: New Details of Ongoing Protests and Political Prisoners,” 1 October 09. Entry 16 on a prisoner list linked to the ICT report includes information on Sonam, including that he demonstrated and was detained on March 12, 2009. The list records Sonam as “Bu Sonam” (“boy Sonam”).

⁵⁴⁹ “Protesters Call for United Stand Against China’s Wrong Policy in Tibet: Update,” Tibetan Government-in-Exile (Online), 18 March 09. “The sources identified these youths as Namsel Dorjee, aged 28; Karma Norbu, aged 17; Rinchen Wangsel, aged 16 and Sangye Tsering aged 17.” (The names establish that none of them are the protester Dawa Tsering, reported by RFA as having been detained for protesting in Ganzi on the same day.)

⁵⁵⁰ “Tibetans Protest in Sichuan,” Radio Free Asia (Online), 15 March 09. A source told RFA: “On March 12 and 14, two boys identified as Sonam and Dawa Tsering staged similar protests respectively also in Kardze town.” International Campaign for Tibet (Online), “China Tightens Screws on Tibet for October 1st 60th Anniversary: New Details of Ongoing Protests and Political Prisoners,” 1 October 09. Entry 66 on a prisoner list linked to the ICT report includes information on Dawa Tsering, including that his age (25) and that he demonstrated and was detained on March 14, 2009.

⁵⁵¹ “Tibetans Stage Farm Boycott,” Radio Free Asia (Online), 25 March 09. Of the six Tibetans whom police reportedly detained on March 16 for involvement with the farming boycott, according to RFA’s source, the two Tibetans named were Jampa Dondrub (male) and Dorje Lhamo (female).

⁵⁵² Tibetan Centre for Human Rights and Democracy (Online), “China Arrest Tibetan in Kardze Over Farming Boycott Movement,” 21 March 09. “Tibetans in Kardze region have led a civil disobedience movement of farming boycott that is in defiance of the prevalent repressive policies being initiated and implemented by the Chinese authorities against the Tibetans.”

⁵⁵³ Tibetan Centre for Human Rights and Democracy (Online), “China Arrest Tibetan in Kardze Over Farming Boycott Movement,” 21 March 09 (the Tsitsang, or “Tse-Tsang,” monk detained was Jampa Dondrub); Tibetan Centre for Human Rights and Democracy (Online), “Three More Tibetans Arrested in Connection With Farming Boycott Movement,” 23 March 09; “Tibetans Stage Farm Boycott,” Radio Free Asia (Online), 25 March 09.

⁵⁵⁴ Tibetan Centre for Human Rights and Democracy (Online), “Three More Tibetans Arrested in Connection With Farming Boycott Movement,” 23 March 09. The three Tibetans detained on March 21 were named Dungkar Dorje, Tsering Wangdrag, and Pachen.

⁵⁵⁵ “Situation in Derge ‘Critical’ After Residents Distribute Tibet Independence Pamphlets,” Tibetan Government-in-Exile (Online), 24 March 09. The Lithang Monastery monk detained was named Choekyong Tsering.

⁵⁵⁶ “Family of Monk Who Committed Suicide Offered Monetary Compensation,” Phayul (Online), 26 March 09 (of the nine monks detained, the seven monks named were Palden Gyatso, Mengag, Sherab, Tsultrim, Jamyang Khedrub, Zoepa, and Gyaltsen); Tibetan Centre for Human Rights and Democracy, “China Detains 95 Tibetans Who Protested in the Aftermath of Tashi Sangpo’s Suicide in Machu River,” 23 March 09; “China Deploys Massive Force in Golog, Strengthens Repression,” Tibetan Government-in-Exile (Online), 24 March 09.

⁵⁵⁷ Tibetan Centre for Human Rights and Democracy (Online), “China Sentences Eight Tibetans to Varying Prison Terms in Tibet,” 14 August 09. The article did not provide information on which article(s) of the PRC Criminal Law the defendants allegedly violated. “China Sentences 8 Tibetans for Protesting the Death of Monk of Ragya Monastery,” Tibetan Government-in-Exile (Online), 14 August 09. According to the report, an intermediate-level people’s court sentenced the monks. (The only such court in Guoluo (Golog) TAP is the Guoluo Intermediate People’s Court.) Also see the Commission’s Political Prisoner Database for details on the sentences.

⁵⁵⁸ “Tibetan Monk Beaten to Death,” Radio Free Asia (Online), 30 March 09. The detained Tibetan was named Paga.

⁵⁵⁹ “Tibetans Stage Farm Boycott,” Radio Free Asia (Online), 25 March 09. The two detained nuns were Yangkyi and Sonam Yangchen.

⁵⁶⁰ “Tibetan Monk Beaten to Death,” Radio Free Asia (Online), 30 March 09. The RFA report named the two detained monks as Olu and Thubten and the monastery as “Minyag Monastery.” (Minyag (Xinduqiao) is the name of the township where the monastery is located. Lhagang (Tagong) is the name of the monastery.)

⁵⁶¹ Tibetan Centre for Human Rights and Democracy (Online), “Drango Farmers Arrested and Beaten by the Chinese Security Police,” 01 April 09; Tibetan Centre for Human Rights and Democracy (Online), “A Tibetan Monk Beaten to Death by Chinese Security Police,” 30 March 09. TCHRD reported that 11 detainees required hospitalization after police beat them; TCHRD reported that 14 Tibetans were beaten and hospitalized. TCHRD reported the names of five of the detainees: Khethar, Pema Lhamo, Yali, Palchen, and Choekyi. (Khethar and Pema Lhamo are females; the gender of the others is unknown.) “Tibetan Monk Beaten to Death,” Radio Free Asia (Online), 30 March 09. According to an RFA source speaking about the Drago (Luhuo) detentions: “Chinese police cracked down on the protestors, and about 20 lay Tibetans were detained. Eleven were severely beaten.”

⁵⁶² Tibetan Centre for Human Rights and Democracy (Online), “China Arrest Tibetan in Kardze Over Farming Boycott Movement,” 21 March 09; Tibetan Centre for Human Rights and Democracy (Online), “Three More Tibetans Arrested in Connection With Farming Boycott Movement,” 23 March 09; “Tibetans Stage Farm Boycott,” Radio Free Asia (Online), 25 March 09; “Tibetan Monk Beaten to Death,” Radio Free Asia (Online), 30 March 09; “Chinese Police Open Fire in Eastern Tibet, 9 Arrested and Several Injured,” Tibetan Government-in-Exile (Online), 22 April 09.

⁵⁶³ Tibetan Centre for Human Rights and Democracy (Online), “Drango Farmers Arrested and Beaten by the Chinese Security Police,” 1 April 09. “. . . the Chinese authorities are on an arrests and beatings drive of the Tibetan farmers staging a civil disobedience movement by refusing to till their farmlands in eastern Tibet.”

⁵⁶⁴ See, e.g., “Tibetan Monk Beaten to Death,” Radio Free Asia (Online), 30 March 09. According to RFA’s source, police saw monk Phuntsog Rabten putting up posters “calling on Tibetans not to till their land to protest Chinese crackdowns and to mourn Tibetans killed in last year’s protests [against Chinese rule].” The monk fled but police caught him and, according to Tibetan reports, beat him to death.

⁵⁶⁵ See, e.g., “Tibetan Monk Beaten to Death,” Radio Free Asia (Online), 30 March 09. According to RFA’s source, police saw monk Phuntsog Rabten putting up posters “calling on Tibetans not to till their land to protest Chinese crackdowns and to mourn Tibetans killed in last year’s protests [against Chinese rule].” “Tibetans Stage Farm Boycott,” Radio Free Asia (Online), 25 March 09. “Tibetans in the Kardze (in Chinese, Ganzi) Tibetan Autonomous Prefecture had refused to cultivate their land following a week of other protests and detentions during a tense and politically sensitive month, sources in the Kardze area and abroad said.”

⁵⁶⁶ As of May 2009, Commission staff had seen reports on farming boycotts in Ganzi (Kardze), Luhuo (Draggo), and Xinlong (Nyagrong). Tibetan Centre for Human Rights and Democracy (Online), “China Arrest Tibetan in Kardze Over Farming Boycott Movement,” 21 March 09 (Ganzi county); Tibetan Centre for Human Rights and Democracy (Online), “Three More Tibetans Arrested in Connection With Farming Boycott Movement,” 23 March 09 (Ganzi county); “Tibetans Stage Farm Boycott,” Radio Free Asia (Online), 25 March 09 (Ganzi county); “Tibetan Monk Beaten to Death,” Radio Free Asia (Online), 30 March 09 (Luhuo county); “Chinese Police Open Fire in Eastern Tibet, 9 Arrested and Several Injured,” Tibetan Government-in-Exile (Online), 22 April 09 (Xinlong (Nyagrong) county).

⁵⁶⁷ “Tibetans Stage Farm Boycott,” Radio Free Asia (Online), 25 March 09. In Ganzi (Kardze) county: “In response, Chinese authorities called a meeting in Lopa village in which Tibetan farmers were told that if they failed to till their land, they would be detained and their land would be confiscated.” Tibetan Centre for Human Rights and Democracy (Online), “China Arrests Two Nuns of Dragkar Nunnery in Kardze,” 3 April 09. In Luhuo (Draggo) county: “According to other sources, the local Chinese authorities in Drango County, Kardze ‘TAP’ have given [an] ultimatum to the Tibetan farmers to till their farmland before 11 April or their farmland [will] be confiscated by the government.” (Commission staff have not seen public reports on Xinlong (Nyagrong) county officials threatening to confiscate farmland from Tibetans who participated in the farming boycott.)

⁵⁶⁸ See, e.g., “Three More Tibetans Arrested in Connection With Farming Boycott Movement,” 23 March 09 (Ganzi county); “Tibetan Monk Beaten to Death,” Radio Free Asia (Online), 30 March 09 (Luhuo (Draggo) county); “Chinese Police Open Fire in Eastern Tibet, 9 Arrested and Several Injured,” Tibetan Government-in-Exile (Online), 22 April 09 (Xinlong (Nyagrong) county).

⁵⁶⁹ “One Suffers Gun Shot, Three Seriously Wounded in Chamdo,” Phayul (Online), 17 June 09; “Chinese Police Fires at Tibetan Protesters in Eastern in Tibet,” Tibetan Government-in-Exile (Online), 16 June 09.

⁵⁷⁰ Tibetan Centre for Human Rights and Democracy (Online), “Drango Farmers Arrested and Beaten by the Chinese Security Police,” 1 April 09. In Luhuo (Draggo) county: “. . . a group of farmers refused to comply [with] the Chinese authorities order to till their farmlands, they were subsequently arrested and then subjected to severe beatings and ill-treatment. According to sources, fourteen Tibetans sustained injuries, some seriously. They were currently known to be kept in a hospital.” “Tibetans Stage Farm Boycott,” Radio Free Asia (Online), 25 March 09. In Ganzi (Kardze county): an RFA source said, referring to six detentions apparently linked to the boycotts, “Witnesses saw Chinese PSB personnel detaining them and beating them with iron rods and rifle butts.”

⁵⁷¹ “Tibetan Monk Beaten to Death,” Radio Free Asia (Online), 30 March 09; Tibetan Centre for Human Rights and Democracy (Online), “A Tibetan Monk Beaten to Death by Chinese Security Police,” 30 March 09.

⁵⁷² “Chinese Police Open Fire in Eastern Tibet, 9 Arrested and Several Injured,” Tibetan Government-in-Exile (Online), 22 April 09. According to the report: “At least 9 Tibetans, including a woman and 8 men, were arrested and several injured after the Chinese police opened fire on Tibetans protesting against the Chinese government”

⁵⁷³ Ibid.

⁵⁷⁴ “Tibetan Farmers in Karze Stop Farming in Protest, Authorities Issue Warning,” Tibetan Government-in-Exile (Online), 22 March 09. “The Central Tibetan Administration based in Dharamshala, India, has appealed to the local Tibetan farmers to resume farming.”

⁵⁷⁵ “A Lone Protester Arrested, 3 Minors Beaten Up, Tibetans Urged To Begin Farming,” Phayul (Online), 7 April 09. Samdhong Rinpoche spoke on the Voice of Tibet.

⁵⁷⁶ Ibid.

⁵⁷⁷ “China Detains Tibetan Monks Protesting on Key Anniversary,” Radio Free Asia (Online), 10 March 08; “Tibet Update (1),” China Digital Times (Online), last visited on 31 July 08; “Chinese Police Fire Tear-Gas at Protesting Tibetan Monks,” Radio Free Asia (Online), 12 March 08; Tibetan Centre for Human Rights and Democracy (Online), “Picture Identities of Visiting Monk Students of Sera Monastery Arrested on 10 March 2008 From Barkhor Street, Lhasa, for Their Pro-Tibet Protest,” 12 March 08; Tibetan Centre for Human Rights and Democracy (Online), “TCHRD Fears Torture and Inhumane Treatment on the Arrestees From Barkhor Protest on Tibetan Uprising Day,” 12 March 08; “Report: Lhasa City People’s Procuratorate Gives Permission To Arrest the First Suspect Who Held Up a Reactionary Flag,” China Tibet News, 25 March 08 (translated in Open Source Center, 27 March 08). (According to the reports, approximately 300 Drepung Monastery monks attempted to stage a peaceful protest from the monastery to the Potala Palace. Public security forces and People’s Armed Police prevented the monks from reaching the Potala Palace. In a separate protest the same day, at least 15 monks who were temporary students at Sera Monastery but who hailed from other provinces staged a brief political protest on the Barkor near the Jokhang Temple. Police detained at least 15 of the protesters. The Lhasa People’s Procuratorate later charged 13 of them with illegal assembly.)

⁵⁷⁸ For example, incidents of political protest were reported in nomadic areas such as Banma (Pema), Jiuzhi (Chigdril), and Dari (Darlag) counties in Guoluo (Golog) TAP, Qinghai province. “Latest Updates on Tibet Demonstrations,” Tibetan Government-in-Exile (Online), 26 March 08. Banma county: “After the arrival and the subsequent tight restrictions by Chinese military forces in Pema County, a protest was held during which the people demanded concrete results in the Sino-Tibetan dialogue. The same evening in Panchen, Pangrue and Markhog villages, Tibetans held peaceful demonstrations.” “Latest Updates on Tibet Demonstrations,” Tibetan Government-in-Exile (Online), 23 March 08. Jiuzhi county: “Around 500 monks and lay people from Palyul village are holding a sit-down on a hill-top to demand that Karwang Nyima Rinpoche (Dharthang Monastery head) not be harassed by the Chinese military. The people have also demanded the United Nations, U.S. and other countries intervene to resolve the issue.” “Latest Updates on Tibet Demonstrations,” Tibetan Government-in-Exile (Online), 22 March 08. Dari county: “Around 200 protesters (including many horsemen) held protests in Toema and Meyma villages.”

⁵⁷⁹ The Commission treats as a political prisoner an individual detained or imprisoned for exercising his or her human rights under international law, such as peaceful assembly, freedom of religion, freedom of association, free

expression, including the freedom to advocate peaceful social or political change, and to criticize government policy or government officials. (This list is illustrative, not exhaustive.)

⁵⁸⁰ Based on data available in the Commission's Political Prisoner Database (PPD) as of May 2009, Chinese security officials detained 131 Tibetans for political activity in May 2008, 49 Tibetans in June, 13 Tibetans in July, and 1 in August. Information recorded in the PPD is certain not to be complete.

⁵⁸¹ The 2008 Beijing Summer Olympic Games opened on August 8 and closed on August 24.

⁵⁸² As of September 2009 data available in the Commission's Political Prisoner Database (PPD) showed no more than one political detention of a Tibetan in each month during the period August to December 2008. PPD data on political detention of Tibetans during the period, however, is certain not to be complete, and Commission staff cannot create a PPD record unless adequate information is available. The overall trends that PPD data indicates may be indicative of proportional levels of detentions across a period even if the true number of detentions remains unknown and unrecorded.

⁵⁸³ See, e.g., "Tibetans in New Kardze Protests," Radio Free Asia (Online), 9 January 09 (on December 29, 2008, a Tibetan protester "shouted slogans for several minutes calling for Tibetan freedom and for the long life of His Holiness the Dalai Lama"); "Protest in Kardze, 6 Arrested," Phayul (Online), 1 April 09 (on April 1, 2009, "six Tibetans shouted slogans calling for the return of His Holiness the Dalai Lama to Tibet and freedom for Tibetans in Tibet").

⁵⁸⁴ See, e.g., "Tibet's Armed Police Chief Says Ready To Handle Incident," Xinhua (Online), 9 March 09. "A senior armed police chief in Tibet said here Monday that Tibet is 'very stable' but his troops are ready to handle any infiltration and sabotage activities by the Dalai Lama clique and other hostile forces." (The report was on an interview with Kang Jinzhong, Political Commissar of the TAR People's Armed Police.) "Tibet Makes All-Round Arrangements for the Work of Maintaining Social Stability," China Tibet News, 19 February 09 (translated in Open Source Center, 21 February 09). The report covers a teleconference of Communist Party, government, and public security officials, including TAR Party Secretary Zhang Qingli, Vice Minister Zhang Xinfeng of the Public Security Ministry, TAR Deputy Party Secretary Zhang Yijiong, and Legchog (*Lieque*) TAR Deputy Party Secretary and Chairman of the Standing Committee of the TAR People's Congress: "The teleconference called on large numbers of party, government, military, and police personnel in Tibet to immediately go into action and to conscientiously carry out various measures and fulfill various tasks in a down-to-earth manner according to the arrangements made at this teleconference. United as one and with a community of spirit and purpose, they should resolutely smash the savage attacks by the Dalai clique and firmly win the current people's war against separatism and for stability in order to greet the 60th anniversary of the founding of New China and the 50th anniversary of democratic reform in Tibet with outstanding achievements."

⁵⁸⁵ See, e.g., Free Tibet Campaign (Online), "Hundreds of Tibetans Protest Over Two Days in Restive Lithang County," 17 February 09. Referring to a February 15, 2009, protest in Litang (Lithang) county, Ganzi (Kardze) TAP, Sichuan province: "Eyewitnesses told the sources that the armed police used batons and rifle butts to beat the protesters, many of whom were badly bruised and bleeding as a result of their injuries." Referring to a February 16 protest in the same location: "The protest did not last long before it was violently put down by large numbers of armed police wielding batons and rifle butts." "Tibetans Stage Farm Boycott," Radio Free Asia (Online), 25 March 09. Referring to a March 16, 2009, protest in Ganzi (Kardze) county, Ganzi TAP, Sichuan province, an RFA source said: "Witnesses saw Chinese PSB personnel detaining them and beating them with iron rods and rifle butts." Tibetan Centre for Human Rights and Democracy (Online), "China Arrests Two Nuns of Dragkar Nunnery in Kardze," 3 April 09. Referring to a March 24, 2009, protest in Ganzi county, TCHRD said: "The Chinese People's Armed Police (PAP) immediately detained both the Tibetan nuns from the site of protest and [they were] beaten indiscriminately with rods and electric batons before being thrown into and driven away in a security vehicle."

⁵⁸⁶ In a third incident that did not involve violent behavior by Tibetan protesters toward other persons or property, Kirti Monastery monk Tashi (or Tabe) attempted to burn himself to death on February 27, 2009. Security officials put out the fire and removed Tashi from the scene. Xinhua reported that Tashi was recovering in a hospital and denied reports that security officials had shot Tashi. "Self-Immolating Tibet Monk Recovering—Xinhua," Reuters (Online), 5 March 09; "China Refutes Shooting Tibetan Man Who Attempts To Set Himself Alight," Xinhua (Online), 3 March 09.

⁵⁸⁷ Tibetan Centre for Human Rights and Democracy, “Ragya Monastery Encircled, Reeling Under Severe Restriction,” 23 March 09. TCHRDR reported that police subjected Tashi Zangpo to “harsh beatings, inhumane torture and long interrogation,” and that on March 21 he escaped from the police compound while on a bathroom break and committed suicide by leaping into the nearby Machu River (Huanghe, Yellow River) gorge. “Lawbreakers Who Participated in Attacking the Police Station in Ragya Township and Assaulting Policemen and Government Workers Were All Brought to Justice,” Xinhua, 22 March 09 (translated in Open Source Center, 22 March 09). The Xinhua report partially corroborates the TCHRDR account: on March 21, a monk “suspected of breaking the law and under investigation at the Ragya police station” climbed over the wall while on a toilet break. “Someone reported to the local police” that the monk “jumped into the Yellow River after his escape and attempted to swim to the opposite bank.”

⁵⁸⁸ “Lawbreakers Who Participated in Attacking the Police Station in Ragya Township and Assaulting Policemen and Government Workers Were All Brought to Justice,” Xinhua, 22 March 09 (Open Source Center, 22 March 09). “[C]lose to 100 monks from the Ragya Monastery and some local masses gathered at the Ragya police station. They then attacked the police station and assaulted the policemen and government workers. As a result, many government workers suffered minor injuries.”

⁵⁸⁹ “More Tensions and Arrests Are Reported in Eastern Tibet,” Radio Free Asia (Online), 18 June 09. A public security official in Jiangda (Jomda) county, Changdu (Chamdo) prefecture, TAR, told RFA that police had to “crack down on the Tibetan protesters” because Tibetans had been “very bold and aggressive these days.” The official said that five Tibetans had been sentenced to two years and six months’ imprisonment for beating a village leader. The report provided no details on the alleged incident and beating, such as when it took place, how many protesters were involved, and what the Tibetans were protesting against. (In another incident that did not involve violent behavior by Tibetan protesters toward other persons or property, Kirti Monastery monk Tashi (or Tabe), attempted to burn himself to death on February 27, 2009. Security officials put out the fire and removed Tashi from the scene. Xinhua reported that Tashi was recovering in a hospital and denied reports that security officials had shot Tashi. “Self-Immolating Tibet Monk Recovering - Xinhua,” Reuters (Online), 5 March 09; “China Refutes Shooting Tibetan Man Who Attempts To Set Himself Alight,” Xinhua (Online), 3 March 09.)

⁵⁹⁰ See, e.g., “Tibetan Protesters Beaten, Detained,” Radio Free Asia (Online), 21 January 09 (reports an alleged bombing in Jiangda (Jomda) county, Changdu (Chamdo) prefecture, TAR); Audra Ang, “Bomb Lobbed at Police Station in China’s West,” Associated Press, reprinted in Google, 17 March 09 (reports a bombing in Litang (Lithang) county, Ganzi (Kardze) TAP, Sichuan province); “Police Probe Six Suspects Over NW China Police Car Explosion,” Xinhua (Online), 10 March 09 (reports a bombing in Banma (Pema) county, Guoluo (Golog) TAP, Qinghai province).

⁵⁹¹ Police beat Pema Tsepag upon detention on January 20, 2009. He died from his injuries three days later on January 23. “Tibetan Youth Dies in Custody,” Radio Free Asia (Online), 30 January 09. RFA reported that police detained Pema Tsepag and two other men on January 20, 2009. A Tibetan living in India who has contacts in Chamdo prefecture told RFA, “[Pema Tsepag] was so severely beaten that his kidneys and intestines were badly damaged. He was initially taken to Dzogang [county] hospital, but they could not treat him, and they took him to Chamdo hospital instead.” “China Beats Tibetan Youth to Death,” Phayul (Online), 27 January 09.

⁵⁹² Tashi Zangpo escaped from police detention on March 21, 2009, 11 days after police detained him on March 10, and jumped into the nearby Yellow River gorge. Tibetan Centre for Human Rights and Democracy, “China Detains 95 Tibetans Who Protested in the Aftermath of Tashi Sangpo’s Suicide in Machu River,” 23 March 09. Tibetan Centre for Human Rights and Democracy, “Ragya Monastery Encircled, Reeling Under Severe Restriction,” 23 March 09. TCHRDR reported that police subjected Tashi Zangpo to “harsh beatings, inhumane torture and long interrogation,” and that on March 21 he escaped from the police compound while on a bathroom break and committed suicide by leaping into the nearby Machu River (Huanghe, Yellow River) gorge. “Lawbreakers Who Participated in Attacking the Police Station in Ragya Township and Assaulting Policemen and Government Workers Were All Brought to Justice,” Xinhua, 22 March 09 (translated in Open Source Center, 22 March 09). The Xinhua report partially corroborates the TCHRDR account: on March 21, a monk “suspected of breaking the law and under investigation at the Ragya police station” climbed over the wall while on a toilet break. “Someone reported to the local police” that the monk jumped into the Yellow River after his escape and attempted to swim to the opposite bank.”

⁵⁹³ Phuntsog Rabten fled after police saw him putting up political protest posters on March 25, 2009. “Tibetan Monk Beaten to Death,” Radio Free Asia (Online), 30 March 09. A source told RFA, after police saw Phuntsog Rabten distributing leaflets, “He tried to escape on a motorcycle, and then on foot, but local police called the county police, and he was cornered at a place called Wada. He was severely beaten by the Chinese security force and died at the scene. His body was tossed over a cliff in order to cover up the death.”

⁵⁹⁴ Tibetan Centre for Human Rights and Democracy (Online), “A Website Proprietor Arrested in Gansu Province,” 7 March 09. Security officials detained Tibetan-language Web site operator Konchog Tsephel from his home on February 26, 2009, and confiscated his computer.

⁵⁹⁵ Tibetan Centre for Human Rights and Democracy (Online), “A Tibetan Writer-Photographer Arrested in Gansu Province,” 25 March 09. Security officials detained Labrang Tashikhyil Monastery monk Kunga Tsayang on March 17, 2009, for allegedly posting political essays to a Tibetan-language Web site. TCHRD describes Kunga Tsayang as “a passionate writer, essayist, chronicler and an amateur photographer,” and noted that he was an “avid traveler” whose “travelogues dealt on the special characteristic features of Tibetan topographical landscapes, culture, customs, habits and religious heritage.”

⁵⁹⁶ Tibetan Centre for Human Rights and Democracy (Online), “China Arrests Tibetan Writer in Ngaba,” 20 April 09. Security officials detained Gomang Monastery monk Dogru Tsultrim in early April 2009 for publishing two essays that authorities claimed “criticized the Chinese government and supported the ‘separatist forces of the Dalai Lama,’” according to a TCHRD source.

⁵⁹⁷ Tibetan Centre for Human Rights and Democracy (Online), “Chinese Authorities Re-arrest Jigme Gyatso,” 17 March 09. TCHRD reports that security officials redetained monk Jigme Gyatso on or around March 10, 2009. Police had initially detained him on March 23, 2008, then released him on bail on October 15, 2008. Jigme Gyatso assisted filmmaker Dondrub Wangchen in producing the documentary, “Leaving Fear Behind.” Authorities detained Dondrub Wangchen on March 26, 2008. “About the Filmmakers,” Web site of Leaving Fear Behind, last visited 10 October 09. Jigme Gyatso was born in Seda (Serthar) county, Ganzi (Kardze) Tibetan Autonomous Prefecture, Sichuan province.

⁵⁹⁸ Human Rights Watch (Online), “China: Ensure Fair Trial for Tibetan Filmmaker,” 3 August 09. (The report did not provide the date of formal arrest or state whether or not official Chinese sources had confirmed that Dondrub Wangchen had been charged with “inciting splittism,” a crime under Article 103 of the PRC Criminal Law.) “China Blocks Tibet Lawyers,” Radio Free Asia (Online), 20 July 09. The report describes Li Dunyong as a “Beijing lawyer.”

⁵⁹⁹ International Campaign for Tibet (Online), “Dhondup Wangchen Faces Trial: New Information on Charges,” 17 September 09. (The report did not identify the official sources that reportedly provided the quoted description of the accusation against Dondrub Wangchen.)

⁶⁰⁰ “Lhasa City Public Security Bureau Announces Latest Progress in Cracking Down on Rumor Mongering and Rumor Spreading,” Tibet Daily, 25 December 08 (translated in Open Source Center, 26 December 08).

⁶⁰¹ Ibid.

⁶⁰² “Ahead of Sensitive Dates, Lhasa Officials Add ‘Strike Hard’ to Crackdown,” Congressional-Executive Commission on China (Online), 25 February 09; “Lhasa City Police Corps Winter Strike Hard Campaign Achieves Successes” [Lasa shi gonganju xingjing zhidui dongji yanda zhuanxiang xingdong qude chengxiao], Lhasa Evening News (Online), 25 January 09. “. . . 30 people were detained on suspicion of theft, burglary and prostitution, including 5 people detained in the process of stealing a motorbike, and 2 people who had reactionary opinions and reactionary songs on their cell phones.”

⁶⁰³ As of June 2009, the Commission’s Political Prisoner Database recorded the political detention or imprisonment of approximately 500 Tibetans during 2008—but Commission staff analysis suggests that the actual number of political detentions and imprisonments, while unknown, is far higher than 500. For example, an India-based Tibetan NGO published in January 2009 a list of 1,863 Tibetans whom officials had detained since March 10, 2008. The NGO did not assert that all of the 1,863 persons listed were political detainees or prisoners. The list did not provide information about each detainee or prisoner’s alleged activity. Chinese authorities may have detained or imprisoned some of the Tibetans on the list for activities that are not protected under international human rights conventions.

But at the same time, it is certain that the list does not provide a complete account of all the Tibetans detained for exercising peacefully their freedoms of speech, religion, association, and assembly. Tibetan Centre for Human Rights and Democracy (Online), “Human Rights Situation in Tibet: Annual Report 2008, Appendix 2: List of Known Tibetans Who Were Arrested, Detained and Released in the Aftermath of Uprising in Tibet Since 10 March 2008,” 22 January 09, 125-163.

⁶⁰⁴ For the purpose of calculating average sentences, the Political Prisoner Database provides 20 years as a nominal length of a life sentence. Official Chinese information about the actual average time served by prisoners sentenced to life imprisonment is not available.

⁶⁰⁵ For the purpose of calculating average sentences, the Political Prisoner Database provides 20 years as a nominal length of a life sentence. Official Chinese information about the actual average time served by prisoners sentenced to life imprisonment is not available.

⁶⁰⁶ International Campaign for Tibet (Online), “China Tightens Screws on Tibet for October 1st 60th Anniversary: New Details of Ongoing Protests and Political Prisoners,” 1 October 09. (The PDF list is available via a link in the ICT report.)

⁶⁰⁷ Tibetan Centre for Human Rights and Democracy (Online), “Human Rights Situation in Tibet: Annual Report 2008, Appendix 2: List of Known Tibetans Who Were Arrested, Detained and Released in the Aftermath of Uprising in Tibet Since 10 March 2008,” 22 January 09, 125-163.

⁶⁰⁸ Ibid. As the title indicates, the list represents the Tibetans only as “arrested, detained, and released” after March 10, 2008. The list is divided into columns that (if information is available) provide: record number, name, sex, age, place of origin, affiliation, “arrest” (detention) date, and length of prison sentence.

⁶⁰⁹ Ibid. Of the 1,386 list entries that are marked as detained, 1,295 are marked “DET” (“detained”), and 91 are marked “DET?” (“detained but release status unknown”).

⁶¹⁰ Tibetan Centre for Human Rights and Democracy (Online), “Press Release—Human Rights Situation in Tibet: Annual Report 2008,” 22 January 09.

⁶¹¹ CECC, 2005 Annual Report, 11 October 05, 112. Jigme Gyatso was sentenced in 1996 to 15 years’ imprisonment for counterrevolution. Chinese officials told a UN Working Group on Arbitrary Detention (UNWGAD) delegation in September 2004 that he was guilty of “planning to found an illegal organization and seeking to divide the country and damage its unity.” Another UNWGAD opinion on the case found that “there is nothing to indicate that the ‘illegal organization’ . . . ever advocated violence, war, national, racial, or religious hatred, and that Jigme Gyatso was “merely exercising the right to freedom of peaceful assembly with others in order to express opinions.”

⁶¹² Tibetan Centre for Human Rights and Democracy (Online), “TCHRD Calls for the Release of Jigme Gyatso on Medical Ground,” 20 April 09.

⁶¹³ Dui Hua Dialogue (Online), “Official Responses Reveal Many Sentence Adjustments,” Fall 2006.

⁶¹⁴ CECC, 2005 Annual Report, 11 October 05, 112. Choeying Khedrub, a monk of Tsanden Monastery in the TAR, was sentenced in 2000 to life imprisonment for his role in a group of men who allegedly printed pro-independence leaflets. According to information that the Chinese government provided to the United Nations Working Group on Arbitrary Detention (UNWGAD), he was found guilty of endangering state security and “supporting splittist activities of the Dalai clique.” The UNWGAD reports that the Chinese response “mentions no evidence in support of the charges, or if they used violence in their activities,” and finds that the government “appears” to have misused the charge of endangering state security.

⁶¹⁵ CECC, 2007 Annual Report, 10 October 07, 210. Bangri Chogtrul (Jigme Tenzin Nyima), who lived as a householder in Lhasa and managed a children’s home along with his wife, was convicted of inciting splittism and sentenced to life imprisonment in a closed court in Lhasa in September 2000. “Lhasa Court Commutes Life Sentence for Children’s Home Director to 19 Years,” CECC China Human Rights and Rule of Law Update, April 2006, 16. The sentencing document lists evidence against Bangri Chogtrul that includes meeting the Dalai Lama, accepting a donation for the home from a foundation in India, and a business relationship with a Tibetan contractor who lowered a Chinese flag in Lhasa in 1999 and tried to blow himself up. Jigme Tenzin Nyima acknowledged

meeting the Dalai Lama, accepting the contribution, and knowing the contractor, but he denied the charges against him and rejected the court's portrayal of events.

⁶¹⁶ CECC Political Prisoner Database, 10 June 09. On August 1, 2007, Tibetan nomad Ronggyal Adrag climbed onto a stage at a horse-racing festival in Litang (Lithang) county, Ganzi (Kardze) TAP, Sichuan province and shouted slogans calling for the Dalai Lama's return to Tibet, freedom of religion, Tibetan independence, and the releases of Gedun Choekyi Nyima (the Panchen Lama identified by the Dalai Lama) and Tenzin Deleg (a Buddhist teacher from the same area imprisoned in 2002 on charges of splittism and involvement in a series of bombings). The Ganzi Intermediate People's Court sentenced him on November 20, 2007, to eight years' imprisonment for inciting splittism (Criminal Law, Article 103(2)). "CECC Political Prisoner Data Shows Rise in Tibetan Detentions in 2007," Congressional-Executive Commission on China, 31 January 08; "China Sentences 4 for Spying, Secessionist Activities," Xinhua (Online), 20 November 07; "Tibetan Sentenced for 'Inciting To Split Country' at Sports Event," Xinhua (Online), 20 November 07; "Tibetan Nomad Calling for Dalai Lama's Return Convicted of Subversion and Splittism," Congressional-Executive Commission on China, 1 November 2007. The CECC report cites an October 30, 2007, Radio Free Asia report that the Ganzi Intermediate Court convicted Ronggyal Adrag on charges of splittism and subversion (Criminal Law, Arts. 103, 1005). (The court, however, did not sentence Ronggyal Adrag on the charge of subversion.)

⁶¹⁷ CECC, 2008 Annual Report, 31 October 08, 190, 281. The report stated, "Ganzi TAP has been the site of more known political detentions of Tibetans by Chinese authorities than any other TAP outside the TAR since the current period of Tibetan political activism began in 1987." The report provided detailed statistics based on the Commission's Political Prisoner Database.

⁶¹⁸ One Ganzi TAP record of a person with a religious occupation (Phurbu Tsering) is regarded by Tibetans as a reincarnated Tibetan teacher, or Rinpoche, but he lives as a householder, not as a monk in a monastery. Phurbu Tsering heads Pangri Nunnery. Statements in an analysis by lawyers Li Fangping and Jiang Tianyong representing Phurbu Tsering (*Pubu Ciren, Buronglang*) refer to his residence. International Campaign for Tibet (Online), "Verdict on Tibetan Lama Deferred: Chinese Lawyers' Statement on Charges Against Phurbu Rinpoche," 27 April 09. "On May 18, 2008 Ganzi County Public Security investigative personnel conducted a search of the suspect Pubu Ciren's residence on 277 Liberation Street, Ganzi Town, . . ."

⁶¹⁹ About 55 Pangri Nunnery nuns protested and were detained on May 14, 2008, according to reports at that time. (The Political Prisoner Database (PPD) contains 51 records of Pangri nuns who protested and were detained on May 14.) International Campaign for Tibet (Online), "More Than 80 Nuns Detained After Peaceful Protests Continue in Kham," 30 May 08 (reports 55 Pangri nuns protested and were detained); Tibetan Centre for Human Rights and Democracy (Online), "China Arrests 55 Nuns of Pang-ri Nunnery for Protesting," 17 May 08 (more than 55 Pangri nuns protested; 55 were detained); "Update on Tibet, 15 May 2008," Tibetan Government-in-Exile (Online), 15 May 08 (60 nuns protested; 52 nuns were detained).

⁶²⁰ The largest protests in Ganzi TAP during the Commission's 2009 Annual Report period, based on reports available as of June 10, 2009, took place in Litang (Lithang) county on February 25 (100 to 200 protesters) and February 26 (300 to 400 protesters). Free Tibet Campaign (Online), "Hundreds of Tibetans Protest Over Two Days in Restive Lithang County," 17 February 09. "One source reported a total of about one hundred protesters and the other source reported between 150 and 200 protesters." Free Tibet Campaign (Online), "Hundreds of Tibetans Protest Over Two Days in Restive Lithang County," 17 February 09. "Sunday's [February 15] protest was followed by a much larger protest in the same location the next day. Both sources reported that the protest of 16 February started in the morning when 14 Tibetans, including relatives of Lobsang Lhundup, started shouting slogans: 'Free Tibet'; 'Long live His Holiness the Dalai Lama'; 'Don't celebrate Losar'; and 'Release Lobsang Lhundup.' . . . The protesting Tibetans were quickly joined by between 300 and 400 Tibetans, according to both sources."

⁶²¹ Based on information summarized in "Tibetan Protests Continue During Period of Heightened Security," Tibetan political protests in Ganzi TAP during January to March 2009 that resulted in a Political Prisoner Database record took place on the following dates: January 5, 7, and 27; February 15 and 16; and March 5 (at least two protests), 6, 11, 12, 14, 16, 19, 21, 22, 23, 24, 25, and 27.

⁶²² Based on information summarized in "Tibetan Protests Continue During Period of Heightened Security," Tibetan protests in Ganzi TAP carried out by a single Tibetan whom security officials detained and on whom the Political

Prisoner Database contains a record took place on the following dates: January 5 and 7; February 15 and 27; and March 6, 10, 12, 14, and 22.

⁶²³ CECC, 2008 Annual Report, 31 October 08, 190-191, 202-204; Measures for Dealing Strictly With Rebellious Monasteries and Individual Monks and Nuns, Order from the People's Government of Ganzi Tibetan Autonomous Prefecture, No. 2, issued 28 June 08 with immediate effect, translated from Tibetan language in International Campaign for Tibet (Online), "New Measures Reveal Government Plan To Purge Monasteries and Restrict Buddhist Practice," 30 July 08.

⁶²⁴ International Campaign for Tibet (Online), "Verdict on Tibetan Lama Deferred: Chinese Lawyers' Statement on Charges Against Phurbu Rinpoche," 27 April 09.

⁶²⁵ International Campaign for Tibet (Online), "More Than 80 Nuns Detained After Peaceful Protests Continue in Kham," 30 May 08 (reports 55 Pangri nuns protested and were detained); Tibetan Centre for Human Rights and Democracy (Online), "China Arrests 55 Nuns of Pang-ri Nunnery for Protesting," 17 May 08 (more than 55 Pangri nuns protested; 55 were detained); "Update on Tibet, 15 May 2008," Tibetan Government-in-Exile (Online), 15 May 08 (60 nuns protested; 52 nuns were detained).

⁶²⁶ "Tibetan Nuns Play Key Role," Radio Free Asia (Online), 21 May 08. According to an RFA source (referring to the nunnery as "Buruna," the nuns "were forced to criticize His Holiness the Dalai Lama and their teacher, who is known as Buruna Rinpoche." Tibetan Centre for Human Rights and Democracy (Online), "China Arrests 55 Nuns of Pang-ri Nunnery for Protesting," 17 May 08. According to TCHRD sources: "The Pang-ri nuns were deeply hurt and angered by the high-handedness of the Chinese authorities' killing, torture and arrest [of] peaceful Tibetan protesters in many parts of Tibet. They . . . particularly resented . . . the Chinese government allegation that the Dalai Lama has masterminded the protests in Tibet. They also had a deep-seated resentment against the implementation of [the] 'Patriotic re-education' campaign forcing Tibetans to sign official documents that criticize, denounce and attack the Dalai Lama." International Campaign for Tibet (Online), "More Than 80 Nuns Detained After Peaceful Protests Continue in Kham," 30 May 08. An ICT source said: "Security personnel have ordered nuns to hoist a Chinese flag atop the nunnery; they have asked nuns to reveal the instigators and say that they are grateful of the Chinese government. Also, they always ask nuns to denounce His Holiness the Dalai Lama."

⁶²⁷ International Campaign for Tibet (Online), "Verdict on Tibetan Lama Deferred: Chinese Lawyers' Statement on Charges Against Phurbu Rinpoche," 27 April 09. According to a statement to the Ganzi Intermediate People's Court (translated and published by International Campaign for Tibet), Lawyer Li Fangping is "from the Beijing Municipality Ruifeng Law Office" and lawyer Jiang Tianyong is "from the Beijing Municipality Gaobo Longhua Law Office."

⁶²⁸ Gillian Wong, "Tibetan Lama on Trial for Weapons Charge in China," Associated Press, reprinted in Google (Online), 21 April 09.

⁶²⁹ PRC Criminal Law, enacted 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, art. 128(1). "Whoever, in violation of the regulations governing control of guns, illegally possesses or conceals any guns or ammunition shall be sentenced to fixed-term imprisonment of not more than three years, criminal detention or public surveillance; if the circumstances are serious, he shall be sentenced to fixed-term imprisonment of not less than three years but not more than seven years."

⁶³⁰ Gillian Wong, "Tibetan Lama on Trial for Weapons Charge in China," Associated Press, reprinted in Google (Online), 21 April 09.

⁶³¹ Edward Wong, "Senior Tibetan Cleric Faces Prison in China," New York Times (Online), 25 April 09. The Saturday, April 25, article states that Phurbu Tsering "is expected to be sentenced next Tuesday" [April 28].

⁶³² PRC Criminal Law, enacted 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, art. 271. "Any employee of a company, enterprise or any other unit who, taking advantage of his position, unlawfully takes possession of the money or property of his own unit, if the amount is relatively large, shall be sentenced to fixed-term imprisonment of not more than five years or criminal detention; if the amount is huge, he shall be sentenced to fixed-term imprisonment of not less than five years and may also be sentenced to confiscation of property."

⁶³³ Edward Wong, “Senior Tibetan Cleric Faces Prison in China,” *New York Times* (Online), 25 April 09.

⁶³⁴ *Ibid.* Lawyer Jiang Tianyong said, “The living Buddha predicted that the government would arrest him because some nuns from his convents took to the streets to protest.”

⁶³⁵ Jane Macartney, “Chinese Court Postpones Judgment on Tibetan Living Buddha,” *Times Online* (Online), 27 April 09. Lawyer Li Fangping told *Times Online*, “They notified me that the date to announce a verdict had been postponed. There is no new date. They said they would let me know in due course.”

⁶³⁶ International Campaign for Tibet (Online), “Verdict on Tibetan Lama Deferred: Chinese Lawyers’ Statement on Charges Against Phurbu Rinpoche,” 27 April 09.

⁶³⁷ *Ibid.*

⁶³⁸ *Ibid.* The defense statement to the court said: “The charge against Living Buddha Buronglang of illegally possessing weapons and explosives does not hold.”

⁶³⁹ *Ibid.* The defense statement to the court said: “Where did this gun come from? Did the Living Buddha make it himself or was it bought? When was it made or purchased? If purchased, from whom was it purchased? How much was it purchased for? Were any commonly used tests performed to see whether or not the Living Buddha’s finger prints were on its surfaces? There is obviously insufficient evidence to charge and convict for the crime of illegal possession of weapons and explosives solely because guns and explosive were discovered at his home during a search, because the possibility cannot be ruled out that he has been framed by others.”

⁶⁴⁰ *Ibid.* The defense statement to the court said: “According to the Criminal Procedure Law, evidence used to justify the establishment of a criminal accusation must form a complete, tight and closed chain, all reasonable doubts have to be dispelled, and the results of the evidence must indicate only facts. But evidently, this case can in no way attain these demands.”

⁶⁴¹ *Ibid.* The defense statement to the court said: “Witnesses and expert witnesses in this case did not appear in court for cross examination, and it was impossible to ascertain the reason why; according to the Criminal Procedure Law and relevant legal opinions, witnesses and expert witnesses, aside from those with legal reasons to be excluded, should appear in court for cross-examination, otherwise their testimony and expert opinion cannot be accepted.”

⁶⁴² *Ibid.* The defense statement to the court said: “The charge against Living Buddha Buronglang of illegally occupying state property does not hold.”

⁶⁴³ *Ibid.* The defense statement to the court said: “Pubu Zeren, aka Living Buddha Buronglang had already by means of a transfer agreement legally acquired state-owned land-use rights for the land at 277 Liberation Street, Ganzi County.”

⁶⁴⁴ *Ibid.* The defense statement to the court said: “There is no doubt at all that the building constructed on legally acquired land with Living Buddha Buronglang’s personal funds is his own personal property. The Buronglang home itself did not invest a single penny in the land purchase and construction, and according to convention, according to reason, and according to law, property rights on the building cannot be taken away.”

⁶⁴⁵ *Ibid.* The defense statement to the court said: “Buronglang old people’s home was privately established on June 10, 2004 by Living Buddha Buronglang and was registered as a civic private non-enterprise and not as a collective work unit, and certainly not state-owned. In accordance with the ‘Temporary Measures for the Registration of Civic Non-Enterprise Work Units,’ it belongs to an individual civic non-enterprise work unit.”

⁶⁴⁶ Tenzin Deleg is imprisoned in Chuandong Prison, located in Dazhou municipality, Sichuan province. For background and details, see “The Execution of Lobsang Dondrub and the Case Against Tenzin Deleg: The Law, the Courts, and the Debate on Legality,” Congressional-Executive Commission on China (Online), 10 February 03; Human Rights Watch, “Trials of a Tibetan Monk: The Case of Tenzin Delek,” February 2004; “Tibetan Monk Death Penalty Commuted to Life in Prison,” *Xinhua* (Online), 26 January 05; “Two Tibetans Sentenced to Death in SW China,” *Xinhua* (Online), 26 January 03; “Tibetan Monk Protests Innocence in Smuggled Audiotape,” *Radio Free Asia* (Online), 21 January 03.

⁶⁴⁷ “The Execution of Lobsang Dondrub and the Case Against Tenzin Deleg: The Law, the Courts, and the Debate on Legality,” Congressional-Executive Commission on China, 10 February 03; “Tibetan Monk Protests Innocence in Smuggled Audiotape,” Radio Free Asia (Online), 21 January 03.

⁶⁴⁸ The Dui Hua Foundation, “Criminal Verdict of the Sichuan Province Ganzi Tibetan Minority Autonomous Prefecture Intermediate People’s Court, 2000,” Selection of Cases from the Criminal Law, Vol. 13, August 2003, 42-45. According to the verdict, Sonam Phuntsog (*Shenglong Pengcuo*, or *Suolang Pingcuo*) was: “Detained on October 25, 1999 by the Ganzi County Public Security Bureau on suspicion of taking part in a bombing incident.” (The document does not again refer in any manner to a bombing incident.)

⁶⁴⁹ Ibid. “According to the regulations in Paragraph 2, Article 103 and in Paragraph 1, Article 56 of the ‘Criminal Law of the PRC,’ the verdict is as follows: Defendant Sonam Phuntsok is sentenced to five years’ imprisonment with four years’ subsequent deprivation of political rights for committing the crime of inciting splittism.” The verdict cited as evidence of “splittism” that Sonam Phuntsog “brazenly organized crowds of monks and lay people, and in a public place openly displayed a huge photograph of the Dalai Lama that he had provided himself, publicly praised the Dalai Lama, and incited the crowds of people to believe in the Dalai Lama and recite long life prayers for the Dalai Lama.” (Sonam Phuntsog was released in 2004 upon completion of his sentence.)

⁶⁵⁰ Except for a March 25, 2008, China Tibet News report on the formal arrest of 13 monks on the charge of “illegal assembly” for staging a political protest on March 10, 2008, in front of Lhasa’s Jokhang Temple, CECC staff have not seen any other public Chinese government or state-run media reports that provide specific information about individual Tibetans detained for peaceful political protests during the period beginning on March 10, 2008. For information on the China Tibet News report, see “Lhasa Court Sentences Tibetans for Sharing Information With ‘The Dalai Clique’,” Congressional-Executive Commission on China (Online), 22 January 09.

⁶⁵¹ “Lhasa City Intermediate People’s Court Pronounces Sentence in Four ‘March 14 Incident’ Cases for the Crime of Endangering State Security,” Lhasa Evening News, 8 November 08, 2 (translated in International Campaign for Tibet (Online), “NGO Worker Sentenced to Life Imprisonment: Harsh Sentences Signal Harder Line on Blocking News From Tibet,” 22 December 08); “Lhasa Court Sentences Tibetans for Sharing Information With ‘The Dalai Clique’,” Congressional-Executive Commission on China (Online), 22 January 09.

⁶⁵² “Lhasa City Intermediate People’s Court Pronounces Sentence in Four ‘March 14 Incident’ Cases for the Crime of Endangering State Security,” Lhasa Evening News, 8 November 08, 2 (translated in International Campaign for Tibet (Online), “NGO Worker Sentenced to Life Imprisonment: Harsh Sentences Signal Harder Line on Blocking News From Tibet,” 22 December 08). “Tibet’s Lhasa City Intermediate People’s Court in accordance with the law and in open court publicly passed sentence in recent days in four ‘March 14 incident’ cases for the crime of endangering state security.” One case involved four Tibetans: Wangdu (Wangdui), Migmar Dondrub (Mima Dunzhu), Phuntsog Dorje (Pingcuo Duoje), and Tsewang Dorje (Ciwang Duoje). Each of the other three cases involved one Tibetan: Sonam Dragpa (Suolang Zhaba), Yeshe Choedron (Yixi Quzhen), and Sonam Tseten (Suolang Cidian).

⁶⁵³ Ibid. The LEN report names a total of three Tibetan organizations in connection with the four cases: “the Dalai clique’s security department” (the Tibetan government-in-exile’s security department), the Tibetan Youth Congress (TYC, an India-based NGO that advocates for Tibetan independence), and Gu-Chu-Sum (an India-based NGO that Tibetan former political prisoners established to work on behalf of Tibetan political prisoners). Tibetan Youth Congress (Online), “About Us,” last visited 3 June 08. According to the TYC Web site, among the four “tasks” assigned to TYC members are, “To dedicate oneself to the task of serving one’s country and people under the guidance of His Holiness the Dalai Lama, the Spiritual and Temporal Ruler of Tibet,” and “To struggle for the total independence of Tibet even at the cost of one’s life.” (The TYC does not, however, accept the Dalai Lama’s guidance on seeking “genuine autonomy” for “Tibet” under Chinese sovereignty, nor does the TYC expressly disavow the use of violence in the campaign for independence.) Gu-Chu-Sum (Online), “What Is Gu Chu Sum?” last visited 24 May 09. “The Gu-Chu-Sum (9-10-3) Movement of Tibet was established . . . by ex-political prisoners of the Tibetan freedom movement . . . to help the suffering Tibetans remaining in prisons in Tibet and to provide needed support to ex-political prisoners who have journeyed into exile.”

⁶⁵⁴ “Lhasa City Intermediate People’s Court Pronounces Sentence in Four ‘March 14 Incident’ Cases for the Crime of Endangering State Security,” Lhasa Evening News, 8 November 08, 2 (translated in International Campaign for

Tibet (Online), “NGO Worker Sentenced to Life Imprisonment: Harsh Sentences Signal Harder Line on Blocking News From Tibet,” 22 December 08). “On October 27, Lhasa City Intermediate People’s Court sentenced the defendant Wangdui in accordance with the law to life imprisonment with deprivation of political rights for life, for the crime of espionage; the defendant Mima Dunzhu was sentenced to fixed term imprisonment of 14 years with deprivation of political rights for five years, for the crime of espionage; the defendant Pingcuo Duoji was sentenced to fixed term imprisonment of nine years with deprivation of political rights for five years, for the crime of illegally sending intelligence abroad; and the defendant Ciwang Duoji was sentenced to eight years imprisonment with deprivation of political rights for five years, for the crime of illegally sending intelligence abroad.” “On October 27, Lhasa City Intermediate People’s Court sentenced Suolang Zhaba in accordance with the law to fixed term imprisonment of 10 years with deprivation of political rights for five years, for the crime of illegally sending intelligence abroad.” “On November 7, Lhasa City Intermediate People’s Court sentenced the defendant Yeshe Choedon in accordance with the law to fixed term imprisonment of 15 years with deprivation of political rights for five years, for the crime of espionage.” “On November 7, Lhasa City Intermediate People’s Court sentenced the defendant Suolang Cidian in accordance with the law to fixed term imprisonment of 10 years with deprivation of political rights for five years, for the crime of illegally sending intelligence abroad.”

⁶⁵⁵ PRC Constitution, passed 4 December 82, effective same day, amended 12 April 88, 29 March 93, 15 April 99, 14 March 04, art. 54. “It is the duty of citizens of the People’s Republic of China to safeguard the security, honor and interests of the motherland; they must not commit acts detrimental to the security, honor and interests of the motherland.”

⁶⁵⁶ PRC Criminal Law, enacted 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, art. 102. “Whoever colludes with a foreign State to endanger the sovereignty, territorial integrity and security of the People’s Republic of China shall be sentenced to life imprisonment or fixed-term imprisonment of not less than 10 years.”

⁶⁵⁷ “Lhasa City Intermediate People’s Court Pronounces Sentence in Four ‘March 14 Incident’ Cases for the Crime of Endangering State Security,” Lhasa Evening News, 8 November 08, 2 (translated in International Campaign for Tibet (Online), “NGO Worker Sentenced to Life Imprisonment: Harsh Sentences Signal Harder Line on Blocking News From Tibet,” 22 December 08); “Lhasa Court Sentences Tibetans for Sharing Information With ‘The Dalai Clique,’” Congressional-Executive Commission on China (Online), 22 January 09.

⁶⁵⁸ The Commission’s Political Prisoner Database record on Wangdu includes information sources including the following: International Campaign for Tibet (Online), “NGO Worker Sentenced to Life Imprisonment: Harsh Sentences Signal Harder Line on Blocking News From Tibet,” 22 December 08; Tibetan Centre for Human Rights and Democracy (Online), “Chinese Court Sentences Seven Tibetans Between 8 Years to Life Imprisonment,” 16 December 08; Tibetan Centre for Human Rights and Democracy (Online), “A Tibetan AIDS Activist Disappears in Tibet,” 9 October 08. See also “Lhasa Court Sentences Tibetans for Sharing Information With ‘The Dalai Clique,’” Congressional-Executive Commission on China (Online), 22 January 09.

⁶⁵⁹ The Commission’s Political Prisoner Database record on Phuntsog Dorje includes information from sources including the following: International Campaign for Tibet (Online), “NGO Worker Sentenced to Life Imprisonment: Harsh Sentences Signal Harder Line on Blocking News From Tibet,” 22 December 08; Robin Munro and Mickey Spiegel, *Detained in China and Tibet: A Directory of Political and Religious Prisoners* (New York, Human Rights Watch, 1994). According to the report, Phuntsog Dorje was a former employee of the Snowlands Hotel. Also see “Lhasa Court Sentences Tibetans for Sharing Information With ‘The Dalai Clique,’” Congressional-Executive Commission on China (Online), 22 January 09. CECC Staff Interview: the Snowlands Hotel is popular with international travelers and tourists.

⁶⁶⁰ Although authorities generally refer only to “Lhasa” and only to the date “3.14,” some of the violent activity took place in counties adjacent to Lhasa city and under Lhasa municipality administration (e.g., Linzhou (Lhundrub), Dazi (Tagtse), and Duilongdeqin (Toelung Dechen) counties), and some of the violent activity took place on March 15 (e.g., in Dazi county). “Judgments Pronounced Publicly on Some Defendants Involved in Lhasa’s ‘14 March’ Incident,” Xinhua, 29 April 08 (Open Source Center, 30 April 08). The Xinhua article refers to five monks sentenced for rioting in Dechen township of Duilongdeqing county. “94 Criminal Suspects in Linzhou County Surrender Themselves to Justice,” Tibet Daily, 19 March 08 (Open Source Center, 19 March 08). The Tibet Daily article reports the surrender of persons allegedly involved in “serious incidents of beating, smashing, looting, and

burning” in Linzhou county. “Tibet Issues Arrest Warrants for 16 Suspects in Riot,” Xinhua (Online), 5 April 08. According to the April article in Xinhua, the 16 suspects allegedly took part in a March 15 riot in Dechen township, located in Dazi county.

⁶⁶¹ Of the 84 sentences, Xinhua reported a total of 76 sentences as of February 11, 2009, 5 sentences on April 8, and 3 more sentences on April 21. As of November 2008, officials had reported 55 convictions linked to alleged crimes during rioting. As of publication of the Commission’s 2008 Annual Report, the Chinese government had reported 30 convictions linked to alleged rioting in Lhasa. “High-Ranking Tibet Official: No Foreign Passport Holders Were Among the Criminals Handled According to the Law for Involvement in the Violent Incidents in Lhasa” [Xizang gaoguan: lasa baoli shijian zhong bei yifa chuli de fazui renyuan zhong meiyou chi waiguo huzhao de], China News Agency, 21 June 09 (translated in summary by Open Source Center, “Tibet Cadre Says No Foreign Passport Holders Prosecuted for 14 Mar Riot,” 23 June 09). According to the OSC summary, Gonpo Tashi (*Gongbao Zhaxi*), member of the Standing Committee of the TAR Communist Party Committee, said on 20 June that of the 900 persons “arrested” following the “Lhasa 14 March” incident, the Lhasa Intermediate People’s Court had sentenced 84 persons. “76 People Convicted Over Lhasa Violence,” Xinhua (Online), 11 February 09; “Chinese Court Sentences Two to Death on Starting Fatal Fires in Lhasa Riot,” Xinhua (Online), 8 April 09. According to the report, the Lhasa Intermediate People’s Court on April 8 sentenced two Tibetans (Lobsang Gyaltse and Loyar) to death, two Tibetans (Gangtsu and Tenzin Phuntsog) to death with a two-year reprieve, and one Tibetan (Dawa Zangpo) to life imprisonment. “The five were tried in three separate arson cases, in which altogether seven civilians were killed and five shops torched in Lhasa, capital of southwest China’s Tibet Autonomous Region, according to the court verdicts.” “Chinese Court Sentences 3 for Arsons in Lhasa Riot,” Xinhua, reprinted in China Tibet News, 21 April 09. According to the report, the Lhasa Intermediate People’s Court on April 21, 2009, sentenced one Tibetan (Penkyi) to death with a two-year reprieve, another Tibetan (also named Penkyi) to life imprisonment, and a third Tibetan (Chime) to 10 years’ imprisonment. According to the report, the court sentenced the three Tibetans for starting two fires in which a total of six persons died. Edward Wong, “China Has Sentenced 55 Over Tibet Riot in March,” New York Times (Online), 5 November 08. “Total Jailed Over Lhasa Violence Rises to 30,” Xinhua (Online), 29 April 08.

⁶⁶² See, e.g., “Chinese Court Sentences Two to Death on Starting Fatal Fires in Lhasa Riot,” Xinhua (Online), 8 April 09; “Chinese Court Sentences 3 for Arsons in Lhasa Riot,” Xinhua, reprinted in China Tibet News (Online), 21 April 09.

⁶⁶³ PRC Criminal Procedure Law, enacted 1 July 79, amended 17 March 96, effective 1 January 97, arts. 180, 200, 202, 208, 211. If a defendant does not appeal a verdict of death, then a provincial high people’s court must review the verdict (Article 200). If a defendant appeals a verdict of death in a judgment of “first instance,” the next-higher people’s court (the provincial high people’s court) would conduct a trial (a “procedure”) of “second instance” (Article 180). If a high people’s court in a trial of “second instance” again imposes the death penalty, then the Supreme People’s Court (SPC) must approve the death sentence (Article 200). Reviews of a death penalty by either a high people’s court or the SPC must be conducted by a panel of three judges (Article 202). A judgment of the death penalty does not become “legally effective” until the SPC approves it (Article 208). Once the SPC has ordered a lower level people’s court to carry out an execution, the lower level court must see that the sentence is carried out within seven days, with certain exceptions (Article 211).

⁶⁶⁴ *Ibid.*, arts. 180, 201, 202, 208, 210. If a defendant does not appeal an intermediate people’s court’s verdict of death with a two-year reprieve, then a provincial high people’s Court must approve the verdict (Article 201). If a defendant appeals a verdict of death with a two-year reprieve in a judgment of “first instance,” then the next-higher people’s court (the provincial high people’s court) would conduct a trial (a “procedure”) of “second instance” (Article 180). Reviews by a high people’s court of a penalty of death with a two-year reprieve must be conducted by a panel of three judges (Article 202). A judgment of death with a two-year reprieve does not become “legally effective” until the provincial high people’s court approves it (Article 208). If the prisoner “commits no intentional offense during the period of suspension of the sentence,” the sentence should be commuted (Article 210). PRC Criminal Law, enacted 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, art. 50. A sentence of death with a two-year reprieve may be commuted to life imprisonment upon expiration of the two-year suspension if a prisoner “commits no intentional crime” during the suspension. If a prisoner “has truly performed major meritorious service,” then the sentence may be commuted to a fixed-term sentence of not less than 15 years and not

more than 20 years. If the prisoner “has committed an intentional crime” during the period of suspension, the death penalty “shall be executed upon verification and approval of the Supreme People’s Court.”

⁶⁶⁵ “Chinese Court Sentences Two to Death on Starting Fatal Fires in Lhasa Riot,” Xinhua (Online), 8 April 09. According to the report, the Lhasa Intermediate People’s Court on April 8 sentenced two Tibetans (Lobsang Gyaltse and Loyar) to death, two Tibetans (Gangtsu and Tenzin Phuntsog) to death with a two-year reprieve, and one Tibetan (Dawa Zangpo) to life imprisonment. “The five were tried in three separate arson cases, in which altogether seven civilians were killed and five shops torched in Lhasa, capital of southwest China’s Tibet Autonomous Region, according to the court verdicts.” “Chinese Court Sentences 3 for Arsons in Lhasa Riot,” Xinhua, reprinted in China Tibet News, 21 April 09. According to the report, the Lhasa Intermediate People’s Court on April 21, 2009, sentenced one Tibetan (Penkyi) to death with a two-year reprieve, another Tibetan (also named Penkyi) to life imprisonment, and a third Tibetan (Chime) to 10 years’ imprisonment. According to the report, the court sentenced the three Tibetans for starting two fires in which a total of six persons died.

⁶⁶⁶ “Tibetan Official Calls on Buddhist Circles To Firmly Safeguard National, Ethnic Unity,” Xinhua, 16 February 09. “The violent riot on March 14 last year in Lhasa resulted in the deaths of at least 18 civilians and a policeman. It also left 382 civilians and 241 police officers injured, businesses looted and residences, shops and vehicles torched.”

⁶⁶⁷ “Trials and Sentences of Suspects of ‘14 March’ Riot in Lhasa Strictly in Line With Chinese Law,” Xinhua, 19 February 09 (translated in Open Source Center, 4 March 09).

⁶⁶⁸ Ibid.

⁶⁶⁹ Human Rights Watch (Online), “China: Hundreds of Tibetan Detainees and Prisoners Unaccounted For,” 9 March 09.

⁶⁷⁰ Ibid.

⁶⁷¹ No report stated that an injury or casualty resulted from an explosion; some reports stated that no injuries or casualties were reported; other reports stated that sources did not state whether or not injuries or casualties resulted.

⁶⁷² In several cases, official state-run media reported that explosions took place at night (a time when offices and work places were unlikely to be occupied). None of the official reports (or officials quoted in unofficial reports) stated that casualties resulted from the explosions. See, e.g., “Police Crack Bombing at Tibetan Township Government Building,” Xinhua (Online), 12 April 08. According to the Xinhua report, an explosion occurred at 3:50 a.m. on March 23 at a township office building in Gongjue (Gonjo) county, Changdu (Chamdo) prefecture, Tibet Autonomous Region. (The Xinhua report did not state whether or not casualties resulted). “Individual Monks in Changdu Area Carried Out Bombings To Echo the ‘14 March’ Incident. Public Security Organs in Tibet Cracked Three Cases in a Row and Daunted the ‘Tibet Independence’ Forces,” Xinhua, 5 June 08 (translated in Open Source Center, 6 June 08). According to the Xinhua report, monks in Mangkang (Markham) county, Chamdo prefecture, allegedly set off blasts at a power transformer at 11:25 p.m. on April 5, 2008; early on the morning of April 9, a monk allegedly set off a blast near a People’s Armed Police road construction camp; on the evening of April 15, monks allegedly set off a blast behind a villager’s house. (The Xinhua report did not state whether or not casualties resulted, but a subsequent Radio Free Asia (RFA) article reported that an official told RFA that no casualties resulted. “Tibetans Jailed For Blasts,” Radio Free Asia (Online), 2 October 08.) “None Hurt in Terrorist Attack,” Xinhua, reprinted in China Daily (Online), 17 March 09. According to the Xinhua report, at “0:20 am” [12:20 a.m.] “terrorists” threw a bomb at “a township government compound” in Batang (Bathang) county, Ganzi (Kardze) Tibetan Autonomous Prefecture (TAP), Sichuan province. “No casualty was reported from the explosion.” (According to an Associated Press report, an official said that the damaged building was a newly constructed police station and was not yet occupied. Audra Ang, “Bomb Lobbed at Police Station in China’s West,” Associated Press, reprinted in Google (Online), 17 March 09.) “Police Probe Six Suspects Over NW China Police Car Explosion,” Xinhua (Online), 10 March 09. According to the Xinhua report, a 2:15 a.m. blast damaged a police car and destroyed a fire engine in Banma (Pema) county, Guoluo (Golog) TAP, Qinghai province. (The Xinhua report did not state whether or not casualties resulted.)

⁶⁷³ Based on the following reports, up to eight explosions were set off in the central TAR in 1995-1996. Based on the reports, authorities did not prove the identities of perpetrators in all of the cases, but Chinese officials blamed Tibetans. Tibet Information Network, “Major Bomb Blast in Lhasa,” 28 December 96, reprinted in World Tibet

Network (Online), 29 December 96. According to the report, “A large explosive device went off in Lhasa in the early hours of 25th December, damaging neighbouring hotels and shaking buildings up to at least half a mile away, according to eyewitness accounts from the Tibetan capital.” Tibet Information Network, “Bombing in Sog County; ‘Strike Hard’ To Continue,” 26 December 96, reprinted in World Tibet Network (Online), 27 December 96. According to the report a bomb that damaged two shops was set off in January in Suo (Sog) county, Naqu (Nagchu) prefecture. Tibet Information Network, “Tibetan Newspaper Sabotaged; Lama’s House Bombed,” 28 January 96, reprinted in World Tibet Network (Online), 28 January 96. According to the report, a Hong Kong newspaper reported that on January 18, 1996, a bomb allegedly exploded at the Lhasa home of “a lama and political dignitary who led the pro-Chinese faction in the recent dispute over the Panchen Lama.” Tibet Information Network, Human Rights Watch/Asia, *Cutting Off the Serpent’s Head: Tightening Control in Tibet, 1994-1995* (United States of America, March 1996), 51. According to the report, “. . . up to five small bombs exploded in Lhasa during July and August 1995, although there is no evidence as to who had set them off.”

⁶⁷⁴ Based on the following reports, one explosion was set off in 1999 in Ganzi TAP, five explosions were set off in Ganzi TAP in 2001-2002, and one explosion was set off in Chengdu city, Sichuan province, in 2002. Based on available information, authorities did not identify the perpetrator of the 1999 explosion, but circumstances (a religious dispute) suggest that the bomber was a Tibetan. “The Execution of Lobsang Dondrub and the Case Against Tenzin Deleg: The Law, the Courts, and the Debate on Legality,” Congressional-Executive Commission on China (Online), 10 February 03, 2. Chinese authorities sentenced Tibetan Lobsang Dondrub to death for allegedly causing a series of six explosions that began in January 2001 in Ganzi TAP and ended in Chengdu, the capital of Sichuan province, in April 2002. Tibet Information Network, “Demonstration in Sichuan Follows Arrest of Religious Leader,” 17 November 99, reprinted in World Tibet Network (Online), 21 November 99. According to the report, officials in Ganzi county, Ganzi TAP, may have tried to link the detention of Sonam Phuntsog, a respected Tibetan Buddhist teacher, to “the bombing of a small Tibetan medical clinic in a nearby village in early October.”

⁶⁷⁵ One explosion reported in Gongjue county in March 2008. “Police Crack Case of ‘23 March’ Bombing in Tibet’s Changdu,” Xinhua, 12 April 08 (translated in Open Source Center, 14 April 08); “Police Crack Bombing at Tibetan Township Government Building,” Xinhua (Online), 12 April 08. On April 6, 2008, public security officials detained nine “Tongxia” Monastery monks suspected of setting off an explosion at 3:50 a.m. on March 23 at the Xiangpi township office building, located in Gongjue (Gonjo) county, Changdu (Chamdo) prefecture, TAR. “China Jails Tibetan Monks Convicted in Bomb Blast,” Associated Press, reprinted in International Herald Tribune (Online), 14 October 08. On September 23, 2008, the Changdu Intermediate People’s Court sentenced eight monks to terms of imprisonment ranging from five years to life imprisonment. AP said, “No casualties or damage were reported in the blast.”

⁶⁷⁶ Three explosions reported in Mangkang county in April 2008. “Tibetan Monks Linked to Blasts,” Radio Free Asia (Online), 29 May 08; Edward Cody, “16 Tibet Monks Detained In Bombings, Beijing Says,” Washington Post (Online), 6 June 08; “Individual Monks in Changdu Area Carried Out Bombings To Echo the ‘14 March’ Incident. Public Security Organs in Tibet Cracked Three Cases in a Row and Daunted the ‘Tibet Independence’ Forces,” Xinhua, 5 June 08 (translated in Open Source Center, 6 June 08). “Wese” Monastery monks in Mangkang (Markham) county, Chamdo prefecture, allegedly set off blasts at a power transformer at 11:25 p.m. on April 5, 2008. Early on the morning of April 8, a monk allegedly set off a blast near a People’s Armed Police road construction camp. On the evening of April 15, monks allegedly set off a blast behind a villager’s house. “Tibetans Jailed For Blasts,” Radio Free Asia (Online), 2 October 08. RFA reported that on September 23, 2008, the Changdu Intermediate People’s Court sentenced four monks to prison terms ranging from four to nine years for involvement in the explosions. A security official told RFA, “There were no casualties in the explosion, and damage to government property was minimal.”

⁶⁷⁷ One explosion reported in Mangkang county in September 2008. “Tibetan Youths Sought After Blast,” Radio Free Asia (Online), 30 October 08. RFA said that a Public Security Bureau official said that three Tibetans (one captured) had set off an explosion at a local “power station” almost two months prior to the report date. According to the report, “The blast blacked out television programming for four days but caused no casualties.”

⁶⁷⁸ Two explosions reported in Jiangda county in January 2009. Tibetan Centre for Human Rights and Democracy (Online), “Chinese Court Sentences Six Monks in Chamdo,” 27 May 08. On May 22, 2009, the Jiangda County People’s Court sentenced six Denma Choekhorling monks, including the abbot and chant master, to periods of

imprisonment ranging from 12 to 15 years for alleged involvement in the blast. “Monks Arrested, Abbot Missing in Chamdo,” Phayul (Online), 9 February 09. Phayul sources said that “two explosions had occurred near the government administrative building in Choekhor Township on January 5, 2009 causing heavy damage to property but no casualties were reported.” Authorities reportedly accused Denma Choekhorling monks of responsibility for the blasts. “Tibetan Protesters Beaten, Detained,” Radio Free Asia (Online), 21 January 09. An RFA source said, “There was an explosion at a government complex, but there were no fatalities. Some buildings and cars were damaged,”

⁶⁷⁹ One explosion reported in Batang (Bathang) county in March 2009. “None Hurt in Terrorist Attack,” Xinhua, reprinted in China Daily (Online), 17 March 09. “A township government compound . . . was hit by ‘a bomb thrown by terrorists’ early yesterday, according to official sources of the prefecture. No casualty was reported from the explosion, which occurred at 0:20 am [12:20 a.m.] in Bogexi Township of Batang.” Audra Ang, “Bomb Lobbed at Police Station in China’s West,” Associated Press, reprinted in Google (Online), 17 March 09. “The explosion shattered windows at the newly built station in Bogexi, a town in the predominantly Tibetan Ganzi prefecture, police official Liu Xiaojun said Tuesday. The building was not yet occupied at the time of the blast early Monday”

⁶⁸⁰ One explosion reported in Banma (Pema) county in March 2009. “Police Probe Six Suspects Over NW China Police Car Explosion,” Xinhua (Online), 10 March 09. “The emergency lights and roofs of a police car and a fire engine were destroyed by unsophisticated homemade explosives at about 2:15 a.m. Monday after timbers in the Makehe Forest Bureau caught fire, police said.”

⁶⁸¹ Royston Chan, “Wary Tibetans Set for Muted New Year Celebrations,” Reuters (Online), 24 February 09. According to Reuters sources, “Police recently found several kilograms of explosives under a bridge in Tibet’s eastern Changdu, or Qamdo, prefecture, bordering Sichuan province.”

⁶⁸² Chris Buckley, “Case Packed With TNT Found in Tibet Capital: Report,” 18 March 09. The report cited the People’s Armed Police News, a PAP newspaper. According to the report, “. . . paramilitary patrolling Lhasa’s railway station came across an abandoned pink suitcase. Checks showed the case was ‘packed with TNT explosives,’ said the newspaper. . . . After a robot safely dismantled it, the explosives were successfully destroyed in just 14 minutes, avoiding a bloody incident.” A TAR government spokesman contacted by Reuters denied the report when asked to comment.

⁶⁸³ Office of His Holiness the Dalai Lama (Online), “Statement of His Holiness the Dalai Lama to All Tibetans,” 6 April 08. In an April 6 statement, the Dalai Lama appealed to Tibetans to “practice non-violence and not waver from this path, however serious the situation might be.” He urged Tibetans living in exile to “not engage in any action that could be even remotely interpreted as violent.”

⁶⁸⁴ “Kham,” on a current map of China, would include: part of Chamdo prefecture in the eastern Tibet Autonomous Region (TAR); part of southeastern Yushu (Yushul) Tibetan Autonomous Prefecture (TAP) in Qinghai province; Ganzi (Kardze) TAP and Muli (Mili) Tibetan Autonomous County in Sichuan province; and Diqing (Dechen) TAP in Yunnan province. A total of eight alleged bombings took place in Changdu (Chamdo) prefecture and Ganzi TAP. Seven alleged bombings took place in Changdu prefecture: four in Mangkang (Markham) county, two in Jiangda (Jomda) county, and one in Gongjue (Gonjo) county. One alleged bombing took place in Litang (Lithang) county in Ganzi TAP.

⁶⁸⁵ The Yangzi River forms the north-south boundary between Changdu (Chamdo) prefecture in the TAR and Ganzi (Kardze) TAP in Sichuan province. The 16 contiguous counties where a peaceful protest or an alleged bombing (or both) have been reported on or after March 10, 2008, are: Zuogang (Dzogang), Basu (Pashoe), Mangkang (Markham), Gongjue (Gonjo), and Jiangda (Jomda) counties in Changdu prefecture; Dege, Shiqu (Sershul), Seda (Serthar), Batang (Bathang), Ganzi, Litang (Lithang), Tawu (Dawu), Luhuo (Draggo), Xinlong (Nyagrang), Yajiang (Nyagchukha), and Kangding (Dartsedo) counties in Ganzi TAP.