The Question of Tibet and the Rule of Law

INTERNATIONAL COMMISSION OF JURISTS
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The International Commission of Jurists is a non-governmental organization which has Consultative Status, Category "B", with the United Nations Economic and Social Council. The Commission seeks to foster understanding of and respect for the Rule of Law. The Members of the Commission are:

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A PRELIMINARY REPORT

Introduction

The International Commission of Jurists was born in 1952 of a desire to strengthen and to protect freedom and justice under the Rule of Law. Since then the Commission has endeavoured to promote and foster the Rule of Law and to mobilize world legal opinion whenever there has been a systematic and general violation of the principles which the Rule of Law represents. It has, for example, taken a strong position on violations of the Rule of Law and of human rights in South Africa, in Spain and in Portugal. The efforts made by the Commission in 1957 with regard to the Hungarian tragedy will be especially remembered.[1] In view of the recent events in Tibet the Commission feels in duty bound to lay before world legal opinion its preliminary report on " The Question of Tibet and the Rule of Law ".

The International Commission of Jurists is a non-governmental and non-political organization. This world-wide voluntary association of judges, practising lawyers and teachers of law draws its support from some 30,000 lawyers in more than 50 countries. Sympathizers are in a number of cases organized in national groups and sections.

In spite of differences of opinion in the political, economic or social field, these lawyers form a spiritual community bound together by common beliefs and ideals. They agree on the basic principles of freedom and justice under law and on the common decencies which should serve as standards of conduct for men in their behaviour towards their fellow-men. They consider that the concept of the Rule of Law is as important in the domestic systems of law as in the international relations of countries: the *Rule of Law* should in both cases prevail.

The Commission, which has consultative status with the United Nations Economic and Social Council, organized an international Congress of Jurists in New Delhi in January 1959; jurists and lawyers

[1] See the three reports on Hungary published by the International Commission: *The Hungarian Situation and the Rule of Law; The Continuing Challenge of the Hungarian Situation to the Rule of Law; Justice in Hungary Today.*

from 53 countries took part, the majority coming from Asian and African countries. This Congress endeavoured to define and clarify the Rule of Law in all its practical manifestations in the field of institutions, procedures and principles.[2] Unanimous agreement was reached on a number of Conclusions by these distinguished lawyers, including a substantial cross-section of Asian lawyers, on these institutions, procedures and principles.

As will be seen from the above, objectives of the Commission are twofold: to promote and foster the Rule of Law and to mobilize world legal opinion in cases where there is a systematic and general violation of the Rule of Law. This second task requires constant vigilance.

This will explain the great concern felt by the Commission, along with numerous people and organizations throughout the world, when a series of dramatic events took place in Tibet in March of this year. In the light of the seriousness of the situation, the Commission felt that it had a responsibility and a duty to look into the matter. This was done. This report is an attempt to lay before the people and governments of the world the results of this preliminary investigation.

In accordance with its usual procedure, the Commission made a careful and objective study of all available materials and evidence in order to ascertain the facts. For this purpose it requested one of its Members, Mr. Purshottam Trikamdas,[3] to investigate the situation, paying particular attention to the question of violation of human rights. Mr. Trikamdas organized a small team of experts which was responsible for collecting such evidence as was available. The evidence was reported to the Commission.

After approximately two months of work, Mr. Trikamdas and his team completed the preliminary part of the investigation. They collected documents, interviewed people, including reliable witnesses from Tibet, and studied the events as reported by the press and radio —including the Chinese press and radio. During a recent trip to Europe, Mr. Trikamdas gave press conferences to explain some of the facts which had been ascertained and to convey the preliminary decisions made by the Commission.

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[2] As to the remarkable consensus of opinion which appeared in New Delhi, see *Newsletter* of the International Commission of Jurists, No. 6, (March-April 1959), with the texts of the *Declaration of Delhi* and the *Conclusions* of the Congress.

[3] It may be appropriate to mention here that Mr. Trikamdas is a distinguished Indian lawyer, Senior Advocate to the Supreme Court of India and the General Secretary of the Indian Commission of Jurists. He was one of the founders of the Indian Socialist Party and served for some time as Secretary to Mahatma Gandhi. He took part in the struggle for the independence of India and spent for this, off and on, a total of six years in prison, one of which was in solitary confinement. It may perhaps be that Mr. Trikamdas appreciates therefore the meaning of freedom and independence better than most people and would seem, for this and other reasons as well, to be especially qualified to carry out the mandate entrusted to him by the Commission.

On the basis of the materials collected by Mr. Trikamdas and his team, the International Commission of Jurists took the following decisions :

(a) To publish a preliminary report, with all relevant documents and commentaries, and to distribute it as widely as possible;

(b) To communicate the report to the United Nations and other interested international organizations and agencies, requesting them to initiate such action as they might consider appropriate;

(c) To distribute the report to Bar and other Legal Associations and Faculties of Law, requesting that they give it immediate publicity and support;

(d) To constitute a " Legal Inquiry Committee on Tibet " to continue the previous inquiry by Mr. Purshottam Trikamdas and his colleagues and to collect and obtain evidence in the form of documents, interviews, commentaries and statements for the preparation of the final report;

(e) To examine all such evidence obtained by this Committee and from other sources and to take appropriate action thereon and in particular to determine whether the crime of Genocide—of which there is *prima facie* evidence—is established and, in that case, to initiate such action as is envisaged by the Genocide Convention of 1948 and by the Charter of the United Nations for suppression of these acts and appropriate redress;

(f) To call upon the lawyers and jurists of the world to express their solidarity with and to support actively the work undertaken by the International Commission of Jurists to help the Tibetan people in their struggle for freedom and justice.

The present report, prepared by the Staff of the Commission, is published in pursuance of paragraph *(a)* of the above-mentioned decision. It should be emphasized that this is a *preliminary* report. It does not prejudge in any way the recommendations and conclusions which will be made in due course by the " *Legal Inquiry Committee on Tibet* ", which will consist of distinguished independent lawyers. This Committee is now in the process of formation and its composition will be announced shortly. The Committee will welcome any statements and documents concerning the question of Tibet which are relevant to the Committee's terms of reference.

This report is divided into four parts. The first begins with a short description of Tibet, its geography, history, social and religious structure. This is followed by a chronology of events which took place in Tibet in the last 12 years, and an account of the circumstances in which, in March 1959, the Dalai Lama left Tibet to take asylum in India.

The second and central part considers the evidence available so far concerning alleged violations by the Chinese People's Republic of a series of international instruments:

(a) the so-called Seventeen-Point Agreement of 1951 between the People's Republic of China and Tibet concerning the status of Tibet and her relationship to China;

(b) the United Nations Universal Declaration of Human Rights of 1948, which although it may not have the legal validity of an international treaty, provides principles and standards of conduct recognized by all civilized nations, and

(c) the Genocide Convention of 1948 which condemns, as a crime under international law, the acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group.

In the third part an endeavour has been made to study the position of Tibet in international law. This position is not easy to appraise. It must be considered in the light of the historical process and take into account local conditions; it cannot be fitted into a logical category. One fact however emerges: that Tibet has been to all intents and purposes an independent country and has enjoyed a large degree of sovereignty. A complete study of this case remains to be written. As it is, however, the research undertaken by the Commission shows that it would be difficult for the People's Republic of China, regardless of the other aspects of the problem, to dismiss the case by using the plea of " domestic jurisdiction ".

The most important of the mass of material already collected by the International Commission, including a number of documents from Chinese sources, are published in the fourth part of the Report. Among them will be found some documents of considerable interest pertaining to the status of Tibet in international law, which have not been published elsewhere or are not easily available.

The case concerning Tibet raises an essential but complex question of evidence. The final conclusions will be drawn by the " Legal Inquiry Committee on Tibet " mentioned above. It is to be hoped that the Committee will be able to make investigations on the spot.

As of today a series of tentative conclusions are inescapable. These will be found in the text of this report.

It is however clear that the events in Tibet constitute *prima facie* a threat to and a breach of the fundamental legal principles which the International Commission of Jurists stands for and endeavours to promote and protect. From the present report there emerges also, it is submitted, a *prima facie* case of the worst type of imperialism and colonialism, coming precisely from the very people who claim to fight against it. A solution of this problem, through the United Nations or by any other peaceful means, remains to be found.

The danger in such cases as that of Tibet is of a feeling of impotence and powerlessness overcoming people in the face of a *fait accompli*— a mixture of indifference, lack of moral courage and determination.

It is however important to remember that in our world of today wanton and widespread violations of basic human rights can affect international peace and the stability of the entire world and the security of every individual. What happened in Tibet yesterday may happen in our own countries to-morrow. The force of public opinion however cannot be disregarded: ideas will penetrate where bullets will not. It is with this conviction that the International Commission of Jurists lays this preliminary report before the people of the world, and especially before the world legal community.

July 1959

JEAN-FLAVIEN LALIVE
Secretary-General

PART ONE

Tibet

THE LAND AND THE PEOPLE

Tibet consists largely of a high plateau surrounded by mountains, situated along the northern frontier of India. It is bounded by India, Kashmir, Nepal, Bhutan and Burma on the south and the Chinese provinces of Sinkiang, Chinghai, Szechuan and Yunnan to the north and east. The state of Tibet occupies an area of about 470,000 square miles. The population of Tibet in May 1951, according to New China News Agency, was 3.75 million. The Chinese census for June 1953 gave a figure of 1.27 million for the " Tibet region and Chamdo area " and 2.77 million Tibetans in the ' whole of China '.

Tibet proper is divided into three geographical areas—the central plateau, the valleys of the upper Indus and Brahmaputra river systems in the southwest and southeast, and the fertile lower regions of eastern Tibet. China claims that the third area falls within her boundaries. The severe, dry climate of the plateau is moderated in the other regions. Lhasa, the capital, has a population of between 30,000 and 50,000; there are no other large towns.

The Tibetan people, although related to the Mongols, are a distinct race with their own language, culture, and religion. They are predominantly pastoral people, raising oxen, yaks, sheeps and horses. Wool is spun for use and export and wheat and barley are raised under irrigation on the plateau as well as in the fertile valleys on the Chinese border.

The social structure, government and customs of Tibet are largely determined by the distinctive character which Buddhism has assumed in Tibet, since its introduction from India in the seventh century. Buddhism in Tibet is extensively expressed in the monastic life, and an estimated third of the adult male population live in monasteries. These monasteries are spread throughout the country and serve their regions not only as centres of religious administration, as forts, granaries in time of need, but as guardians and repositories of culture and centres of education. Although the principal doctrines of Tibetan Buddhism are the same as those of Mahayana Buddhism in general, its peculiar feature is the system of reincarnation by which the spirit of revered Living Buddhas is reincarnated or reborn in living persons. The Panchen Lama and the Dalai Lama are the most august of the reincarnating leaders of the dominant Yellow Hat sect.

Tibetan Buddhism, [1] better known as Lamaism, is in so many ways such a radical departure that it can hardly be included in this chapter. Furthermore, it would require far more space than can be allowed to present it even in barest outline and so we mention merely a few characteristic features.

Lamaism is, on the one hand, a form of Tantric Mahayana which originated in India when Buddhism was definitely degenerating and when an elaborate symbolism and magic formulas were overshadowing the Buddha's real teachings. On the other hand, it perpetuates much of the native Tibetan religion which is largely a belief in innumerable spirits and fierce demons controlling man's life and whom, out of fear, man seeks to propitiate or control by magic spells and formulas. In Lamaism therefore even the Eternal Buddhas of Mahayana function less as benign beings than as powerful spirits who by their superior might subdue demons and force them to serve rather than injure man. This function of the Buddhas finds frequent expression in Tibetan art portraying the fierce aspects of the Buddhas and thus making them appear more like superdemons than benign and peaceful Buddhas. The aid from the divine is most effectively invoked by use of sacred texts, endless repetitions of certain prayers, and ritualistic formulae believed to have magic power. Thus the prayer or potent spell, *Om mani padme hum*, is on everyone's lips, graven or painted on rocks and walls, printed on flags and perpetually revolved on countless wheels. Its exact meaning is not clear but no one doubts its efficacy against the forces of evil.

Tibet, to be sure, has received something of the purer Buddhism and its great monastic centers have at times been great seats of Buddhist learning where accurate translations of sacred texts have been made, where an approximation to a theistic theology has been developed in its Adi-Buddha doctrine, and where some monks live pious lives. And there is also something of the Buddha's teachings transmitted to the common follower. But all too often even the sacred texts are more valued for their supposed magic power over evil forces than for their guidance to truth and the higher life.

One other striking characteristic of Lamaism that must be mentioned is the virtual identification of religion and the state. Tibet is a sort of theocracy in which the Dalai Lama, enthroned at Lhasa, is supreme in both spiritual and temporal affairs and in which the grand lamas of the various monastic centers, together with their thousands of lamas or monks, virtually rule the nation. In no other land is such a large per cent of the population engaged in the " business " of religion...

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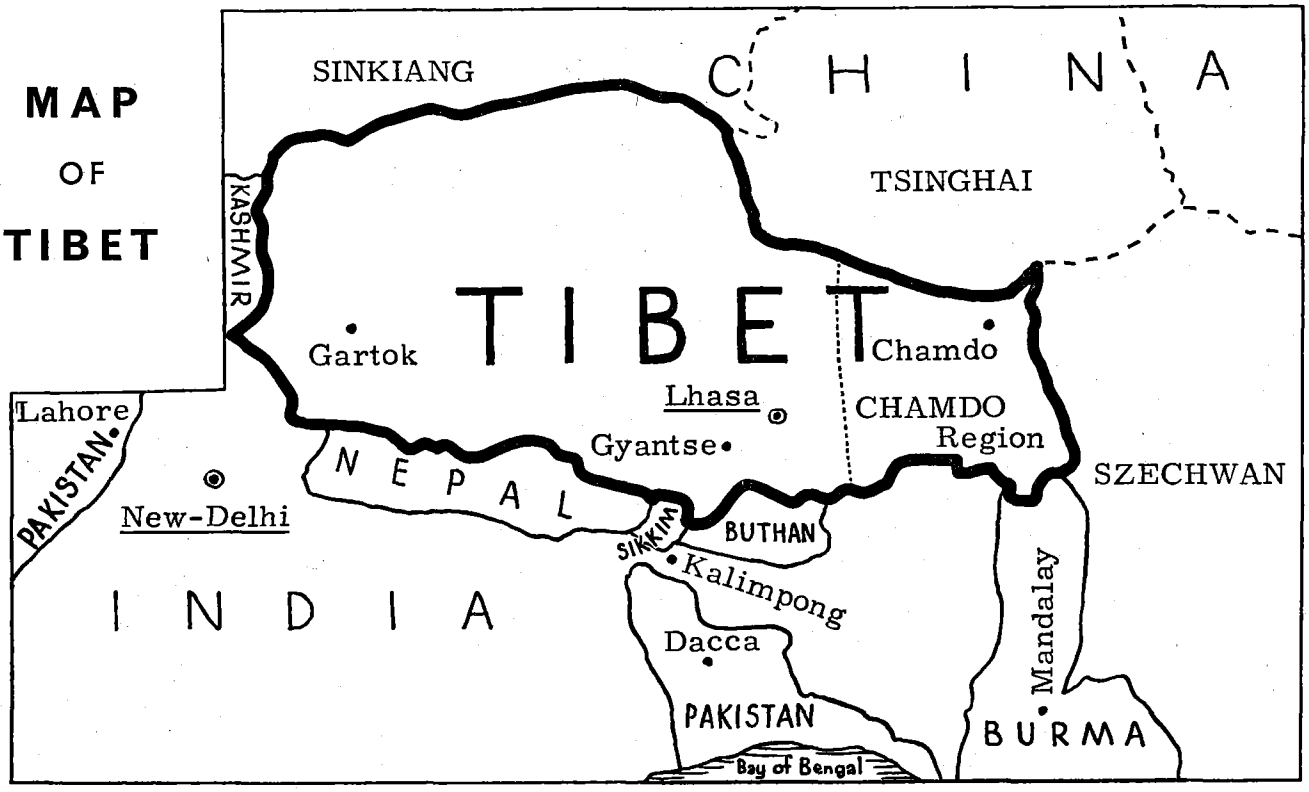
[1] The following account is taken from August Karl Reischauer, "Buddhism", in Edward J. Jurji, *The Great Religions of the Modern World* (USA: Princeton University Press, 1946), pp. 128-130.

In some monasteries the very qualifications of the grand lama to hold his place as head do not depend upon his spiritual fitness, as the position is purely hereditary. In monasteries of the " reformed" branch where the celibate ideal prevails, it is held that the grand lamas, or abbots, are successive incarnations of some Bodhi-sattva or that each abbot is the reincarnation of his predecessor. This principle holds also for the Dalai Lama who is regarded as an incarnation of the Bodhi-sattva Chenrezi (*Avalokitésvara*), and thus is often spoken of as the " Living Buddha ". All this close linking of religion and the state naturally gives divine sanction to the rule of the Dalai Lama and that of the various grand lamas ; and this in a very large measure accounts for the great influence Lamaism has had not only over Tibetans and Mongolians where it is the dominant religion but at times even in China where it was fostered by the Mongol dynasty and even by the Ming as an effective instrument of state.

Tibet is a land of harsh geography and slender resources, bearing the strong impress of a highly developed and distinctive religion, which through the central institution of the lamasary, not only shapes the social and political life of the country, but serves as a strong influence for Tibetans in nearby lands.


MAP
OF
TIBET
SINKIANG
C H I N A
TSINGHAI
KASHMIR
TIBET
Gartok
Chamdo
Lhasa
CHAMDO
Region
Gyantse
SZECHWAN
Lahore
PAKISTAN
New-Delhi
N E P A L
SIKKIM
BUTHAN
Kalimpong
I N D I A
Dacca
Mandalay
PAKISTAN
BURMA
Bay of Bengal

CHRONOLOGY OF EVENTS

August 1947. India becomes independent and the Government of India assumes existing treaty rights, including extra-territorial rights, and obligations of the United Kingdom in regard to Tibet, and the British Mission in Lhasa becomes the Indian Mission.

November 1948- January 1949. Nationalist armies collapse in north and central China; the Communists take Peking.

December 21, 1948. The Chinese Communists establish a North China People's Republic.

September 21, 1949. Chinese People's Political Consultative Conference convenes in Peking.

October 1, 1949. The People's Republic of China is inaugurated.

November 24, 1949. Radio Peking announces that the Panchen Lama (age 13) had appealed to Mao Tse-tung to " liberate " Tibet.

January 1, 1950. " Liberation " of Tibet is announced by the Chinese People's Government as one of the main tasks of the " People's Liberation Army ".

August 5, 1950. New China News Agency quotes General Liu Po-chen, Chairman of the South West China Military Affairs Commission, as stating that Tibet must be brought back to the " Motherland's big family " and China's defence line must be consolidated.

August 1950. Tibetan delegation arrives in New Delhi for negotiations with the Chinese People's Representative.

August 24, 1950. Indian Ambassador in Peking informally points out to the Chinese Government the desirability of settling the Tibetan question peacefully; the Chinese reply that they regard Tibet as an integral part of China, but have no intention of forcing the issue and are willing to negotiate with Tibetan spokesmen for a settlement.

September 1950. Chinese Communist ambassador arrives in New Delhi and talks begin between the Tibetan Mission and the Chinese Embassy; the Chinese emphasize that talks cannot be held with a mission on foreign soil and desire transfer of talks to Peking, to which the Tibetan representatives agree.

September 30, 1950. Chinese Premier Chou En-lai, on first anniversary of the People's Republic of China, declares that Tibet " must be liberated ".

October, 7, 1950. Chinese forces invade Tibet.

October, 19, 1950. Chamdo is captured and Tibetan defences crumble.

October, 24, 1950. Radio Peking announces that Chinese forces had been ordered to advance into Tibet " to free three million Tibetans from imperialist oppression and to consolidate the national defences of China's western frontier ".

October 25, 1950. Tibetan delegation in India leaves New Delhi for negotiations in Peking.

October 26, 1950. India sends a Note to the People's Republic protesting against the use of force against Tibet and stating that the invasion was not in the interests of China or of peace.

October 30, 1950. The Chinese Government replies to Indian Note stating that Tibet is an integral part of China, that the problem of Tibet is entirely a domestic problem, that the people of Tibet must be liberated and that " no foreign interference shall be tolerated in the problems of Tibet. It also states that the departure of the delegation to Peking was intentionally delayed under " outside instigation ".

October 31, 1950. Indian Government sends a second Note making it clear that India has no political or territorial ambitions in Tibet and does not seek any new or privileged position, but protests that the use of force " could not possibly be reconciled with a peaceful settlement". Possibility of outside instigation categorically denied.

November 7, 1950. Tibet protests to the United Nations against the invasion and charges open aggression.

November 15, 1950. El Salvador files a request for a debate on Tibet in the General Assembly of the United Nations but on November 24 the matter is postponed *sine die* by the Assembly.

November 17, 1950. Dalai Lama is formally installed by Tibetans.

December 1950. Dalai Lama leaves Lhasa and sets up temporary government at Yatung, near the Indian border.

May 23, 1951. Peking announces the signing of the Seventeen-Point-Agreement.

April 29, 1954. India signs agreement with China renouncing extra-territorial rights in Tibet, agreeing to the Five Principles of Peaceful Co-existence.

September 16, 1954. Dalai Lama arrives in Peking to attend the National People's Congress and remains for a six-month stay.

March 12, 1955. Peking announces that a Committee has been named for the preparation of " regional autonomy " for Tibet.

October 1, 1955. Preparatory Committee for the Autonomous Region of Tibet is inaugurated.

May 2, 1956. Rumours of political unrest in Tibet are spread at the coronation of the King of Nepal.

May 17, 1956. Reports from India confirm that the Chinese garrison in the Golak district of Northeast Tibet was attacked by the Mimang monastic sect (also called Tibetan Peoples' Committee).

July 17, 1956. Reports are received of the movement of heavy tanks into Tibet.

August 7, 1956. Liu Ke-ping, Chairman of the Nationality Affairs Committee of the National Congress, states that there had been a rebellion in western Szechwan but denies reports that there is

any revolt in Tibet proper or that there are any religious or nationalistic overtones to the rebellion.

September 20, 1956. Nepal and China sign a treaty in which Nepal recognizes China's sovereignty over Tibet and surrenders the concessions it possessed in Tibet under the treaty of 1856.

November 15, 1956. Reports reach India concerning new fighting between Tibetan rebels and Chinese forces.

November 25, 1956. Dalai Lama and Panchen Lama arrive in New Delhi to take part in observance of 25th centenary of the death of Buddha.

December 10, 1956. Chou En-lai, on a visit to India, admits report concerning armed conflict between Chinese troops and a ' group of people ' in Szechwan but states that it is over; assures Mr. Nehru that Tibet would enjoy autonomy and that China would not force communism on Tibet.

December 19, 1956. Reports reach Nepal that Chinese Communist planes have bombed the Tibetan village of Kham Chiri Gawa.

February 27, 1957. Mao Tse-tung, in his speech on " Contradictions ", announces that Tibet is not ready for the introduction of Communist reforms during the Second Five-Year Plan (1958-62).

March 1957. At a session of China's People's Political Consultative Conference (C.P.P.C.C.), a Tibetan representative, Po-pa-la, reports that unrest is still rife in Tibet, while another Tibetan representative reports that the uprising in Szechwan was among the Tibetan peoples of the area.

March 25, 1957. Radio Peking announces that Nepalese troops have been withdrawn from Tibet on March 18.

April 1, 1957. Dalai Lama returns to Lhasa from India.

April 22, 1957. The decision to postpone social reforms in Tibet until after 1962 is formalized in a government decree; speakers at a rally in Lhasa marking the first anniversary of the formation of the Preparatory Committee for the Autonomous Region of Tibet refer to continued unrest in Tibet and General Chang Kuo-hua, Commander of the Chinese army units in Tibet, appeals for " constant vigilance against the subversive activities of imperialist elements and the rebellious activities of separatists ".

June 16, 1957. Radio Peking announces plan to withdraw Chinese Communist cadres from Tibet.

August 1, 1957. The *Tibet Daily* (Lhasa), in an article by Tan Kuan-san, political commissar of the Chinese Communist army stationed in Tibet, declares that escapees from Tibet are carrying out subversive activities in Tibet and threatens a counter-blow by People's Liberation Army in accordance with the Seventeen-Point-Agreement on the Peaceful Liberation of Tibet.

August 23, 1959 The *Tibet Daily* reports that an " armed rebellion " is still in progress in the eastern part of Tibet.

February 9, 1958. Reports are made at the meeting of the Nationality Affairs Commission of the State Council concerning continuing unrest in Tibet.

March 9, 1958. New China News Agency (Peking) announces the reorganization of the Preparatory Committee for the Autonomous Region of Tibet by increasing the representation of the Tibetans.

July 27, 1958. Prime Minister Nehru of India cancels his proposed visit to Tibet in September 1958 at the suggestion of the Communist Chinese Government.

August 1, 1958. Reports reaching India state that a full-scale revolt is in progress in Tibet.

October 1, 1958. Tsinghai *Red and Expert* political journal comments on armed uprising and counter-revolutionary activity in Tsinghai bordering Tibet.

November-December 1958. Reports continue on unrest on Lappa Island in Tibet as well as in areas neighbouring China.

January 1, 1959. Panchen Lama promises in New Year's message to Mao Tse-tung to work for the suppression of sabotage in Tibet.

March 9, 1959. Dalai Lama is invited for a cultural programme on the next day, 1 p.m., and asked to come unaccompanied by any of his Ministers or bodyguard.

March 10, 1959. Crowds gather around the Palace and are assured by the Dalai Lama that he will not attend the cultural programme.

March 11, 1959. A meeting of Governmental officials is called at the Palace and a proclamation is issued in the name of the Cabinet declaring that Tibet is independent.

March 12, 1959. A meeting is called at Shol, below the Potala Palace, concerning the declaration of independence and action necessary for its implementation.

March 12-17, 1959. Meeting at Shol in continuous session.

March 17, 1959. Chinese troops fire two shells on the Palace.

March 18, 1959. Dalai Lama leaves Palace for escape to India.

March 19, 1959. Serious bombardment begins at 1 a.m., with Norbu-Lingka Palace as a target; Tibetans launch attacks against Chinese garrisons.

March 23, 1959. Concern is expressed by Mr. Nehru about the safety of the Dalai Lama.

March 28, 1959. Peking reports that the rebellion has been crushed by March 22, that some 20,000 rebels were involved, that the Tibetan Local Government has been dissolved and that the Preparatory Committee for the proposed Tibetan Autonomous Region shall exercise the functions and powers of the Tibet Local Government.

March 31, 1959. The Dalai Lama and his party reach India and are granted political asylum.

April 7, 1959. New China News Agency reports " some armed rebels " still active in Tibet and that the Panchen Lama appeals to the new Government of Tibet for its help in " thoroughly suppressing " them.

April 8, 1959. Tibetan rebels proclaim a provisional Government.

April 9, 1959. Indian Defence Minister Mr. V. K. Menon states that Indians would defend their country " if anybody should be unkind and transgress our territory ".

April 10, 1959. The Panchen Lama, on his way to Peking to attend the 2nd National People's Congress, states that he firmly believes the rebellion will be thoroughly crushed.

April 18, 1959. The Dalai Lama arrives in Tezpur, India, and a statement is issued.

April 20, 1959. Prime Minister Nehru declares that the Dalai Lama will be free to pursue religious activities but not to indulge in politics.

April 24, 1959. Mr. Nehru confers with the Dalai Lama at Mussoorie.

April 27, 1959. Mr. Nehru refutes allegations made by ' responsible persons ' in Peking that India was used as a base by the rebels, that the Indians have actively aided them, and repeats his invitation to the Panchen Lama or any other Peking emissary to visit the Dalai Lama.

April 29, 1959. The Panchen Lama at the 2nd National People's Congress in Peking criticizes ' certain political circles in India for unfriendliness ' and rejects Mr. Nehru's invitation to visit India as " unnecessary... The Tibetan question can only be solved *in Tibet* ".

April 30, 1959. The Panchen Lama states that the rebellion in Tibet has been, on the whole, liquidated, that order has been reestablished and that 'democratic' reforms are being actively implemented.

June 6, 1959. The Dalai Lama grants interview to Mr. Mahesh Chandra, representative of *Hindusthan Times*.

June 20, 1959. The Dalai Lama issues a statement in Mussoorie and at a press conference he repudiates the Seventeen-Point-Agreement and accuses the Chinese of attempting to destroy the Tibetan religion, culture and race.

June 30, 1959. A Government of India spokesman states that the Government did not recognize any separate Government of Tibet and there is no question of a Tibetan Government under the Dalai Lama functioning in India.

July 4, 1959. The Dalai Lama during an interview at Mussoorie states : that he would do nothing or make any pronouncements which might embarrass the Government of India to whom he was extremely grateful for having given him asylum; referring to a New China News Agency announcement that land re-distribution and other land reforms are being carried out after the rebellion had been crushed, he reaffirms that he would welcome any reforms in his land if they were in accordance with the religion and ancient structure of Tibetan society; 50,000 Tibetans are waging guerilla warfare against the Chinese as late as a month ago; that as an ardent Buddhist he appealed to his people to stop fighting and bloodshed.

THE TIBETAN UPRISING AND THE FLIGHT OF THE DALAI LAMA

In order to obtain a correct perspective of the events leading up to the flight of the Dalai Lama from Tibet and his arrival in India on March 31st, 1959, it will be necessary to go into the background and examine in greater detail some of the important facts and events which took place in Tibet between 1951 and 1959.

Although there is nothing in the Seventeen-Point Agreement to suggest that Tibet was to be carved up, Tibet was in fact divided into three parts, one of which was put under the control of Chamdo Liberation Committee headed by General Wang Chi Mei, a Chinese general, the second under the Panchen Lama's Bureau and the third, which came to be described as the Local Government, was nominally under the jurisdiction of the Dalai Lama and his Government.

The Dalai Lama in his Tezpur statement has mentioned that the " Tibetan Government did not enjoy any measure of autonomy even in internal matters and the Chinese Government exercised full powers in Tibetan affairs ". In his press statement of June 20th, 1959, he said :

> " Although they had solemnly undertaken to maintain my status and power as the Dalai Lama, they did not lose any opportunity to undermine my authority and sow dissensions among my people. In fact, they compelled me, situated as I was, to dismiss my Prime Ministers under threat of their execution without trial, because they had in all honesty and sincerity resisted the unjustified usurpations of power by representatives of the Chinese Government in Tibet.
>
> " Far from carrying out the agreement they began deliberately to pursue a course of policy which was diametrically opposed to the terms and conditions which they had themselves laid down. Thus commenced a reign of terror which finds few parallels in the history of Tibet. Forced labour and compulsory exactions, a systematic persecution of the people, plunder and confiscation of property belonging to individuals and monasteries and execution of certain leading men in Tibet, these are the glorious achievements of the Chinese rule in Tibet." [1]

For the details of forced labour, compulsory exactions, systematic persecution of the people, plunder and confiscation of property and of religious persecution and of the vicious anti-religious propaganda Part Two of this Report may be referred to.

In addition to this, large-scale immigration and colonization by the Chinese had started in eastern and northeastern regions. In the news conference held at Mussoorie the Dalai Lama stated :

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[1] See Document 19.

" the ultimate Chinese aim with regard to Tibet, as far as I can make out, seems to attempt the extermination of religion and culture and even the absorption of the Tibetan race. Besides the civilian and military personnel already in Tibet 5 million Chinese settlers have arrived in eastern and northeastern Tso, in addition to which 4 million Chinese settlers are planned to be sent to U and Sung provinces of Central Tibet. Many Tibetans have been deported to China, thereby resulting in the complete absorption of these Tibetans as a race, which is being undertaken by the Chinese." [2]

About the end of 1955 uprisings took place in the northeastern and eastern regions of Tibet which were under the Chamdo Liberation Committee and the Panchen Lama's Bureau. Soon these uprisings spread westwards. In 1956 the Dalai Lama visited India and remained in India till April 1957. Little was known at the time of the serious situation in Tibet and the extremely difficult position in which the Dalai Lama found himself. The Dalai Lama in his press statement of June 20th 1959 has stated " as I was unable to do anything for the benefit of my people I had practically made up my mind when I came to India not to return to Tibet until there was a manifest change in the attitude of the Chinese authorities. I therefore sought the advice of the Prime Minister of India who has always shown me unfailing kindness and consideration. After his talk with the Chinese Prime Minister and on the strength of the assurance given by him on behalf of China, Mr. Nehru advised me to change my decision."[3] Mr. Nehru in his speech in the Indian Parliament of April 27th, 1959,[4] has confirmed that he did give such advice to the Dalai Lama on the assurances he had received from Mr. Chou En Lai, who had been on a visit to India in December 1956.[5]

In 1957 the situation had worsened and evidently, in an attempt to placate the outraged Tibetan sentiments, Mao Tse-tung, in his well known 'Hundred Flowers Speech' said that reforms would not be introduced in Tibet during the period of 1958-62 and that thereafter the introduction of reforms would depend on the wishes of the Tibetan people.

The risings took place in Lithang, Ba, Chantin, Gyal-thang, Lingharzy-pa, Dhan-go, Golak, Sertha, Lha-dhe, Gu-rak, Amcheck, Chebc-she, Choney, Dzo-goy, Tso and Nyapa in Amdo; and the three regions of Golak as well as what are known as the eighteen kingdoms of Gyerong.[6]

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[2] See Document 20.
[3] See Document 19.
[4] See Document 15.
[5] See Chronology.
[6] See Document 12.

Flight of the Dalai Lama [7]

Coming now to the recent incidents in Lhasa, which ultimately led to the flight of the Dalai Lama, a little background to the immediate flare-up may be useful. A number of incidents had happened in the last two years, when high personages, believed not to be sympathetic to the Chinese, were invited to parties by the Military Commanders. These were either killed or imprisoned. This was widely known in Tibet. The names of the Lamas and the regions where they came from are :

1. Head Lama Amdo — Sharkelden Gyalto (killed)
2. Head Lama Amdo — Kunchok Lhundup (killed)
3. A very famous Lama Kham — Pandit Shi Chen (killed)
4. Another famous Lama Kham — Kathok Situ (imprisoned)

The Dalai Lama had received an invitation from the military commander to attend a cultural programme on March 10th, 1959 at the military headquarters; he was asked to come unaccompanied by any of his ministers or his body-guard, a most unusual request. In view of the stories mentioned above, as soon as the news of the invitation became known, a large number of people surrounded the Norbulinga Palace, where the Dalai Lama was in residence. This happened on the 10th. All the ministers except one gathered in the palace. The exception was a minister who was considered to be pro-Chinese who was prevented by the people from entering the palace.

The Dalai Lama asked the people to be calm and announced that he would not go to the show. In spite of this the people continued to stay round the Palace throughout the night of the 10th.

On the 11th of March 1959 a meeting of all Government officials was called at the Palace, a few pro-Chinese officials did not attend and a proclamation was issued in the name of the Cabinet that Tibet was independent. Among the Cabinet Ministers present at the meeting were :

Surkhang, Neushar, Gastang, Shasur.

These gentlemen are at present in India with the Dalai Lama.

On this day about 5,000 women also gathered. A deputation of some of them went into the Palace asking the Dalai Lama to proclaim independence.

On March 12th, 1959, a large meeting was held at Shol—below the Potala Palace. Almost the whole population of Lhasa seem to have been present. At this meeting it was decided to prepare documents regarding the claim of independence. A letter was sent to Mr. Shakabpa, which never reached him, mentioning these facts and he was asked to announce to the world the facts about the Chinese

[7] The following account is based on a statement made in India to Mr. Trikamdas by Mr. Shakabpa.

oppression and the decision of the Tibetan people regarding independence. This meeting was almost in continuous session between 12th and the 17th of March and the people gathered were entirely unarmed. After nightfall, two shells were fired on the Palace but fell in an artificial lake in front of the Palace. Machine-gun firing was heard. At 10:30 p.m. and thereafter the Dalai Lama and some of his party, which arrived in India, left the Palace one by one.

The shells were evidently fired by the Chinese as a warning in the hope of getting the Dalai Lama to surrender, but nothing happened on the 18th. On the early morning of the 19th at 1 a.m. a serious bombardment of the Palace began. The Chinese were evidently not aware that the Dalai Lama had left 24 hours earlier. This bombardment greatly damaged the Norbulinga Palace and the city was also greatly damaged. The accounts of refugees point to a large loss of life. There were sufficient Chinese troops in Lhasa at the time who could have taken perhaps milder action, but the continuous bombardment was intended to strike terror among the people.

Since, in spite of the bombardment, the Dalai Lama did not come out and surrender, the Chinese suspected that the Dalai Lama had left and as a result numerous aerial search parties were sent. These planes flew low and machine-gunned groups of people on sight. This was done indiscriminately in many places on the possible escape routes of the Dalai Lama in the hope that the group might consist of the Dalai Lama's party.

Every valid order of the Kashak (Cabinet) must ordinarily be sealed with the seals of the three monasteries Drepung, Sera, and Gaden, which are all in Lhasa. The first and the second mentioned monasteries were also shelled and very badly damaged.

The struggle is still continuing and judging from Tibetan sources the Chinese claim that the revolt has been put down does not seem to be justified, excepting in so far as the area in and around Lhasa is concerned. In an interview given by the Dalai Lama to Mr. Mahesh Chandra, special correspondent of the *Statesmen* (India) on June 6th, 1959, the Dalai Lama stated that the news from Tibet he had lately been receiving was sad to the extreme. There was much trouble for his people. Every day he heard of fresh atrocities. He appealed to the editor of this newspaper to help in bringing the terrible happenings in Tibet to public notice. He used the words " Please help us ".

He further said that both the Tibetans who had remained behind and those who had come away were suffering equally, the first physically and the second mentally. " But we both feel the same pain. Those who are left behind are being subjected to unbearable tortures day and night. " He ended by saying " Despite all these difficulties, and come what may, our spirit will never die. Tibet will live. One day our beloved country will arrive at journey's end, when truth shall triumph ".

Nature of the Uprising

As to the nature of the uprising the Chinese have claimed that it has all been engineered or organized by the upper class reactionaries.

By the end of May 1959, there were about 15,000 refugees in India. There are some in Sikkim, Nepal and Bhutan.[8] Enquiries show that the refugees are not what has been described by Communist China as " reactionaries "; the overwhelming majority are the common and the poor people.

The leaders of the rebellion have banded themselves in an organization called "Ten-Soung-Ma-Ghar", viz. the National Voluntary Defence Army of Tibet. A reference to the National Voluntary Defence Army has been made by the Dalai Lama in his news conference. A recent statement by the leaders of this army discloses that on January 1, 1959 a declaration made by them set out radical changes in the social and political organization of the country which they advocate. The proposals include acquisition of large landed estates on payment of compensation, the introduction of the elective system on the basis of adult suffrage and the principles of individual liberty according to modern constitutional concept. They have stated," We pledge ourselves for the improvement of the condition of our people and their standard of living. We engage ourselves to introduce all necessary reforms in the country in accordance with the natural conditions, customs and genius of our people. In the field of economic development we pledge ourselves to improve the life of our nomadic people, of the tillers of the land, of the artisans and the handicrafts men to the best of our ability and to effect changes in all spheres of our national life. It is our avowed policy to bring about these changes by peaceful means. "

They claim that this declaration was backed by the masses of the people and they refute the allegation of the Chinese authorities that the rising was the handi-work of a few reactionaries instigated by " imperialist powers ". They claim that the widespread revolt is a national upsurge of people who are fighting for their existence and their identity.

It may be of interest to note that Mr. Nehru, Prime Minister of India, in his speech to Parliament on April 27th, 1959, says :

" To say that a number of ' upper class reactionaries ' in Tibet were responsible for this appears to be an extraordinary simplification of a complicated situation. Even according to the accounts received through Chinese sources, the revolt in Tibet was of considerable magnitude and the basis of it must have been a strong feeling of nationalism which affects not only upper class people but others also. No doubt, vested interests joined it and sought to profit by it. The attempt to explain a situation by the use of rather worn-out words, phrases and slogans, is seldom helpful. "

[8] The Indian Government is making every endeavour to look after them. Relief Committees have been formed in India which have also received generous contributions from countries outside India and it is hoped that the world will respond to any general appeal for relief assistance.

PART TWO

Introduction to the evidence on Chinese activities in Tibet

The allegations against the Poeple's Republic of China can be fitted into three broad legal categories :

1) Systematic disregard for the obligations under the Seventeen-Point Agreement of 1951;
2) Systematic violation of the fundamental rights and freedoms of the people of Tibet;
3) Wanton killing of Tibetans and other acts capable of leading to the extinction of the Tibetans as a national and religious group, to the extent that it becomes necessary to consider the question of Genocide.

There is some inevitable overlap between these categories, for example, in the case of respect for religious belief, where there is this obligation under the Seventeen-Point Agreement [1] and in the Universal Declaration of Human Rights. [2]

The significance of these three legal categories may be briefly explained. Violation of the 1951 Agreement by China can be regarded as a release of the Tibetan Government from its obligations, with the result that Tibet regained the sovereignty which she surrendered under that Agreement. This question is discussed in the part of this report entitled "*The Position of Tibet in International Law*". For this reason the violations of the Agreement by China amount to more than a matter of domestic concern between Tibet and China. What is at stake is the very existence of Tibet as a member of the family of nations, and this matter concerns the whole family of nations. Evidence showing the systematic violation by China of the obligations under the Agreement is therefore printed *in extenso*.

Any systematic violation of human rights in any part of the world should, it is submitted, be a matter for discussion by the United Nations. For this reason the evidence which indicates violation on a systematic scale of the rights of the Tibetan people as human beings is printed *in extenso*. Most people will agree that in the sphere of human rights, some rights are fundamental. The rights of the Tibetans which appear to have been ruthlessly violated are of the most fundamental—even that of life itself. With violations of this gravity it is not a question of human rights being modified to meet the requirements of local conditions. It is a question of conduct which shocks

[1] Article 7.
[2] Article 18.

the civilised world and does not even need to be fitted into a legal category. The evidence points to a systematic design to eradicate the separate national, cultural and religious life of Tibet.

Genocide is the gravest crime known to the law of nations. No allegation of Genocide should be made without the most careful consideration of evidence that killings, or other acts prohibited by the Genocide Convention, however extensive, are directed towards the destruction in whole or in part of a particular group which constitutes a race, a nation or a religion. The facts, as far as they are known, are set out *in extenso*. It is submitted, with a full appreciation of the gravity of this accusation, that the evidence points at least to a prima facie case of Genocide against the People's Republic of China. This case merits full investigation by the United Nations.

The evidence submitted against China is printed verbatim in this report. Statements made by the official press and radio of the Chinese People's Republic are reproduced at perhaps inordinate length, and even so amount to no more than specimens of the Chinese account of the recent history of Tibet. Space does not permit a fuller inclusion, but it is considered that the selection is at least typical of the official Chinese accounts. The accounts given by Tibetan leaders in exile and refugees on the one hand, and Chinese spokesmen and Tibetan collaborators on the other are reproduced with a minimum of editing and running commentary. By and large the accounts given by Tibetans are self-evidently linked to the specific legal category under which they are cited; accounts from Chinese sources are by and large self-evidently inconsistent, though in this case there is a certain amount of running commentary.

At the beginning of each section of evidence presented is a summary of contents, an assessment of the effect of the evidence and, in some cases, a critical discussion of the Chinese accounts. Finally, a summary of conclusions is offered. A note on the leading personalities involved precedes the general body of evidence, together with a list of the abbreviations used in the extracts and in the commentary.

From the whole tangled mass of propaganda, allegation and counter-allegations made by the principal protagonists in the Tibetan situation, one statement stands out. The Dalai Lama in his statement at Mussoorie, India, on June 20th, 1959 said :

> " I wish to make it clear that I have made these assertions against Chinese officials in Tibet in full knowledge of their gravity because I know them to be true. Perhaps the Peiping Government are not fully aware of the facts of the situation but if they are not prepared to accept these statements let them agree to an investigation on the point by an international commission. On our part I and my Government will readily agree to abide by the verdict of such an impartial body. "

The issue on the evidence submitted in this report is to a large extent who is telling the truth. On this issue this proposal by the Dalai Lama is of the utmost importance. The International Commission of Jurists is setting up its Legal Inquiry Committee,[3] but it is not known whether this Committee will be allowed to enter Tibet. Nor is it certain that a United Nations Commission, if one is formed, will be able to make on the spot inquiries in Tibet. But if entry is refused it will be by the Government of the People's Republic of China. That Government has not so far accepted the Dalai Lama's proposal. On the question of credibility the obvious inference is there to be drawn.

Note on abbreviations used in the evidence

1. CPG — Chinese People's Government;
2. CPPCC — Chinese People's Political Consultative Conference;
3. CPR — Chinese People's Republic;
4. NCNA — New China News Agency;
5. NPC — National People's Congress (of China);
6. PLA — People's Liberation Army (of China).

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[3] See INTRODUCTION, p. III.

Note on the principal persons quoted in the evidence

A. *Tibetan*

1) *The Dalai Lama.* Spiritual and temporal ruler of Tibet, the present Dalai Lama, enthroned in 1940, is the fourteenth in his line of succession. He was sixteen when the Chinese invaded Tibet in 1950 and just twenty-five when he made his escape from Lhasa, March 17, 1959. Regarded as a true reincarnation of the Tsong Ba, the founder of Tibetan Buddhism, the Dalai Lama has not willingly cooperated with the Chinese in Tibet and now disavows the validity of the Sino-Tibetan treaty of 1951.

2) *The Panchen Lama.* The Panchen Lama is traditionally second only to the Dalai Lama in ecclesiastical importance, but his temporal powers are limited and he has no rights of succession to the throne of the Dalai Lama. The Communist regime has installed the Panchen Lama as a puppet rival to the Dalai Lama and he has become principal Tibetan spokesman for the Chinese authorities in Tibet. The Panchen Lama is twenty-three and the ninth in his line of succession.

3) *Ngapo Ngawang Jigme.* He was the principal Tibetan signatory of the Sino-Tibetan agreement of 1951. A collaborator with the Chinese, he is secretary-general and also a deputy chairman of the new administration in Tibet.

4) *Chaghoe Namgyal Dorge.* Former Governor for four years of a Tibetan province which came under Chinese control in 1950. He is from Do-Kham and the Dorge District of Tibet. He fled to India.

5) *Thenlo Thegy Gompa.* The servant of a Tibetan trader of Tachien Lu in Eastern Tibet.

B. *Chinese*

1) *General Chang Kuo-hua.* General Kuo-hua is the Chinese military commander in Tibet. He led the invasion armies in 1950 and is the principal Communist official in Tibet during the absences of Chang Ching-wu, Peking's official representative in Tibet.

2) *Major General Fan Ming.* General Fan Ming is the deputy secretary of the Communist Tibet Work Committee and a member of the Preparatory Committee for the Autonomous Region of Tibet.

3) *Shirob Jaltso.* He is Chairman of the Chinese Buddhist Association, having studied Buddhism for over thirty years in Tibet, and is a Deputy of the Chinese National People's Congress.

Section A

Violations by the Chinese People's Republic of Obligations Under the Seventeen-Point Agreement of May 23rd, 1951

I. Obligation to allow national regional autonomy to Tibet

The evidence in statements by the Dalai Lama and other Tibetans points to obvious violations by China of the obligations under Articles 3 and 4 of the Seventeen-Point Agreement.[1]

The personal authority of the Dalai Lama lies at the very heart of the Tibetan way of life. The reincarnate God-King, traditional temporal and spiritual ruler, is the embodiment for the Tibetan people of all that their religion and culture stands for. To undermine his personal authority is therefore a serious onslaught on the separate way of life of the Tibetans which the Chinese pledged themselves to respect. Since, as will be shown, the Chinese have deliberately set out to assimilate Tibetans to the Chinese Communist way of life, the undermining of the Dalai Lama's personal authority represents in the circumstances a logical step if the Tibetan way of life is to be destroyed. The statement by the Dalai Lama that the Chinese had undermined his personal authority is an allegation of more than constitutional significance: this represents part of the systematic attempt to destroy traditional Tibetan life.

(i) Constitutional Structure

The regional Office at Lhasa, referred to in the *Memorandum*,[2] is clearly a Chinese institution with Tibetan subordinates. The fact that the Dalai Lama had to attend at this office is inconsistent with any reasonable notion of Tibetan autonomy, and also inconsistent with the maintenance of his proper status as the temporal authority in Tibet.

The Preparatory Committee for the Tibetan Autonomous Region set up in 1956 appears even in Chinese sources to be envisaged as a Chinese-controlled institution, despite an appearance of strong Tibetan representation. Thus there is a reference to "carrying on its work through co-operation with the former Tibetan Local Government."[3] Regional autonomy should mean more than co-operation; it should mean powers of initiative and decision.[4] Even so, the Dalai

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[1] See Document 10.
[2] See Document 13.
[3] See p. 55, *infra*.
[4] See p. 24, where the Dalai Lama explains what he understood by the term.

Lama stated at Tezpur on April 18th, 1959 that this Committee, whose composition suggested prominent Tibetan participation, was in fact possessed of no real power, and that the Chinese took all important decisions.[5]

The undertaking by the Chinese Authorities not to alter the existing political system of Tibet appears to have been loosely interpreted even according to Chinese accounts. The setting up of the Preparatory Committee was announced in an order of the State Council on March 9th, 1955.[6] The State Council is an organ of the Chinese central government. In 1953-54 there was even an attempt to supplant the Tibetan local government by a Military and Political Committee.[7] Military reorganisation clearly had the political motive of undermining the Tibetan political system. Both the setting-up of the Preparatory Committee and the attempt to set up the Military and Political Committee are clear evidence that the Chinese paid mere lip-service to the notion of regional autonomy in Tibet.

(ii) Subversion of the authority of the Tibetan Government

Tibetan statements point to deliberate attempts to destroy Tibetan national sentiment, thereby undermining any sort of loyalty to the Tibetan Government.[8] The virulent attacks made on Tibetan officials is a cruder method of achieving the same result.[9] The taking over of Tibetan public services and the attempt to introduce Chinese currency are all part of the campaign to turn Tibet Chinese, in which process the undermining of the authority of the Tibetan Government was an integral part. The Dalai Lama himself spoke at Tezpur—whilst still on his way through India—of the undermining of his own personal authority. He[10] and other Tibetan leaders have made it clear that the official constitutional organs in which Tibetan representation was numerically impressive were in fact possessed of no real power. Chinese organs were in real authority.

The Chinese statements on constitutional progress in Tibet, verbose as they are, are full of generalities designed as a general traverse of the allegation that China ran the internal affairs of Tibet. They do not meet head on the specific Tibetan statements describing how behind the facade the Tibetan Government was stripped of real authority. On the issue of credibility the amazing *volte-face* from praise of the loyal and co-operative Tibetan Government in 1958 to the violent allegations in 1959 of secret obstruction throughout leave the whole sordid account unworthy of credibility.[11] The rebellion and the flight of the Dalai Lama made it possible for the world to

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[5] See p. 24, *infra.*
[6] See p. 7, *supra.*
[7] See p. 26, *infra.*
[8] See p. 25, *infra.*
[9] *Ibid.*
[10] See p. 24, *infra.*
[11] See pp. 26-34, *infra.*

know the Tibetan story. A sudden change in the Chinese account which differs fundamentally from the versions put out when Tibet was sealed off is self-evidently unreliable.

Conclusions

The conclusions which can be drawn from the evidence on this aspect of the Seventeen-Point Agreement are as follows :

(a) The authority of the Dalai Lama was deliberately undermined in temporal matters, a matter of the utmost gravity in a theocratic society.

(b) The constitutional structure of Tibet was formally changed by the establishment of new organs of state by the Chinese.

(c) Tibetan institutions and new institutions with Tibetan representation had no effective power in the government of the country.

(d) These and other methods were used with the design of establishing Chinese government in Tibet as part of a larger plan to assimilate the Tibetans to the Chinese Communist way of life.

Documents and Evidence

" *Article 3*: In accordance with the policy towards nationalities laid down in the Common Programme of the Chinese People's Political Consultative Conference, the Tibetan people have the right of exercising national regional autonomy under the unified leadership of the Central People's Government.

" *Article 4*: The central authorities will not alter the existing political system in Tibet. The central authorities also will not alter the established status, functions and powers of the Dalai Lama. Officials of various ranks shall hold office as usual.

" *Article 5*: The established status, functions and powers of the Panchen Ngoerhtehni (Lama) shall be maintained.

" *Article 6*: By the established status, functions and powers of the Dalai Lama and of the Panchen Ngoerhtehni are meant the status, functions and powers of the thirteenth Dalai Lama and of the ninth Panchen Ngoerhtehni when they were in friendly and amicable relations with each other."

Evidence of the violation of the obligations under these articles is as follows :

Statements by the Dalai Lama:

Tezpur, India, April 18th, 1959 :

" After the occupation of Tibet by Chinese armies the Tibetan Government did not enjoy any measure of autonomy, even in internal matters and the Chinese Government exercised full powers in Tibetan affairs. In 1956 a Preparatory Committee was set up for Tibet with the Dalai Lama as the Chairman, and the Panchen Lama as the

vice-chairman and General Chang Kuo-hua as the representative of the Chinese Government. In practice, even this body had little power and decisions in all important matters were taken by the Chinese authorities. The Dalai Lama and his government tried their best to adhere to the Seventeen-Point Agreement, but interference of the Chinese authorities persisted. "

Mussoorie, India, June 20th, 1959:

" It was, however, clear from the very beginning that the Chinese had no intention of carrying out the agreement. Although they had solemnly undertaken to maintain my status and power as Dalai Lama, they did not lose any opportunity to undermine my authority and sow dissension among my people. In fact, they compelled me, situated as I was, to dismiss my Prime Ministers under the threat of their execution without trial because they had, in all honesty and sincerity, resisted the unjustified usurpation of power by the representatives of the Chinese Government in Tibet. "

In the press conference following the issue of this statement the following exchange took place :

Question : " Could you define the ' autonomy of Tibet ' that was supposed to be guaranteed by the agreement? "

Answer : " The autonomy of Tibet is meant to be the right of self-government in internal affairs, but the existing situation in Tibet gives no right whatever to my government. "

Memorandum by Tibetan Leaders :

" Their (the Chinese) so-called ' Regional Autonomy ' was nothing but a further consolidation of the Chinese hold over Tibet. With these ends in view they have a permanently stationed Regional Office at Lhasa with its two wings. The one office—the higher authority—has to be attended even by the Dalai Lama. The lower one, known as permanent office, is also run by the Chinese with the help of a Tibetan officer. Their branches all over Tibet each have a Tibetan and a Chinese as the head of the department or the branch. In this way the Chinese disturbed the very ecclesiastical and temporal foundations of Tibet's constitution and its traditional character. They have replaced our own time-honoured institutions by a completely new form of government and constitution. They have also forced our Government to hand over our well-run posts and telegraph office, and hydro-electric department and the Mint. They have even gone to the extent of printing Chinese paper currency with Tibetan characters on it, which our common people still refuse to accept as legal tender. They have ordered our Government to stop completely the minting of our own currency and printing of currency notes. The Chinese have also issued postal stamps of their own design to replace our national stamps. They have built army barracks and forts at all the strategic areas inside the country and

on the frontiers. On the borders particularly they are quite indifferent as to the sentiments of the local inhabitants and have demolished or taken into possession the religious and private property. Thus all the strategic areas have become arsenals...

" Having been hard hit by the stubborn resistance of the Tibetan people the Chinese have now resorted to the well known colonial policy of ' divide and rule '. In this endeavour they have boosted their own puppets to raise the slogan of rivalry among different people and parts of the country. They have also brought about a change in the original set up of the country and thus U, Tsang and Kham are created as distinct constituents. In this manner they have started rifts between the Khampa and a man from U (i.e., Lhasa area) and again between a Lhasa and a Tsang man (i.e., a person from Shigatsem, farther south). These rifts and rivalries are being encouraged to divert the Tibetan mind from their national sentiments, thus producing a psychological effect which paves the way for more subversive activities...

" If it suits their purpose, the Chinese will even scrap their own dictated and forged ' Seventeen-Point Agreement ' and bring about desperate changes in any part of Tibet. Such is the case with regard to Do-Kham in the eastern provinces of Tibet where the very administrative set up got changed radically in the name of the march to socialism. As a consequence they have named many of our holy re-incarnated Lamas ' Yellow Robbers ', and the authorised officials of the loyal Tibetan Government as ' Blood Suckers ', the ordinary ordained monks ' Red Thieves '... In a nutshell it may be said that the Chinese in those farflung areas of Tibet are trying their utmost to rob the Tibetans of their loyalty to the Dalai Lama's government, their faith in the traditions and religion of the land, and a deep sense of attachment to the country's cultural heritage. "

After describing how the Chinese stirred up discontent among the social misfits (servants who had deserted their masters, vagabonds, etc.) the *Memorandum* goes on : " It was at this stage that the Chinese partially succeeded in the use of these malcontents as a stepping-stone to the ultimate changes in the social, economic and political set-up of the region, " and then describes in detail the changes, largely social and economic, which were effected.

Manifesto

" The Chinese Communists have gradually deprived us of all our political rights, our Government, right from the top to the provincial and district offices, has been made powerless and to-day we are governed completely by the Chinese. Soon after their occupation in 1951, the Chinese organised the regional militia commanders and abolished the national militia and the commanders and vice-commanders of our own militia were enlisted with the Communist forces to bring them into line with the forces of occupation. During

1953-54 the Chinese tried to establish their Military and Political Committee to abolish the Tibetan Government. But the bitter opposition of the people prevented this. By the end of 1954 the Chinese managed to take the Dalai Lama to China and there he was forced to agree and confirm the autonomous state of Tibet submitting to establish the Regional Autonomous Government of Tibet. In 1955 the Dalai Lama returned to Tibet. In 1956 the Chinese, in order to consolidate their hold on Tibet, formed the Preparatory Committee of the Regional Autonomous Government of Tibet. This Committee is directly governed by the Peking Government. All its members, both Chinese and Tibetans, must be approved by the Peking authorities and all its decisions must be confirmed by them. They have installed their own agents in that Committee with fifty-fifty representation of Chinese and Tibetans, and have used these puppets such as the Panchen Lama, to influence the decisions of the Committee. Thus politically the Tibetans have been made completely subservient to the Chinese overlords."

Chinese Statements by Way of Defence and Counter-Attacks in Relation to Articles 3, 4 and 5.

The Chinese version of the behaviour of the Tibetan Government in relation to these articles is as follows:

Did the Former Local Government of Tibet
Carry Out the 17-Article Agreement?
by Chi Hung

(Peking *Jen-nin Jih-pao*, April 23, 1959)
(English Translation by New China News Agency)

"... In accordance with Articles 1, 3 and 12, the Tibet Local Government should have united the Tibetan people, driven out the imperialist aggressive forces from Tibet and carried out national regional autonomy. In actual fact, however, it worked energetically for a so-called 'independence' that aimed at splitting the motherland so as to meet the demands of imperialism and foreign reactionaries. Because of its obstruction, the Preparatory Committee for the Autonomous Region of Tibet made practically no progress in its work. On the other hand, the rebellion, which was opposed by all Tibetan people, was started by the Tibet Local Government in collusion with imperialism and foreign reactionaries.

"In accordance with Articles 2 and 8, the Tibet Local Government should have actively assisted the People's Liberation Army to enter Tibet and consolidate the national defenses; the former Tibetan troops should have been re-organised step by step into the People's Liberation Army and become a part of the national defense forces of the People's Republic of China. What did the former Tibet Local Government do about these stipulations? Right up to the present it never reorganised any part of the former Tibetan troops into the People's Liberation Army. On the contrary, it all along nurtured schemes for wiping out the forces of the People's Liberation Army in Tibet. The Central People's Government was forbearing and patiently waited for a change of heart. But finally the Tibet Local Government launched all-out attack against the forces of the People's Liberation Army in an attempt to turn Tibet into a foreign colony and protectorate.

" In accordance with Article 11, the Tibet Local Government should have carried out reform on its own accord. But what did it do about reform during eight full years? The brutal feudal system remained intact and the people continued to suffer under its sanguinary rule. In the manors of the former Tibet Local Government, the aristocrats and monasteries, the serf-owners were able openly to torture their serfs, to gouge out their eyes, chop off limbs, pull out muscles, skin them, or even roast them alive or batter them to death. The serfs were robbed by the serf-owners of almost the whole fruit of their labor, not to mention deprivation of their civilian rights.

" These hard facts fully prove that the former Tibet Local Government did nothing to carry out the 17-articles agreement, while the Central People's Government at all times strictly observed it.

" In accordance with Articles 4, 5 and 6, the Central People's Government did not alter the existing political system in Tibet. The political system in Tibet remained the same as in the days before the peaceful liberation of Tibet. Not only was the established status, functions and powers of the Dalai Lama not altered, but he was elected Vice Chairman of the Standing Committee of the National People's Congress, so becoming a leading member of the state, and he was also appointed Chairman of the Preparatory Committee for the Autonomous Region of Tibet. After liberation, the ecclesiastical and secular officials of the former Tibet Government at all levels remained in office as usual and not a single internal matter in Tibet was carried out except through the former Tibet Local Government. Even in the matter of the rebellious activities which began around May and June last year, the Central People's Government, in the spirit of unity among the nationalities, did nothing except repeatedly enjoin the former Tibet Local Government to do its duty and put down the rebellion. "

A Record of Obstruction of National Regional Autonomy in Tibet by NCNA Correspondent

(NCNA-English, Lhasa, April 24, 1959)

" From what quarters came the obstruction to regional autonomy for the people of Tibet? Did it come from the Central People's Government as the so-called statement of the Dalai Lama in Tezpur claimed or from the former Tibet Local Government and their clique of upper strata reactionaries?

" The answer to this question, I gathered from my talks with leading Tibetan members of the Preparatory Committee for the Tibet Autonomous Region and progressive officials of the former Tibet Local Government. I interviewed them after the great rally held on 22nd when people of all nationalities in Lhasa gathered to celebrate the third anniversary of the setting up of the Preparatory Committee.

" Among them was Sampo Tsewong-Rentzen, member of the Standing Committee of the Preparatory Committee and Kaloon of the former Tibet Local Government; Tsuiko Dongchu-Tseren, former Deputy Director of the General Office of the Preparatory Committee and now member of the Standing Committee of the Preparatory Committee; Jongjin Solang Jeppo, Director of the Cultural and Educational Department of the Preparatory Committee.

" They made it clear that the Department Committee for the Tibet Autonomous Region was set up, in accordance with the decision of the 7th session of the State Council, after complete agreement and full consultation with the former Tibet Local Government, the Panchen Kanpo Lija and the People's Liberation Committee in the Chando area.

" Over 90 per cent of the members of the Committee were Tibetans and they included representatives of the former Tibet Local Government, the Panchen Kanpo Lija and the People's Liberation Committee in the Chamdo area, the principal monasteries and sects, various eminent Tibetans and members of people's organisations in the Tibet region. The former Tibet Local Government, indeed, had very big representation and functionaries of the Central People's Government did not exceed one-tenth of the total membership of the Committee. In

the departments of the Preparatory Committee and the offices of all the *chikyabs* (A *chikyab* is equivalent to an administrative region) and *dzongs* (a *dzong* is a *hsien*), there was an even higher proportion of officials of the former Tibet Local Government and Tibetan functionaries. Most of the leading officials were, in fact, the local officials of the former Tibet Local Government and, of course, Tibetans. Most of the documents of the Preparatory Committee were written in the Tibetan language. All this is indicative of the respect shown by the Central People's Government for the right of the people of Tibet to national regional autonomy and demonstrates its patient preparation to institute national regional autonomy in Tibet.

" In the past three years, the Standing Committee of the Preparatory Committee held 27 meetings. All but two were presided over personally by the Dalai Lama. His absence from two meetings was due to his being in India for the commemoration of the 2500th anniversary of Nirvana of Gautama Buddha on one occasion and his essential presence at certain religious ceremonies in the Norbu Lingka on the other.

" At all times, the former Tibet Local Government and the group of reactionaries of the upper social strata feigned compliance with the work of the Preparatory Committee while undermining its work secretly. When the Preparatory Committee was set up in 1956, on the surface the former Tibet Local Government expressed support, but in practice it expanded its own institutions, promoted many officials of the Tibetan nobility, bribing them not to take part in the work of the Preparatory Committee, as part of the persistent efforts of the Tibet Local Government to work for a state of " independence " and go contrary to the Preparatory Committee.

" The Preparatory Committee did its best to carry on its work through cooperation with the Kasha (the former Tibet Local Government). It arrived at various decisions by unanimous agreement. Yet the former Tibet Local Government whose members were party to these decisions consistently obstructed their implementation.

" One outstanding instance was the decision taken on December 30, 1957, at the 23rd meeting of the Standing Committee of the Preparatory Committee —on the suggestion of the Dalai Lama—to end the imposition of the unpaid forced labor system on Tibetan functionaries and students in the Tibet region. This system, a most barbarous feudal method of exploitation imposed for centuries on the people of Tibet by the reactionary upper strata, gives the nobles, the monasteries and the serf owners power to order those under them to work for them without pay. The Preparatory Committee's decision on the limited abolition of this system was widely welcomed by the mass of the people in Tibet. But the former Tibet Local Government and the reactionaries used every pretext to delay its operation. At the same time they spread rumors among the people pretending that unpaid forced labor was necessary and good and " should any one dare to ask for exemption, he will be killed ". Defying the decision of the Preparatory Committee, they stubbornly kept on with the exploitation of the Tibetan government workers and students—cruel, limitless, on the basis of their serf ownership or the feudal rent relationship. They persisted in levying on the belongings and labor of these people without any pay, and taking back the land cultivated by the families of these people without giving any reasons. In face of these obstructions, this progressive decision could not be carried out.

" Not only did they take advantage of their administrative power, economically and politically, to oppose the Preparatory Committee by underhand means, but they also greatly expanded their Tibetan troops in direct violation of the 17-Article Agreement. The numbers of the Tibetan forces were increased by almost one-third during the past few years. In addition, in the Nagchuka area alone, the former Tibet Local Government organised 800 armed men, this is apart from the bandits who had escaped from other places and whom they settled in various places. Another decision of the Preparatory Committee for the Tibet Autonomous Region—in order to train the large numbers of Tibetan functionaries who would be needed for the regional autonomy of Tibet—was to set up schools and

training classes, send outstanding children of the Tibetan people to study in other parts of the country and nominate representatives of all sections of the Tibetan people to visit Peking and other places. The former Tibet Local Government not only refused to support these progressive measures, but obstructed them in every way. They protracted putting forward any list of names and obstructed progressive and young Tibetans who wanted to further their studies. From 1957 onward, the former Tibet Local Government went so far as to threaten members of the families of Tibetan functionaries who were working for the Preparatory Committee and even sent people to insult and beat these functionaries. On the eve of the Lhasa rebellion, some reactionary Kaloons of the former Tibet Local Government, at the illegal " people's conference ", forced Tibetan functionaries who were working for the Preparatory Committee to sign a so-called " independence declaration ". They also forced them to put their fingerprints to prepare " guarantees " and to supply so-called " reliable guarantors " as an undertaking that they would stop working for the Preparatory Committee and openly break off relations with the Committee.

" Sampo, one of the Tibetans I interviewed, who was himself a member of the former Tibet Local Government and a member of the Standing Committee of the Preparatory Committee, was beaten and injured on March 10, the first day of the rebellion, because he would not go along with the rebels.

" Sampo also gave other instances of how the former Tibet Local Government prevented the Preparatory Committee from helping the common people of Tibet. He said in 1954, after the Central People's Government had allocated 800,000 yuan for the relief of flood victims in the Gyantse area in Tibet, there was some money left over. The Preparatory Committee decided to use these funds to build some houses for the poor people and beggars of Lhasa. " Anyone who has seen the inhuman life in the poor quarters of Lhasa would have supported this decision ", Sampo said. " But the reactionary officials of the former Tibet Local Government while formally agreeing to it at the meeting of the Preparatory Committee session, in fact set out to sabotage the decision. They advertised for laborers at random in Lhasa at a time when there was already a shortage of manpower there, claiming that certain projects needed building, and on this pretext kept putting off carrying out the decision. To this day, the poor people in Lhasa still live in the open or in tattered tents that are falling to pieces. "

" Similarly, a few years ago the Central People's Government allocated farm tools for the peasants in the Tibet region, free of charge, to a total value of 1.4 million yuan. Though they arrived in Lhasa a long time ago, due to obstruction by the former Tibet Local Government, these tools had still not yet been distributed to the peasants at the time of the rebellion.

" All these facts show clearly who was preventing the Tibetan people from carrying out national regional autonomy and trying to perpetuate the backward, reactionary obscurantist regime in Tibet. "

Conditions in Tibet, and the Tezpur Statement of the Dalai Lama

by Ngapo Ngawang Jigme
Vice Chairman and Secretary-General of the Preparatory Committee for the Autonomous Region of Tibet, People's Deputy to NPC

(Speech delivered to the first session of the 2nd National People's Congress in Peking on April 22, 1959)

(NCNA-English Peking, April 22, 1959)

" ...I am not only a member of the Tibetan landlord class, but I also held official rank in the former Tibet Local Government; I held a position in this for many years and in particular I was a government Kaloon for 10 years. In 1951, I

was the chief plenipotentiary delegate of the Tibet Local Government in the negotiations with the Central People's Government. In 1956, the Preparatory Committee for the Autonomous Region of Tibet was established, and I took up the post of Secretary-General of that Committee. Therefore, I am acquainted with every detail of all the work done in Tibet from beginning to end throughout these past few years. I also know the age-long history of Tibet quite well.

" Tibet is Chinese territory. Historical facts going back some 700 years prove this. Here I would like especially to make a brief review of developments from 1951 to the present:

" In 1951, the former Tibet Local Government headed by the Dalai Lama sent us five plenipotentiary delegates to Peking by two routes, one group by way of the Kang area, and the other via India. After these two groups met in Peking, they signed the 17-article agreement with the plenipotentiary delegates of the Central Government, following detailed discussions on an intimate and friendly basis which arrived at unanimous opinions satisfactory to both parties.

" Following the conclusions of this agreement, the People's Liberation Army, which entered Tibet to consolidate the national defense, and working personnel arrived in Tibet. With notable results, under the leadership of the Central People's Government representative in Tibet, they conscientiously abided by and carried out the 17-point agreement and the policy of national equality and unity. For instance, before the peaceful liberation of Tibet, there was quite a feeling of fear among the Tibetan people, because of the wild rumours spread by imperialism and the Chiang Kai-shek band of brigands. But now, the Tibetan people treat the People's Liberation Army as they do their own parents and children; they help each other and live together like one family. This is a fact witnessed by all who have eyes to see. Take construction in Tibet as another example: the Central People's Government put up the men and the money to build thousands of kilometers of highways, thus relieving the Tibetan people of their difficulties in communications. What is more, although the highway building was, after all, the Tibetan people's own affair, still, whenever the highways passed through private fields, the Central People's Government purchased at high prices those parts of the fields taken up by the highways. In addition, hospitals were set up to give free medical service in various big cities and towns and many primary and middle schools were established. In short, the Central People's Government has done a great deal to help the Tibetan people develop Tibet's economy, culture and so on. These are also facts witnessed by all who have eyes to see. Politically, in accordance with the agreement, prior to the open armed rebellion in Lhasa the original functions and powers of the former Local Government in Tibet and the original position and powers of the Dalai Lama continued as before, without change. Officials at all levels remained at their posts as before. The Central People's Government never used any compulsion with regard to the political-prerogatives and work of the former Tibet Local Government. "

Speeches made in Lhasa on April 23rd, 1959, are also instructive. The occasion was a meeting to celebrate the third anniversary of the founding of the Preparatory Committee for the Tibetan Autonomous Region. Chang Kuo-hua, the Vice-Chairman, had this to say:

" ...Under the correct leadership of the Party and the Central People's Government, with the assistance of the people of all fraternal nationalities all over the country and the vigorous support of the masses of ecclesiastics and laymen in Tibet, the patriotic and progressive people working in the Committee and the functionaries entering Tibet have worked and made certain achievements in strengthening national unity and the anti-imperialistic, patriotic united front. But owing to persistent obstruction and sabotage by the former Tibet Local Government and the upper strata reactionaries, the Preparatory Committee failed to play its role for nearly three years after its founding. It made no progress in carrying out its fundamental task—preparing for the establishment of Tibet Autonomous Region, thus failing to fulfill the glorious mission entrusted to it by the state and the Tibet people.

" Chang Kuo-hua stated : 'The Central People's Government has consistently adhered to the policy of national regional autonomy. More than 90% of the members of the Preparatory Committee for the Tibet Autonomous Region who play the leading role in it, are Tibetans of the upper strata in Tibet. The central authorities have sent only a minimum number of functionaries to take part in its work. All the decisions of the Preparatory Committee and its Standing Committee have been adopted after full consultations. Dalai Lama, the Chairman of the Preparatory Committee, attended all its meetings excepts on two occasions once when he was taking part in the celebration of the 2500th anniversary of the Nirvana of Gautama Buddha in India and once he was attending a religious service in the Norbu Lingka. All the other meetings were held and the decisions adopted under the personal chairmanship of the Dalai Lama.'

" In the past three years, Chang Kuo-hua said : 'Though the Preparatory Committee for the Tibet Autonomous Region made many decisions, they were not thoroughly carried out owing to sabotage by the former Tibet Local Government and the upper strata reactionary clique. The reactionaries coerced and attacked officials and functionaries working in the Preparatory Committee, openly demanded that they leave the Committee and sever relations with its organisations, and forced a number of these officials and functionaries to sign the traitorous declaration for a so-called ' independent state of Tibet '. They openly tore up the 17-Article Agreement on Measures for the Peaceful Liberation of Tibet, staged an all-out armed rebellion and abducted the Dalai Lama, Chairman of the Preparatory Committee.'

" From these facts, Chang Kuo-hua stressed, 'It is clear that the traitorous clique in Tibet do not have the slightest intention to bring about the realisation of a democratic, national regional autonomy with the participation of the people; all they want is the so-called *independence of Tibet*, for which the imperialists have been plotting for many years. However, their arrogant ambition can never become a reality, because it runs counter to the common interests of the people of all nationalities in China, first of all the interests of the Tibetan people '. "

The background to the establishment of the Committee in 1956 was described in a broadcast on the same day, April 23, 1959 :

Facts About Establishment of Preparatory Committee for Tibet Autonomous Region

(NCNA-English Peking, April 23, 1959)

" In his report at the Inauguration Meeting of the Preparatory Committee for the Tibet Autonomous Region, the Dalai Lama said : ' In 1954, myself (i.e., the Dalai Lama), Panchen Erdeni, and several other deputies from Tibet to the National People's Congress went to the capital of Peking and attended the 1st Session of the First National People's Congress. Together with deputies of all other fraternal nationalities of our country, we discussed and adopted the first people's Constitution in the history of our country. It is clearly laid down in the Constitution that national regional autonomy applies in areas where people of national minorities live in compact immunities. After the session, in accordance with Chairman Mao Tse-tung's instructions, with the direct assistance and guidance of the leading cadres of the central authorities and based on the results of discussions in the course of many meetings between the Local Government (i.e., the former Tibet Local Government), the Panchen Kanpo Lija, the People's Liberation Committee of the Chamdo area and the representatives of the Central People's Government, all of us held that, in view of the development of various phases of work in Tibet during the past few years, it was appropriate and timely for the establishment of a unified Preparatory Committee for the Tibet Autonomous Region without establishing a military and administrative committee. It, too, conformed with the spirit of the Constitution. All of us unanimously agreed on this. Since consultations with people of various circles in Tibet were made a consensus of opinion was reached among us all. Then a report on the

establishment of the Preparatory Committee for the Tibet Autonomous Region was submitted to the State Council and a formal decision reached after discussions at the 7th Meeting of the Plenary Session of the State Council. Soon after our return to Tibet with the assistance and guidance of the Working Committee in Tibet of the Chinese Communist Party and through consultations among all quarters, a preparatory office of the Preparatory Committee for the Tibet Autonomous Region was set up with representatives from various circles participating. After several months' preparations, the preparatory work in all aspects has been completed. It is on the basis of this preparatory work, that the Preparatory Committee is established? (The above paragraph is an excerpt from the report made by the Dalai Lama on April 24, 1956 at the inaugural meeting of the Preparatory Committee for the Tibet Autonomous Region).

" On March 9, 1955, the State Council at the 7th meeting of its Plenary Session passed a decision on the establishment of the Preparatory Committee for the Tibet Autonomous Region on the basis of the concrete working program for the establishment of the Preparatory Committee contained in the report submitted to it.

" The State Council decision stipulates that the Preparatory Committee has the nature of a state organ in charge of preparing for the establishment of the Tibet Autonomous Region, and that it is subordinate to the State Council. It is stipulated that the Preparatory Committee is to be composed of 51 members, including 15 from the Tibet Local Government, 10 from the Panchen Kampo Lija, 10 from the People's Liberation Committee in Chamdo area, 5 from among the Central People's Government personnel in Tibet and 11 from major monasteries, religious sects, prominent social figures, and people's organisations, and the Dalai Lama is to be chairman and Panchen Erdeni and Chang Kuo-hua, first and second vice-chairmen respectively of the Preparatory Committee.

" On April 22, 1956, the Preparatory Committee for Tibet Autonomous Region was formally inaugurated in Lhasa. At the meeting, Chen Yi, representative of the Central Committee of the Chinese Communist Party, vice-premier of the State Council and leader of the Central Government Delegation, pointed out in his speech that ' the central authorities maintain that reforms among the people in Tibet should be carried out in accordance with their own will. The Communist Party of China and the Central People's Government hold that reforms in Tibet can only be carried out when the Tibetan leaders and people unanimously demand them and are determined on them, and can never be carried out by any other nationality. In the future, the internal affairs of the people in Tibet will still be considered and decided by the leaders and people of all strata in Tibet'."

It is interesting to note the different view of Tibetan co-operation which had been expressed in 1956. The speech by Chen Yi on the occasion of the inauguration of the Preparatory Committee for the Autonomous Region of Tibet is of particular interest. Chen Yi was the delegate of the CPPCC, Vice Premier of the State Council and leader of the government delegation to Tibet. He said :

" Since the liberation of Tibet, under the leadership of the Chinese Communist party and the Central People's Government, through the unity and co-operation of Dalai Lama and Panchen Ngoerhtehni and the personnel led by them, and with the assistance of the troops of the People's Liberation Army and other workers who had entered Tibet, great achievements have been registered in all fields of work in Tibet. "

Even more striking are the statements made two years later. At a rally in Lhasa marking the second anniversary of the setting up of the Committee on April 22, 1958, a complimentary speech was made by Chang Ching-Wu, representative of the CPG in Tibet:

" The Preparatory Committee for the Autonomous Region of Tibet made important achievements in all spheres of work in the past two years. The unity

between the Tibetan and Han working personnel has been greatly enhanced. Their close unity has in turn promoted the development and consolidation of the unity between the Tibetan and Han people as well as the unity within Tibet. The relations between the central authorities and Tibet have also become closer on this basis.

" The prestige of the Preparatory Committee among the Tibetan people is steadily increasing. Personnel have been trained through practical work. The working ability, vocational level, the political understanding and patriotism of this personnel have been raised. These achievements have laid some basis for the future setting up of the autonomous region of Tibet.

" ...The chief task of the Preparatory Committee for the Autonomous Region of Tibet is to do the necessary work for creating regional autonomy in Tibet in accordance with the provisions of China's Constitution, the agreement on the peaceful liberation of Tibet and the specific conditions in Tibet. This is a glorious and arduous task. I firmly believe that with the national policy of the Central Committee of the Chinese Communist Party and Chairman Mao Tse-tung, the direct leadership of the Dalai Lama, Panchen Erdeni and the Tibet Working Committee of the Chinese Communist Party, and by the united, common and active efforts of the Tibetan and Han working personnel, the solidarity between various nationalities will be strengthened and the unity of our country consolidated. The training of personnel of the minority people will be intensified and conditions will be created to accomplish the task of formally setting up a united autonomous region of Tibet. "

Chang Kuo-hua had this to say :

" Two full years have passed since the founding of the preparatory committee for the Tibetan Autonomous Region on April 22, 1956. At our gathering here to-day to commemorate the occasion, it is my great pleasure to join everyone in warm celebration of the achievements of the preparatory committee during the past two years.

" Under the correct leadership of and with concern from the central authorities and Chairman Mao during the past two years, the Preparatory Committee for the Tibetan Autonomous Region—under the direct leadership of the Dalai Lama and Panchen Ngoerhtchni and the CCP Tibetan work committee—have enjoyed support from the broad masses of the clergy and laymen, initiated many undertakings which are beneficial to the Tibetan people through the joint efforts and cooperation of all Tibetan and Han personnel, and also decided upon various resolutions helpful to the development and progress of the Tibetan people.

" For instance, a resolution was adopted in 1957 to waive the corvee for tax from people of all nationalities taking part in work of, or studying in, state agencies, so as to provide favorable conditions to further the performance of such an extremely important task as the training of cadres. In an effort to gradually establish order in transportation and communications in Tibet various resolutions were adopted, such as the ' regulations governing private automobiles in the Tibetan district ' and the ' provisional regulations governing animal-drawn carts in the Tibetan district '.

" In particular, reorganisation of administrative structure and appropriate retrenchment of personnel were successfully accomplished in accordance with the guiding principle of the central authorities for ' six years ' postponement of democratic reform.

" Thus, unnecessary organisations and personnel were eliminated and reduced, and waste of manpower and material avoided, so that our organisational structure and work would conform even closer to the guiding principle of the central authorities for ' six years of no change '. Meanwhile, definite achievements were also realised in economic, cultural, public health, and other undertakings, and the anti-imperialist and patriotic campaign and propaganda and education on the ' six years of no change '. With organisations retrenched and personnel reassigned, it was also possible to further develop the initiative and enthusiasm for work on the part of the Tibetan cadres.

" In the process of realising achievements and overcoming defects, efforts have also been exerted to strengthen unity among nationalities and within the Tibetan nationality, to raise the patriotic consciousness of the Tibetan people and their understanding of the Preparatory Committee for the Tibetan Autonomous Region, and to help them realise that the preparatory committee is a progressive organisation and an organ of a governmental nature responsible for preparing the establishment of the Tibetan Autonomous Region. The undertakings performed by the preparatory committee during the past two years served as a fatal blow counter-attacking the reactionary lies spread by the imperialists and the pro-imperialist deviationists who slandered the preparatory committee as an ' agency of Han nationalists '."

Throughout the period up to 1958, Peking radio and the Communist party consistently spoke of the progress being made in Tibet, and occasionally referred to small groups of unco-operative reactionaries, never within the Tibetan Government. It now appears that the Tibetan Government were obstructing " secretly ", but their work up to April 1958 appears to have merited high praise. These statements by the Chinese show such a lack of consistency as to render them unworthy of belief. Moreover, they are obviously in flat contradiction of the statements of Tibetan leaders, and the issue becomes that of deciding who is telling the truth.

II. Freedom of Religious Belief and the Protection of the Monasteries

The evidence relating to the Chinese attitude to Tibet points more strongly than any other to a systematic policy of changing the way of life in Tibet. The Dalai Lama's position as temporal and spiritual leader has already been discussed,[1] and it is clear that in a theocratic society a campaign to stamp out religion aims to destroy not only the freedom of worship but the whole fabric of that society. If the Chinese wanted to destroy the Tibetan way of life completely, the destruction of religious belief and religious institutions was a sheer necessity.

The evidence shows a systematic attempt to destroy religion in Tibet and paints a picture of ruthless efficiency in all the familiar techniques, even to the point of wanton killings of the religious, viz. lamas and monks. Chinese sources persistently maintain that respect for religion was always shown,[2] but there are two conspicuous exceptions, the importance of which can scarcely be over-emphasized. Firstly, there is the astonishingly frank admission in the report by Fan Ming, that troops of the People's Liberation Army had not always respected Tibetan religious beliefs and an explanation of the reasons.[3] Secondly, there is the systematic propaganda in the Communist newspaper for Tibet, which shows clearly the determined effort to eradicate religious beliefs.[4] Few specimens of Communist propaganda can be more repulsive to world opinion than the odious distortion of the life of Buddha which was printed in that newspaper.[5]

The attack on religion in Tibet points to more than a conflict of ideas. Failure to respect religion is ideologically to be condemned; a campaign to wipe out religion is a much graver matter, especially in the circumstances of Tibet. It leads, depending upon the means employed, ultimately to the question whether the crime of Genocide has been committed. For the moment the very least that can be said is that there is the strongest possible evidence of an attempt to destroy the Tibetan way of life by attacking its fundamental basis.

Conclusions from the evidence may be summarized as follows:

(a) Anti-religious propaganda was carried on in newspapers,[6] through personal discussion [7] and by subjecting monks to tests demanding outward and visible demonstrations of supernatural powers.[8]

(b) The monasteries were taxed and deprived of food reserves in order to break up the monastic community.[9]

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[1] See p. 2, *supra.*

[2] See Document 16.

[3] See p. 43, *infra.*

[4] See pp. 40-43, *infra.*

[5] See p. 43, *infra.*

[6] See p. 40-43, *infra.*

[7] See p. 37, *infra.*

[8] See p. 36, *infra.*

[9] See p. 39, *infra.*

(c) Subjecting the monks to forced labour, deportation to China and to forced marriages.[10]

(d) Destruction of monasteries and sacred objects and desecration of holy places.[11]

(e) Torture and killing of monks and lamas.[12]

The general conclusion is irresistible that the Chinese were determined to use all methods at their disposal to eliminate religious belief and to substitute Communist doctrines.

Documents and Evidence

" The policy of freedom of religious belief laid down in the Common Programme of the CPPCC shall be carried out. The religious beliefs, customs and habits of the Tibetan people shall be respected and lama monasteries shall be respected. The central authorities will not effect a change in the income of the monasteries. " (Article 7, Seventeen-Point Agreement.)

(a) Respect for religious beliefs and the monasteries

Evidence of Chinese violation of this Article follows from Tibetans :

Manifesto :

" In the matter of religion they have their own schemes and subvert the very base of Buddha's Teaching. Our religion teaches love for all and malice for none. The communists in their struggle to spread the Marxist ideology have used our well-known monk scholars to mislead the simple Tibetans. In this endeavour they made Geyshey Sherah Gyatse, one of the well-known monk scholars, propagate their own doctrine by writing pamphlets and translating their various books and articles. They have also used the Panchen Lama as a puppet to advance their political purposes in Tibet since 1948-58, and communism is being preached to all our people. In Kumbum (one of the famous monasteries in the east) the Chinese have actually made our head lamas study Marxist dialectics. Ordinary monks they try to overcome by such material arguments as this : the monks are made to remain in their cells and try to procure food by prayer alone. If the food is not miraculously produced, this is supposed to prove that God does not exist. Meantime the Communists prevent the monks from using their God-given natural powers to procure food, torture them by hunger into abandoning their simple faith. The Communists preach day in and day out to our simple people and monks that religion is nothing short of an opium to distract the human mind from hard work. They have used hundreds of these monks as labourers in the building of roads and

[10] See pp. 37, 38, 39 *infra.*
[11] See pp. 37, 38 *infra.*
[12] See pp. 37, 38, 39 *infra.*

barracks. They have stopped the monasteries from sharing the usual food reserves, and thousands of monks starved to death for this reason. They have forced many of our monks to marry and move to China to earn a living."

Memorandum:

"The Tibetans cannot even gather for social and religous functions..." and "they are trying their utmost to rob the Tibetans of... their faith in the traditions and religion of the land..." Speaking of Chinese attempts to subdue patriot strongholds in Tibet, the Memorandum states: "In these punitive chases, the Chinese revengefully destroyed monasteries like the Golp Serta Monastery, Dahlakh Teengchen Monastery, Tehor-Tahnko, Chhori Lithang Chambaling, Chhateng Sampheling, Ba Chhoti and Markham Lo monasteries. It is noteworthy that all the above-mentioned monasteries belong to the tribal areas, as indicated by the prefixes to their names... In these indiscriminate attacks the Chinese garrisons have demolished and destroyed images of gods and goddesses and Sukhia Muni Buddha, old religious manuscripts and books, Mani-walls and Stupas... In their hectic struggle to assimilate the Tibetans culturally and to dominate them idealogically, the Chinese have used the savage means of destroying the centres of worship. They have cruelly razed to ground the famous Lithang Con-Chen, founded by the third Dalai Lama-Sonam Gyasto. Not only that, but they were barbarian enough to shoot the main images of the monastery of Ba Chetey. They have demolished the image of Gyalwa Chamba by hand. They were ruthless in laying hand on religious books to destroy and throw them in the rivers, thereby believing that the patriots would be devoid of their doctrine and the Darma.

"They have brutally killed such religious gurus who have dedicated their lives for the Darma. Among these, Lotsok Khem-surm, the retired Abbot of Lithang monastery, aged 80 years; also Lungri Khemsur, aged 72 years; Gyeshey Ashang, 60 years old and Gyeshey Yard, 67 years old; Ngawamy Gilay, aged 60 years, etc."

Statement made to the International Commission in India by Chaghvē Namgyal Dorje [12a]

"In 1956 the Chinese announced their policy of the so-called Road to Socialism. The Chinese first turned their offensive against the monasteries. In 1956 a gruesome incident happend in the famous monastery Peyu Gompa which had 1500 monks. The head of the monastery, a reincarnate Lama called Dawa-Dezer, 44 years old, was made nude, bound with ropes and dragged along the ground from the hill-top where the monastery was situated. As a result his body was mangled and his intestines came out. This Lama was very popular and so respected that the earth under his feet was taken and kept as a holy sacrament.

[12a] See Document 21.

" In Parpong Monastery comprising 1700 monks the Head Abbott (reincarnate) called Wangyal Rimpoche, aged 39 years, was kept handcuffed with " Russian steel " for twenty-eight days, with the result that his wrists were fleeced of flesh to the bones. Today he is in Bhutan—his hands bear the marks.

" In many of the temples in Eastern Tibet the chapels have swords, knives, etc., lying there for thousands of years with tantric images, women are strictly forbidden even to come near these places or peep into them. It was made a routine by the Chinese to take women (the Tibetans say they are prostitutes) inside the chapels and ask them to bring out these sacred relics. They hoped by such shock tactics to make the Tibetans disbelieve in their religion.

" The monasteries had granaries with stocks of grain to last for years. The Chinese emptied these granaries and so compelled the monks to leave those places... It has been told to me that more than 2,000 Lamas have been killed by the Chinese. I have personal knowledge of such attacks on 17 Lamas. "

After speaking of crushing taxes imposed on the Tibetan people in his province, the witness goes on : " If we had no means to pay the taxes we had to hand over our clothes and even the drinking glasses we had. Even then all my people meeting in assembly begged the Chinese to take away all they had but to leave them their religion and their way of life. The Chinese replied that they were mistaken in believing in their Gods. Kas-Kruge, the Chinese officer of Dorge, said that Tibetan Gods are like rats and dogs and wolves. "

Statement by the Dalai Lama at Tezpur, April 18th, 1959

" By the end of 1955 a struggle had started in Kham province and this assumed serious proportions in 1956. In the consequential struggle, Chinese armed forces destroyed a large number of monasteries. Many Lamas were killed and a large number of monks and officials were taken and employed on the construction of roads in China and interference in the exercise of religious freedom increased. "

Dalai Lama's Press conference at Mussoorie, June 20th, 1959

Question : On an Indian report filed with the International Commission of Jurists the Dalai Lama was asked : " Is it true, as this report says, that a deliberate and precise campaign has been conducted by the Chinese in Tibet against the Buddhist religion? "

Answer by the Dalai Lama : " The report is correct in stating that, until 1958, over 1,000 monasteries were destroyed, countless Lamas and monks killed and imprisoned, and the extermination of religious activity attempted. From 1959 onwards a full-scale campaign was attempted in the provinces of U and Sung for the full-scale extermination of religion. We have documentary proof of these actions, and also of actions against the Buddha himself, who had been named as a reactionary element. "

Statement to the International Commission by Thenlo of Thegy Gompa:

" ... In this area (the witness is speaking of his home in Tachien hu, in Eastern Tibet) there are lots of lamasseries and monasteries. Most of these religious institutions possess land and have also trade interests. The Chinese after destroying the trade of the country resorted to trouble the monasteries. They told every one that keeping up monks, abbotts and even incarnate lamas is all useless and only a waste of money. They asked the monks to come to the fields and work for their living. They said that monks were only parasites. All our people were shocked. According to our religion monks cannot engage in worldly affairs. The Communists used force to make the monks come out and labour on the land. People wept when they saw the monks being treated like this. The Communists got jealous of the influence of the monks and started killing them. Amongst those killed was the much-respected Lochy Gompo Tsering who was killed in a mysterious way in prison."

(b) Changes in the income of the monasteries

The emptying of the granaries belonging to the monasteries although *prima facie* a case of effecting a change in the income of the monasteries is better regarded as an act of expropriation and as such a violation of Article 13 if done by the army. This is a case of deprivation of the capital assets. The violations of this part of Article 7 are as follows:

Manifesto:

" They have also laid hands on the capital of these monasteries and even subjected to tax the very idols and statues."

Statement by Thenlo of Thegy Gompa:

" Under the pretext of re-building and repairing monasteries they have taxed many of the monasteries. One monastery alone was taxed within a year three times in instalments of Rs. 180,000; 170,000 and 160,000."[Rs. 4.72 = $ 1.00; Rs. 13.30 = £ 1.0.0.]

It seems that this part of the Chinese policy aims at making life impossible in the monasteries, and was as such an attack on the monasteries and religious belief, in violation of the other part of Article 7.

(c) Statements from Chinese sources on respect for religion

The following extracts from the *Karzey Nyinrey Sargycer* (a Tibetan language newspaper) show the kind of attacks which were made on religious principles and organised religion in Tibet. The statements make it plain that the Chinese attack drew its purported justification in part from the alleged rebellious and unco-operative

spirit of the monasteries. It should also be noted that the attack was also on the principles of the Buddhist religion, as distinct from the so-called reactionaries who used it as a guise for rebellion. The attack culminates in a derogatory account of the life of Buddha.

The following translations are taken from *Karzey Nyinrey Sargyur*, a daily Tibetan-language newspaper published in the Karzey district of Eastern Tibet by the Chinese authorities:

12th November, 1958

Page 1, Headline: [Translated into English from the original copy.] " The autocratic feudal system must be uprooted after religious persecution."

Col. I: " Ever since the introduction of Socialism the religious reactionary leaders under the banner of religion and nationalism, have carried on an armed resistance against the reform."

Col. II: " Even now the Lamas holding the power of the monasteries conspire with the rebellion bandits, guide their strategy and maintain it (rebellion)."

Pages 2 and 3 carry a series of accusations against the incarnate Lamas and monastic leaders of exploiting the masses with religion as their instrument and of engaging themselves in anti-state activities.

Page 4, Col. II: " The God and Gods are the instrument of exploitation. The rosary of the incarnate Lamas are meant for their exploitation of the masses."

16th November, 1958

Page 1, Col. 1:

" The conference of the Pioneers of the Regional Collective Farming (a Communist Organisation) in its deliberation pointed out the great mass of evils of the reactionary religious leaders and autocratic feudal lords describing them as evils greater than a mountain. The position of the reactionary religious leaders is interlinked with that of autocratic feudal lords. They are engaging themselves in conspiracy. They put obstacles in the way of the liberation of the working people hence they are the rocks on the path of progress. Unless they are destroyed completely the liberation is not possible."

Page 3, Col. III:

" Resistance against religion and reform is different. They (deputies) realised the difference between the exploitation by religion and autocratic feudalism, also the Chinese communist party is the real protector of the religious freedom. They have the deep understanding that those, who, under the guise of religion, resist the reform, are the ones who undermine the religion and are the enemy of the people."

18th November, 1958

Page 1, Headline:

The campaign for Four Liquidations must be carried out. We shall not stop till we reach our goal."

(The four liquidations are)

" 1. Liquidation of rebellions
2. Liquidation of illegal elements (those who are opposed to communism)
3. Liquidation of privileged class
4. Liquidation of exploitation."

Page 1, Col. II:

" If the Buddhists who resist the reform are uprooted and autocratic feudal exploitation brought to an end, only then can the socialistic reform be carried out successfully."

Page 2, Col. I:

" The monasteries always conspire with the feudal lords and dairy owners, some of them even with the imperialists and Kuomingtang reactionaries. They (the monasteries) made attempts to set up a provincial government so as to divide the motherland. The reactionary clique of the numerous monasteries directed and conducted armed rebellions against reform in order to safeguard the feudal interests. They imposed religion on the masses."

Col. II:

" There are 390 monasteries in Karzey District which are engaged in lawlessness and sabotage. All the monasteries are reactionaries under religious guise. They are all instruments of exploitation, the stronghold of autocratic feudal lords who stand in the way of progressive socialistic production and they are the centre of rebellions against the reform. If they (the monasteries) are completely destroyed, then the autocratic feudal oppression and exploitation can be destroyed. "

Col. II:

" All the crimes and guilts of the monasteries must be exposed. The masks of the reactionary leaders who pretentiously assumed to be kind are in reality cruel as wolves. They must be exterminated. The masses must be informed through a much more intensified campaign about these crimes."

" The faith in religion and the determination to protect it must be checked."

Page 4, Col. I:

The nude figure of... Gedor (Nandavajra — the Eternal Bliss) and Jekchey (Vajraberava — the Eternal Destructor of Passions)

with their female counter-parts are the invention of the reactionary Lamas." (These deities are the chief tutelary deities of the Mahayana Buddhism.)

19th November, 1958

Page 2, Col. I and II:

(The following statement is alleged to have been made by Thuptan Choying — a member of the Pioneers of the Collective Farming Society).

Mr. Thuptan Choying: " When I first thought that happiness of all lies in religious life, I approached Sang Lama of Ribuk Sakya monastery. He poisoned my mind by saying that if you devoted yourself in meditation and spiritual exercises with a pure conscience, you would have visions and you would attain spiritual insight. Even if you did not attain it in this life you would accrue the merits in your next life. Thus, I was misled into the darkness. I have followed the tradition by attending on my own tutor, by devoting myself in pilgrimage, spiritual exercise of reading of Kajur and Tanjur (Tripitika — the Buddhist scriptures) concentration and meditation but nothing happened to me."

Page 3, Col. I:

Each of all the great Lamas is worse than the other. (Here charges made against many great Lamas, all of whom were either arrested or killed). The names are:

1. Kathok Mocktsa Rimpoche
2. Peyui Gompai Rimpoche
3. Ketsang Rimpoche
4. Zongsar Khentse Rimpoche (escaped to India)
5. Gongkar Tulku Rimpoche
6. Khenpo Arichodup Rimpoche
7. Garthar Medo Rimpoche.

Col. III:

" The God and Gods are all false invention for deceiving people. The reactionary Lamas and the leaders of the monasteries use them as their instrument and carry on their objective of exploitation of the masses."

Page 4. Col. I:

" The Economic, the cultural backwardness and the sparse population (of Tibet) was due to the poisonous effect of religion."

20th November, 1958

Page 2, Headline:

" Reading the Scriptures cannot eliminate poverty.
Faith in God cannot bring any good fortune."

Page 3, Col. III, Headline:

" If you do not believe in the God and Gods you can doubtless be happy."

22nd November, 1958

Page 2. Headline:

" Religion is the instrument of exploitation."

Col. I:

" To believe in religion is fruitless. Religion is the instrument of autocratic feudal lords and religious works have no benefits whatsoever to the people. To explain this we trace the historical background of the origin of the Buddhism. The founder of Buddhism was Sakya Muni—son of the King Sudhodhana of India. His kingdom was very aggressive among all the Indian kingdoms of his time. It always used to invade the small kingdoms. It was during the reign of Sakya Muni that his subjects revolted against him and later other small kingdoms also rose against him spontaneously. As they attacked Sakya Muni he accepted defeat but escaped amidst the fighting. Since there was no other way out for him he wandered into the forests. Having founded Buddhism, he brought about a pessimism and idleness in the minds of the people weakening their courage and thus reached his goal of re-domination over them. This fact was clearly recorded in history."

Page 3, Col. II:

" The (Tibetan) monasteries regard yoga as the perfect religion. The fact of this religion is that it leads to illusion. The people devote their days to meditation on emptiness. They meditate with the assumption of transforming themselves into the nude figures of Jekchey (Vajraberava — the Eternal Destructor of the Passions) with his consort in union."

Perhaps the most significant statement of all is that contained in the comment of Fan Ming, member of the Chinese Communist Tibetan Work Committee, in October 1951. The account was broadcast by NCNA:

" Great-Han[13] chauvinism in Tibet is manifested in the feeling of superiority of the Han race, repugnance at the backwardness of Tibet, discrimination against Tibet, distortion of Tibet, failure to respect the freedom of religious belief and traditional customs of the Tibetan people... As a result, some cases have occurred where the nationalities policy was impaired, law and discipline were violated, and the freedom of religious belief and the customs of the Tibetans were not respected."

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[13] I.e., Chinese *Ed.*

III. Trade Policy and Respect for the Property of the Tibetan People

Under this specific head, there is an overlap between religious persecution and economic plunder; the Chinese activities under this head of the Seventeen-Point Agreement are shown by the evidence to be plunder and economic exploitation. This, deplorable as it may be, is a less heinous policy than that of destroying the Tibetan way of life.

The evidence by the Tibetans points to seizure of agricultural land,[1] livestock and their products [2] and eventually in the Kham region (bordering on Tibet and inhabited by Tibetans) the general confiscation of private property on payment of ludicrous compensation to the nomads only.[3] Requisition of land and buildings for Chinese occupation on payment of little or no compensation is also evidenced.[4] The trading policy of the Chinese is shown to be that of exploiting Tibetan traders by offering ridiculous prices and,[5] eventually, property belonging to private individuals and to the monasteries was plundered.[6] Crushing taxes have been imposed on the people of Tibet.[7]

Chinese spokesmen and Tibetan collaborators have attributed these and worse activities to the rebels. The issue is simply one of who is telling the truth. It is necessary to evaluate the credibility of those making the allegations. It is important therefore to notice that the Dalai Lama himself has made a considered statement on June 20th accusing the Chinese of plunder and that in the same statement he proposed that an independent commission should be sent to Tibet. It is generally a reliable hypothesis that those who do not fear the truth do not fear independent inquiries. The Chinese People's Government has not yet announced its acceptance of this proposal.

Documents and evidence

" The PLA (People's Liberation Army) entering Tibet shall abide by all the above mentioned policies and shall also be fair in all buying and selling and shall not arbitrarily take a needle or thread from the people. " (Article 13, Seventeen-Point Agreement.)

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[1] See pp. 45, 46 *infra.*
[2] *Ibid.*
[3] See p. 46, *infra.*
[4] See p. 45, *infra.*
[5] See pp. 45, 46, *infra.*
[6] See p. 46, *infra.*
[7] See p. 45, *infra.*

The first part of this point confirms the fact that the undertakings of the Central Government in previous points shall be binding on the People's Liberation Army. As to the second and third relating to fair trading with the people and either requisition or expropriation, the evidence is as follows:

Manifesto:

" They have...taken away our reserves of gold and silver bullion... the Chinese have imported masses of their settlers, and distributed the agricultural land of the Tibetans among them...Tibetans are expected to...share all their property equally with the immigrants... Flocks of sheep and cattle, their wool and dairy products are all being confiscated.

" They have also laid hands on the capital of these monasteries and even subjected to tax the very idols and statues. "

Statement of Thenlo of Thegy Gompa, servant of a trader:

" In that first year they treated us well by offering good prices for the goods we had to sell...

" As soon as goods in plenty got stocked the Chinese employed other tactics. Instead of paying the due price they paid less; in most cases only half of the value in goods. We began to suffer heavy losses... People got exasperated. They did not want to sell. I am an eye witness of many cases of cigarettes bought by petty traders being thrown into water rather than be sold at a price which did not even cover transport.

" Under the pretext of re-building and repairing monasteries they have taxed many of the monasteries. "

Memorandum:

" The invaders resorted to opening our centuries-old granaries and thus depriving the country of its valuable resources. Besides this they laid hands on our resources of gold and silver bullions by asking our government to lend these as loans.

" Gardens and public parks, owned by private persons and by the government at places like Lhasa and other towns, are gradually being taken over by the Chinese without compensation. Trespassing the enclosures in the beginning as if ignorant of their owners, they finally filled them with tents and human dwellings, and feigned surprise when asked to vacate the areas and ' innocently ' said that the dwellers were ' liberators ' who should be assisted... From Lhasa alone, nearly 70% of the privately-owned houses are now in the hands of the intruders. They have used all the means at their command to force our people to hand over the big houses and private mansions to house their own officers...In some places...they have

paid in cash; in other cases, when the owner has been reluctant to do as they have asked, rent has been given; some have simply been asked to be allowed to use it for the time being and in the end the property gets transferred completely to the Chinese authorities. ...While travelling in the far-flung areas, the Communists force our people to supply beasts of burden to transport their armed forces and stores without any remuneration. Provisions such as wheat and barley, grass and peas for animals, fire-wood, fowl, eggs and mutton, etc. are exacted from these poor people. In many such instances they have not even been paid the actual cost.

" They are bent to discourage any private enterprise that the Tibetans want to make in the field of trade and commerce...in the end the poor trader is forced to hand over the goods at the bare cost price... Those of us who have traditional trade connections with traders in Sinning (Chinghai) and Trechenlu (Czechuan) are charged 100% on the cost price...all loans that Tibetan merchants advance to locals in Chinghai and Czechuan according to their custom, are not now being made good, as the borrowers have been instructed not to repay. Instead the Communists have realized those advances of private Tibetans for their own use.

" In the Kham region, which the Communists tried to socialize, well-to-do persons were actually robbed of their household property, merchandise and capital. Their agricultural lands were confiscated. (Later, in) " their ruthless struggle for the change to socialism, the Chinese spared nobody...They confiscated all private property in the shape of goods, capital for trade, houses, agricultural lands, nomadic property, flocks, cattle, and everything else that could be defined as property...To some of the nomads they pretended to pay compensation, but this was only in theory. The so-called ' compensation ' did not even cover one-fifteenth of the actual cost. "

Statement by the Dalai Lama at Mussorie, India, June 20th, 1959:

" Forced labour and compulsory exactions, systematic persecution of the people, plunder and confiscation of property belonging to individuals and monasteries...these are the glorious achievements of Chinese rule in Tibet. "

Statements from Chinese sources on trade policy and respect for the property of the Tibetan people:

Much of the material in which these allegations are made by Tibetans has not been published, and Chinese specific denials are in the circumstances not to be found for obvious reasons. The accounts of plunder given by the Chinese attribute to the rebels the sort of activities of which the Tibetans accuse the Chinese, a situation not unfamiliar in the statements of Communist and non-Communist antagonists. These allegations go much further than matters of

trade policy and respect for private property, but as far as relevant the best examples are probably those made by Iman Ma Liang-chun and Ma Mu-sha, representatives of the Hui people living in Lhasa. They were speaking at a mass meeting after the State Council. A Hsinhua News Agency report from Lhasa on April 1st, 1959 reads :

" Iman Ma Liang-chun and Ma Mu-sha angrily accused the rebels of carrying out plunder, arson and murder in Lhasa. They described how the rebels had within a day plundered and burned the belongings and houses of many families. More than twenty households of the Hui nationality had been plundered, and a number of the houses and shops belonging to the Hui people had been burned. The rebels even dared to set fire to a five-hundred-year-old mosque which burned for days, one of them said. "

Speaking at the First Session of the Second NPC on April 22nd, 1959, Deputy Ngapo Ngawang-Jigme said : " Wherever the rebels have gone, places have been ransacked. Many victimized peasants have been unable to sow their fields during the spring sowing this year. It makes one's heart bleed to see the arson, murder, rape and plunder perpetrated by the rebels. "

Allegations and counter-allegations of this kind leave great difficulty in finding the truth other than by evaluating the credibility of those making the allegations. There have been no independent observers in Tibet. The importance of the proposal by the Dalai Lama at Mussoorie on June 20th, 1959, that an independent commission should be sent to Tibet cannot be over-emphasized. It is generally a reliable hypothesis that those who do not fear the truth do not fear independent inquiries. The Chinese Government has not yet accepted this proposal.

IV. Reforms in Tibet

The combined effects of Articles 4 and 11 of the Seventeen-Point Agreement seem to be that reforms were a matter for the Tibetan Government, headed by the Dalai Lama, and that there would be no compulsion. The precise nature of these obligations is not entirely clear and for this reason there is rather more commentary on and introduction to the text of the evidence than is the case with evidence on other aspects of the Seventeen-Point Agreement. The significance of statements by both sides is not self-evident unless the scheme of government apparent in that agreement itself is explained. This is done in pp. 50-51 and Section A (I).

The remarkable clash on the socialization of Tibet provides the key to the Chinese attitude. It is inconceivable that a small proportion of " reactionaries " should prevent the implementation of social reform which the Dalai Lama [1] and the Chinese [2] agree was necessary, and which Chinese sources describe as ardently desired by the peasants.[3] The Dalai Lama's Government proposed reforms which were not acceptable to the Chinese,[4] and the Chinese say in 1959 (but not before) that that Government had obstructed socialistic progress.[5]

Chinese sources themselves make it clear that the revolt of the Kambas in 1956 followed an attempt at socialization,[6] and the inference is irresistible that this was an uprising against socialization. A small proportion of reactionaries have never in a country under Communist power succeeded in halting a " democratic " socialization process, and the evidence points clearly to Tibetan resistance to the changes which were proposed. The resistance appears to have caused the Chinese to have second thoughts, but the policy behind the Chinese decision in 1956 to delay the socialization programme was dictated only by the outward manifestation of discontent and not by any change of heart, as subsequent events have shown. That local conditions made Tibet unripe for reform is a ludicrous contention, especially when strenuous efforts have been made to indicate Tibet's desperate need for socialization.[7]

The temporary set-back to the Chinese programme in no way alters the basic fact that as soon as the Chinese were convinced that they could effectively introduce " socialism " they would do so. Whether Tibet was to be socialized or not should have been a matter for the Tibetan Government. When the Tibetan Government under

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[1] See Document 19 and p. 51, *infra.*
[2] See Document 16 and p. 52, *infra.*
[3] See Document 16.
[4] See Document 19 and p. 51, *infra.*
[5] See Document 16 and p. 55, *infra.*
[6] See p. 57, *infra.*
[7] See Document 16.

the Dalai Lama proposed a scheme of reform, interference with these reforms was an interference with the established powers of the Dalai Lama. It is clear from the Chinese sources that socialization policy was decided upon in Peking and not in Lhasa. This makes nonsense of Article 11.

A good specific example of the introduction of reforms by direct compulsion and by interference with the Dalai Lama's powers is when the Dalai Lama was compelled by the Chinese to outlaw the Mimang movement.[8] At the general level the most striking feature of the progress made in Tibet is that it forms part of the policy of changing the Tibetan way of life. The evidence on the development of education shows clearly the familiar Communist technique of indoctrination and assimilation. The road construction programme of which the Chinese are so proud was nothing more than the improvement of military communications.[9] Moreover, despite the allocation of economic reforms to the Tibetan Government,[10] the construction of roads wreaked havoc on the Tibetan agricultural economy irrespective of the economic needs of Tibet.

Conclusions:

The conclusions which can be drawn from the evidence of this aspect of the Seventeen-Point Agreement are:

(a) that initiative and approval of reforms is treated by the Chinese as their sphere of responsibility;

(b) that such progress as was made in Tibet in the way of material changes is in part at least dictated by the military needs of the Chinese and by the policy of assimilating Tibet to Communist China;

(c) that the introduction of socialization is opposed by the people of Tibet but that the Chinese authorities are now socializing the country irrespective of the wishes of the Tibetan people;

(d) that the economy of Tibet is being weakened solely to meet the requirements of the Chinese in Tibet;

(e) that the Tibetan way of life is being deliberately replaced by some of these methods, in particular by socialization and propaganda.

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[8] See p. 52, *infra*.
[9] See Articles 2 and 13.
[10] By Article 11.

" 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 shall be settled by means of consultation with the leading personnel of Tibet. " (Article 11, Seventeen-Point Agreement).

This article follows a group of articles dealing with the improvement and development of different activities in Tibet and may fairly be taken to lay down the principles applicable to these reforms. There are three essential points in this Article : *(a)* no compulsion by the Chinese, *(b)* reforms should [not *shall*] be carried out by the Tibetan Government free from Chinese compulsion, and *(c)* on the voicing of popular demand for reform, there must be consultation with leading Tibetans. The Article does not specify who must consult, but the natural inference is that this means the Tibetan Government. Despite the loose wording, an objective reading of the Article would seem to leave the impression that the Chinese would not compel reforms which the Tibetan people did not want and also which the Tibetan Government did not want: the undertaking to use no compulsion is general and absolute.

The Article is silent on the position where the Tibetan people and the Government of Tibet desire reforms of which the Chinese disapprove, but Article 4 contains an undertaking not to alter the established status, functions and powers of the Dalai Lama, which included at the very least the power to effect reforms through his Government without the permission of the Chinese. It is therefore submitted that refusal by the Chinese to permit reforms would be a violation of Article 4. The evidence on this point is included here because it forms a part of the whole pattern of events relevant to Article 11.

The present Chinese interpretation of the obligations under Article 11 differs fundamentally from that suggested here. Statements in 1952 and 1956 point to a state of affairs where the initiative must come from the Tibetans themselves. Thus Mao Tse-tung, speaking to a Tibetan delegation in 1952 :

> " In the region inhabited by the Han people, land distribution has already been carried out... As to whether land should be distributed in minority nationality areas, it is for the minorities themselves to decide. It is as yet premature to speak of distributing the land in Tibet. The Tibetan people themselves must decide whether it is to be distributed in the future. Moreover, the land, when it is distributed, will be distributed by the Tibetan people themselves. "

Chang Kuo-hua stated in a speech at the Chinese Eighth Party Congress in 1956 :

" Before social reform is started... the working people must desire reforms... At present, these conditions have still not been fully achieved, so it will be a comparatively long period of time before socialist reform can be carried out. "

But on March 28th, 1959, a communique on the rebellion by the Hsinhua News Agency stated that, under the Seventeen-Point Agreement, " Tibet's social system, which is serfdom, must be reformed in accordance with the wishes of the people. " These wishes are regarded as a fact and therefore the last part of this statement is not conditional. On April 18th, 1959, Chou-en-lai, at the first session of the second National People's Congress said that there were over 1,100,000 labouring people (out of 1,200,000 total population) who demanded reform, progressives of the upper social strata who supported reform and middle-of-the-roaders who could be won over. The interpretation of Article 11 has now shifted to the assertion that the Tibetan Government was obliged to carry out the reforms which the people wanted and had failed to discharge this obligation. The use of the word " should " in contrast to " shall " in this and other articles does not convey the impression of an obligation, and the only obligation vis-à-vis the people is that of consultation (" *shall* be settled by means of consultation "). There is also some question as to how the " wishes " of the 1,100,000 labouring people were to be made known.

The following evidence points to violation of Article 11. The statements show that in most cases the local Tibetan Government has had no voice in reform programmes. The Tibetans are changing their way of life as changes are dictated to them.

Manifesto :

" The Chinese Communists have gradually deprived us of all our political rights; our Government, right from the top to the provincial and district offices, has been made powerless and today we are governed completely by the Chinese.

" The Tibetan authorities have not taken the initiative in these reforms.

"...To effect their land reforms the Chinese have imported masses of their settlers, and distributed the agricultural land of the Tibetans among them. They have in this way introduced the collectivization of farms." [11]

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[11] Recent reports from Peking, dated July 2nd and 7th, 1959, speak of proposed confiscations of property, the redivision of administrative areas and the introduction of peasant associations on the model of the Chinese communes,

Statement by the Dalai Lama (Mussorie, India, June 20th):

" They had frustrated every measure adopted by me to remove the bitter resentment felt by my people and to bring about a peaceful atmosphere in the country for the purpose of carrying out necessary reforms... I was unable to do anything for the benefit of my people... I wish to emphasize that I and my Government have never been opposed to reforms which are necessary in the social, economic and political systems prevailing in Tibet. We have no desire to disguise the fact that ours is an ancient society and that we must introduce immediate changes in the interest of the people of Tibet. In fact, during the last nine years several reforms were proposed by me and my Government but every time these measures were strongly opposed by the Chinese in spite of a popular demand for them, with the result that nothing was done for the betterment of the social and economic conditions of the people.

" In particular it was my earnest desire that the system of land tenure should be radically changed without further delay and large landed estates acquired by the state on payment of compensation for distribution among tillers of the soil. But the Chinese authorities deliberately put every obstacle in the way of carrying out this just and reasonable reform. I desire to stress that we, as firm believers in Buddhism, welcome change and progress consistently with the genius of our people and the rich traditions of our country but the people of Tibet will stoutly resist any victimization, sacrilege and plunder in the name of reforms, the policy which is now being enforced by representatives of the Chinese Government in Lhasa."

Memorandum:

" When all these manoeuverings proved an utter failure, the Chinese resorted to a course of intimidating the Dalai Lama and finally forcing him to promulgate a decree to the effect that the Mimang Movement was unlawful, and any attempt to revive it would be against the will of his holiness the Dalai Lama.

" They have used their political power to cripple our traditional system of labour employment by employing our people by force. The Chinese pretentiously talk of the high wages which they pay to these forced-labourers, but actually, when compared with the expenses that our folk have to bear in the way of hiring labourers and for their provisions and transport in the vast deserts, the money given is nominal. The financial and physical losses thus sustained by our people was too much. Above all, by building those trans-Himalayan gigantic roads on this high plateau, the economic loss sustained by the country as a whole goes into thousands of acres of agricultural lands. With their usual forceful persuasion, the Chinese destroyed agricultural lands, irrigation systems and ancient consolidated holdings by indiscriminately using the tracks in the

name of roadbuilding and highway priority. Besides, while levelling the ground for making the road motorable, they have destroyed agricultural land by cutting and digging those lands without any consideration. They were also indifferent as to demolishing the religious monuments, shrines, Mani walls and even houses of the poor peasants while passing through small villages and towns.

" We have no educational system in the modern sense of the term. Many of us are also not really aware of the advantages and short-comings of the modern educational institutions. The Chinese, taking advantage of our lack of knowledge in this direction, started to open schools. They found Tibet quite fertile to spread their own ideology. They tried to plant the seeds of communism in the minds of young Tibetans and their children. They have also given our people the impression that modern education is synonymous with communism, and that to change with the times is nothing short of the communist system of life. In this process, directions were given by those in high places to form different societies such as " Youth League ", " Women's Association ", " Workers' Party ", etc. to divert our people from their daily routine and family and domestic work, and to try to exploit the whole generation for their own ends. Those parents who are reluctant to send their children to such anti-religious institutions are approached in different ways. They sometimes force them, or send agents to persuade them, and encourage them with pecuniary help. There have been instances where sheer force has been used also. Above all they have made thousands of homes unhappy by forcing young boys and girls to go to China for de-nationalization, thus getting them indoctrinated to revolt against our own culture, traditions and religion. To this end they have sent more than five thousand boys and girls up to now to China proper.

" In order to calm or pacify the people's opposition, the Peking government agreed to postpone the launching of ' the great march to socialism ' for a period of six years. Ostensibly to fulfil their promise, the Chinese have abandoned the construction of buildings and defence projects in the town and populated areas, and returned some of the civilians, i.e. forced labourers, technicians, engineers and such. While actually, to keep a firm hold on the country, they augmented their armed forces so that they are ten times stronger than before."

* * *

There is no basic disagreement between the Tibetan and Chinese sources on the extent of educational progress and road construction. The Chinese were proud to proclaim their achievements in these fields. A specimen of such statements is that of Deputy Chantung Jijigme, Director of the Panchen Kanpo Lija and Head of the General Office of the Preparatory Committee of the Autonomous Region of Tibet. Speaking at the National People's Congress (NPC) on February 8th, 1958, he is reported as saying:

> " Remarkable progress has been made in all fields in Tibet —political, economic, cultural and public health—during the past few years, he said. Electric-power plants, motor car repair works and other factories had been completed or were being built, he added. Among other achievements singled out by the Tibetan deputy were:
>
> " (1) The completion of several main highways linking up important places in Tibet since the building of the Tsinghai-Tibet and Sinkiang-Tibet highways, which linked Tibet up with other parts of the country; the opening up of airlines between Lhasa and Peking and other cities.
>
> " (2) The setting up in many places of middle and primary schools, which were formerly very rare.
>
> " (3) The establishment of hospitals and public health organizations in all important towns, providing the local people with treatment free of charge.
>
> " (4) Loans by the Central People's Government annually, free of interest, to the peasants and nomads.
>
> " Chantung Jijigme said the government decision not to carry out reforms in Tibet for six years was correct. ' But like all other areas inhabited by the national minorities, Tibet will definitely and resolutely carry out social reforms gradually and step-by-step and travel the road of socialism', the Tibetan deputy said." [12]

In 1959 allegations of obstruction throughout the period of Chinese entry into Tibet are made. Thus, the Panchen Lama on March 30th, 1959, addressing a mass meeting in Shigatse had this to say:

> " The rebels in the Tibetan local government and the reactionary clique of the upper social strata... have opposed the democratic reforms that would have allowed the Tibetan people to march step by step towards a happy prosperous socialist society... The Chinese Communist party and the Central People's Govern-

[12] See also footnote 11, p. 51, *supra.*

ment have always been deeply concerned with the interests of the Tibetan people, and the People's Liberation Army units and working personnel in Tibet have always catered for the interests of the Tibetan people. In spite of all the obstruction and sabotage of the Tibetan local government and the reactionary clique of the upper social strata, they have done so many things beneficial to the masses such as building roads, hospitals and schools, undertaking construction projects, extending loans to the people and issuing relief to people who suffered natural calamities."

If these claims are true, several significant facts emerge from this statement: (a) the Tibetan local government opposed these projects; (b) these projects were nevertheless carried out; (c) if these projects were carried out by the Chinese, as the Panchen Lama stated, there was an encroachment into the sphere of activity of the Tibetan government under national regional autonomy under Article 3 and possibly a violation of Article 11; (d) if these projects were carried out by the Tibetan local government there must have been compulsion of some kind. The eulogistic accounts of progress in Tibet in these fields invariably attribute the merit to the Chinese, but, in the New China News Agency (NCNA) interview with Chang Ching Wu on April 23rd, 1958, reference is made to the central authorities *helping* " Tibet to carry out some construction work and improve the people's living standards."

Accounts from Tibetan sources, it will be noted, complain of these Chinese projects as being carried out for ulterior motives; the projects occasioned bitter resentment. Even on the 1959 interpretation of Article 11 by the Chinese, it can scarcely be said that the Tibetan government failed in any duty to the public if it opposed Chinese reforms which the Tibetans did not want. Chinese statements describe the urgent demands of the Tibetan peasants for reform. In a broadcast on May 7th, 1959, the NCNA developed this theme particularly strongly and said that " As far back as the day when Tibet was first liberated peacefully, there have been urgent demands among the Tibetan working people for carrying out the democratic reforms in Tibet."

A question of great importance is why the Chinese decided in 1956 not to carry out the socialist programme before 1962, that is, before the end of the period of the Second Five Year Plan. Tibetan peasants were graphically depicted as suffering acutely under serfdom and begging for the reforms ever since the liberation. And yet Mao Tse-tung announced on February 27th, 1957, that " because conditions in Tibet are not yet ripe, democratic reforms have not yet been carried out there...when this can be done can only be decided when the great majority of the people of Tibet and their leading public figures consider it practicable. " In 1959, an article by Chang Lu in " Red Flag ", May 1st, painted a harrowing picture of the suffering peasants and then asserted that:

" To introduce social reform and walk the socialist road is the inevitable trend of development of our society and the common demand of the people of various nationalities. It is the law of history which nobody can change. However, because of different concrete conditions prevailing among peoples of different nationalities, it is permissible that the time, steps and form of the reform may be different. As early as 1951 when the Central People's Government and the Tibet Local Government signed the Agreement on Measures for the Peaceful Liberation of Tibet, it was already affirmed that Tibet should undergo social reform. However, based on actual conditions in Tibet and in order to give ample time for the Tibet Local Government and persons of upper social strata to consider things over, the Central Government believed that the democratic reform in Tibet could be postponed for sometime and that it could be conducted through democratic consultation between the people and the upper social strata. Again, in 1956, still based on conditions prevailing in Tibet then, the Central Government announced that no social reform would be introduced in Tibet during the Second Five-Year Plan period, i.e., before 1962; and that whether it would be implemented during the period of the Third Five-Year Plan would depend on conditions then prevailing. As regards the Tibetan people's religious belief and religious feelings, the greatest consideration had been given in accordance with the fundamental policy of the Party and the state concerning religion. After the peaceful liberation, under the leadership of the Tibetan Work Committee of the Chinese Communist Party, all personnel sent by the Central Authorities and all People's Liberation Army units stationed in Tibet have resolutely implemented the above-mentioned agreement and stipulations. The serf system was left untouched; lama and laymen officials at various levels still kept their posts; the position and authority of the Dalai Lama were still respected; and all lamaseries, irrespective of their sects, continued to receive protection, to collect revenue and to engage in religious activities as usual. All these are facts which nobody can deny. "

The only possible explanation of the " actual conditions " can be either opposition by the Tibetan local government, opposition by the Tibetan people or both. According to Chinese sources, the people were clamouring for reform; according to the Dalai Lama's statement on June 20th, his attempts at reform were checked by the Chinese; according to Chinese sources, the reason was that the " reactionary clique in Tibet, utterly disregarding the just demand of the Tibetan people for reform, was always reluctant to give up their privileges; " this was the reason given by Shirob Jaltso in a speech on April 29th, 1959, at the first session of the Second NPC. The reason for the decision in 1956 to postpone the road to socialism

was, according to him, that " the level of political consciousness of the people of the upper classes in Tibet was not high. "

What appears to be a more convincing explanation for the decision to postpone "reforms" is that experiments had been tried in 1956 in Western Szechuan province—inhabited by Tibetans and contiguous to Tibet with the result that the local tribesmen rebelled. On August 7th, 1956, Lin Ke-ping, Chairman of the Nationality Affairs Committee of the NPC, stated in an interview with a correspondent of *L'Unità*, Italian Communist Party newspaper, that there had been a rebellion in western Szechuan, led by Kuomintang agents and feudal landlords *who resisted the introduction* (italics supplied).

A further point which is worth mentioning is that the decisions on whether or not to proceed with socialism appear to have been taken by the Chinese Government and not the Tibetan. This is scarcely the part allocated to these respective governments by Article 11.

Section B

VIOLATIONS OF HUMAN RIGHTS

The Universal Declaration of Human Rights was approved without dissent by the General Assembly of the United Nations on December 10th, 1948. In the absence of an agreed Covenant on Human Rights it has no binding force, but it is accepted as being declaratory of generally-accepted standards of behaviour for any state and to this extent can be considered as part of international law. The evidence showing violations by the Chinese of the fundamental human rights of the Tibetans is very strong. Some of these rights, as for example that of freedom of religion, are also embodied in the Seventeen-Point Agreement, and the evidence need not be repeated.

In the Universal Declaration of Human Rights there are thirty Articles. The first two deal with equality and non-discrimination, and an impressive case can be made against China under these two heads. The discrimination against the Tibetans will be considered in connection with Genocide and the evidence will not be considered in this section.

Of the remaining twenty-eight Articles one is merely a guide to interpretation, four deal with judicial process and remedies, on which there is no concrete evidence so far available; one deals with the right to nationality; one with the right to recognition as a person before the law; one deals with the right to asylum—all three questions which scarcely arise in Tibet. The right to a social and international order is a right raising issues far wider than that between China and Tibet and there is no question of China violating this right. Apart from these Articles, there is evidence of violation of human rights under part or all of the remaining Articles.

Although there is some overlap in the scope of the different Articles, a summary of the rights denied to the Tibetans points to a denial of almost everything that contributes to the dignity of man:

(a) Life, liberty and security have been violated.

(b) Forced labour has been inflicted on the Tibetans.

(c) Torture and cruel and degrading treatment have been inflicted.

(d) Rights of home and privacy have been violated.

(e) Freedom of movement within a state, and the right to leave and return to Tibet have been denied.

(f) Marriages have been forced upon unwilling parties.

(g) Property rights have been arbitrarily violated.

(h) Freedom of religion and worship have been systematically denied.

(i) Freedom of the expression and communication of ideas is totally lacking.

(j) Freedom of association is denied.

(k) The right to representative government is denied.

(l) There is a wanton disregard for the economic rights of man in relation to his country's resources.

(m) The right to a free choice of employment is denied.

(n) Conditions of labour do not conform to minimum standards in respect of rest and limitations of hours.

(o) The right to an adequate standard of living is denied.

(p) The right to a liberal and efficient, non-discriminatory educational system is denied.

(q) The right to participate in the cultural life of the community is denied.

(r) The limitations imposed on the rights of the Tibetans far exceed any which are reasonably referable to the requirements of public morality, public order and the welfare of society.

In short, almost all the rights which together allow the full and legitimate expression of human personality appear to be denied to the Tibetans at the present time and, in most cases, for some time past. On the basis of the available evidence it would seem difficult to recall a case in which ruthless suppression of man's essential dignity has been more systematically and efficiently carried out. Whether one hangs these particular facts on to particular legal pegs does not matter. The pegs of the *Universal Declaration of Human Rights*, whatever its exact legal scope, express a basic common understanding of civilised behaviour. There is evidence that the canons of that civilised behaviour have been systematically violated.

Evidence of the violation of specific articles in the Declaration of Human Rights

Article 3: **" Everybody has the right to life, liberty and security of person. "**

The killings referred to in the evidence on religious persecution show a wanton disregard for the right to life. This is not the only evidence of killings, and there is the following additional evidence of slaughter by the Chinese :

Statement of Andu Loto Phontso:

" In Yuro-Pon (part of Litang) Sonam Wangyal, 25 years old, was killed by men firing on him. I saw him being killed.

A famous religious servant named Nori Khen-Sur of the age of 60, while sitting in meditation was fired upon and killed by the Chinese, for he exercised great influence among the people.

Yangzom, an elder daughter of the Phoyung family at Molashe, strapping her only child (on her) back, jumped into a river, getting desperate over the Chinese molestation and atrocities.

... Indulging in wanton and cruel shooting the Chinese destroyed many lives. Litang got reduced to half by massacres. "

Memorandum:

" ... There is even proof of Tibetans being killed by the Chinese soldiers openly. Having failed to subdue the Tibetans, the Chinese seem to have gone mad and resorted to more desperate means. They have killed four Tibetans whilst showing their propaganda pictures in Lhasa near Tuhmsikhang one night, because they were " undesirable " persons to the Chinese. Three monks of the Lhota Thunling monastery in the south of Lhasa were killed by the Chinese one dark night. A cook of the Drepong monastery (one of the three biggest monasteries) was shot dead. The very next day after this incident, a groom of the Dalai Lama's stables, named Dechen, was killed on the spot on the newly-built bridge on the pretext of his being rude to one of the liberation army. "

" ... Those influential persons who were not physically useful were mercilessly shot dead on the spot. Such was the fate of persons like Tehor Kianggon's father. Kianggon is a very famous re-incarnated Lama of Tehor region in the eastern territories. There were many others also who, along with Kianggon's father, fell a victim at that time. The name of Tehor Kianggon's father—Namgey Dorje—is well-known in those areas. "

Statement by the Dalai Lama:

In the original press statement released by the International Commission of Jurists on June 5th, 1959, the number of the Tibetans killed by the Chinese was given as 65,000. This figure was arrived at on the basis of talks by Mr. Trikamdas and his colleagues in India with Tibetan leaders and refugees. At his press conference on June 20th, 1959, at Mussoorie the Dalai Lama was questioned on this figure :

" *Question:* An Indian report filed with the International Commission of Jurists says that 65,000 Tibetans have been killed in fighting with Chinese occupation forces since 1956. Is that correct?

Answer: The number of Tibetans killed in fighting the Chinese occupation forces since 1956 is actually more than the Indian report. "

* * *

Article 4: " **No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.** "

Article 23 (1): " **Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.** "

There is evidence to show that the Tibetans were subjected to forced labour. This evidence points to violation of Article 4 or at the very least Article 23 (1).

Evidence showing that monks were subjected to forced labour is included in the section on freedom of religion. Other evidence is as follows :

Memorandum:

" In order to calm or pacify the people's opposition, the Peking government agreed to postpone the launching of " the great march to socialism " for a period of six years. Ostensibly to fulfil their promise, the Chinese have abandoned the construction of buildings and defence projects in the town and populated areas, and have returned some of the civilians, i.e., forced labourers, technicians, engineers and such.

...The Marxists in their desperate fight against time-honoured Tibetan ways of life and traditions, have arrested great religious teachers like Shechen Pandita, Ghato Sitoo, Dzokhchen, Pema Tigzin and Doe-dupchen, and also public workers, heads of towns and villages, and many such other persons. Many of these were imprisoned, and there in the prisons were forced to instruct or order their disciples, villagers and workers to surrender their properties and possessions, their cattle and agricultural lands to the military warlords. Later, when some of these persons were released, they were asked to enlist themselves as slave-labour and thus were used like cattle. These political prisoners were forced to accomplish their allotted piece of work within a stipulated period. They were, in short, being kept as if in a concentration camp.

...The Chinese resorted to the disposing of the malcontents who were now proving to be a liability and an added financial burden. On the pretext of them being a burden to the State, these people were sent far into the inner regions to build roads and highways, and in winter they were used as slave labour to clear the snow from the highway; conditions became as bad as in the concentration camps. They became snow-blinded, bruised, physical misfits. "

Statement by the Dalai Lama in Mussoorie, India, June 20th, 1959:

" Forced labour ", etc.—" these are the glorious achievements of Chinese rule in Tibet. "

At his press conference on the occasion of this statement, the Dalai Lama gave a more detailed account of forced labour. He said :

" I will give a brief statement on recent events as reported to me by my people. The people of Lhasa, both men and women, have been classed into three groups...The third group is fed with the meanest food and driven to forced labour. Each is made to carry 100 loads of earth daily; failing which no food is given. "

* * *

Article 5: **" No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. "**

The account given by Chaghoe Namgal Dorje gives clear evidence of torture inflicted on Wangyal Rimpoche. See too the evidence cited under Article 18 below.

* * *

Article 9: **" No one shall be subjected to arbitrary arrest, detention or exile. "**

Memorandum:

" They have even gone so far as to arrest our Mimang leaders several times. These arrested persons were interrogated times without number in their prison cells, and finally, without any foundation, were labelled 'Imperialist agenst'. In this process some of the prisoners died in their prison cells. "

See also the evidence cited from the Memorandum in connection with forced labour [(Articles 4 and 23 (1)], where the process began by arbitrary arrest.

Statement by the Dalai Lama:

At his press conference at Mussoorie on June 20th, 1959, the Dalai Lama said: " The people of Lhasa, both men and women, have been classed into three groups... The second is imprisoned, interrogated and punished without limit in various Chinese military headquarters in Lhasa. "

* * *

Article 12: **" No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks. "**

Memorandum:

" They have robbed us of our privacy and domestic life. The Chinese, whether civilian or soldier, enter our houses and private chambers without permission. In the inner parts of the country they even break open doors, whether locked or bolted, and make themselves comfortable and at home without enquiring about the master of the house or the head of the family. "

* * *

Article 13: **" (1) Everyone has the right to freedom of movement and residence within the borders of each State.**

" (2) Everyone has the right to leave any country, including his own, and to return to his country. "

Memorandum:

Evidence relating to Subsection (1):

" The Tibetans are not allowed to even look towards the Chinese establishments, residences, hostels or forts. They can't even stare from the gates of such places. "

Evidence relating to Subsection (2):

There have also been newspaper reports of the deportation of 20,000 children to China [1], but the Commission has at the moment no evidence on which to verify this allegation. It will be recommended to the Inquiry Committee that this matter be investigated and the authenticity of this and other reports checked. [2]

There is also evidence that monks have been forced to move to China to earn a living. See the citation under Article 16 (2).

Statement by the Dalai Lama, Mussoorie, June 20th, 1959*:*

The strongest statement evidencing deportation is in the answer given by the Dalai Lama at his press conference at Mussoorie on June 20th, 1959. He said: "The people of Lhasa, both men and women, have been classed into three groups... The first group is deported to China where its fate is not known "

* * *

Article 16 (2): **" Marriage shall be entered into only with the free and full consent of the intending spouses. "**

Memorandum:

" They have forced many of our monks to marry and move to China to earn a living. "

* * *

Article 17: **" (1) Everyone has the right to own property alone as well as in association with others.**

" (2) No one shall be arbitrarily deprived of his property. "

There is clear evidence that under the guise of socialisation, arbitrary deprivations of property have been widespread. The evidence cited in Section A (III) above should be studied with reference to this Article.

* * *

[1] *Daily Mail* (England), January 1st, 1959.

[2] Cf. *New York Times*, April 23rd, 1959: " It was estimated that 5,000 to 10,000 men had been shipped out in military trucks from the region of Lhasa, the capital. Similar deportations are believed to be in progress at Gyantse and Shigatse.

Article 18: **" Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance. "**

There is clear evidence that freedom of religion is denied. See the evidence cited in Section A (II) above and the evidence on the closing of places of worship cited under Article 20.

* * *

Article 19: **" Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers. "**

As far as the right to hold opinions without interference is concerned, the evidence on freedom of religious belief in Section A (II) should again be referred to.

The right to seek, receive and impart information and ideas through any media and regardless of frontiers is denied. The evidence is :

Memorandum:

" The press and all other means of information is controlled. The people are only allowed to read Chinese propaganda. Any person found in possession of other printed material is forced to surrender those things immediately to the authorities concerned and the offender is subject to interrogations and investigations. "

From the evidence stated in Section A (II) the following extract may be requoted : " They were ruthless in laying their hands on religious books and throw(ing) them in the rivers, thereby believing that the patriots would be devoid of their doctrine and their Darma. "

The Memorandum also alleges : " The Tibetans are not even allowed to carry cameras at festivals of their own. In this connection they have also banned the showing of any foreign movie picture. They have also imposed censorship on Indian pictures.

"... There is no freedom of expression or even movement to a Tibetan."

* * *

Article 20 (1): **" Everyone has the right to freedom of peaceful assembly and association. "**

Memorandum:

" The Tibetans can't even gather for social and religious functions. "

Statement by the Dalai Lama at Mussoorie, June 20th, 1959:

In his press conference the Dalai Lama said : " Armed troops are posted in the streets of Lhasa, where no more than two Tibetans are permitted to converse and where only middle-aged men and women are to be seen. The central cathedral and other places of worship are closed. "

* * *

Article 21: " (1) **Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.**

(2) **Everyone has the right to equal access to public service in his country.**

(3) **The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures. "**

The evidence on the way in which the Chinese interpret national regional autonomy under the Seventeen-Point Agreement shows violations of these rights. See Section A (I).

* * *

Article 22: " **Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international cooperation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality. "**

See the evidence of the economic and direct plunder of Tibet in Section A (III).

* * *

Article 24: " **Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay. "**

The rights under this article are quite inconsistent with the system of forced labour practised in Tibet. See Article 4.

* * *

Article 25: " (1) **Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary**

social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection. "

There is evidence of famine and hunger brought about directly by Chinese exploitation :

Manifesto:

" Economically Tibet used to be self-sufficient for its food supply. But today millions of Chinese are living on our people, and our food situation is desperate. The people in the East and N. East are facing a famine. The Chinese, besides laying hands on our current crops, have forced our people to open our centuries-old granaries. They have also taken away our reserves of gold and silver bullion. In the southern and central regions they have destroyed thousands of acres of agricultural lands by giving priority to the " national highways " and to the building of barracks and arsenals. In the East and N. East regions the Chinese have introduced the Communist method of land-reforms. In these areas half the population are peasants, and the other half nomads. To effect their land reforms the Chinese have imported masses of their settlers, and distributed the agricultural land of the Tibetans among them. They have in this way introduced the collectivisation of farms. In this process the Chinese have made the despoiled Tibetan farmers work twelve hours a day, with daily ration, insufficient for a single meal. In the distribution of property they have not even spared the Tibetan's personal requisites of everyday life such as rugs, rooms in the houses and articles of clothing. Our Tibetans are expected to treat these Chinese settlers as their aunts and uncles, and share all their property equally with the immigrants. The nomads too are victims of these so called reforms. Their flocks of sheep and cattle, their wool and dairy products are all being confiscated by the alien Government. "

* * *

Article 26: " **(1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.**

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) Parents have a prior right to choose the kind of education that shall be given to their children. "

The education policy of the Chinese is, evidence shows, inconsistent with the aims declared in Article 26 (2).

Manifesto:

" In the name of education they have opened schools of various denominations, organized training centres such as " Youth's league ", Women's Association, " Workers Party ", and they are trying their utmost to enlist as many as possible of our young men and children. In this way they have made thousands of homes unhappy by sending their children to China for the so called advancement of their education. None of these children are being trained or educated for any constructive purposes. There are no Tibetan engineers, electricians, chemists or doctors. They train our youths to distrust each other. They are trying to indoctrinate the young Tibetan minds and to strengthen the forces of communism in our land. As a result they have divided families; son against father, wife against husband, and thus alienated Tibetans from their own culture, tradition and homeland. "

* * *

Article 27 (1): **" Everyone has the right freely to participate in the cultural life of the communist community, to enjoy the arts and to share in scientific advancement and its benefits. "**

See the evidence under Articles 19, 20 and 26.

The Tibetan way of life is so bound up with religion that denial of religious rights strikes at the roots of Tibetan culture.

* * *

Article 29 (2): **" In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society. "**

It is clear that the denial of the preceding rights far exceeds, according to the evidence, the permitted restrictions under this Article.

Section C

THE QUESTION OF GENOCIDE

Genocide is defined in the Convention for the Prevention and Punishment of Genocide, 9th December 1948, which was agreed in pursuance of the resolution by the General Assembly of the United Nations [1] that Genocide is a crime against the law of nations. The contracting parties undertook to prevent and punish Genocide. There is therefore an obligation upon each and every one of the States who were party to the Convention to take action if a case of Genocide comes to light.

The Convention defines both the *mens rea* [2] and the *actus reus* [3] of Genocide in specific terms. The *actus reus* is committed in one or more of several ways as defined in Article 2 :

(a) Killing;

(b) causing serious bodily or mental harm;

(c) subjection to living conditions leading to the total or partial destruction of the group;

(d) measures intended to prevent the birth of children within the group

(e) forcible transfer of children of the group to another.

Conspiracy to commit Genocide, incitement to commit Genocide, attempted Genocide and aiding and abetting Genocide are all declared punishable by Article 3. The *mens rea* of Genocide is defined as the intention to destroy in whole or in part a national, ethnic, racial or religious group as such.[4]

It cannot be over-emphasized that one must deliberate carefully before making an allegation of Genocide. It is probably the gravest crime known to the law of nations. For this reason, the evidence must be very carefully considered, and all inferences from the evidence must be logically supportable.

Evidence of the actus reus *of Genocide :*

(i) Religious groups : The evidence that there has been widespread killing of Buddhist monks and lamas in Tibet is clear and explicit. One need only refer to the evidence in this category under Section

[1] Resolution 96 (I) of December 11th, 1946. The English text of the Convention is printed at the end of this Section, see pp. 72-74, *infra.*

[2] *Mens rea,* a term from the criminal law, means the state of mind necessary to make criminal the conduct which is prohibited.

[3] *Actus reus* means the conduct which the law prohibits.

[4] Article 2.

A (II). If this evidence is to be believed, there has been a destruction by killing of a part of a religious group. The International Commission of Jurists believes that this evidence raises at the very least a case which requires thorough and careful investigation.

(ii) National groups: The account of wanton killings in Tibet points to killings on a wider scale than that of religious groups. Particular attention should be paid to the evidence of indiscriminate air attacks, and of deliberate shooting of Tibetans who were in no way engaged in hostilities. Evidence of such killings is given in Section **B**. It should also be stressed that the alleged deportation of 20,000 Tibetan children is directly contrary to Article 2 (e).[5] It is of the utmost importance that this report be fully investigated.

The Memorandum contains important evidence on the forcible removal of children to China:

> " Above all they have made thousands of homes unhappy by forcing young boys and girls to go to China for de-nationalisation, thus getting them indoctrinated to revolt against our own culture, traditions and religion. To this end they have sent more than five thousand boys and girls up to now to China proper. "

Here is clear prima facie evidence of a violation of Article 2 (e) of the Genocide Convention.

Evidence of the mens rea *of Genocide*:

It is very rarely in criminal trials that direct evidence of *mens rea* is available. The fact that there is no official Chinese policy statement directed towards the destruction of the Tibetans is no ground for withholding an accusation of Genocide if an inference of the requisite intention can properly be drawn. For this purpose it is permissible to take into account acts which point to the extinction of a national or religious group whether or not such acts are in themselves acts of Genocide. For if a systematic intention to destroy a nation or religion can be shown by acts which are not declared criminal by the Genocide Convention, the acts on which these inferences are based can properly be adduced as evidence of general intention. If in addition there are acts which are capable in law of amounting to Genocide, and such acts are part of a consistent pattern of destroying a nation or religion, the inference of intent in non-genocidal acts is equally valid in respect of acts which are within those prohibited by the Genocide Convention.

For this reason, the overall assessment of the evidence in Sections A and **B** is relevant and important. If such evidence points to an intention to destroy religion in Tibet, and to assimilate the Tibetan

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[5] The report was contained in an article in the London " Daily Mail " on January 1st, 1959. Whilst a newspaper report cannot without more be regarded as an authentic primary source, the statement of a competent and reputable journalist (Mr. Noel Barber) raises at least a case for investigation.

way of life to the Chinese, there is evidence of the required intent to destroy, in whole or in part, a national or religious group. It has been argued that the activities of the Chinese in Tibet point to the conclusion that this was the intention behind the Chinese acts in the fields described in Sections A and B. The ruthless efficiency is otherwise difficult to explain. The evidence in these two sections should be carefully studied.

This inference has been drawn from these and other facts by Tibetans from the Dalai Lama downwards. The Tibetan opinions on the Chinese intentions are as follows:

Statement of the Dalai Lama in Mussoorie, June 20th, 1959:

In the course of his press conference the Dalai Lama stated:

"The ultimate Chinese aim with regard to Tibet, as far as I can make out, seems to attempt the extermination of religion and culture and even the absorption of the Tibetan race...Besides the civilian and military personnel already in Tibet, five million Chinese settlers have arrived in eastern and north-eastern Tso, in addition to which four million Chinese settlers are planned to be sent to U and Sung provinces of Central Tibet. Many Tibetans have been deported, thereby resulting in the complete absorption of these Tibetans as a race, which is being undertaken by the Chinese."

Memorandum:

The statement already quoted from the Memorandum on the *actus reus* of Genocide also contains the inference by the authors of the document that the aim was to get the children to "revolt against their own culture, traditions and religion."

Statement of Chaghoe Namgyal Dorje:

"...My experience of four years' work with the Chinese convinced me that their propaganda was false and that their real intention was to exterminate us as a race and destroy our religion and culture.

"Communists are enemies not only to Buddhism but to all religion. It has been told to me that more than 2,000 Lamas had been killed by the Chinese. I have personal knowledge of such attacks on 17 Lamas.

"Even if no help is coming we shall fight to death. We fight not because we hope to win but that we cannot live under Communism. We prefer death.

"We are fighting not for a class or sect. We are fighting for our religion, our country, our race. If these cannot be

preserved we will die a thousand deaths than surrender these to the Chinese. "

These inferences were drawn by people who know as no-one outside Tibet can know the full extent of Chinese brutality in Tibet. They are in a better position than any outsider to assess the motives behind the Chinese oppression, including the slaughter, the deportations and the less crude methods, of all of which there is abundant evidence.

It is therefore the considered view of the International Commission of Jurists that the evidence points to :

(a) a prima facie case of acts contrary to Article 2 (a) and (e) of the Genocide Convention of 1948;

(b) a prima facie case of a systematic intention by such acts and other acts to destroy in whole or in part the Tibetans as a separate nation and the Buddhist religion in Tibet.

Accordingly, the Commission will recommend to its Legal Inquiry Committee that existing evidence of Genocide be fully checked, that further evidence, if available, be investigated, and that unconfirmed reports be investigated and checked. But the final responsibility for this task rests with the formal organ of world authority and opinion. The Commission therefore earnestly hopes that this matter will be taken up by the United Nations. For what at the moment appears to be attempted Genocide may become the full act of Genocide unless prompt and adequate action is taken. The life of Tibet and the lives of Tibetans may be at stake, and somewhere there must be sufficient moral strength left in the world to seek the truth through the world's highest international organ.

TEXT OF THE CONVENTION FOR THE PREVENTION AND PUNISHMENT OF GENOCIDE, DECEMBER 9th, 1948

The Contracting Parties,

Having considered the declaration made by the General Assembly of the United Nations in its resolution 96 (I) dated 11 December 1946 that genocide is a crime under international law, contrary to the spirit and aims of the United Nations and condemned by the civilized world;

Recognizing that at all periods of history genocide has inflicted great losses on humanity; and

Being convinced that, in order to liberate mankind from such an odious scourge, international co-operation is required :

Hereby agree as hereinafter provided.

Article I. The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

Article II. In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group as such :

(a) Killing members of the group;
(b) Causing serious bodily or mental harm to members of the group;
(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
(d) Imposing measures intended to prevent births within the group;
(e) Forcibly transferring children of the group to another group.

Article III. The following acts shall be punishable :

(a) Genocide;
(b) Conspiracy to commit genocide;
(c) Direct and public incitement to commit genocide;
(d) Attempt to commit genocide;
(e) Complicity in genocide.

Article IV. Persons committing genocide or any of the other acts enumerated in Article III shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.

Article V. The Contracting Parties undertake to enact, in accordance with their respective Constitutions, the necessary legislation to give effect to the provisions of the present Convention and, in particular, to provide effective penalties for persons guilty of genocide or any of the other acts enumerated in Article III.

Article VI. Persons charged with genocide or any of the other acts enumerated in Article III shall be tried by a competent tribunal of the State in the territory of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall have accepted its jurisdiction.

Article VII. Genocide and the other acts enumerated in Article III shall not be considered as political crimes for the purpose of extradition.

The Contracting Parties pledge themselves in such cases to grant extradition in accordance with their laws and treaties in force.

Article VIII. Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in Article III.

Article IX. Disputes between the Contracting Parties relating to the interpretation, application or fulfilment of the present Convention, including those relating to the responsibility of a State for genocide or any of the other acts enumerated in Article III, shall be submitted to the International Court of Justice at the request of any of the parties to the dispute.

Article X. The present Convention of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall bear the date of 9 December 1948.

Article XI. The present Convention shall be open until 31 December 1949 for signature on behalf of any Member of the United Nations and of any non-member State to which an invitation to sign has been addressed by the General Assembly.

The present Convention shall be ratified, and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

After 1 January 1950, the present Convention may be acceded to on behalf of any Member of the United Nations and of any non-member State which has received an invitation as aforesaid.

Instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article XII. Any Contracting Party may at any time, by notification addressed to the Secretary-General of the United Nations, extend the application of the present Convention to all or any of the territories for the conduct of whose foreign relations that Contracting Party is responsible.

Article XIII. On the day when the first twenty instruments of ratification or accession have been deposited, the Secretary-General shall draw up a procès-verbal and transmit a copy of it to each Member of the United Nations and to each of the non-member States contemplated in Article XI.

The present Convention shall come into force on the ninetieth day following the date of deposit of the twentieth instrument of ratification or accession.

Any ratification or accession effected subsequent to the latter date shall become effective on the ninetieth day following the deposit of the instrument of ratification or accession.

Article XIV. The present Convention shall remain in effect for a period of ten years as from the date of its coming into force.

It shall thereafter remain in force for successive periods of five years for such Contracting Parties as have not denounced it at least six months before the expiration of the current period.

Denunciation shall be affected by a written notification addressed to the Secretary-General of the United Nations.

Article XV. If, as a result of denunciations, the number of Parties to the present Convention should become less than sixteen, the Convention shall cease to be in force as from the date on which the last of these denunciations shall become effective.

Article XVI. A request for the revision of the present Convention may be made at any time by any Contracting Party by means of a notification in writing addressed to the Secretary-General.

The General Assembly shall decide upon the steps, if any, to be taken in respect of such request.

Article XVII. The Secretary-General of the United Nations shall notify all Members of the United Nations and the non-member States contemplated in Article XI of the following :

(a) Signatures, ratifications and accessions received in accordance with Article XI;

(b) Notifications received in accordance with Article XII;

(c) The date upon which the present Convention comes into force in accordance with Article XIII;

(d) Denunciations received in accordance with Article XIV;
(e) The abrogation of the Convention in accordance with Article XV;
(f) Notifications received in accordance with Article XVI.

Article XVIII. The original of the present Convention shall be deposited in the archives of the United Nations.

A certified copy of the Convention shall be transmitted to all Members of the United Nations and to the non-member States contemplated in Article XI.

Article XIX. The present Convention shall be registered by the Secretary-General of the United Nations on the date of its coming into force.

PART THREE

The Position of Tibet in International Law

A convenient vantage point from which one can look back upon the complex and bewildering evolution of Tibet and look forward upon a vital period in her history is the year 1873 when the British representative in Darjeeling was deputed to investigate the possibility of re-establishing Indian trade with Tibet.[1] The question that faced the British representative was whether he could negotiate directly with the Tibetan Government at Lhasa, or whether it would be necessary to negotiate through the Chinese Government. This depended on whether Tibet could be considered as having capacity to conduct her foreign relations, or whether this power was legally vested in China. This legal question was of the utmost importance and it is necessary to consider what view at that time the Government of Britain formed and why. Treaties signed by the interested powers after 1873 must be considered together with the other events which took place in this period and in which Britain played a considerable part. It is, of course, not only treaties which govern the existence of States, and it may be noted that until 1908 there is no recorded treaty between Tibet and China regulating their relations since 1247, when there was a document almost amounting to a treaty, and there were also treaties of 730 and 821 or 822.

In 1873 the legal position of Tibet was ambiguous. There was some Chinese authority at this time, but all that the British had to decide was whether Tibet had capacity to conduct her own foreign relations, and whether China was sovereign, or if not, suzerain or some other vaguely defined overlord, did not matter. In 1640 the Mongols established the Dalai Lama as the sole indigenous authority with both temporal and spiritual authority.[2] There was no treaty in existence defining the relations of Tibet with China, and one could look at only the history and the existing political conditions. The fundamental fact was that the Manchu, who had by conquest acquired China and become Emperor, had also absorbed Tibet. China and Tibet had thus both succumbed to foreign invasion by the same conqueror. Tibet may have been part of the Manchu Empire, or it may have been subject to Manchu authority without becoming part of the Empire. At least the Manchu were content to work through Tibetan institutions. In 1720 two representative residents (" Ambans ") were installed by the Emperor at Lhasa where they exerted considerable temporal authority.[3] Except for the

[1] C. U. Aitchison, *A Collection of Treaties, Engagements and Sanads Relating to India and Neighbouring Countries* (Calcutta, Vth Ed. Rev.), Vol. XIV, p. 15.
[2] *Ibid.*, p. 14.
[3] The first Manchu official was a single military governor.

period 1724-26 [4] and for a short time in 1750, when the Tibetans massacred the Chinese garrison at Lhasa, an Amban seems to have played some role in Tibetan government until the collapse of the Manchu dynasty in 1911.[5]

Chinese troops played an important part in repelling a Nepalese invasion of Tibet in 1792 and the Chinese took a leading part in the settlement which took place after a Jammu invasion in 1841-42.[6] It is interesting to note that the Jammu affair was settled by a tri-partite treaty in 1842, to which the Raja of Jammu, the Government of China and *the Government of Tibet* appear to have been signatories.[7] In 1854, Nepal again invaded Tibet; the Chinese were unable to help and although China's part may have been mere acceptance the Tibetans were defeated. The Nepalese withdrew in 1856 on the conclusion of a bi-lateral treaty with the Tibetan Government alone.[8]

Thus, it can be seen that Tibet had twice in the nineteenth century been a signatory to treaties, once certainly without the participation of China and once (perhaps) a joint signatory with China, but it is doubtful whether this aspect of Tibet's external relations would justify in 1873 the general conclusion that Tibet was a sovereign state capable of conducting her own external relations. It must be remembered that throughout most of this time a Chinese Amban was resident in Lhasa. The situation was, however, such that no definite view on the status of Tibet was possible at this time. There is no inherent reason why, assuming that Tibet was a province of China, the Chinese Government should not allow the Tibetan Government considerable autonomy over both internal and external affairs if it felt that such matters were being handled well by the Tibetans.

On the other hand, the presence of a Chinese Amban in Lhasa and the recognition by the Lhasa Government in a treaty that " respect " was due to the Emperor of China [9] are not the kind of straw from which bricks may be made in order to build a Chinese claim to affirmative control in Tibet, still less to characterize it. It must also be emphasized that relations between Asian states were not governed by Western political ideas and cannot be described in Western political terms. Failure to grasp this important point can lead to fundamental misconceptions. A sense of period and ambiance is also necessary.

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[4] The Commission is indebted to Mr. Hugh Richardson for this information. Mr. Richardson was British Trade Agent, Gyantse, and Officer-in-charge, British Mission, Lhasa, 1936-40; 1946-47; Indian Trade Agent, Gyantse, and Officer-in-charge, Indian Mission, Lhasa, 1947-50.

[5] Sir Charles Bell, *Tibet Past and Present* (Oxford, 1924), pp. 40-46.

[6] Aitchison, *op. cit.*, p. 14.

[7] *Ibid.*, p. 15.

[8] *Ibid.*, pp. 15, 49-50.

[9] The treaty referred to above declared " The States of Gurkha (Nepal) and of Tibet have both respected the Emperor of China up to the present time ". See note 6 above for reference.

Apparently the presence of the Chinese Amban in Lhasa led the British representative at Darjeeling to take the view that China possessed a residuum of at least de facto authority in Tibet, for in 1876 Great Britain and China entered into a treaty whereby it was agreed, *inter alia*, that the Chinese Government would make the necessary arrangements for a British mission of exploration to visit Tibet.[10] When the Chinese Government encountered difficulties from the Tibetans, who refused to recognise the Convention, the British made no attempt to enter, and in 1886 a British mission was abandoned before reaching Tibet.[11] Britain continued to deal with China, and the extent to which China proved to be impotent to afford to the British the rights which were conceded by Anglo-Chinese agreements now began to provide an illustrative guide to the extent of Chinese power in Tibet.

Shortly after the abandonment of the 1886 Mission, Tibetan troops erected a stone fortress across the trade-road, in territory which the British regarded as inside the border territory of Sikkim, which was then under British control.[12] Britain protested to China, who in turn remonstrated with the Tibetan authorities in Lhasa, but to no avail. Consequently, a British military force drove the Tibetans out of Sikkim, in May 1888. Notwithstanding these signs indicating an absence of effective Chinese control over Tibet, Britain signed a Convention with China in respect of Tibet in which the Chinese representative was not even stated to be signing on behalf of Tibet, and there is no clause in the agreement binding Tibet unless it be regarded as a part of China.[13] It is therefore clear that as far as the subject matter of the Convention went, viz. external affairs and boundaries, the British negotiations in 1890 regarded China as in authority over Tibet. It was only after 1893 that the full extent of Chinese impotence in Tibet became apparent.

Matters went a stage further in 1893, when an Anglo-Chinese Convention purported to open Tibetan territory to British trade. The Chinese Government undertook obligations in respect of Tibet and it appears that the Chinese customs regime was considered to include Tibet.[14] This Convention proved to be the acid test of Chinese control in Tibet. The subsequent events led to the British military mission to Tibet in 1904, which was dictated by the desire of the British to obtain their trading concessions from whoever was in de facto authority to grant them. Events showed that the Chinese were in no position to grant effectively the concessions which they had granted on paper

[10] China Imperial Maritime Customs, *Treaties, Conventions, etc. Between China and Foreign States*, Vol. I, Shanghai, 1908 (hereafter cited as *China, Treaties*), pp. 306-7.

[11] Aitchison, *op. cit.*, p. 16; vide Article IV of the Convention of 24th July, 1886, between Great Britain and China, *China, Treaties*, p. 315.

[12] Aitchison, *loc. cit.*

[13] *China, Treaties*, pp. 321 et seqq.

[14] *Ibid.*, pp. 324 et seqq.

in 1893, and the British exacted these concessions from the Tibetan Government in 1904 after a display of military force.

In 1895, after the provisions of the Anglo-Chinese Convention of 1893 had been consistently disregarded by Tibetan officials, a British Commissioner was told flatly that, as the Convention had been signed by the Chinese only, the Tibetan Government refused to recognize it as effective in Tibet.[15] Boundary pillars erected by the British and Chinese Commissioners were removed by Tibetans. In 1899 a further attempt was made by the British to negotiate with Tibet via the Amban, but with no success.[16]

In 1899-1901, Britain attempted to negotiate with Tibetan officials directly, but because they had signed no treaty with Britain the Tibetans refused to negotiate. When the Chinese expressed their willingness to negotiate with the British, the Tibetan Government in 1903 refused to take part. One month later, Lord Curzon, Governor-General and Viceroy of India, declared that both the Tibetans and the Chinese had shown themselves unfit for diplomatic intercourse, and orders were given for a military mission to prepare to enter Tibet.[17] It should be remembered that at this time Russia was also making attempts to gain influence at Lhasa and the Dalai Lama was inclined to choose the Czar of Russia as his protector.

The British column advanced into Tibet and successfully overcame such opposition as the Tibetans were able to offer. The Amban notified the commander that he would arrive at the British camp within three weeks, but he was forcibly prevented from leaving Lhasa by the Tibetans.[17a] The British force then pushed on to Lhasa itself, and concluded a treaty with the Tibetan Government. The Dalai Lama had fled, but the treaty was signed by the Regent, using the Dalai Lama's seal, and by the National Assembly of lay and ecclesiastical officials and by each of the three leading monasteries.[18] The Chinese seal appears nowhere on the treaty. The important provisions of the treaty for present purposes were that the Government of Tibet undertook " to respect the Anglo-Chinese Convention of 1890 and to recognise the frontier between Sikkim and Tibet, as defined in...the said Convention, and to erect boundary pillars accordingly ".[19]

It is remarkable that neither the Chinese Government nor its representative in Lhasa uttered a word of protest at the invasion or the signing of this Convention in the name of the Tibetan Government. It is still more remarkable that the Chinese Amban throughout

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[15] Aitchison, *op. cit.*, p. 17.
[16] *Ibid.*, p. 18.
[17] *Ibid.* Bell, *op. cit.*, p. 56.
[17a] *Ibid.*
[18] On the constitutional position of the National Assembly and the three Monasteries, vide Bell, *op. cit.*, pp. 55, 136, 187, 255; Heinrich Harrar, *Seven Years in Tibet* (London, 1953), pp. 251-52, 268.
[19] Aitchison, *op. cit.*, pp. 25 et seqq.

the negotiations gave great assistance to Younghusband, the leader of the British expedition.[20] This document leaves small room for doubt that whatever the legal implications may be the Tibetan Government could in fact at this time act independently of China without let or hindrance.

The conclusion of such a treaty was an event of the utmost importance even if Britain later recognized the suzerainty of China over Tibet. The British concession of suzerainty was sufficiently flexible to permit of varying degrees of independence.[21] The rights which the Chinese felt themselves to have in Tibet were very elastic indeed, enabling the Chinese Government to abstain from interference at any time without loss of prestige, yet permitting interference at any time to enforce "respect". It is also clear that neither the Chinese Government nor the Tibetan Government was very much concerned about the characterization of their relations which international lawyers of that day and later might attempt. There was in 1904 the curious situation of the Chinese Amban assisting the British to conclude a treaty with the Tibetan Government. It has been argued that this showed the existence of Chinese authority in Tibet,[22] but it is clear that if the British had not gone to Lhasa the Amban would have been powerless even to meet them. Further, although the Amban assisted the British, the British expedition went to negotiate with the Tibetans, having already discovered that Chinese authority was not sufficient to implement in Tibet the treaty rights granted by China.

Great Britain now occupied a curious position vis-à-vis Tibet. Hitherto all dealings had been with China, in the Conventions of 1890 and 1893 apparently without specific references to Tibet as an entity other than geographical. But the Convention which was supposed to open up Tibet to trade was found to be completely ineffective, and the British found it necessary to conclude a separate treaty with Tibet. Exactly what status Tibet then occupied in international law would then have been an extremely complex question, but the important point which emerges as an historical fact at this time is the ineffectiveness of the supposed Chinese authority in Tibet.

Some of the important articles of the Convention are Articles 7, 8 and 9. By Article 7 the Chumbi Valley was to be occupied by the British as security for the carrying out of the agreed terms. By Article 8 the Tibetan Government agreed to raze all forts and fortifications and remove all armaments which might impede the course of free communication between the British frontier and the towns of Gyantse and Lhasa. These provisions hardly seem compatible with the Chinese claim of sovereignty. Article 9 is very important:

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[20] Sir Francis Younghusband, *India and Tibet* (1910), pp. 421-22.

[21] For Britain's conception of suzerainty vide the British note to China in 1943, infra, p. 91.

[22] Tieh-Tseng Li, *op. cit.*, p. 396.

" IX. The Government of Thibet engages that, without the previous consent of the British Government—

(a) No portion of Thibetan territory shall be ceded, sold, leased, mortgaged or otherwise given for occupation, to any foreign Power;

(b) No such Power shall be permitted to intervene in Thibetan affairs;

(c) No Representatives or Agents of any foreign Power shall be admitted to Thibet;

(d) No concessions for railways, roads, telegraphs, mining, or other rights, shall be granted to any foreign Power, or the subject of any foreign Power. In the event of consent to such Concessions being granted, similar or equivalent Concessions shall be granted to the British Government.

(e) No Thibetan revenues, whether in kind or in cash, shall be pledged or assigned to any foreign Power, or to the subject of any foreign Power. "

It may be suggested that because of the actual position of China at that time both parties were inclined to ignore whatever claims China may have made and decided to regard China as a foreign power in Tibet. The Convention does not define " foreign Power " but the tenor of the Convention and particularly Clauses *(b)*, *(c)* and *(d)* of Article 9 convey this impression.

It is necessary here to examine why Great Britain dealt with Tibet directly although on previous occasions Great Britain had dealt with matters concerning Tibet only through China. The reason for this seems to be the fact that although China had entered into solemn agreements with Great Britain regarding Tibet, China was in no position to secure any Tibetan compliance and Lord Curzon, the Governor-General and Viceroy of India, regarded " Chinese suzerainty over Tibet as a constitutional fiction—a political affectation which has only been maintained because of its convenience to both parties. " Although the Secretary of State for India was of the opinion that " the position of China in its relations to the powers of Europe has been so modified in recent years that it is necessary to take into account these altered conditions in deciding on action affecting what must still be regarded as a province of China ",[23] the essential fact to bear in mind is that Great Britain signed and ratified the Anglo-Tibetan Convention of 1904 and that China was not a party to this Convention.

Next comes the Convention of April 27, 1906 between Great Britain and China. Part of its preamble reads :

" And whereas the refusal of Tibet to recognise the validity of or to carry into full effect the provisions of the Anglo-Chinese Convention of March 17, 1890 and Regulations of December 5, 1893, placed the British Government under the necessity of taking steps

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[23] Accounts and Papers, Cmd. 1920, No. 78, p. 185.

to secure their rights and interest under the said Convention and Regulations... " [24]

Article I then goes on to confirm the Convention of 1904. By Article II, Great Britain engages not to annex Tibetan territory or to interfere in the administration of Tibet and the Government of China undertakes not to permit any other foreign State to interfere with the territory or internal administration of Tibet.

Then follows Article III : " The Concessions which are mentioned in Article IX *(d)* of the Convention concluded on September 7, 1904 by Great Britain and Tibet are denied to any State or to the subjects of any State other than China, but it has been arranged with China that at the trade marts specified in Article II of the aforesaid Convention Great Britain shall be entitled to lay down telegraph lines connecting with India. "

The preamble to this Convention as quoted above shows that the Chinese Government was not objecting to the British invasion of 1904 but accepted it without demur.

On examination of the historical background of the period it appears that the British, who had obtained very important concessions from Tibet, were willing to share some of these concessions with the Chinese in order that the Chinese would not obstruct or interfere with the enjoyment of those concessions by the British and this was secured firstly by getting the Chinese Government to confirm the Convention of 1904 and secondly by sharing the concessions under Article IX *(d)* of the 1904 Convention with the Chinese.

In 1907 a Convention was signed on August 31st, and ratified on September 23rd, between Great Britain and Russia relating to Persia, Afghanistan and Tibet.[25] This Convention is believed by some writers to provide a legal basis for Chinese suzerainty over Tibet. A careful examination of the Convention and the background history of the period shows that the two European powers who were contending for influence in Central Asia were laying down for their own guidance what each may or may not do in that region.

Neither Tibet nor China is a party to this Convention whereby Great Britain stated her " special interest in the maintenance of status quo in the external relations of Tibet." Both parties undertook " to respect the territorial integrity of Tibet and to abstain from all interference in the internal administration." Further both parties undertook to negotiate with Tibet through the intermediary of China only, though Great Britain stipulated for herself the right of direct commercial relations with Tibet. Though the two Conventions of 1904 and 1906 had no mention of Chinese suzerainty, this one recognized it expressly. The most likely explanation of this clause is that Great Britain, having obtained for herself a very favourable position in Tibet, was anxious to prevent any direct relations between Russia

[24] Document 4.
[25] Document 5 sets out the portion dealing with Tibet.

and Tibet and by this Convention obtained an undertaking by Russia to deal with China in connection with any matter relating to Tibet.

The part of this Convention which deals with Afghanistan affords a useful and interesting comparison. The Russian Government agreed not to deal with Afghanistan except through Great Britain. But it cannot be suggested with any semblance of seriousness that from this provision in the Convention one should deduce that Afghanistan was a power subordinate to Great Britain.

It must be remembered that this period was one of the classic struggles for spheres of influence in Asia and agreements (peaceful or otherwise) between the Powers over who should be permitted to have access to a coveted area are the natural outcome of such a conflict of interest. If states A and B agree that each shall have access to C (whether C is a state or not) it does not follow that either A or B has any rights arising from the agreement or otherwise over C. The agreement is *res inter alios acta* for C unless its concurrence has already been obtained. The agreement as such between A and B is no more than a permissive agreement that vis-à-vis each other, both have a legitimate sphere of influence in C. Whatever interpretation one may put on this document it would be unwise to rely too strongly on the terms of this Convention for any argument whereby Tibet (which was not a party to it) could be subjected to the suzerainty of China (which again was not a party).

In 1908 the trade matters which had been left undecided by the Conventions of 1893 and 1904 were discussed and settled in negotiations at which the British and Chinese appeared as plenipotentiaries, and the Tibetan representative appeared as subordinate to the Chinese.[26] Both the position of the signatories and the content of the 1908 Trade Regulations indicate that the Chinese had established their authority in Tibet to a remarkable extent.

The regulations of 1908 were signed by the representatives of Great Britain, China and Tibet (although only as a Chinese subordinate) and as such can be considered as a constitutional document between China and Tibet. The British signature may be deemed from this viewpoint a recognition of the constitutional arrangements which emerged from the 1908 Regulations. The arrangements seem to have included Chinese administration running at least parallel, and in some cases superior, to Tibetan administration in all matters concerning external communications and trade of Tibet, including rights of police in Tibetan Territory. At the same time the Tibetan representative did attend the negotiations and did sign, although, according to the preamble, he came to act under the directions of the Chinese representative and to take part in the negotiations. Thus,

[26] Aitchison, *op. cit.*, pp. 28 et seqq. On the subordinate status of the Tibetan representative see the preamble, paras 6 & 7; Bell, *op. cit.*, p. 91, where the reluctance of the Tibetans to agree to the terms is also pointed out. It seems paradoxical that in this period of Chinese ascendancy, China should have allowed steps which point to Tibet's separate statehood.

although there is strong evidence of effective Chinese control, the signature of the Tibetan representative and the several references in the Regulations to *Tibetan subjects* [27] as distinct from Chinese subjects makes it clear that Tibet was in no way a province of China. Whatever the bond between China and Tibet, signing a treaty even in a subordinate capacity is no mark of a mere province, nor do the natives of a province enjoy separate nationality. As a constitutional document, the first between Tibet and China for many centuries, the Regulations, despite their short period of effectiveness are of the utmost importance. The picture which emerges in 1908 is of some kind of Chinese Control in Tibet but the precise shape of this control is no clearer. One fact now becomes clear beyond doubt: the status of Tibet as shown in this document cannot possibly have been that of a province of China. Although it is dangerous to attempt too precise analogies with concepts far from the minds of the Tibetans and Chinese, it would seem that the status of Tibet at this time was something akin to a Protectorate.

The Chinese, however, were quick to realise the advantages which might accrue to them from the new situation created by these agreements. The Younghusband expedition of 1904 had broken down the military resistance of the Tibetans, which had hitherto proved too strong to admit of any active Chinese intervention in the country; whilst the Peking Agreement of 1906 and the Russian Convention of 1907 had left them a free hand in Tibet, and had precluded any possibility of foreign interference with their plans.

The Chinese launched an active policy with a view to incorporating Tibet as a province of China and Chao Erh-feng was entrusted with this task. He penetrated into the country, supplanting the tribal chiefs, defeating such of the clans and monasteries as he was unable to win over and instituting a loose system of administration throughout the country. The Tibetan Government in the hope of securing his withdrawal by negotiations with Peking did not actively oppose him. By the middle of 1910 he pushed forward with a force of 1000 men to Lhasa. The Dalai Lama fled from Tibet to India and Tibet was gradually occupied by a number of scattered Chinese garrisons.

Although the Chinese had by the Peking Convention of 1906 confirmed the Anglo-Tibetan Convention of 1904 they now ignored its provisions and obstructed its implementation despite the fact that the purpose of the 1906 Convention was to secure friendly relations between Great Britain and China.

The Chinese menaced the north-east frontier of India by a series of aggressions along the frontiers of Bhutang and upper Burma.

The autumn of 1911 ushered in the fall of the Manchu dynasty and the revolution in China. The Chinese troops in Tibet rose against their officers as a result of their pay and supplies being cut off.

[27] See Articles 4 and 8.

Chao Erh-feng was murdered, the Chinese Amban and troops were besieged in Lhasa and ultimately expelled from Tibet and the scattered garrisons were soon overpowered and Chinese power in Tibet was completely destroyed.

On April 21st, 1912 the President of China, Yuan Shih-kai, declared that Tibet would thereafter be regarded as a province of China. The British Government made it clear that they were not prepared to recognise the absorption of Tibet. Ignoring this the Chinese prepared an expedition for the subjection of Tibet. The beginning of 1913 saw Tibet in arms against China and Tibet declared its independence. The Chinese advance was met with active opposition.

It is essential to pause at this stage and examine the legal significance of the overthrow of the Manchu dynasty in 1911-1912. On the eve of the Chinese revolution of 1911 it could be said with confidence that the treaty relations between Tibet and Great Britain, Great Britain and China, and Tibet and China had made it clear that Tibet was not a province of China. The exact definition of Tibet's status now becomes a matter of crucial importance, for Chinese authority in Tibet had completely collapsed and the overthrow of the Manchu dynasty amounted to the dissolution of the legal bond between Tibet and China if the link was one of personal allegiance by the Dalai Lama to the Emperor of China. It must not be forgotten that the Manchu were foreign to both China and Tibet, and that originally the Manchu link with Tibet was a personal link only. Manchu power in China no doubt led to the identification of the Chinese State with the person of the Emperor, but there is nothing to indicate that he ever became Emperor of Tibet in title. It should be stressed that if it is sought to show that the original personal allegiance ripened into a political allegiance it would seem reasonable to insist that those who make this claim should substantiate it. No historical facts cited in support of the contention that Tibet is part of China are sufficiently strong to lead to the conclusion that this result had been achieved.

Richardson decribes the link with Manchu China as one that "cannot strictly be described in Western terms. Tibet was a sort of Papal State under the protection of the Chinese Emperor, whose supremacy was acknowledged and with whom there was an indefinable mystico-political bond" [28] Alexandrowicz takes the view that the suzerainty of China over Tibet was obviously one of Chinese feudal law. [29] The Dalai Lama owed personal allegiance as a temporal ruler to the Manchu Emperors, and recognized their overlordship

[28] *Red Star Over Tibet* (Delhi, 1959) p. 8 : reprinted from "The Observer" London.
[29] *Op. cit.* p. 267.

in military, financial and political affairs. [30] The Ambans were the Emperors' representatives to exercise all rights of external sovereignty over Tibet,[31] but the extent of the actual authority of the Ambans before the revolution was extremely small.

Tieh-Tseng Li has rejected the argument that Tibet was a vassal of China, and asserts China's claim of sovereignty.

He points out that whilst the British expedition was still there the Chinese Amban posted a notice proclaiming that Tibet was feudatory of China, and apparently approves the use of the term " feudatory ".[32] Alexandrowicz argues that he cannot consistently speak of Tibet being a feudatory and at the same time a part of China. [33] China has never waived her claim of sovereignty over Tibet in as many words, but it would seem that the feudal link and sovereignty are far from co-terminous. It should be borne in mind that the term " sovereignty ", essentially Western, enters the Chinese vocabulary only after 1911 revolution, when China came to learn something of Western ideas. Tibet, being more remote, had not yet acquired the Western vocabulary.

Alexandrowicz [34] and Richardson [35] both take the view that the overthrow of the Manchu dynasty in 1911 severed the legal or formal link between China and Tibet. By August 1912 Western and Central Tibet was firmly in the hands of a Tibetan Government at Lhasa, and an agreement was reached whereby Chinese troops and officials were to leave Tibet via India. [36] By the end of the year all had gone. The Chinese writ no longer ran in Tibet, and there is strong presumption that the old suzerainty vassal relationship disappeared with the overthrow of the personal suzerain. Alexandrowicz thinks : " It is difficult to consider Tibet now otherwise than in her initial stage of independence. Personal allegiance of the Dalai Lama towards the Manchu Emperor came to an end. " [37]

Tibet's position on the expulsion of the Chinese in 1912 can fairly be described as one of de facto independence and there are, as explained, strong legal grounds for thinking that any form of legal subservience to China had vanished. It is therefore submitted that the events of 1911-12 mark the re-emergence of Tibet as a fully sovereign state, independent in fact and in law of Chinese control.

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[30] Waddell, *Lhasa and its Mysteries* (1905), pp. 18, 27-28; D. K. Sen, " China, Tibet and India," *India Quarterly*, 1951, pp. 112 et seqq.; these are the authorities cited by Alexandrowicz, *loc. cit.*

[31] Waddell, *op. cit.* p. 166; Escarra, *La Chine et le Droit International* (1931), p. 240.

[32] At p. 396.

[33] " Comment on the Legal Position in Tibet," (1956) *Indian Yearbook of International Law*, p. 172.

[34] 48 *American Journal of International Law* (1954), 265, 270.

[35] *Loc. cit.*

[36] Aitchison, *op. cit.*, p. 20.

[37] 48 *American Journal of International Law* (1954), 265, 270.

The story of China and Tibet after the revolution of 1911 may now be resumed. It will be remembered that in 1913 Tibet had declared its independence and was engaged in repelling a Chinese attempt to establish by force of arms her authority in Tibet. The British feared for the peace of the Indian border and with a view to settling the Tibetan question by peaceful negotiations invited the Chinese and Tibetan representatives to a tri-partite conference which met for the first time at Simla on October 13th, 1913. After considerable discussion a draft convention was initialed by the representatives of Great Britain, China and Tibet.

But as the Chinese representative and the Chinese Government declined to sign and ratify the Convention it was signed on July 3rd, 1914 by the representatives of Great Britain and Tibet, specifically declaring that " so long as the Government of China withholds signature of the aforesaid Convention she will be debarred from the enjoyment of all privileges accruing therefrom. "

Great Britain, in order to secure peace on its Indian frontier, persuaded the Tibetans to agree to Chinese suzerainty, but as the Chinese never ratified this Convention China can base no claim on the terms of this Convention.

Examining the articles of the Convention while by Article II suzerainty of China over Tibet was recognised, the autonomy of Outer Tibet was also recognised and Great Britain and China engaged themselves to respect the territorial integrity of Tibet and to abstain from interference with the administration of Outer Tibet (including the selection and installation of the Dalai Lama), which was to remain in the hands of the Tibetan Government at Lhasa.

The Government of China further agreed not to convert Tibet into a Chinese province and the Government of Great Britain agreed not to annex Tibet or any portion of it and, by Article III, the Government of China engaged not to send troops into Outer Tibet; by Article IV the Chinese were enabled to send a high official to Lhasa with an escort of not more than 300 men.

Article VII *(b)* conceded the freedom of direct negotiations between Great Britain and Tibet.

As a result of this Convention trade regulations were drawn between Great Britain and Tibet in substitution of the Trade Regulations of 1893 and 1908 which were cancelled by the Convention.

Regarding the position between 1911 and 1950 Mr. Hugh Richardson, who, it should be remembered, was in charge of the British (1936-40, 1946-47) and later Indian (1947-50) Mission in Lhasa, has stated, speaking of the link with the Manchu Emperor: " When the Manchu dynasty collapsed in 1911, Tibet completed severed that link and, until the Communist invasion in 1950 enjoyed full de facto independence from Chinese control. " [38]

[38] *Loc. cit.*

On November 3rd, 1912 Russia concluded an agreement with Mongolia as the first step in the gradual detachment of Outer Mongolia from Chinese polity.[39] In January 1913 a Buriat Siberian (thus Russian national) having received an ambiguous document which apparently authorised him to treat with Mongolia as the representative of the Dalai Lama, concluded an agreement with Mongolia by which each of the two signatories, Tibet and Mongolia, recognised each other's independence as a State and each other's government as the legal representative of that State.[40] The authority of the Siberian to enter into such an agreement in the name of the Tibetan polity was denied by the Dalai Lama and the engagement was never ratified or considered to be in force by any of the governments involved.[41]

The de facto Relations between China and Tibet after 1914

With the failure of the 1914 Conventions to affect the *de jure* relations between Tibet and China by mutual agreement, the boundary between the areas effectively controlled by Lhasa and those effectively controlled by Chinese authority was established for a short time as a truce was entered into which halted the actual fighting.[42] In 1917, however, the fighting broke out again, resulting in a crushing defeat for Chinese forces. By the end of 1918 the Tibetan forces were in effective control of territory beyond the historic boundary between China proper and Tibet, and under a new truce negotiated through British mediation trade resumed between the two territories.[43] China offered to resume negotiations early in 1919, but the new victorious Tibetan Government rejected the Chinese proposals, and they were soon after withdrawn by the Chinese as the balance of power in the area began to shift back.[44] The 1914 and 1918 truce agreements, though generally observed in practice, were never formally recognized by the Chinese Government in accordance with their terms.[45] British refusal to permit the Tibetans to receive arms via India reduced Tibet's ability to resist Chinese overtures, and in January 1920 a Chinese Mission arrived in Lhasa, with the reluctant permission of the Tibetan Government, but no definite agreement was reached.[46] A British mission to Lhasa was undertaken at the invitation of the Dalai Lama.[47] In 1921 the British Government officially informed the Chinese that they, the British, did not feel justified in withholding

[39] Bell, *op. cit.*, appendix XII; *British White Paper* Cd. 6604; also V. Gerard M. Friters, *Outer Mongolia and its International Position* (London, 1951), pp. 56 *et 599*.
[40] Bell, *op. cit.*, appendix XIII; see also pp. 224-30.
[41] *Ibid*, pp. 228-29.
[42] Teichman, *op. cit.*, p. 46.
[43] *Ibid.*, pp. 51-54, 58; see Map IV between pp. 46 and 47.
[44] Bell, *op. cit.*, p. 173.
[45] Aitchison, *op. cit.*, p. 21.
[46] Bell, *op. cit.*, pp. 174-6.
[47] *Ibid.*, pp. 3, 190 et seqq.

any longer their recognition of the status of Tibet as an autonomous State under the suzerainty of China, and intended dealing with Tibet on this basis in the future.[48] It should be noted that this statement was connected with an attempt to reopen the negotiations on the 1914 basis. It overlooked the declaration with the Tibetans not to accord any of the advantages to China until she signed. The Tibetans were not informed. In 1922, a Government of India survey of Tibet reported unfavourably on the possibilities of commercial exploitation.[49] Thereafter, although the trading stations were kept up, and small military garrisons maintained at Gyantse and Yatung, British interest in Tibet remained low until the Second World War.[50]

China's views on Tibet after 1914 remained adamantine in regarding the 1911 revolution as causing a mere hiatus in Chinese control over Tibet, but implying no loss of jurisdiction or right. In 1928 the Kuomintang Government of China sent a mission to Lhasa to invite Tibet to join the Chinese Republic. This invitation was ignored.[51] In 1931 China declared Tibet to be a province of China.[52] Hostilities between the Tibetans and Chinese Nationalist Government occurred in 1931 and 1932, as the Kuomintang tried to assert authority over the territories of Amdo and Kham, where the Lhasa government was apparently that preferred by the inhabitants. In 1934 a Chinese mission was sent to Lhasa in connection with the death of the Dalai Lama, and remained there until the Communist victory in China in 1949.[53] In 1936 the Tibetans alone drove Chinese Communist forces from Kham; [54] this, of course, was long before the Communists took over control of mainland China.

When a new Dalai Lama was to be installed in 1940, the Chinese claimed considerable authority in connection with the selection procedures and ceremonies,[55] although the Tibetans apparently did not feel that their authority was justified.[56] They told Mr. Hugh Richardson that the story was a fabrication. Sir Basil Gould also disagrees with the Chinese account of their part in the ceremonies.[57]

The Tibetans themselves, while enjoying de facto autonomy, continued to trim their sails in their dealings with China after Chinese military force had been effectively ousted from the historical boundaries of Tibetan territory. It does not appear before 1942 that Tibet

[48] 151 British Foreign and State Papers p. 89.
[49] Aitchison, *op. cit.*, p. 22.
[50] Cf. Sir Charles Bell, *Portrait of the Dalai Lama* (London, 1946), hereafter cited as Bell, *Portrait, passim.*
[51] P. Calvocoressi and others, *Survey of International Affairs, 1949-1950* (Oxford, 1953), p. 368.
[52] Alexandrowicz-Alexander, *op. cit. ftn (32)*, p. 273.
[53] Calvocoressi, *op. cit.*, p. 368; Harrar, *op. cit.*, p. 246.
[54] Calvocoressi, *op. cit.*, p. 368 ftn. 3; cf. Edgar Snow, *Red Star Over China*, (London, 1937), pp. 204-5.
[55] Li, *op cit.*, p. 397.
[56] Harrar, *op. cit.*, pp. 299-302.
[57] *Jewel in the Lotus*, p. 234.

actively and formally asserted herself to be either independent of or dependent on the Chinese polity. In the turbulent circumstances of China during the 1920s and 1930s it is hardly surprising that Tibet sought to remain beyond the reach of Chinese politics, nor, given the history of two hundred years of Chinese activities in Lhasa, historical, cultural and economic ties of a traditionally close sort, is it surprising that the Tibetan polity was unwilling to cut itself off from Peking entirely. While remaining internally and externally self-governing, Tibet did not appear to enter into foreign relations with any powers other than those which bordered on her. However, there is no reason why she should have done so. Chinese provincial government, before the 1911 revolution, had been traditionally self-operating, tempered only by a local right of revolution which did not alter the legal relations between Peking and the provincial governors. If there had been no Tibetan feeling of independence beyond that which might have been consistent with a continued status as a province of China in the traditional way, it might have appeared that as of 1942, in the absence of other evidence, the dilemma of 1873 was no nearer to resolution than it had been 70 years earlier. But there was a complete absence of Chinese control in this period, and the Tibetans clearly appeared to have regarded themselves as independent. However, when the problem arose again in 1942, the circumstances of the Second World War and the great changes that had taken place with regard to the relations between Europe and China were further complications.

Relations between Tibet and China until 1950

During the Second World War the question of Tibetan autonomy arose when supply lines from India into China were being considered by Great Britain. the United States and China. On 7th August, 1942 the Head of the Far Eastern Department of the British Foreign Office wrote to the Counselor of the American Embassy in London that

> " in fact the Tibetans not only claim to be but actually are an independent people, and they have in recent years fought successfully to maintain their freedom against Chinese attempts at domination. Their distinct racial, political, religious and linguistic characteristics would seem to entitle them, therefore, to the benefits of... the memorandum " [not printed].[58]

The American State Department did not wholly concur with this analysis, and a memorandum dated 26 October, 1942 observes that

> " China considers that Tibet and Outer Mongolia form a part of the territory of the Republic of China and has accordingly claimed suzerainty over these areas. Great Britain and the

[58] U.S. Department of State, *Foreign Relations of the United States, 1942, China* (Washington, 1956), p. 145.

> Soviet Union have by various treaties concluded with China acknowledged Chinese suzerainty..., but...have apparently interpreted ' suzerainty ' to include a wide degree of local autonomy. It is believed, but not definitely known, that there are representatives of the Mongolian and Tibetan Affairs Commission of the Executive Yuan (Department) of the National Government of China in Lhasa. ... " [59]

Although some high-ranking Chinese officials seemed willing to support the view :

> " that it was about time that Chinese relations with Tibet were put on a realistic footing and that Tibet be recognized for what it was...a ' self-governing dominion ',"[60]

it was felt by the British, not without good cause, apparently, that the Chinese regarded the Tibetan supply route scheme as an opportunity to assert and consolidate Chinese claims to authority in Tibet.[61] The Chinese, for their part, steadfastly maintained that they regarded Tibet officially as an integral part of China, but for the sake of the supply route were willing to forego pressing any immediate claims.[62] Tibetan reluctance to allow Chinese penetration into the Tibetan polity appeared equal to their reluctance to allow further British penetration,[63] and the British, knowing that they had no designs on Tibet, and anxious to keep the Chinese from consolidating any political influence they might have there, proposed a declaration by which Tibetan fears would be allayed by a Chinese undertaking to respect Tibetan autonomy. The American official who commented on this British proposal noted that the British seemed to use the words " autonomy " and " independence " interchangeably.[64] In these circumstances it is not surprising that the Chinese absolutely refused to make the proposed declaration.[65] The question of the characterization of the proposed Chinese recognition of Tibet as a self-governing dominion does not appear to have arisen as the Tibetan Government, assured that neither China nor Great Britain would exercise jurisdiction in their territory through use of technicians with rights of free travel in Tibet, assured that no military supplies (a phrase loosely defined so as not to exclude petrol) [66] would pass through Tibet, and assured that the route would bypass Lhasa, leaving only British and Chinese diplomatic representatives in that city but no large force, granted permission for the route to be opened temporarily.[67] Upon the immediate problem being thus resolved,

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[59] *Ibid.*, 688-9; cf. Li, *op. cit.*, p. 398.
[60] *Foreign Relations*, p. 629; see also *ibid.*, p. 239.
[61] *Ibid.*, p. 630.
[62] *Ibid.*, p. 627.
[63] *Ibid.*, pp. 626, 630.
[64] *Ibid.*, p. 626.
[65] *Ibid.*, p. 629.
[66] *Ibid.*, p. 630.
[67] *Ibid.*, p. 630.

the United States refrained from commenting further on Chinese claims in Tibet.[68]

It is instructive to note some aspects of the supply route problem apart from the British and Chinese classifications. When the question was first broached to the Lhasa Government, the reason given for refusing permission to establish the supply route was Tibet's reluctance to become involved in the War against Japan.[69] Yet this implies that Tibet did not regard the fact of all China's being at war as significant to Tibet's status. Tibet apparently felt under no obligation to accept Chinese wishes as persuasive in any part of the supply route dealings and, on the contrary, actually prevented one Chinese attempt to send a survey party into Tibet. British political pressure eventually won Tibetan acceptance of the compromise without resort to threats.[70] From the foregoing facts, it seems clear that in 1942, the Tibetan Government and Tibetans generally regarded Tibet as an independent country. Moreover, the Tibetan Government was showing an independence of action and sufficient unity of action to point to a capacity to govern the State, an important feature in assessing Tibet's claim to independence. However, even the British, who were the firmest supporters, as has been seen, of Tibetan independence, never attempted to deny the existence of some sort of Chinese authority, although tenuous, provided that the Chinese recognized Tibetan autonomy, and no membership of Tibet in the family of independent States was asserted by any of the governments involved.

On 26th July, 1943 the Chinese requested the British to clarify their attitude on Tibet. A Foreign Office memorandum was prepared which reviewed the events of 1911, characterizing Tibet's position upon the withdrawal of Chinese troops as " *de facto* independence ", and placed emphasis on the assertion that the breakdown of the Simla conference in 1914 was due solely to Chinese and Tibetan intransigence on the matter of the boundary, with the autonomy of Tibet not at issue. After repeating the gist of the British note of 1921,[71] the 1943 note went on :

> " This is the principle which has since guided the attitude of the British Government towards Tibet. They have always been prepared to recognise Chinese suzerainty over Tibet but only on the understanding that Tibet is regarded as autonomous. ..." [72]

The legal characterization of a " suzerainty " which allowed for autonomy in the sense of legal independence was apparently attempted by the British in the specifications of the 1914 Simla Convention, but the Chinese never signed that Convention. In that Convention and the notes attached, it may be remembered, the fitting of Tibet

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[68] *Ibid.*, p. 631.
[69] *Ibid.*, p. 626.
[70] The Commission is indebted to Mr. Hugh Richardson for these facts.
[71] *Vide supra.*
[72] 151 *British Foreign and State Papers*, pp. 89-90.

into a classification admitting of Chinese suzerainty was not felt to prevent express prohibition of Chinese interference in the administration of Tibet, introduction of troops into Tibet, violation of Tibetan boundaries, or interference with the jurisdiction of the Lhasa Government as sole governing body within those boundaries.

Article 5 of that Convention, which became a bilateral treaty between Great Britain and Tibet, even forbade the Tibetan Government to enter into treaty relations with any other power except as agreed in earlier trade agreements with the British. [73] In these circumstances, the 1943 British statement must be regarded as an offer to recognize as law a relation which never was acquiesced in by the Chinese but had been agreed with the Tibetans. Observers in Tibet have said that Tibetans, prior to 1951 at any rate, maintained that they had recognised Chinese claims at no time since 1912.[74] With the prospect of truly independent China to emerge in post-war settlements, and with the continued British interest in safeguarding the northern border of India dictating the maintenance of an internationally innocuous administration in Tibetan territory, there must be a strong tendency to regard the British stand in 1942 and 1943 as a reflection of political desiderata rather than an objective estimation of the facts. It may be noted that the factors underlying this stand assumed the same importance to the Government of India as set up upon the withdrawal of British administration in 1947 that it had had to the British Government during the days of their direct political authority in India.

In 1948 the Chinese Government requested a revision of the 1908 Trade Regulations in accordance with their provision for decennial renegotiation. The British reply merely referred the Chinese to the Governments of India and Pakistan, but apparently did not comment on the possible continuing validity of that Agreement. [75]

It must however be stated here that as between Tibet and Great Britain the 1908 Trade Regulations had been abrogated and replaced by the Regulations of 1914.

Chinese views regarding the governance of Tibet appear to have been as far removed from objectivity as the British views. Despite continued Tibetan resistance to, and even flouting of, Chinese attempts to assert an authority in Lhasa, the Chinese continued to view Tibet as a province of China. It is stated that in 1946 Tibetans participated in the Chinese National Assembly which drafted a Constitution. In 1948 there were Tibetans seated in the National Assembly.[76] But it does not appear that Tibetans ever appeared in a centralized

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[73] *Vide supra.*

[74] The Commission is so informed by Mr. Hugh Richardson. See also note 80, *infra.*

[75] Li, *op. cit.*, p. 401; the documents themselves do not appear to have been published.

[76] Li, *op. cit.*, pp. 297-8.

Chinese government in the immediate post-war period with Lhasa authorization. Moreover, we are informed by Mr. Hugh Richardson that the Tibetans insist that they were there as observers and to speak for the Tibetan claims against China. There is not even evidence that the Tibetans who went to China to the National Assembly were authorized to do so by the Government of the Dalai Lama. In the Chinese Constitution adopted 25 December 1946 the territory of China was conceived to be comprised of " its original areas ",[77] and the inclusion of Tibet within that definition was strongly asserted regardless of feeling in Tibet. Tibetans were seated in the National Assembly apparently without Tibetan governmental authority, and a Tibetan governmental mission visited India, Great Britain and the United States with travel documents issued by the Tibetan Government and accepted by the countries concerned.[78] Diplomatic remonstrances were directed by the Chinese at the host countries.[79] There can be little doubt that by 1949, when the Chinese Communists completed the establishment of an apparently stable control of mainland China, the Lhasa Government did not regard itself as a subordinate of Peking, and the people of Tibet were loyal primarily to Lhasa. [80]

Just as no British assertion of fact or construction of legal relations could affect the actual facts or legal opinions of the other governments directly involved, so Chinese denials of facts or their legal effects could neither erase those facts from memory nor alter an otherwise valid legal evaluation. In fact, in 1950, although desperately wanting to retain the factual status of independence they had attained, the Lhasa Government apparently felt themselves to some extent at least obliged to arrive at an understanding with the new Chinese Government at Peking which had been making its warlike intentions known for some time. Talks were begun at Delhi, but broke down, and preparations were made to transfer the site of discussions to Peking. While arrangements were being made for this transfer, a Chinese army marched into Tibet. [81] The Chinese had decided to cut the Gordian knot with Alexander's sword and once again the dilemma of 1873 was posed.

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[77] Keeton, *op. cit.*, Appendix IV, Article IV (p. 465). The translation of the 1947 Chinese Constitution in V.P. Dutt, *East Asia, 1947-1950* (Oxford, 1958), pp. 19 et seqq., reads " existing geographical areas ".

[78] Harrar, *op. cit.*, pp. 247-8.

[79] Li, *op. cit.*, pp. 402-3; cf. Alexandrowicz-Alexander, *op. cit.*, p. 273. An excellent account of Sino-Tibetan relations between 1914 and 1950 may be found in P. Calvocoressi and others, *Survey of International Affairs, 1949-1950*, (Oxford, 1953). The account of this mission is on p. 369, ftn. 4.

[80] Calvocoressi, *op. cit.*, pp. 370-3; U.N. Docs. A/1549, A/1565, and A/1658. This assertion is also supported by subsequent events.

[81] Calvocoressi, *op. cit.*, pp. 370-3; *The* [London] *Times*, 12 October 1950, p. 4, col. 2; *ibid.*, 11 November 1950, p. 5, col. 4; see also the Indian note to Peking dated 26 October 1950 in Carlyle, ed., *Documents on International Affairs, 1949-1950* (Oxford, 1953), pp. 550-1.

As a result of the suggestion by India that an attempt should be made to arrive at a peaceful settlement with the Tibetans, a Tibetan delegation reached New Delhi sometime in August 1950, the head of the delegation being Mr. Shakabpa. Some negotiations took place between this delegation and the Chinese Ambassador in New Delhi and, upon the suggestion that the delegation should proceed to Peking for further negotiations, the delegation agreed to do so and the Indian Government informed the Chinese Government through its Ambassador of the decision to proceed to Peking immediately to start negotiations.[82]

The delegation had actually left Delhi on the 25th October, 1950, but returned from Calcutta at the specific request of the Chinese Government that further negotiations should be held in New Delhi.

But two weeks before, on 7th October, 1950, Chinese forces had invaded Tibet, capturing Chamdo on 19th October. It was announced on 24th October from Peking that these forces had been ordered to advance into Tibet "to free three million Tibetans from imperialist oppression and to consolidate the national defences of China's western frontier". The New China News Agency stated that, in the period before the invasion the United States and British Imperialists continued to send spies and arms into Tibet.

Some Tibetan officials, including the Tibetan Governor of the Chamdo region, who were in Chamdo were taken to Peking and were asked to negotiate with the Chinese Government, and the Dalai Lama was further asked to send representatives to China. China also threatened to advance further into Tibet, as a result of which the Dalai Lama in December 1950 moved with his Cabinet to Yatung, near the Sikkim frontier, where he remained until August 1951.

In the meantime, on 11th of November, 1950, the Tibetan Government appealed for help to the United Nations, affirming that the problem which has arisen " was not of Tibet's own making but largely the outcome of China's ambition to bring weaker nations on her periphery within her active domination ". The Tibetans also asserted that " racially, culturally and geographically, they are far apart from the Chinese ".

" As a people devoted to the tenets of Buddhism, " the appeal declared, " Tibetans had long eschewed the art of warfare, practised peace and tolerance and, for the defence of their country, relied on its geographical configuration and in non-involvement in the affairs of other nations. There were times when Tibet sought but seldom received the protection of the Chinese Emperor. The Chinese, howver, in their urge for expansion, have wholly misconstrued the significance of the ties of friendship and inter-dependence that existed between China and Tibet as between neighbours. To them China

[82] See para 4, India Note to China dated 26th October, 1950, Document 9.

was suzerain and Tibet a vassal state. It is this which aroused legitimate apprehension in the mind of Tibet regarding the designs of China on her independent status.

" China's conduct during their expedition in 1910 completed the rupture between the two countries. In 1911-12, when Tibet, under the thirteenth Dalai Lama, declared her complete independence, even as Nepal, simultaneously broke away from allegiance to China, the Chinese revolution in 1911 which dethroned the last Manchurian Emperor snapped the last of the sentimental and religious bonds that Tibet had with China. Tibet thereafter depended entirely on her isolation, her faith in the wisdom of Lord Buddha and occasionally on the support of the British in India for her protection. "

The delegate for El Salvador moved that the Tibetan appeal be put on the agenda of the General Assembly, but on 24th November the Steering Committee of the Assembly decided unanimously that consideration of the appeal should be postponed, after the Indian delegate had suggested this course, expressing the belief that a peaceful settlement would be reached, safeguarding Tibet's autonomy while maintaining its association with China.[83]

As a result of these " negotiations ", which the Tibetans had no alternative but to carry on, an agreement was signed in Peking dated 23rd May 1951, which is popularly known as the Seventeen Point Agreement. Its main features were :

(1) Chinese armies were to be allowed to enter Tibet for consolidating national defence;

(2) Tibetan people were entitled to regional autonomy under the leadership of the Central People's Government;

(3) The Central Government was not to alter the existing political system or the status and functions and powers of the Dalai Lama;

(4) A policy of religious freedom was to be carried out and religious beliefs and customs were to be respected and Lamas and monasteries were to be protected;

(5) Language and school system, agriculture and economy were to be gradually developed and no reforms were to be carried out by compulsion;

(6) While the Chinese were to handle external relations Tibet would be free to have commercial and trading relations with neighbouring countries;

(7) For the implementation of the agreement, the Chinese Government would set up a military and administrative committee, in which " patriotic " local personnel would be absorbed.

Assuming that the treaty is valid the position in international law would be that Tibet thereafter ceased to be an international person. If Tibet was a sovereign state before the conclusion of this

[83] U.N. General Assembly, 24th November, 1950, U.N. Doc. A/1543.

treaty, as has been argued, the validity of this treaty must be considered in accordance with the customary rules of international law.

The first point is that there is clear evidence from the Dalai Lama himself that this agreement was not voluntary. In any event, the inference from the circumstances in which it was signed, is obviously that Tibet signed at pistol-point. The Dalai Lama's statement at Mussoorie on June 20th states :

" The agreement which followed the invasion of Tibet was also thrust upon its people and Government by threat of arms. It was never accepted by them of their own free will. Consent of the Government was secured under duress and at the point of bayonet. My representatives were compelled to sign the agreement under the threat of further military operations against Tibet by invading armies of China leading to the utter ravage and ruin of the country... While I and my Government did not voluntarily accept that agreement we were obliged to acquiesce in it and decided to abide by its terms and conditions in order to save my people and country from the damages of total destruction."

What is the effect of a treaty signed under duress? There appears to be no decided case on this question, although it has been much discussed by writers. Lauterpacht took the view in 1927 that " there are few questions in international law in which there is such a measure of agreement as this, that duress, so far as states are concerned, does not invalidate a contract."[84] However, in 1947, he subscribed to the view that " a treaty concluded as the result of intimidation or coercion exercised personally against the representatives is invalid ".[85] Dealing with the question of resort to war as a means of enforcing claims, he takes the view that where a victorious State is bound by neither the Charter of the United Nations nor the General Treaty for the Renunciation of War (as is the case with the People's Republic of China), " there is room for the traditional rule disregarding the vitiating effect of physical coercion exercised against a State."[86] It seems that physical coercion, or, according to the Harvard Draft Research on International Law, mental coercion,[87] will invalidate a treaty only if directed against the signing representatives and not against the state itself. It is at least an arguable point that the reasons given by the Dalai Lama for the signing of the Seventeen-Point Agreement point to mental coercion exercised against him and his signing representatives.

The Harvard Draft advocates that the state alleging duress should not be judge in its own cause and suggests that " a State which claims that it has entered into a treaty in consequence of duress

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[84] Private Law Sources and Analogies of International Law (1921), pp. 161-167.

[85] *Oppenheim's International Law*, 7th ed. (1947), Vol. I, p. 802.

[86] At p. 803.

[87] See pp. 1148-52.

may seek from a competent international tribunal or authority a declaration that the treaty is void."[88] This is of course the solution to be advocated in a fully developed international community. However, it is by no means clear that there is any possibility of the question being taken before an international tribunal. There is also no precedent in international law and relations which is precisely in point. The basic question is whether Tibet is an internal part of China or whether Tibet has *locus standi* before an international tribunal or political authority.

The very existence of Tibet as a State is involved. It would be absurd to expect China to take up Tibet's case under her exclusive right to conduct Tibet's foreign relations. In any event that right itself depends upon whether the Seventeen-Point Agreement is valid. The preliminary question of Tibet's statehood can be examined on this point by the United Nations and her case against the Poeple's Republic of China can be considered by that body. The facts are there and the appropriate conclusions of law may be drawn. It is at least arguable that the 1951 agreement is invalid for duress, or can be made so if the Dalai Lama repudiates it on that ground [89] as he appears to have done, [90] with the result that for United Nations purposes, the Sino-Tibetan events are between two states and not an internal affair of China. The issues of Genocide and the systematic violation of human rights stand on a different footing and are within the undoubted competence of the United Nations.

The question of duress does not, however, end with the signing of the Seventeen-Point Agreement. The terms of the Seventeen-Point Agreement, again assuming it is valid, have led to a controversy between China and Tibet as to what is the autonomy contemplated by Article 3. The Chinese interpreted it as regional autonomy within the framework of the Chinese State for cultural, educational and religious purposes. The Tibetans assert that the position could at the utmost be that, whilst in matters of foreign relations and defence China was the final arbiter, in matters other than this the Tibetan Government was supreme and the Chinese Central Government was not entitled to legislate or decide in matters concerning the internal administration of Tibet. The question then arises how far the Dalai Lama acquiesced in the Chinese version of regional autonomy, and how far he was a free agent during the period of his apparent acquiescence. This matter is also relevant to the question of treaty violation by the Chinese People's Republic. The following brief account should be studied together with Documents 19 and 20.

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[88] *Ibid.*, p. 1159.

[89] Depending on whether duress renders a treaty void or voidable.

[90] See Document 20. It is, however, arguable that, by waiting until 1959 and electing to attempt to carry out the agreement, the Tibetan Government lost its right to repudiate, if actual repudiation is necessary. But what is the position if continuing duress prevented this?

According to Point 15, for the implementation of this agreement, China was to set up a military and administrative committee and a military area Headquarters in Tibet. As the result of this, General Chang-Ching-Wai arrived in Lhasa in September 1951 at the same time as the Dalai Lama. Although there is nothing in this agreement to suggest that Tibet was to be carved out, Tibet was in fact divided into three parts, one of which was put under the control of the Chamdo Liberation Committee headed by General Wang Chi Mei, a Chinese general, and the third part was placed under the control of the Panchen Lama.

In September 1954 the Dalai Lama and the Panchen Lama were invited to go to Peking and they remained there until March 1955. They attended a meeting of the Chinese State Council on the 9th of March in 1955, where the Dalai Lama and the Panchen Lama had to submit to a number of decisions on Tibetan affairs.[91] One of such decisions was the establishment of a " Preparatory Committee for the Autonomous Region of Tibet ". The Committee consisted of 51 members, 15 from the Lhasa administration, 10 from the " Panchen Lama's Bureau ", 10 from the Chamdo " People's Liberation Committee ", 11 from Monasteries and " Peoples Organizations " and 5 representing the Chinese Government, the Dalai Lama being named the Chairman. It was declared that the members of the Committee are appointed " with the approval of the Chinese " State Council and the three regions of Tibet were subordinate to it. It was stated that the chief task of the Preparatory Committee was to prepare for regional autonomy in accordance with the provisions of the Chinese Constitution, the agreement of 1951 and the concrete circumstances of Tibet.

The first meeting of the Preparatory Committee was held on April 22, 1956 and thereafter there were in the next three years twenty-seven meetings out of which the Dalai Lama was present at twenty-five and presided over the meetings. It is therefore said by the Chinese that the Dalai Lama had accepted the 1951 Seventeen-Point Agreement and that his participation in the meetings show that the Dalai Lama was in full agreement with the appointment and the work of the Preparatory Committee.

In his Tezpur statement the Dalai Lama has said that " in practice, even this body had little power and decisions in all important matters were taken by the Chinese authorities. "

The statements of the Dalai Lama and other Tibetan leaders regarding the way in which Tibet was compelled to accept the Seventeen-Point Agreement and of the statement of the Dalai Lama regarding the Preparatory Committee, will have to be borne in mind when the legal status of Tibet is under consideration.

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[91] See Chronology at p. 6, *supra*.

Another point on which the validity of the 1951 agreement may be attacked is that Tibet may be able to repudiate her treaty obligations on the ground that China has violated hers. [92] The classic doctrine on denunciation of treaties is that if one side violates its obligations under a treaty, the injured party " may by its own unilateral act terminate a treaty as between itself and a State which it regards as having violated such treaty." [93] This view has been judicially approved in three American cases [94] and in one case before the Judicial Committee of the Privy Council, [95] the supreme court of appeal for overseas territories of the British Crown. It is essential, as emerges from all of these cases, that the treaty be actually repudiated, for, unless this is done, the treaty remains in force, i.e., it is voidable only. The Dalai Lama made a statement to the press at Mussoorie on June 20th, 1959, repudiating the Sino-Tibetan agreement, and there is a strong case for arguing that the agreement can no longer remain in force. The Dalai Lama was asked: " Do you consider the 1951 Treaty between Tibet and the Chinese Government still in force ? " He replied: " The Sino-Tibetan agreement imposed by the Chinese in accordance with their own desires has been violated by the Chinese themselves, thus giving rise to a contradiction. Therefore we cannot abide by this agreement." [96]

Tibet can argue that she never lost her sovereignty on the ground of duress or on the ground of China's violation of the 1951 agreement. Alternatively, it might be argued that Tibet lost her sovereignty but regained it when the Dalai Lama denounced the agreement, possibly on the ground of duress and for violation by China.

It appears certain that the matter cannot be dismissed out of hand as falling exclusively within the domestic jurisdiction of the People's Republic of China.

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[92] On this see Hackworth, *Digest of International Law*, (1932-34) Vol. V, 346; Hyde, *International Law Chiefly as Interpreted and Applied by the United States* (2nd rev. ed. 1945), Vol. II, 1541-6; McNair, *The Law of Treaties: British Practice and Opinions* (1938), pp. 492-515; and see *Harvard Research*, pp. 1081-84.

[93] Hackworth, *loc. cit.*

[94] *Ware & Hylton* (1796) 3 Dallas 199, 261; *In re Thomas* (1874) 23 Fed. Cas. 927; *Charlton & Kelly* (1913, 229 U. S. 447, 473.

[95] The Blonde (1922) A. C. 313.

[96] See Document 20.

PART FOUR

DOCUMENTS

Documents

DOCUMENT 1

CONVENTION between Great Britain and China, relating to Sikkim and Tibet. — Signed at Calcutta, March 17, 1890

(Ratifications exchanged at London, August 27, 1890.)[1]

[*English Text.*]

WHEREAS Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the Emperor of China, are sincerely desirous to maintain and perpetuate the relations of friendship and good understanding which now exist between their respective Empires; and whereas recent occurrences have tended towards a disturbance of the said relations, and it is desirable to clearly define and permanently settle certain matters connected with the boundary between Sikkim and Tibet, Her Britannic Majesty and His Majesty the Emperor of China have resolved to conclude a Convention on this subject, and have, for this purpose, named Plenipotentiaries, that is to say:

Her Majesty the Queen of Great Britain and Ireland, his Excellency the Most Honourable Henry Charles Keith Petty Fitzmaurice, G.M.S.I., G.C.M.G., G.M.I.E., Marquess of Lansdowne, Viceroy and Governor-General of India;

And His Majesty the Emperor of China, his Excellency Shêng Tai, Imperial Associate Resident in Tibet, Military Deputy Lieutenant-Governor;

Who, having met and communicated to each other their full powers, and finding these to be in proper form, have agreed upon the following Convention in eight Articles :—

Art. I. The boundary of Sikkim and Tibet shall be the crest of the mountain-range separating the waters flowing into the Sikkim Teesta and its affluents from the waters flowing into the Tibetan Mochu and northwards into other rivers of Tibet. The line commences at Mount Gipmochi on the Bhutan frontier, and follows the above-mentioned water-parting to the point where it meets Nipal territory.

II. It is admitted that the British Government, whose Protectorate over the Sikkim State is hereby recognized, has direct and exclusive control over the internal administration and foreign relations of that State, and except through and with the permission of

[1] *British and Foreign State Papers*, 1889-1890, Vol. LXXXII, pp. 9-11.

the British Government neither the Ruler of the State nor any of its officers shall have official relations of any kind, formal or informal, with any other country.

III. The Government of Great Britain and Ireland and the Government of China engage reciprocally to respect the boundary as defined in Article I, and to prevent acts of aggression from their respective sides of the frontier.

IV. The question of providing increased facilities for trade across the Sikkim-Tibet frontier will hereafter be discussed with a view to a mutually satisfactory arrangement by the High Contracting Powers.

V. The question of pasturage on the Sikkim side of the frontier is reserved for further examination and future adjustment.

VI. The High Contracting Powers reserve for discussion and arrangement the method in which official communications between the British authorities in India and the authorities in Tibet shall be conducted.

VII. Two joint Commissioners shall, within six months from the ratification of this Convention, be appointed, one by the British Government in India, the other by the Chinese Resident in Tibet. The said Commissioners shall meet and discuss the questions which, by the last three preceding Articles, have been reserved.

VIII. The present Convention shall be ratified, and the ratifications shall be exchanged in London as soon as possible after the date of the signature thereof.

In witness whereof the respective negotiators have signed the same, and affixed thereunto the seals of their arms.

Done in quadruplicate at Calcutta, this 17th day of March, in the year of our Lord 1890, corresponding with the Chinese date, the 27th day of the second moon of the 16th year of Kuang Hsü.

(L.S.) LANDSDOWNE.

(L.S.) Signature of the Chinese Plenipotentiary.

REGULATIONS regarding Trade, Communication, and Pasturage, appended to the Convention between Great Britain and China of March 17, 1890 relative to Sikkim and Tibet. — Signed at Darjeeling, December 5, 1893 [1]

1. A TRADE mart shall be established at Yatung on the Tibetan side of the frontier, and shall be open to all British subjects for purposes of trade from the 1st day of May, 1894. The Government of India shall be free to send officers to reside at Yatung to watch the conditions of British trade at that mart.

2. British subjects trading at Yatung shall be at liberty to travel freely to and fro between the frontier and Yatung, to reside at Yatung, and to rent houses and godowns for their own accommodation, and the storage of their goods. The Chinese Government undertake that suitable buildings for the above purposes shall be provided for British subjects, and also that a special and fitting residence shall be provided for the officer or officers appointed by the Government of India under Regulation 1 to reside at Yatung. British subjects shall be at liberty to sell their goods to whomsoever they please, to purchase native commodities in kind or in money, to hire transport of any kind, and in general to conduct their business transactions in conformity with local usage, and without any vexatious restrictions. Such British subjects shall receive efficient protection for their persons and property. At Lang-jo and Ta-chun, between the frontier and Yatung, where rest-houses have been built by the Tibetan authorities, British subjects can break their journey in consideration of a daily rent.

3. Import and export trade in the following articles,—arms, ammunition, military stores, salt, liquors, and intoxicating or narcotic drugs, may, at the option of either Government, be entirely prohibited, or permitted only on such conditions as either Government, on their own side, may think fit to impose.

4. Goods, other than goods of the descriptions enumerated in Regulation 3, entering Tibet from British India, across the Sikkim-Tibet frontier, or *vice versâ*, whatever their origin, shall be exempt from duty for a period of five years, commencing from the date of the opening of Yatung to trade; but after the expiration of this term, if found desirable, a Tariff may be mutually agreed upon and enforced.

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[1] *British and Foreign State Papers*, 1892-1893, Vol. LXXXV, pp. 1235-1237.

Indian tea may be imported into Tibet at a rate of duty not exceeding that at which Chinese tea is imported into England, but trade in Indian tea shall not be engaged in during the five years for which other commodities are exempt.

5. All goods on arrival at Yatung, whether from British India or from Tibet, must be reported at the Custom station there for examination, and the report must give full particulars of the description, quantity, and value of the goods.

6. In the event of trade disputes arising between British and Chinese or Tibetan subjects in Tibet, they shall be inquired into and settled in personal conference by the Political Officer for Sikkim and the Chinese Frontier Officer. The object of personal conference being to ascertain facts and do justice, where there is a divergence of views, the law of the country to which the defendant belongs shall guide.

7. Despatches from the Government of India to the Chinese Imperial Resident in Tibet shall be handed over by the Political Officer for Sikkim to the Chinese Frontier Officer, who will forward them by special courier.

Despatches from the Chinese Imperial Resident in Tibet to the Government of India will be handed over by the Chinese Frontier Officer to the Political Officer for Sikkim, who will forward them as quickly as possible.

8. Despatches between the Chinese and Indian officials must be treated with due respect, and couriers will be assisted in passing to and fro by the officers of each Government.

9. After the expiration of one year from the date of the opening of Yatung, such Tibetans as continue to graze their cattle in Sikkim will be subject to such regulations as the British Government may from time to time enact for the general conduct of grazing in Sikkim. Due notice will be given of such regulations.

General Articles

1. In the event of disagreement between the Political Officer for Sikkim and the Chinese Frontier Officer, each official shall report the matter to his immediate superior, who in turn, if a settlement is not arrived at between them, shall refer such matter to their respective Governments for disposal.

2. After the lapse of five years from the date on which these Regulations shall come into force, and on six months' notice given by either party, these Regulations shall be subject to revision by Commissioners appointed on both sides for this purpose, who shall be empowered to decide on and adopt such amendments and extensions as experience shall prove to be desirable.

3. It having been stipulated that Joint Commissioners should be appointed by the British and Chinese Governments under Article VII of the Sikkim-Tibet Convention to meet and discuss, with a view to the final settlement of the questions reserved under Articles IV, V, and VI of the said Convention; and the Commissioners thus appointed having met and discussed the questions referred to, namely, trade, communication, and pasturage, have been further appointed to sign the Agreement in nine Regulations and three General Articles now arrived at, and to declare that the said nine Regulations and the three General Articles form part of the Convention itself.

In witness whereof the respective Commissioners have hereto subscribed their names.

Done in quadruplicate at Darjeeling, this 5th day of December, in the year 1893, corresponding with the Chinese date, the 28th day of the 10th moon of the 19th year of Kuang Hsü.

(L.S.) A. W. PAUL, *British Commissioner.*

(L.S.) HO CHANG-JUNG,

JAMES H. HART, *Chinese Commissioners.*

DOCUMENT 3

CONVENTION between Great Britain and Thibet. — Signed at Lhasa, September 7, 1904 [1]

WHEREAS doubts and difficulties have arisen as to the meaning and validity of the Anglo-Chinese Convention of 1890, and the Trade Regulations of 1893, and as to the liabilities of the Thibetan Government under these Agreements; and whereas recent occurrences have tended towards a disturbance of the relations of friendship and good understanding which have existed between the British Government and the Government of Thibet; and whereas it is desirable to restore peace and amicable relations, and to resolve and determine the doubts and difficulties as aforesaid, the said Governments have resolved to conclude a Convention with these objects, and the following Articles have been agreed upon by Colonel F. E. Younghusband, C.I.E., in virtue of full powers vested in him by His Britannic Majesty's Government, and on behalf of that said Government, and Lo-Sang Gyal-Tsen, the Ga-den Ti-Rimpoche, and the representatives of the Council, of the three monasteries Se-ra, Dre-pung, and Ga-den, and of the ecclesiastical and lay officials of the National Assembly on behalf of the Government of Thibet: —

Art. I. The Government of Thibet engages to respect the Anglo-Chinese Convention of 1890, and to recognize the frontier between Sikkim and Thibet, as defined in Article I of the said Convention, and to erect boundary pillars accordingly.

II. The Thibetan Government undertakes to open forthwith trade marts to which all British and Thibetan subjects shall have free right of access at Gyangtse and Gartok, as well as at Yatung.

The Regulations applicable to the trade mart at Yatung, under the Anglo-Chinese Agreement of 1893, shall, subject to such amendments as may hereafter be agreed upon by common consent between the British and Thibetan Governments, apply to the marts above mentioned.

In addition to establishing trade marts at the places mentioned, the Thibetan Government undertakes to place no restrictions on the trade by existing routes, and to consider the question of establishing fresh trade marts under similar conditions if development of trade requires it.

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[1] *British and Foreign State Papers*, 1904-1905, Vol. XCVIII, pp. 148-151. Signed also in the Chinese language. Confirmed, subject to the modification contained in the Declaration of November 11, 1904, annexed, by the Convention with China of April 27, 1906.

III. The question of the amendment of the Regulations of 1893 is reserved for separate consideration, and the Thibetan Government undertakes to appoint fully authorized delegates to negotiate with representatives of the British Government as to the details of the amendments required.

IV. The Thibetan Government undertakes to levy no dues of any kind other than those provided for in the tariff to be mutually agreed upon.

V. The Thibetan Government undertakes to keep the roads to Gyangtse and Gartok from the frontier clear of all obstruction and in a state of repair suited to the needs of the trade, and to establish at Yatung, Gyangtse, and Gartok, and at each of the other trade marts that may hereafter be established, a Thibetan Agent who shall receive from the British Agent appointed to watch over British trade at the marts in question any letter which the latter may desire to send to the Thibetan or to the Chinese authorities. The Thibetan Agent shall also be responsible for the due delivery of such communications and for the transmission of replies.

VI. As an indemnity to the British Government for the expense incurred in the dispatch of armed troops to Lhasa, to exact reparation for breaches of Treaty obligations, and for the insults offered to and attacks upon the British Commissioner and his following and escort, the Thibetan Government engages to pay a sum of 500,000*l*. —equivalent to 75 lakhs of rupees—to the British Government.

The indemnity shall be payable at such place as the British Government may from time to time, after due notice, indicate, whether in Thibet or in the British districts of Darjeeling or Jalpaiguri, in seventy-five annual instalments of one lakh of rupees each on the 1st January in each year, beginning from the 1st January, 1906.

VII. As security for the payment of the above-mentioned indemnity, and for the fulfilment of the provisions relative to trade marts specified in Articles II, III, IV, and V, the British Government shall continue to occupy the Chumbi Valley until the indemnity has been paid, and until the trade marts have been effectively opened for three years, whichever date may be the later.

VIII. The Thibetan Government agrees to raze all forts and fortifications and remove all armaments which might impede the course of free communication between the British frontier and the towns of Gyangtse and Lhasa.

IX. The Government of Thibet engages that, without the previous consent of the British Government—

(a) No portion of Thibetan territory shall be ceded, sold, leased, mortgaged or otherwise given for occupation, to any foreign Power;

(b) No such Power shall be permitted to intervene in Thibetan affairs;

(c) No Representatives or Agents of any foreign Power shall be admitted to Thibet;

(d) No concessions for railways, roads, telegraphs, mining, or other rights, shall be granted to any foreign Power, or the subject of any foreign Power. In the event of consent to such Concessions being granted, similar or equivalent Concessions shall be granted to the British Government;

(e) No Thibetan revenues, whether in kind or in cash, shall be pledged or assigned to any foreign Power, or to the subject of any foreign Power.

X. In witness whereof the Negotiators have signed the same, and affixed thereunto the seals of their arms.

Done in quintuplicate at Lhasa, this 7th day of September, in the year of our Lord, 1904, corresponding with the Thibetan date, the 27th of the seventh month of the Wood Dragon year.

(Thibet Frontier Commission.)

(Seal of British Commissioner.)

F. E. YOUNGHUSBAND,
Colonel,
British Commissioner.

(Seal of the Dalai Lama affixed by the Ga-den Ti-Rimpoche.)

(Seal of Council.) (Seal of Dre-pung Monastery.) (Seal of Sera Monastery.) (Seal of Ga-den Monastery.) (Seal of National Assembly.)

In proceeding to the signature of the Convention, dated this day the Representatives of Great Britain and Thibet declare that the English text shall be binding.

(Thibet Frontier Commission.)

(Seal of British Commissioner.)

F. E. YOUNGHUSBAND,
Colonel,
British Commissioner.

(Seal of the Dalai Lama affixed by the Ga-den Ti-Rimpoche.)

(Seal of Council.) (Seal of Dre-pung Monastery.) (Seal of Sera Monastery.) (Seal of Ga-den Monastery.) (Seal of National Asembly.)

AMPTHILL,
Viceroy and Governor-General of India.

This Convention was ratified by the Viceroy and Governor-General of India in Council at Simla on the 11th day of November, 1904.

S. M. FRASER,
Secretary to the Government of India,
Foreign Department.

CONVENTION between Great Britain and China respecting Tibet. — Signed at Peking, April, 27 1906

(Ratifications exchanged at London July 23, 1906.) [1]

[Signed also in Chinese.]

WHEREAS His Majesty the King of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty the Emperor of China are sincerely desirous to maintain and perpetuate the relations of friendship and good understanding which now exist between their respective Empires;

And whereas the refusal of Tibet to recognise the validity of or to carry into full effect the provisions of the Anglo-Chinese Conventions of March 17, 1890 and Regulations of December 5, 1893 placed the British Government under the necessity of taking steps to secure their rights and interests under the said Convention and Regulations;

And whereas a Convention of ten Articles was signed at Lhasa on September 7, 1904 on behalf of Great Britain and Tibet, and was ratified by the Viceroy and Governor-General of India on behalf of Great Britain on November 11, 1904, a declaration on behalf of Great Britain modifying its terms under certain conditions being appended thereto;

His Britannic Majesty and His Majesty the Emperor of China have resolved to conclude a Convention on this subject and have for this purpose named Plenipotentiaries, that is to say: —

His Majesty the King of Great Britain and Ireland:

Sir Ernest Mason Satow, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, His said Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of China;

And His Majesty the Emperor of China:

His Excellency Tong Shoa-yi, His said Majesty's High Commissioner Plenipotentiary and a Vice-President of the Board of Foreign Affairs; who having communicated to each other their respective full powers and finding them to be in good and true form have agreed upon and concluded the following Convention in six Articles:—

Art. I. The Convention concluded on September 7, 1904 by Great Britain and Tibet, the texts of which in English and Chinese

[1] *British and Foreign State Papers*, 1905-1906, Vol. XCIX, pp. 171-173.

are attached to the present Convention as an annex, is hereby confirmed, subject to the modification stated in the declaration appended thereto, and both of the High Contracting Parties engage to take at all times such steps as may be necessary to secure the due fulfilment of the terms specified therein.

II. The Government of Great Britain engages not to annex Tibetan territory or to interfere in the administration of Tibet. The Government of China also undertakes not to permit any other foreign State to interfere with the territory or internal administration of Tibet.

III. The Concessions which are mentioned in Article IX *(d)* of the Convention concluded on September 7, 1904 by Great Britain and Tibet are denied to any State or to the subject of any State other than China, but it has been arranged with China that at the trade marts specified in Article II of the aforesaid Convention Great Britain shall be entitled to lay down telegraph lines connecting with India.

IV. The provisions of the Anglo-Chinese Convention of 1890 and Regulations of 1893 shall, subject to the terms of this present Convention and annex thereto, remain in full force.

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

VI. This Convention shall be ratified by the Sovereigns of both countries and ratifications shall be exchanged at London within three months after the date of signature by the Plenipotentiaries of both Powers.

In token whereof the respective Plenipotentiaries have signed and sealed this Convention, four copies in English and four in Chinese.

Done at Peking this twenty-seventh day of April, one thousand nine hundred and six, being the fourth day of the fourth month of the thirty-second year of the reign of Kuang-hsü.

(L.S.) ERNEST SATOW.
(Signature and Seal of the Chinese Plenipotentiary.)

ANNEX

Convention between the Governments of Great Britain and Tibet signed at Lhasa on the 7th September, 1904. (See Vol. XCVIII, page 148.)

Declaration signed by His Excellency the Viceroy and Governor-General of India on behalf of the British Government and appended to the ratified Convention of the 7th September, 1904. (See Vol. XCVIII, page 151.)

EXCHANGE of Notes between Great Britain and China respecting the Non-employment of Foreigners in Tibet.

Peking, April 27, 1906.

(1.) — Tong Shoa-yi to Sir E. Satow.

April 27, 1906.

Your Excellency,

WITH reference to the Convention [1] relating to Tibet which was signed to-day by your Excellency and myself on behalf of our respective Governments, I have the honour to declare formally that the Government of China undertakes not to employ any one not a Chinese subject and not of Chinese nationality in any capacity whatsoever in Tibet.

I avail, &c.

TONG SHOA-YI.

(2.) — Sir E. Satow to Tong Shoa-yi.

Peking, April 27, 1906.

Your Excellency,

I HAVE the honour to acknowledge the receipt of your Excellency's note of this day's date, in which you declare formally, with reference to the Convention relating to Tibet which was signed to-day by your Excellency and myself on behalf of our respective Governments, that the Government of China undertakes not to employ any one not a Chinese subject and not of Chinese nationality in any capacity whatsoever in Tibet.

I avail, &c.

ERNEST SATOW.

[1] See pages 13-14.

DOCUMENT 5

CONVENTION between Great Britain and Russia relating to Persia, Afghanistan and Tibet. — Signed at St. Petersburg, August 31, 1907

Arrangement concernant le Thibet [1]

Les Gouvernements de la Grande-Bretagne et de Russie, reconnaissant les droits suzerains de la Chine sur le Thibet et considérant que par suite de sa situation géographique la Grande-Bretagne a un intérêt spécial à voir le régime actuel des relations extérieures du Thibet intégralement maintenu, sont convenus de l'Arrangement suivant:—

ART. I. Les deux Hautes Parties Contractantes s'engagent à respecter l'intégrité territoriale du Thibet et à s'abstenir de toute ingérence dans son administration intérieure.

II. Se conformant au principe admis de la suzeraineté de la Chine sur le Thibet, la Grande-Bretagne et la Russie s'engagent à ne traiter avec le Thibet que par l'entremise du Gouvernement Chinois. Cet engagement n'exclut pas toutefois les rapports directs des agents commerciaux Anglais avec les autorités Thibétaines prévus par l'Article V de la Convention du 7 Septembre 1904,[2] entre la Grande-Bretagne et le Thibet et confirmés par la Convention du 27 Avril 1906, entre la Grande-Bretagne et la Chine; il ne modifie pas non plus les engagements assumés par la Grande-Bretagne et la Chine en vertu de l'Article I de la dite Convention de 1906.

Il est bien entendu que les Bouddhistes tant sujets Britanniques que Russes peuvent entrer en relations directes sur le terrain strictement religieux avec le Dalaï-Lama et les autres représentants du Bouddhisme au Thibet; les Gouvernements de la Grande-Bretagne et de Russie s'engagent, pour autant qu'il dépendra d'eux, à ne pas admettre que ces relations puissent porter atteinte aux stipulations du présent Arrangement.

III. Les Gouvernements Britannique et Russe s'engagent, chacun pour sa part, à ne pas envoyer de Représentants à Lhassa.

IV. Les deux Hautes Parties s'engagent à ne rechercher ou obtenir, ni pour leur propre compte, ni en faveur de leurs sujets, aucunes Concessions de chemins de fer, routes, télégraphes et mines, ou autres droits au Thibet.

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[1] *British and Foreign States Papers*, 1906-1907, Vol. C, pp. 558-559. The parts dealing with Persia and Afghanistan are not included.

[2] See Document 3.

V. Les deux Gouvernements sont d'accord qu'aucune partie des revenus du Thibet, soit en nature, soit en espèces, ne peut être engagée ou assignée tant à la Grande-Bretagne et à la Russie qu'à leurs sujets.

Annexe à l'Arrangement entre la Grande-Bretagne et la Russie concernant le Thibet

La Grande-Bretagne réaffirme la déclaration signée par son Excellence le Vice-Roi et Gouverneur-Général des Indes et annexée à la ratification de la Convention du 7 Septembre 1904, stipulant que l'occupation de la Vallée de Chumbi par les forces Britanniques prendra fin après le paiement de trois annuités de l'indemnité de 25.00.000 roupies, à condition que les places de marché mentionnées dans l'article II de la dite Convention aient été effectivement ouvertes depuis trois ans et que les autorités Thibétaines durant cette période se soient conformées strictement sous tous les rapports aux termes de la dite Convention de 1904. Il est bien entendu que si l'occupation de la Vallée du Chumbi par les forces Britanniques n'aura pas pris fin, pour quelque raison que ce soit, à l'époque prévue par la Déclaration précitée, les Gouvernements Britannique et Russe entreront dans un échange de vues amical à ce sujet.

La présente Convention sera ratifiée et les ratifications en seront échangées à Saint-Pétersbourg aussitôt que faire se pourra.

En foi de quoi les plénipotentiaires respectifs ont signé la présente Convention et y ont apposé leurs cachets.

Fait à Saint-Pétersbourg, en double expédition, le 18 (31) Août 1907.

(L.S.) A. NICOLSON.
(L.S.) ISWOLSKY.

DOCUMENT 6

AGREEMENT between Great Britain, China and Tibet amending Trade Regulations in Tibet, of December 5, 1893. — Signed at Calcutta, April 20, 1908 [1]

(Ratifications exchanged at Peking, October 14, 1908)

TIBET TRADE REGULATIONS

Preamble

WHEREAS by Article I of the Convention between Great Britain and China on the 27th April, 1906, that is the 4th day of the 4th moon of the 32nd year of Kwang Hsü, it was provided that both the High Contracting Parties should engage to take at all times such steps as might be necessary to secure the due fulfilment of the terms specified in the Lhassa Convention of the 7th September, 1904, between Great Britain and Tibet, the text of which in English and Chinese was attached as an annex to the above-named Convention;

And whereas it was stipulated in Article III of the said Lhassa Convention that the question of the amendment of the Tibet Trade Regulations which were signed by the British and Chinese Commissioners on the 5th day of December, 1893, should be reserved for separate consideration, and whereas the amendment of these Regulations is now necessary;

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty the Emperor of the Chinese Empire have for this purpose named as their Plenipotentiaries, that is to say:

His Majesty the King of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India: Mr. E. C. Wilton, C.M.G.;

His Majesty the Emperor of the Chinese Empire: His Majesty's Special Commissioner Chang Yin Tang;

And the High Authorities of Tibet have named as their fully authorized representative to act under the directions of Chang Tachen and take part in the negotiations, the Tsarong Shape, Wang-Chuk Gyalpo.

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[1] *British and Foreign State Papers*, 1907-1908, Vol. CI, pp. 170-175.

And whereas Mr. E. C. Wilton and Chang Tachen have communicated to each other since their respective full powers and have found them to be in good and true form and have found the authorization of the Tibetan Delegate to be also in good and true form, the following amended Regulations have been agreed upon : —

1. The Trade Regulations of 1893 shall remain in force in so far as they are not inconsistent with these Regulations.

2. The following places shall form, and be included within, the boundaries of the Gyantse mart : —

(a.) The line begins at the Chumig Dangsang (Chhu-Mig-Dangs-Sangs) north-east of the Gyantse Fort, and thence it runs in a curved line, passing behind the Pekor Chode (Dpal-Hkhor-Choos-Sde), down to Chag-Dong-Gang (Phyag-Gdong-Sgang); thence passing straight over the Nyan Chu, it reaches the Zamsa (Zam-Srag).

(b.) From the Zamsa the line continues to run, in a south-eastern direction, round to Lachi-To (Gla-Dkyii-Stod), embracing all the farms on its way, viz., the Lahong, the Hogtso (Hog-Mtsho), the Tong-Chung-Shi (Grong-Chhung-Gshis), and the Rabgang (Rab-Sgang), &c.

(c.) From Lachi-To the line runs to the Yutog (Gyu-Thog), and thence runs straight, passing through the whole area of Gamkar-Shi (Ragal-Mkhar-Gshis), to Chumig Dangsang.

As difficulty is experienced in obtaining suitable houses and godowns at some of the marts, it is agreed that British subjects may also lease lands for the building of houses and godowns at the marts, the locality for such buildings sites to be marked out specially at each mart by the Chinese and Tibetan authorities in consultation with the British Trade Agent. The British Trade Agents and British subjects shall not build houses and godowns except in such localities, and this arrangement shall not be held to prejudice in any way the administration of the Chinese and Tibetan local authorities over such localities, or the right of British subjects to rent houses and godowns outside such localities for their own accommodation and the storage of their goods.

British subjects desiring to lease building sites shall apply through the British Trade Agent to the municipal office at the mart for a permit to lease. The amount of rent, or the period or conditions of the lease, shall then be settled in a friendly way by the lessee and the owner themselves. In the event of a disagreement between the owner and lessee as to the amount of rent or the period or conditions of the lease, the case will be settled by the Chinese and Tibetan authorities, in consultation with the British Trade Agent. After the lease is settled, the sites shall be verified by the Chinese and Tibetan officers of the municipal office conjointly with the British Trade Agent. No building is to be commenced by the lessee on a site before the municipal office has issued him a permit to build,

but it is agreed that there shall be no vexatious delays in the issue of such permit.

3. The administration of the trade marts shall remain with the Tibetan officers, under the Chinese officers' supervision and directions.

The Trade Agents at the marts and Frontier Officers shall be of suitable rank, and shall hold personal intercourse and correspondence one with another on terms of mutual respect and friendly treatment.

Questions which cannot be decided by agreement between the Trade Agents and the local authorities shall be referred for settlement to the Government of India and the Tibetan High Authorities at Lhassa. The purport of a reference by the Government of India will be communicated to the Chinese Imperial Resident at Lhassa. Questions which cannot be decided by agreement between the Government of India and the Tibetan High Authorities at Lhassa shall, in accordance with the terms of Article I of the Peking Convention of 1906, be referred for settlement to the Governments of Great Britain and China.

4. In the event of disputes arising at the marts between British subjects and persons of Chinese and Tibetan nationalities, they shall be inquired into and settled in personal conferences between the British Trade Agent at the nearest mart and the Chinese and Tibetan authorities of the Judicial Court at the mart, the object of personal conference being to ascertain facts and to do justice. Where there is a divergence of view the law of the country to which the defendant belongs shall guide. In any of such mixed cases, the officer or officers of the defendant's nationality shall preside at the trial, the officer or officers of the plaintiff's country merely attending to watch the course of the trial.

All questions in regard to rights, whether of property or person, arising between British subjects, shall be subject to the jurisdiction of the British authorities.

British subjects who may commit any crime at the marts or on the routes to the marts shall be handed over by the local authorities to the British Trade Agent at the mart nearest to the scene of offence, to be tried and punished according to the laws of India, but such British subjects shall not be subjected by the local authorities to any ill-usage in excess of necessary restraint.

Chinese and Tibetan subjects, who may be guilty of any criminal act towards British subjects at the marts or on the routes thereto, shall be arrested and punished by the Chinese and Thibetan authorities according to law.

Justice shall be equitably and impartially administered on both sides.

Should it happen that Chinese or Tibetan subjects bring a criminal complaint against a British subject before the British Trade Agent, the Chinese or Tibetan authorities shall have the right to send a representative, or representatives, to watch the course of trial in

the British Trade Agent's Court. Similarly, in cases in which a British subject has reason to complain of a Chinese or Tibetan subject in the Judicial Court at the mart, the British Trade Agent shall have the right to send a representative to the Judicial Court to watch the course of trial.

5. The Tibetan authorities, in obedience to the instructions of the Peking Government, having a strong desire to reform the judicial system of Tibet, and to bring it into accord with that of Western nations, Great Britain agrees to relinquish her rights of extra-territoriality in Tibet, whenever such rights are relinquished in China, and when she is satisfied that the state of the Tibetan laws and the arrangements for their administration and other considerations warrant her in so doing.

6. After the withdrawal of the British troops, all the rest-houses, eleven in number, built by Great Britain upon the routes leading from the Indian frontier to Gyantse, shall be taken over at original cost by China and rented to the Government of India at a fair rate. One-half of each rest-house will be reserved for the use of the British officials employed on the inspection and maintenance of the telegraph lines from the marts to the Indian frontier and for the storage of their materials, but the rest-houses shall otherwise be available for occupation by British, Chinese, and Tibetan officers of respectability who may proceed to and from the marts.

Great Britain is prepared to consider the transfer to China of the telegraph lines from the Indian frontier to Gyantse when the telegraph lines from China reach that mart, and in the meantime Chinese and Tibetan messages will be duly received and transmitted by the line constructed by the Governement of India.

In the meantime China shall be responsible for the due protection of the telegraph lines from the marts to the Indian frontier, and it is agreed that all persons damaging the lines or interfering in any way with them or with the officials engaged in the inspection or maintenance thereof shall at once be severely punished by the local authorities.

7. In law suits involving cases of debt on account of loans, commercial failure, and bankruptcy, the authorities concerned shall grant a hearing and take steps necessary to enforce payment; but, if the debtor plead poverty and be without means, the authorities concerned shall not be held responsible for the said debts, nor shall any public or official property be distrained upon in order to satisfy these debts.

8. The British Trade Agents at the various trade marts now or hereafter to be established in Tibet may make arrangements for the carriage and transmission of their posts to and from the frontier of India. The couriers employed in conveying these posts shall receive all possible assistance from the local authorities whose districts they traverse and shall be accorded the same protection as the persons

employed in carrying the despatches of the Tibetan authorities. When efficient arrangements have been made by China in Tibet for a postal service, the question of the abolition of the Trade Agents' couriers will be taken into consideration by Great Britain and China. No restrictions whatever shall be placed on the employment by British officers and traders of Chinese and Tibetan subjects in any lawful capacity. The persons so employed shall not be exposed to any kind of molestation or suffer any loss of civil rights to which they may be entitled as Tibetan subjects, but they shall not be exempted from all lawful taxation. If they be guilty of any criminal act, they shall be dealt with by the local authorities according to law without any attempt on the part of their employer to screen or conceal them.

9. British officers and subjects, as well as goods, proceeding to the trade marts, must adhere to the trade routes from the frontier of India. They shall not, without permission, proceed beyond the marts, or to Gartok from Yatung and Gyantse, or from Gartok to Yatung and Gyantse, by any route through the interior of Tibet, but natives of the Indian frontier, who have already by usage traded and resided in Tibet, elsewhere than at the marts shall be at liberty to continue their trade, in accordance with the existing practice, but when so trading or residing they shall remain, as heretofore, amenable to the local jurisdiction.

10. In cases where officials or traders, *en route* to and from India or Tibet, are robbed of treasure or merchandise, public or private, they shall forthwith report to the police officers, who shall take immediate measures to arrest the robbers and hand them to the local authorities. The local authorities shall bring them to instant trial, and shall also recover and restore the stolen property. But if the robbers flee to places out of the jurisdiction and influence of Tibet, and cannot be arrested, the police and the local authorities shall not be held responsible for such losses.

11. For public safety, tanks or stores of kerosene oil or any other combustible or dangerous articles in bulk must be placed far away from inhabited places at the marts.

British or Indian merchants wishing to build such tanks or stores may not do so until, as provided in Regulation 2, they have made application for a suitable site.

12. British subjects shall be at liberty to deal in kind or in money, to sell their goods to whomsoever they please, to purchase native commodities from whomsoever they please, to hire transport of any kind, and to conduct in general their business transactions in conformity with local usage and without any vexations restrictions or oppressive exactions whatever.

It being the duty of the police and local authorities to afford efficient protection at all times to the persons and property of the British subjects at the marts, and along the routes to the marts, China engages to arrange effective police measures at the marts and

along the routes to the marts. On due fulfilment of these arrangements, Great Britain undertakes to withdraw the Trade Agents' guards at the marts and to station no troops in Tibet, so as to remove all cause for suspicion and disturbance among the inhabitants. The Chinese authorities will not prevent the British Trade Agents holding personal intercourse and correspondence with the Tibetan officers and people.

Tibetan subjects trading, travelling, or residing in India shall receive equal advantages to those accorded by this Regulation to British subjects in Tibet.

13. The present Regulations shall be in force for a period of ten years reckoned from the date of signature by the two Plenipotentiaries as well as by the Tibetan Delegate; but if no demand for revision be made by either side within six months after the end of the first ten years, then the Regulations shall remain in force for another ten years from the end of the first ten years; and so it shall be at the end of each successive ten years.

14. The English, Chinese, and Tibetan texts of the present Regulations have been carefully compared, and, in the event of any question arising as to the interpretation of these Regulations, the sense as expressed in the English text shall be held to be the correct sense.

15. The ratifications of the present Regulations under the hand of His Majesty the King of Great Britain and Ireland, and of His Majesty the Emperor of the Chinese Empire, respectively, shall be exchanged at London and Peking within six months from the date of signature.

In witness whereof the two Plenipotentiaries and the Tibetan Delegate have signed and sealed the present Regulations.

Done in quadruplicate at Calcutta this 20th day of April, in the year of our Lord 1908, corresponding with the Chinese date, the 20th day of the 3rd moon of the 34th year of Kuang Hsü.

(L.S.) E. C. WILTON,
British Commissioner.

Signature of
(L.S.) CHANG YIN TANG,
Chinese Special Commissioner.

Signature of
(L.S.) WANG CHUK GYALPO,
Tibetan Delegate.

DOCUMENT 7

CONVENTION between Great Britain, China and Tibet — 1914 [1]

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

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

His Excellency the President of the Republic of China, Monsieur Ivan Chen, Officer of the Order of the Chia H O;

His Holiness the Dalai Lama of Tibet, Lonchen Ga-den Shatra Pal-jor Dorje; who having communicated to each other their respective full powers and finding them to be in good and due form have agreed upon and concluded the following Convention in eleven Articles:—

Article 1

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

Article 2

The Governments of Great Britain and China recognising that Tibet is under the suzerainty of China, and recognising also the autonomy of Outer Tibet, engage to respect the territorial integrity of the country, and to abstain from interference in the administration of outer Tibet (including the selection and installation of the Dalai

[1] *Note:* Whereas the Simla Convention itself after being initialled by the Chinese Plenipotentiary was not signed or ratified by the Chinese Government, it was accepted as binding by the two other parties as between themselves.

Lama), which shall remain in the hands of the Tibetan Government at Lhasa.

The Government of China engages not to convert Tibet into a Chinese province. The Government of Great Britain engages not to annex Tibet or any portion of it.

Article 3

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

The Government of Great Britain engages not to station military or civil officers in Tibet (except as provided in the Convention of September 7, 1904, between Great Britain and Tibet) nor troops (except the Agents escorts), nor to establish colonies in that country.

Article 4

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

Article 5

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

Article 6

Article III of the Convention of April 27, 1906, between Great Britain and China is hereby cancelled, and it is understood that in Article IX (*d*) of the Convention of September 7, 1904, between Great Britain and Tibet the term " Foreign Power " does not include China.

Not less favourable treatment shall be accorded to British commerce than to the commerce of China or the most favoured nation.

Article 7

(a) The Tibet Trade Regulations of 1893 and 1908 are hereby cancelled.

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

Article 8

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

Article 9

For the purpose of the present Convention the borders of Tibet, and the boundary between Outer and Inner Tibet, shall be as shown in red and blue respectively on the map attached hereto.[1]

Nothing in the present Convention shall be held to prejudice the existing rights of the Tibetan Government in Inner Tibet, which include the power to select and appoint the high priests of monasteries and to retain full control in all matters affecting religious institutions.

Article 10

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

Article 11

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

In token whereof the respective Plenipotentiaries have signed and sealed this Convention, three copies in English, three in Chinese and three in Tibetan.

Done at Simla this third day of July, A.D., one thousand nine hundred and fourteen, corresponding with the Chinese date, the third day of the seventh month of the third year of the Republic, and the Tibetan date, the tenth day of the fifth month of the Wood-Tiger year.

Initial [2] of the Lonchen Shatra.	(Initialled) A.H.M.
Seal of the Lonchen Shatra.	Seal of the British Plenipotentiary.

[1] Not published.

[2] Owing to it not being possible to write initials in Tibetan, the mark of the Lonchen at this place is his signature.

Schedule

1. Convention between Great Britain and China relating to Sikkim and Tibet, signed at Calcutta the 17th March 1890.

2. Convention between Great Britain and Tibet, signed at Lhasa the 7th September 1904.

3. Convention between Great Britain and China respecting Tibet, signed at Peking the 27th April 1906.

The notes exchanged are to the following effect:—

1. It is understood by the High Contracting Parties that Tibet forms part of Chinese territory.

2. After the selection and installation of the Dalai Lama by the Tibetan Government, the latter will notify the installation to the Chinese Government whose representative at Lhasa will then formally communicate to His Holiness the titles consistent with his dignity, which have been conferred by the Chinese Government.

3. It is also understood that the selection and appointment of all officers in Outer Tibet will rest with the Tibetan Government.

4. Outer Tibet shall not be represented in the Chinese Parliament or in any other similar body.

5. It is understood that the escorts attached to the British Trade Agencies in Tibet shall not exceed seventy-five per centum of the escort of the Chinese Representative at Lhasa.

6. The Government of China is hereby released from its engagements under Article III of the Convention of March 17, 1890, between Great Britain and China to prevent acts of agression from the Tibetan side of the Tibet-Sikkim frontier.

7. The Chinese high official referred to in Article 4 will be free to enter Tibet as soon as the terms of Article 3 have been fulfilled to the satisfaction of representatives of the three signatories to this Convention, who will investigate and report without delay. +

Initial + of Lonchen Shatra. (Initialled) A.H.M.

Seal of the Lonchen Shatra.

Seal of the British Plenipotentiary.

DOCUMENT 8

Anglo-Tibetan Trade Regulations — 1914

Whereas by Article 7 of the Convention concluded between the Governments of Great Britain, China and Tibet on the third day of July, A. D., 1914, the Trade Regulations of 1893 and 1908 were cancelled and the Tibetan Government engaged to negotiate with the British Government new Trade Regulations for Outer Tibet to give effect to Articles II, IV and V of the Convention of 1904;

His Majesty the King of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, Emperor of India, and His Holiness the Dalai Lama of Tibet have for this purpose named as their Plenipotentiaries, that is to say:

His Majesty the King of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, Sir A. H. McMahon, G.C.V.O., K.C.I.E., C.S.I.:

His Holiness the Dalai Lama of Tibet—Lonchen Ga-den Shatra Pal-jor Dorje;

And whereas Sir A. H. McMahon and Lonchen Ga-den Shatra Pal-jor Dorje have communicated to each other since their respective full powers and have found them to be in good and true form, the following Regulations have been agreed upon: —

1. The area falling within a radius of three miles from the British Trade Agency site will be considered as the area of such Trade Mart.

It is agreed that British subjects may lease lands for the building of houses and godowns at the Marts. This arrangement shall not be held to prejudice the right of British subjects to rent houses and godowns outside the Marts for their own accommodation and the storage of their goods. British subjects desiring to lease building sites shall apply through the British Trade Agent to the Tibetan Trade Agent. In consultation with the British Trade Agent the Tibetan Trade Agent will assign such or other suitable building sites without unnecessary delay. They shall fix the terms of the leases in conformity with the existing laws and rates.

II. The administration of the Trade Marts shall remain with the Tibetan authorities, with the exception of the British Trade Agency sites and compounds of the rest-houses, which will be under the exclusive control of the British Trade Agents.

The Trade Agents at the Marts and Frontier Officers shall be of suitable rank, and shall hold personal intercourse and correspond-

ence with one another on terms of mutual respect and friendly treatment.

III. In the event of disputes arising at the Marts or on the routes to the Marts between British subjects and subjects of other nationalities, they shall be enquired into and settled in personal conference between the British and Tibetan Trade Agents at the nearest Mart. Where there is a divergence of view the law of the country to which the defendant belongs shall guide.

All questions in regard to rights, whether of property or person, arising between British subjects, shall be subject to the jurisdiction of the British Authorities.

British subjects, who may commit any crime at the Marts or on the routes to the Marts, shall be handed over by the Local Authorities to the British Trade Agent at the Mart nearest to the scene of the offence, to be tried and punished according to the laws of India, but such British subjects shall not be subjected by the Local Authorities to any ill-usage in excess of necessary restraint.

Tibetan subjects, who may be guilty of any criminal act towards British subjects, shall be arrested and punished by the Tibetan Authorities according to law.

Should it happen that a Tibetan subject or subjects bring a criminal complaint against a British subject or subjects before the British Trade Agent, the Tibetan Authorities shall have the right to send a representative or representatives of suitable rank to attend the trial in the British Trade Agent's Court. Similarly in cases in which a British subject or subjects have reason to complain against a Tibetan subject or subjects, the British Trade Agent shall have the right to send a representative or representatives to the Tibetan Trade Agent's Court to attend the trial.

IV. The Government of India shall retain the right to maintain the telegraph lines from the Indian frontier to the Marts. Tibetan messages will be duly received and transmitted by these lines. The Tibetan Authorities shall be responsible for the due protection of the telegraph lines from the Marts to the Indian frontier, and it is agreed that all persons damaging the lines or interfering with them in any way or with the officials engaged in the inspection or maintenance thereof shall at once be severely punished.

V. The British Trade Agents at the various Trade Marts now or hereafter to be established in Tibet may make arrangements for the carriage and transport of their posts to and from the frontier of India. The couriers employed in conveying these posts shall receive all possible assistance from the Local Authorities, whose districts they traverse, and shall be accorded the same protection and facilities as the persons employed in carrying the despatches of the Tibetan Government.

No restrictions whatever shall be placed on the employment by British officers and traders of Tibetan subjects in any lawful capacity. The persons so employed shall not be exposed to any kind of molestation or suffer any loss of civil rights, to which they may be entitled as Tibetan subjects, but they shall not be exempted from lawful taxation. If they be guilty of any criminal act, they shall be dealt with by the Local Authorities according to law without any attempt on the part of their employer to screen them.

VI. No rights of monopoly as regards commerce or industry shall be granted to any official or private company, institution, or individual in Tibet. It is of course understood that companies and individuals; who have already received such monopolies from the Tibetan Government previous to the conclusion of this agreement, shall retain their rights and privileges until the expiry of the period fixed.

VII. British subjects shall be at liberty to deal in kind or in money, to sell their goods to whomsoever they please, to hire transport of any kind, and to conduct in general their business transactions in conformity with local usage and without any vexation, restrictions or oppressive exactions whatever. The Tibetan Authorities will not hinder the British Trade Agents or other British subjects from holding personal intercourse or correspondence with the inhabitants of the country.

It being the duty of the Police and the Local Authorities to afford efficient protection at all times to the persons and property of the British subjects at the Marts and along the routes to the Marts, Tibet engages to arrange effective Police measures at the Marts and along the routes to the Marts.

VIII. Import and export in the following Articles: —

arms, ammunition, military stores, liquors and intoxicating or narcotic drugs,

may at the option of either Government be entirely prohibited, or permitted only on such conditions as either Government on their own side may think fit to impose.

IX. The present Regulations shall be in force for a period of ten years reckoned from the date of signature by the two Plenipotentiaries; but, if no demand for revision be made on either side within six months after the end of the first ten years the Regulations shall remain in force for another ten years from the end of the first ten years; and so it shall be at the end of each successive ten years.

X. The English and Tibetan texts of the present Regulations have been carefully compared, but in the event of there being any difference of meaning between them the English text shall be authoritative.

XI. The present Regulations shall come into force from the date of signature.

Done at Simla this third day of July, A. D., one thousand nine hundred and fourteen, corresponding with the Tibetan date, the tenth day of the fifth month of the Wood-Tiger year.

Seal of the Dalai Lama.

Signature of the Lonchen Shatra.

A. HENRY MCMAHON,
British Plenipotentiary.

Seal of the Lonchen Shatra.

Seal of the British Plenipotentiary.

Seal of the Drepung Monastery.

Seal of the Sera Monastery.

Seal of the Gaden Monastery.

Seal of the National Assembly.

DOCUMENT 9

Exchange of Notes between the Governments of India and of the People's Republic of China concerning the advance of the Chinese army units into Tibet

(a) *Indian Note, 26 October 1950*

We have seen with great regret the report in the newspapers of an official statement made in Peiping to the effect that ' People's Army units have been ordered to advance into Tibet '.

We have received no intimation of this from your Ambassador here or from our Ambassador in Peiping.

We have been repeatedly assured of a desire by the Chinese Government to settle the Tibetan problem by peaceful means and negotiations. In an interview which India's Ambassador had recently with (China's) Vice Foreign Minister, the latter, while reiterating the resolve of the Chinese Government to ' liberate ' Tibet had expressed a continued desire to do so by peaceful means.

We have informed the Chinese Government through our Ambassador of the decision of the Tibetan delegation to proceed to Peiping immediately to start negotiations. This delegation actually left Delhi yesterday. In view of these facts the decision to order the advance of China's troops into Tibet appears to us most surprising and regretable.

We realise there has been a delay in the Tibetan delegation proceeding to Peiping. This delay was caused in the first instance by an inability to obtain visas for Hong Kong for which the delegation is in no way responsible.

Subsequently the delegation came back to Delhi because of the wish of the Chinese Government that preliminary negotiations should first be conducted in Delhi with the Chinese Ambassador.

Owing to the lack of knowledge on the part of the Tibetan delegation of dealing with other countries and the necessity of obtaining instructions from their Government who in turn had to consult their Assemblies certain further delay took place.

The Government of India does not believe that any foreign influences hostile to China have been responsible for the delay in the delegation's departure.

Now that the invasion of Tibet has been ordered by the Chinese Government, peaceful negotiations can hardly be synchronised with it and there naturally will be fear on the part of Tibetans that negotiations will be under duress. In the present context of world events, invasion by Chinese troops of Tibet cannot but be regarded

as deplorable and in the considered judgement of the Government of India, not in the interest of China or Peace.

The Government of India can only express their deep regret that in spite of friendly disinterested advice repeatedly tendered by them the Chinese Government should have decided to seek solution of the problem of their relations with Tibet by force instead of by the slower and more enduring method of peaceful approach.

(b) *Chinese reply, 30 October 1950*

The Central People's Government of the People's Republic of China would like to make it clear:

Tibet is an integral part of Chinese Territory. The problem of Tibet is entirely the domestic problem of China. The Chinese People's Liberation Army must enter Tibet, liberate the Tibetan people and defend the frontiers of China. This is the resolved policy of the Central People's Government.

The Central People's Government has repeatedly expressed hope that the problem of Tibet may be solved by peaceful negotiations and it welcomes, therefore, the delegation of local authorities of Tibet to come to Peiping at an early date to proceed with peaceful negotiations.

Yet the Tibetan delegation, under outside instigation, has intentionally delayed the date of its departure for Peiping. The Central People's Government, however, had not abandoned its desire to proceed with peaceful negotiations.

But regardless of whether the local authorities of Tibet wish to proceed with peace negotiations and whatever the results may be achieved by negotiations, the problem of Tibet is a domestic problem of the People's Republic of China and no foreign interference shall be tolerated. The particular problem of Tibet and the problem of the participation of the People's Republic of China in the United Nations are two entirely unrelated problems.

Therefore with regard to the viewpoint of the Government of India on what it regards as deplorable, the Central People's Government of the People's Republic of China cannot but consider it as having been affected by foreign influences hostile to China in Tibet and hence express its deep regret.

(c) *Second Indian note, 31 October 1950*

India's Ambassador at Peiping has transmitted to the Government of India a note handed to him by the Vice Foreign Minister of the People's Republic of China on October 30. The Government of India have read with amazement the statement in the last paragraph of the Chinese Government's reply that the Government of

India's representation to them was affected by foreign influence hostile to China and categorically repudiates it.

At no time has any foreign influence been brought to bear upon India in regard to Tibet. In this, as in other matters, the Government of India's policy has been entirely independent and directed solely towards the peaceful settlement of international disputes and avoidance of anything calculated to increase the present deplorable tensions of the world.

The Government of China equally is mistaken in thinking the Tibetan delegation's departure for Peiping was delayed by outside instigation. In previous communications, the Government of India have explained at some length the reasons why the Tibetan delegation could not proceed to Peiping earlier. They are convinced there has been no possibility of foreign instigation.

It is with no desire to interfere or gain advantage that the Government of India have sought earnestly that a settlement of the Tibetan problem should be effected by peaceful negotiations adjusting the legitimate Tibetan claim to autonomy within the framework of Chinese Suzerainty. Tibetan autonomy is a fact which, judging from reports they have received from other sources, the Chinese Government were themselves willing to recognise and foster.

The Government of India's repeated suggestions that Chinese suzerainty (over Tibet) and Tibetan autonomy should be reconciled by peaceful negotiations was not, as the Chinese Government seems to suggest unwarranted interference in China's internal affairs, but well-meant advice by a friendly government which has a natural interest in the solution of problems concerning its neighbours by peaceful methods.

Wedded as they are to the ways of peace, the Government of India had been gratified to learn that the Chinese Government were also desirous to effect a settlement in Tibet through peaceful negotiations. Because of this the Government of India advised the Tibetan Government to send their delegation to Peiping, and were glad that this advice was accepted in the inter-change of communications which had been placed between the Government of India and the Government of China, and the former had received repeated assurances that peaceful settlement was aimed at.

In the circumstances, the surprise of the Government of India was all the greater when it learned that military operations had been undertaken by the Chinese Government against peaceful people. There had been no allegation that there had been any provocation, or any report as to non-peaceful methods on the part of the Tibetans. Hence there was no justification whatever for such military operations against them. Such a step, involving an attempt to impose a decision by force, could not possibly be reconciled with a peaceful settlement. In view of these developments the Government of India are no longer in a position to advise the

Tibetan delegation to proceed to Peiping unless the Chinese Government think it fit to order their troops to halt their advance into Tibet and thus give a chance for peaceful negotiations.

Every step that the Government of India has taken in recent months has been to check the drift to war all over the world. In so doing they often have been misunderstood and criticized, but they adhered to their policy regardless of the displeasure of great nations. They cannot help thinking that military operations by the Chinese Government against Tibet have greatly added to the tensions of the world and to the drift towards general war, which they are sure the Government of China also wish to avoid.

The Government of India has repeatedly made it clear that they have no political or territorial ambitions as to Tibet and do not seek any novel privileged position for themselves or for their nationals in Tibet. At the same time, they pointed out, certain rights have grown out of usage and agreements which are natural between neighbours with close cultural and commercial relations.

These relations have found expression in the presence of an agent of the Government of India in Lhasa, the existence of trade agencies at Gyantse and Yatung and the maintenance of post and telegraph offices at the trade route up to Gyantse over forty years. The Government of India are anxious that these establishments, which are to the mutual interest of India and Tibet and do not detract in any way from Chinese Suzerainty over Tibet, should continue. The personnel at the Lhasa mission and the Agencies at Gyantse and Yatung accordingly, have been instructed to stay at their posts.

It has been the basic policy of the Government of India to work for friendly relations between India and China, both countries recognising each other's sovereignty, territorial integrity, and mutual interests.

Recent developments in Tibet have affected these friendly relations and the interests of peace all over the world; this the Government of India deeply regrets.

In conclusion, the Government of India can only express their earnest hope that the Chinese Government will still prefer the method of peaceful negotiation and settlement to a solution under duress and by force.

(d) *Chinese reply, 16 November 1950*

On November 1, 1950, the Ministry of Foreign Affairs of the People's Republic of China received from His Excellency Ambassador Panikkar a communication from the Government of the Republic of India on the problem of Tibet.

The Central People's Government of the People's Republic of China, in its past communications with the Government of the Republic of India on the problem of Tibet, has repeatedly made

it clear that Tibet is an integral part of Chinese territory and the problem of Tibet is entirely a domestic problem of China. The Chinese People's Liberation Army must enter Tibet, liberate the Tibetan people and defend the frontiers of China. This is the firm policy of the Chinese Government. According to the provisions of the Common Programme adopted by the Chinese People's Political Consultative Conference, the relative autonomy granted by the Chinese Government to national minorities inside the country is an autonomy within the confines of Chinese sovereignty.

This point was recognised by the Indian Government in its aide mémoire to the Chinese Government dated August 28 this year. However, when the Chinese Government actually exercised its sovereign rights, and began to liberate the Tibetan people and drive out foreign forces and influences to ensure that the Tibetan people will be free from aggression and will realise regional autonomy and religious freedom the Indian Government attempted to influence and obstruct the exercise of its sovereign rights in Tibet by the Chinese Government. This cannot but make the Chinese Government greatly surprised.

The Central People's Government of the People's Republic of China sincerely hopes that the Chinese People's Liberation Army may enter Tibet peacefully to perform the sacred task of liberating the Tibetan People and defending the frontiers of China. It has therefore long since welcomed the delegation of the local authorities of Tibet which has remained in India to come to Peking at an early date to proceed with peace negotiations. Yet the said delegation, obviously as a result of continued outside obstruction, has delayed its departure for Peking. Further, taking advantage of the delay of negotiations, the local authorities of Tibet have deployed strong armed forces at Changtu, in Sikiang Province, in the interior of China, in an attempt to prevent the Chinese People's Liberation Army from liberating Tibet.

On August 31, 1950, the Chinese Ministry of Foreign Affairs informed the Indian Government through Ambassador Panikkar that the Chinese People's Liberation Army was going to take action soon in West Sikiang according to set plans, and expressed the hope that the Indian Government would assist the delegation of the local authorities of Tibet so that it might arrive in Peking in mid-September to begin peace negotiations. In early and middle September, the Chinese Charge d'Affairs, Shen Chien, and later Ambassador Yuan Chung-Hsien, both in person, told the said delegation that it was imperative that it should hasten to Peking before the end of September, otherwise the said delegation should bear the responsibilities and be responsible for all the consequences resulting from the delay.

In mid-October, Chinese Ambassador Yuan again informed the Indian Government of this. Yet still owing to outside insti-

gation, the delegation of the local authorities of Tibet fabricated various pretexts and remained in India.

Although the Chinese Government has not given up its desire of settling the problem of Tibet peacefully, it can no longer continue to put off the set plan of the Chinese People's Liberation Army to proceed to Tibet. And the liberation of Changtu further proved that through the instrument of Tibetan troops, foreign forces and influences were obstructing the peaceful settlement of the problem of Tibet. But regardless of whether the local authorities of Tibet wish to proceed with peace negotiations, and regardless of whatever results may be achieved by negotiations no foreign intervention will be permitted. The entry into Tibet of the Chinese People's Liberation Army and the liberation of the Tibetan people are also decided.

In showing its friendship with the Government of the Republic of India, and in an understanding of the desire of the Indian Government to see the problem of Tibet settled peacefully, the Central People's Government of the People's Republic of China has kept the Indian Government informed of its efforts in this direction. What the Chinese Government cannot but deeply regret is that the Indian Government, in disregard of the facts, has regarded a domestic problem of the Chinese Government—the exercise of its sovereign rights in Tibet—as an international dispute calculated to increase the present deplorable tensions in the world.

The Government of the Republic of India has repeatedly expressed its desire of developing Sino-Indian friendship on the basis of mutual respect for territory, sovereignty, equality and mutual benefit, and of preventing the world from going to war. The entry into Tibet of the Chinese People's Liberation Army is exactly aimed at the protection of the integrity of the territory and the sovereignty of China. And it is on these questions that all those countries who desire to respect the territory and the sovereignty of China should first of all indicate their real attitude towards China.

In the meantime, we consider that what is now threatening the independence of nations and world peace is precisely the forces of those imperialist aggressors. For the sake of the maintenance of national independence and the defence of world peace, it is necessary to resist the forces of these imperialist aggressors. The entry into Tibet of the Chinese People's Liberation Army is thus an important measure to maintain Chinese independence, to prevent the imperialist aggressors from dragging the world towards war, and to defend world peace.

The Central People's Government of the People's Republic of China welcomes the renewed declaration of the Indian Government that it has no political or territorial ambitions in China's Tibet and that it does not seek any new privileged position. As

long as our two sides adhere strictly to the principle of mutual respect for territory, sovereignty, equality, and mutual benefit, we are convinced that the friendship between China and India should be developed in a normal way, and that problems relating to Sino-Indian diplomatic, commercial and cultural relations with respect to Tibet may be solved properly and to our mutual benefit through normal diplomatic channels.

DOCUMENT 10

Agreement on Measures for the Peaceful Liberation of Tibet (17-point Agreement of May 23, 1951) [1]

The Tibetan nationality is one of the nationalities with a long history within the boundaries of China and, like many other nationalities, it has done its glorious duty in the course of the creation and development of the great Motherland. But, over the last 100 years or more, imperialist forces penetrated into China and in consequence also penetrated into the Tibetan region and carried out all kinds of deceptions and provocations. Like previous reactionary Governments, the Kuomintang reactionary Government continued to carry out a policy of oppression and sowing dissension among the nationalities, causing division and disunity among the Tibetan people. The local government of Tibet did not oppose the imperialist deception and provocation and adopted an unpatriotic attitude towards the great Motherland. Under such conditions the Tibetan nationality and people were plunged into the depths of enslavement and sufferings. In 1949 basic victory was achieved on a nation-wide scale in the Chinese people's war of liberation; the common domestic enemy of all nationalities—the Kuomintang reactionary Government—was overthrown and the common foreign enemy of all nationalities—the aggressive imperialist forces—was driven out. On this basis the founding of the People's Republic of China (CPR) and of the CPG was announced.

In accordance with the Common Programme passed by the Chinese People's Political Consultative Conference (CPPCC), the CPG declared that all nationalities within the boundaries of the CPR are equal and that they shall establish unity and mutual aid and oppose imperialism and their own public enemies, so that the CPR will become a big family of fraternity and co-operation, composed of all its nationalities. Within the big family of all nationalities of the CPR, national regional autonomy shall be exercised in areas where national minorities are concentrated and all national minorities shall have freedom to develop their spoken and written languages and to preserve or reform their customs, habits and religious beliefs, and the CPG shall assist all national minorities to develop their political, economic, cultural, and educational construction work. Since then,

[1] The full text of the 'Agreement of the Central People's Government (CPG) and the local Government of Tibet on measures for the peaceful liberation of Tibet', was signed in Peking on May 23, 1951. The text herein was given by the New China News Agency. See also *Concerning the Question of Tibet* (Peking, 1959), pp. 14-16; *Documents of International Affairs* (London, Royal Institute of International Affairs), 1951, pp. 577-579.

all nationalities within the country—with the exception of those in the areas of Tibet and Taiwan—have gained liberation. Under the unified leadership of the CPG and the direct leadership of higher levels of people's governments, all national minorities have fully enjoyed the right of national equality and have exercised, or are exercising, national regional autonomy.

In order that the influences of aggressive imperialist forces in Tibet might be successfully eliminated, the unification of the territory and sovereignty of the CPR accomplished, and national defence safeguarded; in order that the Tibetan nationality and people might be freed and return to the big family of the CPR to enjoy the same rights of national equality as all other nationalities in the country and develop their political, economic, cultural and educational work, the CPG, when it ordered the People's Liberation Army (PLA) to march into Tibet, notified the local government of Tibet to send delegates to the central authorities to conduct talks for the conclusion of an agreement on measures for the peaceful liberation of Tibet. At the latter part of April 1951 the delegates with full powers of the local government of Tibet arrived in Peking. The CPG appointed representatives with full powers to conduct talks on a friendly basis with the delegates with full powers of the local government of Tibet. As a result of the talks both parties agreed to establish this agreement and ensure that it be carried into effect.

(1) The Tibetan people shall unite and drive out imperialist aggressive forces from Tibet; the Tibetan people shall return to the big family of the Motherland—the People's Republic of China.

(2) The local government of Tibet shall actively assist the PLA to enter Tibet and consolidate the national defences.

(3) In accordance with the policy towards nationalities laid down in the Common Programme of the CPPCC, the Tibetan people have the right of exercising national regional autonomy under the unified leadership of the CPG.

(4) The central authorities will not alter the existing political system in Tibet. The central authorities also will not alter the established status, functions and powers of the Dalai Lama. Officials of various ranks shall hold office as usual.

(5) The established status, functions and powers of the Panchen Ngoerhtehni (Lama) shall be maintained.

(6) By the established status, functions and powers of the Dalai Lama and of the Panchen Ngoerhtehni are meant the status, functions and powers of the thirteenth Dalai Lama and of the ninth Panchen Ngoerhtehni when they were in friendly and amicable relations with each other.

(7) The policy of freedom of religious belief laid down in the Common Programme of the CPPCC shall be carried out. The religious beliefs, customs and habits of the Tibetan people shall be respected and lama monasteries shall be protected. The central authorities will not effect a change in the income of the monasteries.

(8) Tibetan troops shall be reorganised step by step into the PLA and become a part of the national defence forces of the CPR.

(9) The spoken and written language and school education of the Tibetan nationality shall be developed step by step in accordance with the actual condition in Tibet.

(10) Tibetan agriculture, livestock-raising, industry and commerce shall be developed step by step and the people's livelihood shall be improved step by step in accordance with the actual condition in Tibet.

(11) 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 shall be settled by means of consultation with the leading personnel of Tibet.

(12) In so far as former pro-imperialist and pro-Kuomintang officials resolutely sever relations with imperialism and the Kuomintang and do not engage in sabotage or resistance, they may continue to hold office irrespective of their past.

(13) The PLA entering Tibet shall abide by all the above-mentioned policies and shall also be fair in all buying and selling and shall not arbitrarily take a needle or thread from the people.

(14) The CPG shall have centralised handling of all external affairs of the area of Tibet; and there will be peaceful co-existence with neighbouring countries and establishment and development of fair commercial and trading relations with them on the basis of equality, mutual benefit and mutual respect for territory and sovereignty.

(15) In order to ensure the implementation of this agreement, the CPG shall set up a Military and Administrative Committee and a Military Area HQ in Tibet and—apart from the personnel sent there by the CPG—shall absorb as many local Tibetan personnel as possible to take part in the work. Local Tibetan personnel taking part in the Military and Administrative Committee may include patriotic elements from the local government of Tibet, various districts and various principal monasteries; the name-list shall be set forth after consultation between the representatives designated by the CPG and various quarters concerned and shall be submitted to the CPG for appointment.

(16) Funds needed by the Military and Administrative Committee, the Military Area HQ and the PLA entering Tibet shall be provided by the CPG. The local government of Tibet should assist the PLA in the purchase and transport of food, fodder and other daily necessities.

(17) This agreement shall come into force immediately after signatures and seals are affixed to it.

Signed and sealed by delegates of the CPG with full powers: Chief Delegate—Li Wei-Han (Chairman of the Commission of Nationalities Affairs); Delegates—Chang Ching-wu, Chang Kuo-hua, Sun Chih-yuan. Delegates with full powers of the local government of Tibet: Chief Delegate—Kaloon Ngabou Ngawang Jigme (Ngabo Shape); Delegates—Dizasak Khemey Sonam Wangdi, Khentrung Thupten Tenthar, Khenchung Thupten Lekmuun, Rimshi Samposey Tenzin Thundup.

Peking, 23rd May, 1951.

DOCUMENT 11

Letter from Tibetan Leaders to Mr. Jawaharlal Nehru [1]

Dear Sir,

Tibet is essentially an independent country with sovereign powers. Its people being religious and peace-loving, no stock of modern weapons of war were kept within its boundaries. In the year 1950 the Chinese Communists invaded our land with about five hundred thousand of their so-called " liberation army " and over powered our frontier guards. Later they settled some four million Chinese immigrants in the eastern and north-eastern regions. These settlers, along with their powerful armies, have attempted to destroy our religion, culture and traditions. A separate Manifesto describing the plight of our people is attached hereto for your perusal. In it you will read of the merciless treatment of our people by the Chinese, and how many have had to flee to the far-off deserts and valleys. It is for these reasons that our people are fighting guerilla warfare. There are hundreds being killed daily by the Chinese in these battles.

There is trouble also in Lhasa, the capital of Tibet. Recently some thirty thousand people from the southern areas had to leave their property, families and settled life to save themselves from the brutal treatment of the Chinese over-lords. Now without homes, these people are also out in the deserts and it is feared that there may be uprisings in the south and central areas as a consequence.

The recent happenings in Hungary have stirred the whole world, but the oppression in Tibet has been more severe. The Hungarians, Communists themselves, sought for freedom from another communist power. Tibet has never desired communism but has been forced to submit to it by the Chinese force.

Not only have the Chinese Communists occupied our country making every effort to exploit our people, but they have also made Tibet into a huge arsenal that can have no other conceivable purpose than a future offensive against her neighbouring countries and the world at large. They are building army " barracks, forts, bridges and air-fields at strategic places, and their extensive programme for constructing great roads and railways is mainly to accelerate the movement of their armed forces.

It is in view of the above mentioned facts and the Manifesto attached hereto that we are appealing to you to help us by approach-

[1] *Note:* This letter was presented to Mr. Nehru in the Summer of 1958 by a number of Tibetan leaders, amongst them, Sitzub Lokangwa, former Prime Minister of Tibet; Shakob-ba, head of the 1950 Tibetan Trade Delegation to India, the United States and elsewhere; Thundup, brother of the Dalai Lama. A text of the letter and *Manifesto* (see Document following) also appeared in *Union Research Service* (Hong Kong), Supplement, April 7, 1959.

ing China about this injustice. China should be made to recognise the dire plight of our country and stop their assaults on our loyal people in Don-Khan and Amdo in the eastern regions and to relent in central Tibet as well.

In short our appeal to you is this. Please request the Government of China on our behalf restore to Tibet her independence and to withdraw all their armed forces and immigrants from the whole of Tibet.

Yours faithfully,

DOCUMENT 12

Manifesto by Tibetan Leaders [1]

Because very little is known about Tibet many people think that is has always been under the domination of China. They are surprised to learn for instance, that the Tibetans have had their own passports, currency etc. and have had direct trade relations with other countries.

If we begin as early as the year 635 A. D., with Tibet's most famous king Songtsen Gompo, we find ample evidence in Tibetan history that it has always been and independent country and never under the dictatorship of China. True, this king had a Chinese and a Nepalese wife, but he obtained them by force, sending soldiers for that express purpose. At that time the borders of Tibet stretched as far as Lanchow in the east to Nepal in the west and included the whole of Sinkiang province in the north. In 712 A. D., we find that King May-Aktsom also procured a Chinese bride, she being offered in order to bribe the Tibetans into peaceful relations on the Chinese border.

During the reign of Tihtsong Detsen (about 741 A. D.) pundits came from India to teach Buddhism. At this time relations were not good between China and Tibet and the former used to pay a yearly tribute of 50,000 pieces of Chinese brocade to Tibet. In 755 A. D. the Chinese stopped this tribute, so the Tibetans attacked China and extended their boundary to Shensi province. The then ruling Emperor of China fled the country and the Tibetans enthroned an Emperor of their choice.

The year 877 A. D. saw a religious revival and a treaty with China. This treaty concerned the boundary then fixed at Chorten Karpo. (The actual White Chorten giving the place its name is still standing today). The details of the treaty were engraved on three separate pillars, one of which is today in Lhasa, another at Sien (Shensi province) and the third at Chorten Karpo itself. The treaty is written in both Chinese and Tibetan.

In 1244 A. D. the first Lama King of the famous Sakya Lama line began to rule. One of these kings was invited to China by the Emperor, a descendant of the Great Mongolian conquerer Genghis Khan. There he was treated as an independent King; he had a strong religious affinity with the Mongols. The fast that the great Chinese Emperor himself escorted Tibet's King a distance of four month's journey on his return to Tibet, proves that great respect was paid to him.

The friendship of the Third Dalai Lama (in 1578 A. D.) with Altan, king of Mongolia, gained considerable significance when

[1] This Document accompanied the letter to Mr. Nehru in the summer of 1958, see Document 11.

Altan's grandson became the Emperor of China (the first of the Manchurian line) and invited the fifth Dalai Lama to China. On this occasion it is recorded (both by Tibetans and foreigners) that the Chinese ruler escorted the Tibetan King many day's journey on his entry into China. This, together with the fact that the Chinese and Tibetan rulers often conferred honours upon each other, shown the equality of the relationship of the two rulers.

This visit by the Dalai Lama was also used by the Chinese to their own advantage, since they feared the Mongolians, occasional revolts against them who in turn recognised the authority of the Dalai Lama. Any friendship which ever existed between China and Tibet was based upon religion and both the Mongols and Chinese recognised the Dalai Lama as their spiritual Guide.

The scene began to change in 1908 during the reign of the Thirteenth Dalai Lama, when the Chinese, under the leadership of Chao-Erh-Feng (known as " the butcher ") attacked Tibet. Many monasteries were destroyed and hundreds of people massacred. After the raid the remnants of the forces were sent back to China via India. Since that time (1912) up to 1950 no Chinese have been allowed into Tibet without express permission.

Tibet, independent and peace-loving, has a theocratic form of Government with His Holiness the Dalai Lama as its sole Ruler. Its language, culture, traditions are completely different from those of China. Yet, in the year 1949, when the Communists subdued the whole China, they declared to the whole world through the radio that China wanted to " liberate " Tibet.

The Chinese suddenly attacked the eastern regions of our country from eight different directions. Being a non-violent and peace-loving country, Tibet had no stock of arms and ammunitions, and the legal Government of the country approached the United Nation's General Assembly for justice and to check the further advance of the Chinese invasion. Receiving no reply from that Assembly, we approached the Security Council at its session at Lake Success. To our greatest disappointment both of our appeals were ignored and remain unanswered to this day. It was under these circumstances that the Chinese forced our Governor at Chamdo to submit to their dictates and to make the Government of Lhasa surrender. To the Governor was dictated the so-called " 17 point agreement ", which he had to translate into Tibetan. Then he was forced to sign it on behalf of the Government of Tibet by the threat of further troops being sent into Tibet if this was not done. No document is legal without the official seal of the Cabinet duly sanctioned by the Dalai Lama, but the Chinese made a seal of their own for the purpose (and this seal is still in their possession); therefore the agreement was never properly signed.

Since that time the Tibetans have suffered untold agonies. The Chinese Communists have gradually deprived us of all our political rights. Our Government, right from the top to the provincial and district offices, has been made powerless and today we are governed completely by the Chinese. Soon after their occupation in 1951 the Chinese organised the Regional Military Commanders and abolished our National Army, and the Commanders and Vice-Commanders of our own forces were enlisted with the Communists forces to bring them into line with the forces of occupation. During 1953-54 the Chinese tried to establish their Military and Political Committee to abolish the Tibetan Government. But the bitter opposition of the people prevented this. By the end of 1954 the Chinese managed to take the Dalai Lama to China and there he was forced to agree and confirm the autonomous status of Tibet submitting to establish the Regional Autonomous Government of Tibet. In 1955 the Dalai Lama returned to Tibet. In 1956 the Chinese, in order to consolidate their hold on Tibet, formed the preparatory committee of the Regional Autonomous Government of Tibet. This Committee is directly governed by the Peking Government. All its members both Chinese and Tibetans must be approved by the Peking authorities and all its decisions must first be confirmed by them. They have installed their own agents in that Committee with fifty-fifty representation of Chinese and Tibetans, and have used those Tibetan puppets to influence the decisions of the Committee. Thus politically the Tibetans have been made completely subservient to the Chinese over-lords.

Economically Tibet used to be self-sufficient for its food supply. But today million of Chinese are living on our people and our food situations is desperate. The people in the East and N. East are facing a famine. The Chinese, besides laying hands on our current crops, have forced our people to open our centuries-old granaries. They have also taken away our reserves of gold and silver bullion. In the southern and central regions they have destroyed thousands of acres of agricultural lands by giving priority to " national highways " and to the building of barracks and arsenals. In the East and N. East regions the Chinese have introduced the Communist method of land-reforms. In these areas half the population are peasants and the other half nomads. To effect their land reforms the Chinese have imported masses of their settlers and distributed the agricultural land of the Tibetans among them. They have in this way intoduced the collectivisation of farms. In this process the Chinese have made the despoiled Tibetan farmers work twelve hours a day, with daily ration, insufficient for a single meal. In the distribution of property they have not even spared the Tibetans' personal requisites of every-day life such as rugs, rooms in the houses and articles of clothings. Our Tibetans are expected to treat these Chinese settlers as their aunts and uncles, and share all their property equally with the immigrants. The nomads too are victims of these

so-called reforms. Their flocks of sheep and cattle, their wool and dairy products are all being confiscated by the alien Government.

In the name of education they have opened schools of various denominations, organised training centres such as " Youth's League ", " Women's Association ", " Workers' Party ", and they are trying their utmost to enlist as many as possible of our young men and children. In this way they have made thousands of homes unhappy by sending their children to China for the so-called advancement of their education. None of these children are being trained or educated for any constructive purposes. There are no Tibetan engineers, electricians, chemists or doctors. They train our youths to distrust each other. They are trying to indoctrinate the young Tibetans minds and to strengthening the forces of communism in our land. As a result they have divided families: son against father, wife against husband, and thus alienating Tibetans from their own culture, tradition and home-land.

In the matter of religion they have their own schemes to subvert the very bases of Buddha's Teachings. Our religion teaches love for all and malice for none. The Communists in their struggle to spread the Marxist ideology have used our well-known Monk scholars to mislead the simple Tibetans. In this endeavour they made Geyshey Sherab Gyatso, one of the well-known monk scholars, propagate their own doctrine by writing pamphlets and translating their various books and articles. They have also used the Panchen Lama as a puppet to advance their political purposes in Tibet. Pamphlets and articles of propaganda have been spread all over Tibet since 1948-1958, and communism is being preached to all our people. In Kumbum (one of the famous monasteries in the east) the Chinese have actually made our head-lamas study Marxist Dialectics. Ordinary monks they try to overcome by such material arguments as this: The Monks are made to remain in their cells and try to procure food by prayer alone. If the food is not miraculously produced, this is supposed to prove that God does not exist. Meantime the Communists prevent the monks from using their God-given natural powers to procure food, torture them by hunger into abandoning their simple faith. The Communists preach day in and day out to our simple people and monks that religion is nothing short of an opium to distract the human mind from hard work. They have used hundreds of these monks as labourers in the building of roads and barracks. They have stopped the monasteries from sharing the usual food reserves and thousands of monks starved to death for this reason. They have forced many of our monks to marry and move to China to earn a living. They have laid hands on the capital of these monasteries and even subjected to tax the very idols and statues. Such has been the battle of Marxist ideology against our spiritual heritage.

Outwardly they are telling people that they have come to Tibet to protect and help the Tibetans and to build roads, hospitals and

air-fields. As a matter of fact the roads are being built to connect Tibet with the Chinese mainland in order to transport millions of their armed forces to the far-flung areas of Tibet. In making these thousands of miles of roads they have used Tibetans as forced labourers and thousands of them have died for want of food and proper care. Their hospitals are not meant for these poor victims but are mainly to use for their armed forces. The Tibetans even in the towns are not allowed to use these army hospitals. The big air-fields that they have built are mainly for the purpose of bringing in fuel, arms and ammunitions. Tibetans are not even allowed to pass near these air-fields, guarded so heavily by our oppressor. All these constructions are mainly for the purpose of consolidating their hold on Tibet and to suppress and preserve the conquered land and people of Tibet.

To us Tibetans the phrase " the liberation of Tibet ", in its moral and spiritual implications, is based as a deadly mockery. The country of a free people was invaded and occupied under the pretext of liberation— liberation from whom and what? Ours was a happy country with solvent Government and a contented people till the Chinese invasion in 1950.

In view of all these facts the Tibetans approached the Chinese to conciliate. But all our efforts went in vain. Instead we are subjected to untold cruelty. The people of eastern Tibet revolted against the Chinese in February 1956. This spontaneous uprising brought about further repression by the conquerors. They have desecrated religious buildings and destroyed monasteries, razed villages to the ground and killed thousands of our people. They have also used poison gas. Bombs have been thrown on innocent children and women. More than fifteen thousand people have been injured in these battles. Life in all parts of Tibet has become unbearable. So much so that more than thirty thousand people in central Tibet round about Lhasa the capital left their hearth and home to the far-off valleys and gorges. It is feared that trouble may also flare up in these areas. Many places in Khan and Amdo are still scenes of upheaval and turmoil. Our patriots are fighting hard in those areas. Some of the Amdos who fled to the mountains are still not giving up their fight for freedom, suffering at least a hundred casualties a day.

DOCUMENT 13

MEMORANDUM BY TIBETAN LEADERS [1]

A country independent and dedicated to peace and non-violence, Tibet has a theocratic form of government with the inalienable right of His Holiness the Dalai Lama as its sole ruler and sovereign. However, in the year 1949, when Communists took over the whole of China, under a totalitarian system of government, news was broadcast all over the world, through the Chinese communist sponsored radios and broadcasting stations, that China had a right to Tibet. These broadcasts tried their utmost to instigate a revolt by Tibetans against their most revered ruler and sovereign, and to announce the so-called "liberation" of Tibet from the "imperialists."

Deeply concerned with these developments, and apprehensive of the Chinese designs, the then government of Tibet called a meeting of the Grand National Assembly, to appraise the situation and to guard its right of independence. The Assembly resolved to send a delegation comprising high officials to bring home to the communist-over-lords the important fact of Tibet's independence and the truth of its being immune from any power of imperial designs.

While this official delegation of our governement was on its way to Delhi to negotiate with the Chinese communists' representative, news was broadcast that the so-called "liberation army" had already entered the eastern parts of Tibet from eight different directions to subdue the Tibetan frontier guards. They were asking for negotiations at the point of the bayonet and by force. This was one of the recent instances in the modern world of a flagrant violation of the international code of justice and law; an instance that has kept the world completely struck and bewildered in these dark days. Our small force of frontier guards was overpowered at Chando by not less than two lacs of Chinese soldiers and we were asked to negotiate.

It was at this stage when all our endeavours to negotiate, conciliate and persuade the Chinese completely failed and our country was over-run by millions of Chinese forces that we approached the august assembly of the World Organisation. We appealled to the United Nations General Assembly to check the further advance of the Chinese communist forces and to safe-guard the unquestioned right of the people of Tibet to independence. Having no reply from that assembly we again approached the Security Council at its session at Lake Success. To our greatest disappointment both of our appeals were ignored and remain unanswered.

[1] This Document was prepared by Sitzub Lokangwa, former Prime Minister of Tibet, Mr. Shakob-Ba, head of the Tibetan Trade Delegation to India, the United States and other countries, 1950; Thondup, brother of the Dalai Lama and others. See also Documents 11 and 13.

Under the circumstances and in the face of all these rebuffs, and the imminent advance of the Chinese forces towards the capital His Holiness the Dalai Lama, along with all the government officials and their whole paraphernalia, left Lhasa, the capital, to reside in the Chumbi valley for some time.

All these facts are well known to the world at large and to the Government of India in particular, in view of the fact that all these negotiations were going on in India at New Delhi. It was a period of great stress and strain. The Chinese, discarding all the cannons of international law, and without any moral or constitutional sanction, at the point of the gun forced for a bargain. Our great neighbour India, and also Nepal, in spite of these unjustified and violent actions of the Chinese against a small, peace-loving country like Tibet, were conspicuously apathetic to all these developments. We were asked by the oppressors to send representatives to China. The so-called Seventeen Points Treaty was dictated to those representatives who had no sanction from the lawful government of the country. They were not only asked to translate those points into Tibetan, but were forced to sign and seal them on behalf of the Tibetan government and His Holiness the Dalai Lama. When our representatives pleaded their inability to do so for the obvious reason that they had no sanction from the legal and authoritative government of the Dalai Lama, they were threatened with the sending of further forces to invade the country. Those representatives of ours were bullied and blustered when they said that governmental authority and tradition could not and would not recognise their signatures unless affixed with the legally authorized seal of the Kashak (Cabinet) duly sanctioned by His Holiness the Dalai Lama. Subsequently a forged seal was made by the communist over-lords which our representatives were made to use, thus producing that illegal and immoral piece of paper presented to the world as a treaty and forcing the capitulation of the government of Tibet by forgery. It is interesting to note that the seal that had been so forged and thrust upon our representatives is still lying with the Communist authorities in China.

The country has suffered tremendously since that fateful invasion by the communist land-hunters, and our people have been treated like dumb, driven cattle. To describe the plight of the country would be an awful narrative. Untold suffering has been the lot of the people since the influx of the so-called " liberation army ".

The communists, on the pretext of ridding us of the " Imperialists," and helping us to develop the country in the changing world, encroached on our land by constructing highways for vehicular traffic. Thus they connected Lhasa with Chinghai in the north-east and Czechwan in the east, and by an air-link by constructing a huge military airfield in the area of Dam in the north. Their main interest in building these roads lies in the movement of troops, arms and ammunitions, to transform our country into a fully-fledged military

base. Their outward profession to help the people is a lie in-as-much as the Chinese are not even considerate enough to supply transport for the Tibetans. If any of our people happen to ask for seats in these vehicles, they have to wait for many weeks, and when the seat is allotted, not only is the fare unreasonably high, but passengers are in danger of their lives. Our people are pushed in like beasts of burden along with the loads. Sometimes, due to careless and rash driving, they get thrown out from the conveyances and there have been several instances where people have been killed and some have been seriously hurt.

They have used their political power to cripple our traditional systems of labour employment by employing our people by force. The Chinese pretentiously talk of the high wages which they pay to these forced-labourers, but actually, when compared with the expenses that our folk have to bear in the way of hiring labourers and for their provisions and transport in the vast deserts, the money given is nominal. The financial and physical losses thus sustained by our people was too much. Above all, by building those trans-Himalayan gigantic roads on the high plateau, the economic loss sustained by the country as a whole goes into thousands of acres of agricultural lands. With their usual forceful persuation, the Chinese destroyed agricultural lands, irrigation systems and ancient consolidated holdings by indiscriminately using the tracks in the name of road-building and highway priority. Besides, while levelling the ground for making the road motorable, they have destroyed agricultural land by cutting and digging those lands without any consideration. They were also indifferent as to demolishing the religious monuments, shrines, Mani walls and even houses of the poor peasants while passing through small villages and towns.

As a consequence of the influx of these millions of Chinese soldiers and civilians, ostensibly as " helpers " and " liberators ", the country suffered a terrible famine with shock and outrage against the intruders. Rates of food supplies, essential food supplies, shot up ten-fold, and in several cases even twenty-fold higher than the usual rate. After all, Tibet is a scarcely populated country and its agricultural products cannot maintain the importation of millions and millions of extra people. So, having no alternative, the invaders resorted to opening our centuries-old granaries and thus deprived the country of its valuable reserves. Besides this they laid hands on our reserves of gold and silver bullions by asking our government to lend these as loans. These granaries and bullion reserves are the treasures of Tibet, and the communists, gradually and systematically, are trying to deprive us of these time-honoured traditional institutions.

We have no educational system in the modern sense of the term. Many of us are also not really aware of the advantages and short-comings of the modern educational institutions. The Chinese, taking advantage of our lack of knowledge in this direction, started to open schools. They found Tibet quite fertile to spread their

own ideology. They tried to plant the seeds of communism in the minds of young Tibetans and their children. They have also given our people the impression that modern education is synonymous with communism, and that to change with the times is nothing short of the communist system of life. In this process, directions were given by those in high places to form different societies such as " Youth League ", " Women's Association ", " Workers' Party " etc. to divert our people from their daily routine and family and domestic work, and to try to exploit the whole generation for their own ends. Those parents who are reluctant to send their children to such anti-religious institutions are approached in different ways. They sometimes force them, or send agents to persuade them, and encourage them with pecuniary help. There have been instances where sheer force has been used also. Above all they have made thousands of homes unhappy by forcing young boys and girls to go to China for de-nationalisation, thus getting them indoctrinated to revolt against our own culture, traditions and religion. To this end they have sent more than five thousand boys and girls up to now to China proper.

The Chinese have also devised a scheme to settle thousands of their immigrants in Tibet. This they seem to have decided with the consent of Chairman Mao Tse-Tung on the recommendations of Tang Chen Wu, his representative at Lhasa. Again, in order to settle these immigrants, the Chinese outwardly pretend to help the Tibetans and to harness vast waste-lands. This is a glaring instance of how the Chinese design to colonise Tibet and deprive us of our cultural, traditional and national independence. Since the year 1951, (the year of occupation by force) we have been constantly trying to bring home to the Chinese our apprehensions regarding many of their reckless projects. We have tried to persuade them to refrain from such indiscriminate exploitation of the country, its people and resources, but all our honest endeavours were brought to nought by their oppressive methods and dominating attitudes. They have even gone as far as to arrest our Mimang leaders several times. These arrested persons were interrogated times without number in their prison cells, and finally, without any foundation, were labelled " Imperialist agents ". In this process some of the prisoners died in the prison cells. However, when all these manoeuverings proved an utter failure, the Chinese resorted to a course of intimidating the Dalai Lama and finally forcing him to promulgate a decree to the effect that the Mimang movement was unlawful, and any attempt to revive it would be against the will of His Holiness the Dalai Lama.

The Tibetans were making it difficult for the Chinese to ask the Dalai Lama to visit China. However, the Chinese so arranged this visit in 1954 as to give the Tibetans, including the Dalai Lama, the impression that in so doing they were conferring something of an equality of status on Tibet. They had even given hopes that the visit was in the nature of a political step towards giving complete

independence to Tibet, but to the greatest disappointment to the Dalai Lama himself, and a rude shock to the Tibetans in general, the Chinese instead of any such political talk or compromise solution, further confirmed the Autonomous Status of Tibet. They made known to the world the representative character of the Dalai Lama in the Chinese People's Congress. Thus, by intimidation, cunning and dishonesty Tibet was made to accept the Regional Autonomy. Besides this, they took advantage of the Dalai Lama's visit by persuading him to accept many other minor and major plans of their own devising.

Their so-called " Regional Autonomy" was nothing but a further consolidation of the Chinese hold over Tibet. With these ends in view they have a permanently stationed Regional Office at Lhasa with its two wings. The one office—the higher authority—has to be attended even by the Dalai Lama. The lower one, known as the Permanent Office, is also to be run by the Chinese with the help of a Tibetan officer. Their branches all over Tibet each have a Tibetan and a Chinese as the head of the department or the branch. In this way the Chinese disturbed the very ecclesiastical and temporal foundations of Tibet's constitution and its traditional character. They have replaced our own time-honoured institutions by a completely new form of government and constitution. They have also forced our governement to hand over our well-run posts and telegraph office, our hydro-electric department and the Mint. They have even gone to the extent of printing Chinese paper currency with Tibetan characters on it, which our common people still refuse to accept as legal tender. They have ordered our government to stop completely the minting of our own currency and printing of currency notes. The Chinese have also issued postal stamps of their own design to replace our national stamps. They have built army barracks and forts at all the strategic areas inside the country and on the frontiers. On the borders particularly they are quite indifferent as to the sentiments of the local inhabitants and have demolished or taken into possession the religious and private property. Thus all these strategic areas have become arsenals. While consolidating their hold after the visit of the Dalai Lama, they have not even spared our small armed forces. They forced us to reduce them to a few contingents; and of these, in order to bring them in line with their own forces, they have changed the uniforms of the Dalai Lama's Body Guards. They have ordered the officers of the other contingents of our forces (though not the ranks) to wear Chinese Communist uniforms.

In the same year that the Dalai Lama visited China, an unprecedented flood wiped away the whole of the town of Gyantse and its adjacent villages. All the Tibetans living in the different parts of India promptly collected a Flood Relief fund to help their brothers in Gyantse. As a result they despatched hundreds of loads of rice and cotton textiles to be distributed among the flood victims. They did this benevolent act with all haste to reach the destination in time,

but the Chinese made us refuse to get these relief measures transported in time to help. They informed our people that they would be distributing the goods directly: as a result these relief goods are still lying in Pharijong for want of transport.

In their search for land they have been blind to the interests of the Tibetans and the country. They have resorted to be destruction of the country's forest wealth by cutting the little flora of Tibet in the south, south-east and in the Chumbi Valley. They have destroyed our community pasture-lands by turning them into cultivated land. Where physical conditions set a limit to the extension of cultivation, they used these valuable pastures for play-grounds, parade-grounds and camping-grounds at the expence of the local animals and economy. Gardens and public parks, owned by private persons and by the government at places like Lhasa and other towns, are gradually being taken over by the Chinese without compensation. Trespassing the enclosures in the beginning as if ignorant of their owners, they finally filled them with tents and human dwellings, and feigned surprise when asked to vacate the areas and "innocently" said that the dwellers were "liberators" who should be assisted.

In their intrusion into private lives, the Chinese have actually laid hands on hundreds of private houses and other landed property in all the big towns. To give an instance from Lhasa alone, nearly 70% of the privately-owned houses are now in the hands of the intruders. They have used all the means at their command to force our people to hand over the big houses and private mansions to house their own officers, or to turn them into eating-houses or clubs and meeting-places to the inconvenience of scores of well-to-do families. In some cases, while taking possession of these houses they have paid in cash; in other cases, when the owner is reluctant to do as they have asked, rent has been given; some have simply been asked to be allowed to use it for the time being and in the end the property gets completely transferred to the Chinese authorities. They have not even spared our poor peasants and nomads. While travelling in the far-flung areas, the Communists force our people to supply beasts of burden to transport their armed forces and stores without any remuneration. Provisions such as wheat and barley, grass and peas for animals, fire-wood, fowl, eggs and mutton etc., are exacted from these poor people. In many such instances they have not even paid the actual cost.

They are bent to discourage any private enterprise that the Tibetans want to make in the field of trade and commerce. In this regard one of the most difficult problems for a Tibetan trader is to get the exchange, which in the beginning the Chinese were so liberal to give. It is really a struggle to get an exchange these days and when with all the influence and recommendation and scrutiny the exchange is sanctioned, as a dole or gift, the trouble starts with the security. Personal property, landed property or persons possessing such properties are asked to keep or stand as security,

and that on the condition that the person or trader who is going to India has to bring only goods that are needed by the Chinese armed forces and for building purposes, such as motor petrol, corrugated iron sheets, cement, etc. It is not an easy job for a trader to get these things in bulk and then, when they return with a few of these things and some requirements for the local inhabitants, again there are problems to face. Firstly the Chinese will search out the registers, bills and documents of the trader; they will then go to the site to see the goods unpacked by the traders. After this the poor trader is asked to present himself to be interviewed by the department concerned. There on very flimsy grounds he is refused to take his goods and for the time being he is ignored. All these tactics are a mere pretext to get the rates of the goods down to the bottom level, and in the end the poor trader is forced to hand over the goods at the bare cost price. On the other hand those of our traders who have traditional trade connections with traders in Sinning (Chinghai) and Tiechenlu (Czechuan) are charged 100% duty on their merchandise on the cost price. Besides this, the local inhabitants in those areas are discouraged to purchase goods from Tibetan merchants. It is a fact that all loans that Tibetan merchants advance to locals in Chinghai and Czechuan according to their custom, are not now being made good, as the borrowers have been instructed not to repay. Instead the communists have realised those advances of private Tibetans for their own use. It was in this way that many well-to-do Tibetan merchants got completely bankrupt and insolvent. This deliberate discouraging policy of the invaders brought about terrific strain to lots of monasteries that had their traditional agents to trade on capital supplied by the monasteries, and could not thrive.

Having been hard hit by the stubborn resistance of the Tibetan people, the Chinese have now resorted to the well-known colonial policy of " divide and rule ". In this endeavour they have boosted their own puppets to raise the slogan of rivalry among different people and parts of the country. They have also brought about a change in the original set-up of the country and thus U, Tsang and Kham are created as distinct constituents. In this manner they have started rifts between the Khampa and a man from U (i.e. Lhasa area) and again between a Lhasa man and a Tsang man (i.e. a person from Shigatse, farther south.) These rifts and rivalries are being encouraged to divert the Tibetan mind from their national sentiments, thus producing a psychological effect which paves the way for more subversive activities.

The press and all other means of information is controlled. The people are only allowed to read Chinese propaganda. Any person found in possession of other printed material is forced to surrender those things immediately to the authorities concerned and the offender is subjected to interrogations and investigations.

They have robbed us of our privacy and domestic life. The Chinese, whether civilian or soldier, enter our houses and private chambers without permission. In the inner parts of the country they even break open doors, whether locked or bolted, and make themselves comfortable and at home without enquiring about the master of the house or the head of the family. In contrast, the Tibetans are not allowed to even look towards the Chinese establishments, residences, hostels or forts. They can't even stare from the gates of such places. There are instances where local people have been arrested. In the same way there is no check put upon the Chinese as regards entering the inner chambers of the Dalai Lama, the big prayer-halls and monasteries, the religious debating-halls and even places of sacred esoteric religious rites and rituals. They enter these places and take indiscriminate photographs to the greatest inconvenience of all concerned. But such is not the case when a Tibetan is inclined to do the same at their (Chinese) functions or festivals. No, they are not even allowed to take snaps of their own fairs or national functions. The Tibetans are not even allowed to carry cameras at festivals of their own. In this connection they have also banned the showing of any foreign movie picture. They have also imposed censorship on Indian pictures.

In order to calm or pacify the people's opposition, the Peking government agreed to postpone the launching of "the great march to socialism" for a period of six years. Ostensibly to fulfil their promise, the Chinese have abandoned the construction of buildings and defense projects in the town and populated areas, and have returned some of the civilians, i.e. forced labourers, technicians, engineers and such. While actually, to keep a firm hold on the country, they have augmented their armed-forces so that they are ten times stronger than before. They have become more oppressive in-as-much as they lay their hands on many innocent Tibetans with murderous intentions. Last year on the occasion of a festival called " Sebang " a Chinese soldier equipped with hand-grenades reached even to the premises of the Dalai Lama's chambers, but was subsequently over-powered by the loyal Tibetan guards. When the culprit was handed over to the Chinese, no enquiry was made about this dangerous action by one of their own men. Against such high-handedness the Tibetans are not even allowed to express their opinion. There is no freedom of expression or even movement to a Tibetan. He is watched day in and day out. The Tibetans can't even gather for social and religious functions. Faked reports gathered from irresponsible persons are brought as accusations against loyal subjects. Such persons are called " doubtful " and suddenly disappear. There is even proof of Tibetans being killed by the Chinese soldiers openly. Having failed to subdue the Tibetans, the Chinese seem to have gone mad and resorted to more desperate means. They have killed four Tibetans whilst showing their propaganda pictures in Lhasa near Tuhmsikhang one night, because they were " undesirable "

persons to the Chinese. Three monks of the Lhota Tuhnling monastery in the south of Lhasa were killed by the Chinese one dark night. A cook of the Drepong monastery (one of the three biggest monasteries) was shot dead. The very next day after this incident, a groom of the Dalai Lama's stables, names Dechen, was killed on the spot on the newly-built bridge, on the pretex of his being rude to one of the " liberation " army. In this scuffle three mules of the stable were also injured by the Chinese—they don't even spare animals. In early January this year an incident of a minor character nearly developed into wholesale resistance against the Chinese. It happened that two soldiers of our loyal army of the small but strong Tahbchi fort had a verbal quarrel with the Chinese which developed into a scuffle. This minor incident made the Chinese mobilise the whole of their garrison; they were armed to the teeth with the latest weapons. The whole fort Tahbchi was completely encircled and those two loyal soldiers were shot on the spot. Thus minor assaults become excuses for killings and oppression and there is no justice for an innocent or loyal Tibetan to ask for an impartial inquiry or investigation.

If it suits their purpose, the Chinese will even scrap their own dictated and forged " Seventeen point Agreement " and bring about desperate changes in any part of Tibet. Such is the case with regard to Don-Kham in the eastern provinces of Tibet where the very administrative set-up got changed radically in the name of the " march to socialism". As a consequence they have named many of our holy re-incarnated Lamas " Yellow Robbers ", the ordinary ordained monks " Red Thieves ", and the authorised officials of the loyal Tibetan government as " Blood-suckers ", and the local well-to-do traders and laymen are insulted with all sorts of names and unpredictable actions. In a nut-shell it may be said that the Chinese in those far-flung areas of Tibet are trying their utmost to rob the Tibetans of their loyalty to the Dalai Lama's government, their faith in the traditions and religion of the land, and their deep sense of attachment to the country's cultural heritage. It is in view of these facts and sentiments that Don-Kham, the eastern region of Tibet, is to-day the main centre of revolt against the communists. These loyal Khambas have intensely disliked the radical changes on the " road to socialism ". Taking Don-Kham as a whole, the main tribes of fighters hail from different tribal areas. They belong to regions stretching due east like Lithang, Chhateng, Lingkar-Shiba, Ba, Gyalthang, Dergey, Nyarong, Horko and Golo. The Chinese have not spared any means to subdue these Patriot strongholds. They have mobilised thousands of armed forces, well equipped with the latest weapons. The partisans have been even inflicted with air-attacks with gas as well as explosive bombs. In these punitive phases, the Chinese revengefully destroyed monasteries like the Golo Serta Monastery, Dahlakh Tengchen Monastery, Tehor-Tahnako, Chhori, Lithang Chambaling, Chhateng Sampheling,

Ba Chhoti and Markham Lo monasteries. It is noteworthy that all the above-mentioned monasteries belong to the tribal areas, as indicated by the prefixes to their names. The estimated victims of these air-attacks, including women and children, are about thirteen thousand tribal Tibetans. In these indiscriminate attacks the Chinese garrisons have demolished and destroyed images of gods and goddesses and Sukhia Muni Buddha, old religious manuscripts and books, Mani-walls and stupas. They have also destroyed grasslands and pastures. The household shrines and houses of the poor peasants have been razed to the ground. Devastation and destruction of the natural resources of the country is widespread. In their hectic struggle to assimilate the Tibetans culturally and to dominate them ideologically, the Chinese have used the savage means of destroying the centres of worship. They have cruelly razed to the ground the famous Lithang Gonchen, founded by the third Dalai Lama—Sonam Gyatso. Not only that, but they were barabarian enough to shoot the main image of Lord Buddha in the monastery. In the same way they have made a target of the main images of the monastery of Ba Chetey. They have demolished the image of Gyalwa Chamba by hand. They were ruthless in laying hands on religious books to destroy and throw them in the rivers, thereby believing that the patriots would be devoid of their doctrine and the Dharma. They have killed brutally such religious gurus who have dedicated their lives for the Dharma. Among these Lotsok Khem-sur, the retired Abbot of Lithang monastery, aged 80 years; also Lungri Khemsur aged 73 years, Gyeshey Ashang—60 years old and Gyeshey Yari, 67 years old, Ngawany Gilay aged 60 years, etc. It is for these reasons that thousands of young Tibetans are still fighting hard against Chinese rule. These guerrilla forces are hiding in the deserts and forests of those eastern Kham territories. While rebellion persists in these areas of Kham, the Chinese have actually started a reign of terror upon innocent children and women folk, who can neither fight nor escape atrocities. These innocent persons are being maltreated and their beasts of burden, cattle and harvests are being snatched away from them by force. Those of the peasants who are inclined to co-operate or help the invaders are not easily spared either. The Chinese gradually robbed them of their fire-arms, which they need so madly in those robber-ridden areas. They were not even spared their knives and daggers. Well-to-do persons were actually robbed of their household property, merchandise and capital. Their agricultural lands were confiscated in order to build playing-grounds and parade grounds. The Marxists, in their desperate fight against time-honoured Tibetan ways of life and traditions, have arrested great religious teachers like She ohen Pandita, Ghato Sitoo, Dzokhchen Pema Tigzin and Doe-dupchen, and also public workers, heads of towns and villages, and many such other persons. Many of these were imprisoned, and there in the prisons were forced to instruct or order their disciples, villagers and workers to surrender their

properties and possessions, their cattle and agricultural lands to the military war-lords. Later, when some of these persons were released, they were asked to enlist themselves as slave-labour and thus were used like cattle. These political prisoners were forced to accomplish their allotted piece of work within a stipulated period. They were, in short, being kept as if in a concentration camp. Those influential persons who were not physically useful were mercilessly shot dead on the spot. Such was the fate of persons like Tehor Kianggon's father. Kianggon is a very famous re-incarnated lama of Tehor region of the eastern territories. There were many others also who, along with Kianggon's father, fell a victim at that time. The name of Tehor Kianggon's father—Namgey Porje—is well-known in those areas. The happenings in the eastern regions around Kham are an eye-opener to the disorder, confusion and misrule of the Tibetans were subjected to by the Chinese hordes. After the onslaught in the year 1951, for about three years the Chinese tried their utmost to win over the local well-to-do persons and tribal heads, as well as the officials. In their struggle to hoodwink the locals, the Chinese officials offered them offices and jobs with ranks and position. They even tried to attract by making such work highly lucrative. These monthly remunerations used to average from three hundred Chinese silver Dollars to even one thousand Dollars. Besides this, they were frequently invited for meals and dinner-parties, and during those gatherings speeches were made expounding communist ideology and Marxist theories, and the Tibetans were given promises of a socialist Utopia. They tried to make the Tibetans believe that the socialist regime would bring about heavenly peace and prosperity to the Land of the Lamas. While thus expounding these theories, they used to ask the tribal chiefs to express their own views also at these gatherings. The Chinese used to guide the speeches of these Tribal chiefs to their own advantage and thereby influence the less-privileged persons to demand social and economic changes for "the march to socialism" (called "Chir-Tsho Rangluk"—the Tibetan equivalent of the term Socialism); but the people resisted firmly and effectively to the end when the Chinese, frustrated and disappointed, turned to other means to bring about the said changes.

Their next step was to exploit those who were good-for-nothing vagabonds—servants who had deserted their masters, beggars, etc. The Chinese started to placate and conciliate these elements. In this regard also they tried to attract them by paying dollars on a monthly basis, and by making them confident as to their future. They tried to teach these poor Tibetans the bad habits of drinking and smoking. In their endeavour to exploit these people, the communists made them hope against hope. The Chinese reminded them that they were in the majority, and incensed them against the minority whom they called " blood-suckers ", i.e. the Tribal chiefs and wealthy citizens of the region. They tried to start a revolt by these discontented elements against the minority. They even went to the extent of

defining the " march to socialism " as a distribution of private property of the wealthy, of houses and agricultural lands, cattle and farms. They were further encouraged by the Utopian dream of being carefree of their families and domestic affairs. Their children, the communists told them, would be looked after by the State, and they need not worry about their living in that future state of Socialist dreamland.

It was at this stage that the Chinese partially succeeded in the use of these malcontents as a stepping-stone to the ultimate change which they brought about in Kham region. They brought about radical changes in the social, economic and political set-up of the region. The Chinese loudly claimed that these changes were brought about with the consent of the majority of the inhabitants of that region, but in fact no-one but the afore-mentioned malcontents consented. In their ruthless struggle for the change to socialism, the Chinese spared no-body, whether high or low. They confiscated all private property in the shape of goods, capital for trade, houses, agricultural lands, nomadic property, flocks, cattle and everything else that could be defined as property. All these goods and personal belongings were pooled, and a local Chinese authority and department were created to look after the collection. Apart from agricultural land, all these goods were appropriated by that department. As to the agricultural lands, the holdings were distributed among the peasants with the condition that they would have to work on the land and the products surrendered to the local communist authority. Nomads were asked to surrender their flocks and farm products to the said department, and a branch was opened to deal with them. To some of the nomads they pretended to pay compensation, but this was only in theory. The so-called " compensation " did not even cover one-fifteenth of the actual cost. When all these changes were completed, the Chinese started to introduce the rationing system on a coupon basis. The coupon allowance for five persons was not sufficient for one. They also controlled and restricted the movements of the tribes people. They had to approach the Chinese even on matters of meeting their own kith and kin in the distant gorges and valleys. If a father wants to meet his son who lives a day or half-a-day's journey away, the poor fellow has to ask the Chinese for a permit sanctioning his meeting with his son. Quite foreign to nomadic or tribal customs, they have to take their own rations to that place, as those to whom they are going will have nothing to offer in the way of food. After accomplishing this " great change ", the Chinese resorted to the disposing of the malcontents who were now proving to be a liability and an added financial burden. On the pretext of them being a burden to the State, these people were sent far into the inner regions to build roads and highways, and in winter they were used as slave labour to clear the snow from the highway; conditions became as bad as in the concentration camps. They became snow-blinded, bruised, physical misfits. As to the old-aged or " useless " persons, the Chinese are absolutely indifferent.

Having no means of making a living, not even being allowed to beg (for there are none able to give alms) hundreds died for want of food. Many others could not stand the cruel treatment and resorted to suicide by jumping from the mountain tops and falling into the rivers.

These same things have taken place in the southern provinces of Lhasa and other areas, but the stubborn resistance of the patriotic elements and the deep sense of duty to the Dharm made them unsuccessful. In these areas they could not stir up the people against the privileged class of society, although they tried their utmost to do so. That is why the Chinese found it necessary to explain that this area is not yet ripe for the launching of the " big change " and decided to postpone it for a further period of six years. Our people, taking a lesson from Kham region, are completely non-co-operative in this connection. They have given their verdict by their attitude and now the Chinese have started to understand. But the apprehension of the patriots has yet to be eased, and the people are still deeply concerned. The Tibetans are seriously watching the next move of the invaders. They have not taken lightly the repeated warnings that the Chinese are inclined to give to our people with regard to the launching of the " big step " to Socialism. Our people are suffering an uncertain future with all the accompanying possibilities of assimilation, infiltration and domination of a colonial power with an ideology completely foreign to our genius. In spite of all the opposition and resistance, the Chinese seem to be bent on bringing about the change, and what the average Tibetan—fighters and partisans—are wondering is what will be the ultimate result of such changes. If these changes were brought about and Tibet became absorbed by the Chinese, it would be difficult to imagine the final picture.

Finally let us state that the above is a brief account of the expansionist policy of Chinese Communism, its exploitation and psychological effects, its possible impact on the borderlands and frontiers of our great neighbour India. We could not put in writing One-hundreth part of the actual details. The above is a mere summary of the happenings of the last eight years of Chinese military occupation of Tibet. In fact the communist colonial onslaught in Tibet is the worst of its kind. It is impossible to describe the terrific suppression and oppression of the eight years rule. It is a nightmare to our people. Our appeal is for the government of India, and through it the people of India, to get informed of the Chinese expansionist policy. It is a completely new menace to the world at large. Under the military occupation of the Chinese, the Tibetans are actually living in a hell.

DOCUMENT 14

DEPUTIES TO THE SECOND NATIONAL PEOPLE'S CONGRESS CONDEMN THE IMPERIALISTS AND INDIAN EXPANSIONISTS WHO OPENLY SUPPORT THE REBELLION IN TIBET [1]

The violent indignation of the 600 million Chinese people against the imperialists and foreign reactionaries for supporting the armed rebellion in Tibet and for interfering in China's internal affairs was voiced in April 22 meeting of the National People's Congress. All deputies who spoke were unanimous in refuting the so-called " statement of the Dalai Lama " issued through an Indian diplomatic official and in solemnly condemning the crimes of the Tibetan rebels who tried to undermine the unity of the motherland and the imperialists and Indian expansionists who openly support the rebellion in Tibet.

Deputy Panchen Erdeni, Acting Chairman of the Preparatory Committee for The Tibetan Autonomous Region, was the first to take the floor. On behalf of all Tibetan people, lamas and laymen, he solemnly declared : " Our Tibet is the Tibet of China, now and always; we will never allow foreigners to interfere in our affairs in Tibet or the rest of China! " Prolonged stormy applause greeted his declaration. The excitement that reigned in the conference hall fully demonstrated the firm will of our people in safeguarding the unification of the motherland and national unity.

" When I compare the so-called ' statement of the Dalai Lama ' issued through an official of the Indian Ministry of External Affairs with either the Dalai Lama's usual statements and actions or the three letters which he himself wrote to Tan Kuan-san, acting representative of the Central People's Government in Tibet, I see the alleged statement has nothing in common with them. The tone of the statement is not that of the Dalai Lama himself, nor does it conform to our ordinary Tibetan usage. It is obvious this so-called ' statement of the Dalai Lama ' was imposed on him by foreigners ," Panchen Erdeni said.

Panchen Erdeni severely refuted the preposterous argument employed by the so-called statement for the " independence " of Tibet on the grounds that the Tibetan people are different from the Hans.[2] " In the 13th century ", he pointed out, " the Tibet region was formally included in Chinese territory. Since then, Tibet has always been a part of China ". " The Tibetan people know from their own experience that the inevitable outcome of separation from the motherland would not be independence for Tibet, but the turning of Tibet into a colony or protectorate of a foreign country. " " As a result of the vivious machinations of the British aggressors and their running dogs, the former Panchen was driven out, the Living Buddha Rabchen was murdered, the Living Buddha Geda was poisoned and so was the father of the Dalai Lama. Such are the bloody lessons we have learned from so-called ' independence ' for Tibet. " " Now some Indians are again talking about ' independence ' for Tibet and saying that they recognize Chinese suzerainty but do not permit China to interfere in Tibet's internal affairs. It may be asked, why is it that China cannot run Chinese affairs, while other people can? What difference is there between these utterances and those of the British in the past ? "

" The Tibetan people, for long victims of foreign aggression, see clearly; they can distinguish friends from enemies. No matter how skilfully the imperialists and foreign reactionaries may disguise themselves, they can deceive no one. "

When concluding his speech Panchen Erdeni said : " The schemes of the Tibetan rebels for so-called independence have gone bankrupt. It is utterly futile

[1] *Concerning the Question of Tibet* (Peking, 1959), pp. 80-97.
This document is extracted verbatim.

[2] Cf. The report on Han (Chinese) chauvinism by Fan Ming at p. 13, supra.

for the rebels under the direction of their foreign masters to usurp the name of the Dalai Lama in carrying out their activities to disrupt and split the motherland. "

He pointed out that the Preparatory Committee for the Tibetan Autonomous Region is now exercising the powers and functions of the Tibetan local government, and that he himself would act as Chairman of the Preparatory Committee according to the State Council order during the period of the abduction of the Dalai Lama. He declared that he was determined to unite under the leadership of the Chinese Communist Party and the Central People's Government all the Tibetan cadres and the entire Tibetan people, lamas and laymen, and to endeavour to fulfil the glorious tasks entrusted to him by the state and the people. He sincerely hoped that the Dalai Lama would be able to free himself from his predicament of being held under duress, return to the motherland and, together with the Tibetan people, work for the building of a bright and happy new Tibet.

Deputy Ngapo Ngawang-Jigme, Vice-Chairman and Secretary-General of the Preparatory Committee for the Tibetan Autonomous Region, pointed out in his speech that the aim of the former Tibetan local government and the reactionary clique of the upper social strata in organizing the rebellious bandits in rebellion was to kneel to the imperialists and to for ever enslave the Tibetan people.

Ngapo Ngawang-Jigme was the chief plenipotentiary delegate of the Tibetan local government in the negotiations with the Central People's Government and the conclusion of the 17-article Agreement on Measures for the Peaceful Liberation of Tibet. Speaking from his personal experience, he utterly exposed as lies the allegations in the so-called " statement of the Dalai Lama " that the Central People's Government had compelled them to sign the agreement and then disrupted it. He pointed out that the 17-article Agreement on Measures for the Peaceful Liberation of Tibet was signed after " detailed discussions on an intimate and friendly basis with the plenipotentiary delegates of the Central Government, which arrived at unanimous opinions satisfactory to both parties. " " Following the conclusion of this agreement, the People's Liberation Army and working personnel arrived in Tibet to consolidate the national defence. With notable results, under the leadership of the Central People's Government representative in Tibet, they conscientiously abided by the 17-article agreement and the policy of national equality and unity. " He said that these facts had been proved by the personal experience of the Tibetan people. But the former Tibetan local government and the reactionary clique of the upper social strata all along tried to thwart the implementation of the agreement in collusion with the imperialists, the Chiang Kai-shek clique and the foreign reactionaries.

Ngapo Ngawang-Jigme is an eye-witness of the armed rebellion of the Tibetan rebels and forwarded letters between General Tan Kuan-san and the Dalai Lama after the rebellion broke out. At today's meeting he tore to shreds the rumours in the so-called " statement of the Dalai Lama " by recalling how the rebellion started and developed. After the rebellion broke out on March 10, he said, " to help the Dalai Lama, General Tan Kuan-san, acting representative of the Central People's Government in Tibet, successively wrote three letters to the Dalai Lama, two of which were carried by me personally to the Dalai Lama. In reply the Dalai Lama also sent, through me, three letters in his own handwriting to General Tan Kuan-san, in which he described in detail the coercion the rebels were subjecting him to. And then on the night of March 17, the Dalai Lama was abducted by the rebels. Later, starting at 3:40 a.m. on March 20, the rebels launched armed attacks against the People's Liberation Army units in Lhasa and the offices of the Central Government agencies in Tibet. In order to safeguard the unification of the motherland and the security of the Tibetan people, the People's Liberation Army could not but counter-attack at ten o'clock (Peking time) on the morning of March 20. With the all-out support of the broad mass of the people in Tibet, the rebellion in Lhasa area was put down in a very short time. Up to that hour, the People's Liberation Army had not fired a single shot. All the people in the city of Lhasa, both lamas and laymen, can testify to this. "

Ngapo Ngawang-Jigme said that since the Dalai Lama had assumed office, he had worked in the closest association with him. " In the past eight years ",

Ngpao Ngawang-Jigme went on, " neither from his public statements nor from his talks with us Tibetan officials in private, did we ever hear anything about ' the independence of Tibet ' or the sundering of the unity of the motherland. " " Therefore we can categorically affirm that the statement issued in India in the name of the Dalai Lama definitely does not come from the thought or wish of the Dalai Lama himself. " " I think that when the Dalai Lama meditates in quiet he will feel the pain of being held under duress and of being utilized by others and will find the proper ways and means of freeing himself from this duress. "

In his speech Deputy Li Chi-shen, Chairman of the Revolutionary Committee of the Kuomintang, refuted the erroneous views openly expressed by some Indian " statesmen " recently and condemned the Indian expansionists for interfering in China's internal affairs.

Li Chi-shen said : " Some political figures in India have gone so far as to display great ' enthusiasm ' for the rebellion of a handful of Tibetan upper-class reactionaries. On the one hand, they have said that ' India recognizes China's suzerainty over Tibet ', but on the other hand they describe the rebellion of the Tibetan reactionaries of the upper social strata as ' an expression of Tibetan patriotic sentiments ', express ' sympathy ' for the rebels and ' distress ' at our suppression of the rebellion in Tibet. '

Li Chi-shen asked : " How can the acts of the Tibetan reactionary clique in betraying the motherland be called an expression of patriotic sentiments '?

" Is it that the persons who made these statements regard opposition to the Central People's Government of China and secession from China an act of patriotism?

" If such is the case, to which country are they patriotic? To China or to India?

" If their rebellion has no connections with Indian expansionists, why are certain Indian political figures so sympathetic with the traitorous crimes of the Tibetan reactionary clique?

" Why has it been possible for Kalimpong, for a long time, to be the centre of activities of these rebels abroad?

" Why is it that the so-called ' Dalai Lama's statement ' was distributed by an Indian diplomatic official? "

Li Chi-shen pointed out : The so-called " Dalai Lama's statement " unfurled a banner inscribed with the so-called independence of Tibet. This not only shows that what the Tibetan rebels are pursuing is absolutely not autonomy, but what is more important, that the expansionists in India have become feverish.

" They have regarded China's attitude in giving top consideration to Sino-Indian friendship in the past few days and her maximum restraint as a sign of weakness that can be taken advantage of. The ambitions of these expansionists are really not small. They practically want to turn Tibet into their colony or protectorate. "

In concluding his speech Li Chi-stressed : " U.S. imperialism is still occupying our Taiwan and now there are people who want to turn our Tibet into their sphere of influence. But China today is not the China of the Ching dynasty, nor of the northern warlords, nor of reactionary Kuomintang rule. We will certainly liberate Taiwan and we will never allow any outsiders to interfere in Tibet. Support given by any outsiders to the armed Tibetan rebels represents interference in China's internal affairs and violation of China's sovereignty. This can never be tolerated by China's more than 600 million people.

" We value greatly the friendship between China and India. We have been making efforts and will continue to do so to consolidate and develop this friendship. But we will never allow expansionist elements to make use of this friendship as shield for interference in China's internal affairs. It would be wise for these expansionists to calm down. The time is gone for ever when the Chinese people would be at the mercy of bullying by others. Those who want to inherit from British imperialism the legacy of carrying on aggression against Tibet will find themselves in a blind alley. "

In his speech Deputy Shen Chun-ju, Chairman of the China Democratic League, said that the upper-class reactionary clique in Tibet dared to launch a rebellion

because they were backed by imperialists, the Chiang Kai-shek gang and Indian expansionists.

Shen Chun-ju continued, " We can expect the imperialists and the Chiang Kai-shek clique in Taiwan to plot to undermine the unification of our country, but we never thought that some people in our great neighbouring country India would give support to a handful of Tibetan traitors in their criminal activities to sever Tibet from China. "

" India is a great country with a long traditional friendship with China ", he said. " The Five Principles initiated by our two countries have in recent years been recognized by an increasing number of countries as a yardstick for settling international matters. "

" But after the outbreak of the rebellion in Tibet, many slanders similar to those by the imperialists against China and expressions of so-called sympathy and encouragement for the Tibetan rebellious clique appeared in the Indian press and in the comments and statements of certain political figures in India ", Deputy Shen Chunju continued. " And recently an official of the Indian Government even distributed a so-called statement of the Dalai Lama. Does all this conform to the interests of the friendly relations between China and India? Does it accord with the Five Principles initiated by the Indian Government? Are these friendly actions? "

Shen Chun-ju voiced his violent indignation against the Indian expansionists for their interference in China's internal affairs. He condemned the actions of certain Indian politicians as undoing the good name won by India in international matters during the past years. " If such things were allowed to continue and develop, it would be difficult for people to differentiate these from the aggressive acts of the British imperialists against Tibet in the past ", he said, and went on to add, " as a friend of India, I think that I should give this frank advice at this crucial moment. "

In his speech Deputy Huang Yen-pei, Chairman of the China Democratic National Construction Association, said : " Tibet is an inalienable part of Chinese territory, and this is accepted by the whole world, including India. The rebellion of the Tibetan reactionaries and its suppression is China's internal affair in which no foreign country may interfere. "

Huang Yen-pei said that he was greatly incensed by the diplomatic official and he asked : " Is it possible that Indian official quarters had no beforehand knowledge of such a political document, which openly attacks our government? "

Deputy Huang Yen-pei pointed out that for a long time the Tibetan reactionary elements had used India's Kalimpong as a centre of intrigue against the motherland from abroad. After the outbreak of the rebellion in Tibet, the rebels fled to India where they were accorded hospitality and an enthusiastic welcome. They raised an outcry for so-called " independence ". " Now they could even distribute an absurd document through Indian official channels ", he said.

Huang Yen-pei asked : " Can one find anything in all these happenings that is in accord with the Five Principles of Peaceful Co-existence? "

He added that Prime Minister Nehru had declared that no political activities against another country would be permitted in India.

Huang Yen-pei continued : " How can a country friendly to China permit all the above-mentioned political activities against China? "

He asked whether the people and government of India could show tolerance if a country neighbouring on India allowed its territory to be used as a centre of activities against India and to sever this or that province or state from India.

" If this serious question which has a bearing on the Five Principles of Peaceful Co-existence and on Sino-Indian friendly relations is allowed to take its course in the wrong direction, it would be detrimental to the interests of India which is known as an advocate of peaceful co-existence. It can only make the colonialists happy ", Huang Yen-pei added.

Deputy Ngawang Jaltso in a speech at today's meeting pointed out that a handful of traitors in Tibet had long intrigued to disrupt the unification of the motherland in collusion with imperialists and foreign reactionaries. Ngawang Jaltso, who is the Vice-President of the Chinese Buddhist Association and vice-

head of the Kantse Tibetan Autonomous *Chou* in Szechuan Province, added, " These traitors who have raised the hue and cry of ' protecting national interests ' have long dipped their hands in the blood of the Tibetan people. They committed all kinds of crimes, extorting heavy taxes and levies, committing murder, arson, rape and plunder. They set up prisons everywhere and resorted to all kinds of torture—gouging out people's eyes, cutting off their noses, pulling out their hearts and skinning people alive—as part of their system of suppression. "

Ngawang Jaltso, who had lived in Tibet for 27 years and had been a *kanpo* of the Sera Monastery in Lhasa, pointed out that the broad mass of the Tibetan people had learned from the events of history that it was these reactionary rulers who clamoured about " protecting national interests " who were their real enemies.

He went on : " The Tibetan traitors disguise themselves as pious Buddhists and conduct their criminal activities under cover of ' protecting religion. ' I had personally experienced their tricks in using religion as a cover. When they wanted to commit some criminal action under the guise of religion, they called a meeting of the *kanpos* of the three big monasteries in Tibet including the Sera Monastery and imposed their will on the lamas. Then in the name of the three big monasteries they set out to deceive the masses and forced the lamas to commit a crime against all religious precepts of fighting a war and killing people. In 1947, when the reactionaries of the upper social strata colluded with the imperialists, they were opposed by the anti-imperialist, patriotic Jialpo Living Buddha Rabchen. Surkong Wongching-Galei, Lhalu and others went to the lengths of arresting Living Buddha Rabchen and killing him after putting him to cruel torture. The three grand Living Buddhas and many lamas under Living Buddha Rabchen were all persecuted—they were either imprisoned or exiled. That was why I fled to the interior. After my flight, they set a high price on my head. Later they killed my younger brother Chinlie Jaltso, passed off his head as mine and declared with a flourish of trumpets that they had killed me. "

Ngawang Jaltso went on : " Using the Rabchen incident as a pretext, the Tibetan reactionaries of the upper social strata took troops to attack the Sera Monastery. They killed or injured nearly one hundred innocent lamas of the monastery and sacked the thirteen *khamtsans* under the Sera Monastery. In 1950, when the patriotic Living Buddha Geda came to Chambo for the peaceful liberation of Tibet, he was poisoned by the reactionary elements of the upper social strata and the British agent Robert Ford. "

Ngawang Jaltso asked : " Is all this what ' protecting religion ' means? Is all this what is expected of a pious Buddhist? "

Ngawang Jaltso added : " The Tibetan reactionaries of the upper social strata are criminals, traitors to the motherland, the national interest and Buddhist teachings. They are devoid of shame or human feelings; and not a single trace of upringhtness can be found among them. "

(Hsinhua summary, April 22)

Forty-one deputies to the National People's Congress and members of the National Committee of the Chinese People's Political Consultative Conference, comprising 16 nationalities in all, today gave a warning to the Indian expansionists. " Their plot to realize their ambition of expansion through the Tibetan rebellion will never be accomplished ", they said.

In this afternoon's meeting of the First Session of the Second National People's Congress, deputies continued their bitter condemnation of imperialists and foreign reactionaries for supporting the Tibetan rebellion and intervening in China's internal affaits.

Thirty-eight deputies to the NPC and members of the CPPCC of 15 different nationalities—Tibetan, Uighur, Tai, Yi, Lisu, Nasi, Yao, Hani, Laku, Pai, Chuang, Kawa, Hui, Chingpo and Miao—declared that the unification of the socialist motherland and the unity among nationalities were in the highest interests of all the various nationalities of China. Any imperialists or reactionary elements who attempted to undermine the unification of our great motherland, they said, should expect our firm retaliation.

Deputy Saifudin, Chairman of the Sinkiang Uighur Autonomous Region, pointed out in his speech at the congress that China could brook no imperialist

nterference in her internal affairs, and that she would never allow any foreigner to meddle in her affairs, whether big or small. In warning to those who wanted to interfere in China's internal affairs, he said: " Whatever intrigues and plots they play against China will be of no avail. The outcome will be nothing but empty bubbles. " Giving a series of examples to illustrate the rapid progress in the various fields of construction in Sinkiang after liberation, he fully proved that only under the leadership of the Communist Party and united in the big family of the motherland, could the national minorities in China break away from their position of poverty and backwardness and attain rapid political, economic and cultural growth. He said that all the imperialist intrigues to undermine China's unification and unity among nationalities in the past had failed. Today when the various nationalities in China were united closer than ever under the Communist Party, it would be even more impossible to achieve such a purpose. The imperialists and foreign reactionaries would gain nothing out of the Tibetan question.

The speech of deputy Shirob Jaltso, Chairman of the Chinese Buddhist Association, at the congress was received with repeated applause. From an upright standpoint and with irrefutable facts, the Venerable Shirob Jaltso, who has lived in Tibet for thirty years, today sternly denounced the imperialists and foreign reactionaries' slanders about the Chinese Communist Party on the religious question and exposed their intrigues aimed at splitting China.

Shirob Jaltso pointed out that the imperialists and Indian expansionists made use of the Tibetan rebellion, created a commotion and made a shameless show of cheap and hypocritical tears over their own allegation that Buddhism was ruined in Tibet and put on an act of being as heart-broken as if their own parents had died. " We are well aware ", he said, " to hoodwink religious circles the imperialists sometimes act as if their hearts were breaking. However, feigned tears can by no means deceive Chinese Buddhists into suspecting the Chinese Communist Party which takes action to protect religion in thoroughly implementing its policy of freedom of belief. " He said, " We, the Tibetan people, are passionate followers of Buddhism and are good at telling right from wrong. We will never pardon those bogus Buddhists who conspire with the imperialists, betray the motherland, engage in slaughter and arson, and profane sacred Buddhism, and we do not think that their death can relieve them of their crimes. " " In doing so we have not only cleared off villains for the country and the people but have performed meritorious service by ridding Buddhist circles of bad elements and purifying Buddhist laws. "

Shirob Jaltso pointed out that some of the Indian expansionists " had forgotten the pain when the wound is healed. " " They have not only forgotten the disaster of the dark occupation period under the British imperialists, but on the contrary followed the footsteps of the aggressors and attempted to take over the privileges once the British imperialists had in Tibet."[3] If the expansionists did not alter their course, he warned, " not only their expansionist dream can never come true, but they will bring the wolves into their own house. "

The Venerable Shirob Jaltso made it clear that the imperialists who were trying by all means to invade China, were shamelessly creating a great commotion over the Tibetan question. Behind all this fuss, he said, " is hidden a still more venomous and greater plot, namely, the imperialists want to take advantage of our suppression of the rebellion to create tension in Asia and undermine the friendly relations between our country and other Asian countries so as to force the latter to give up their policy of neutrality and subject them once again to enslavement. "

Deputy Chen Shu-tung, Chairman of the All-China Federation of Industrialists and Businessmen, pointed out in his speech that the Indian expansionists' support for the Tibetan traitors had seriously threatened the friendly relations between China and India and the Five Principles for Peaceful Co-existence and that this situation would not be tolerated by the Chinese people.

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[3] India renounced her rights in Tibet in 1954. See p. 13, supra.

Chen Shu-tung went on : " The Indians should fully understand that the Tibetan reactionaries of the upper social strata who have fled to India represent only a handful of scum among the Tibetan people, and that 99 per cent of the Tibetan people are firmly for the unification of the motherland and against the criminal activities of the traitors—their sworn enemy.

" These Chinese people who are heroically engaged in socialist construction will by no means allow foreign forces to do damage to our independence and unification or interfere in our internal affairs at will. Nor will openminded Indian people tolerate for long the criminal anti-Chinese activities carried out by the Tibetan traitors in India in collusion with the Indian expansionists. "

Deputy Cheng Chien, Vice-Chairman of the Revolutionary Committee of the Kuamintang, condemned the imperialists and Indian expansionists for pulling the strings behind the armed rebellion in Tibet, and trying to encourage the rebels and create splits in the relations between China's nationalities. Cheng Chien pointed out that these people, in their avarice, wanted to take advantage of the question in Tibet but contrary to their wish they had only exposed to the roots their ugliness before the world and landed them in more of an isolated position than ever.

Cheng Chien jeered at the Indian expansionists for allowing their eyes to be blinded by a tree-leaf so that they could not see things in a true light. They did not see the changed situation in the world as a whole, they did not see the great change taking place in the People's Republic of China. On the Tibetan question, they attempted to follow the archaic policy of the British imperialists in fishing in muddy waters.

He warned the Indian expansionists who disregarded the real situation and blindly tried to make trouble that they could never succeed in their evil aims and that their attempt to fish in muddy waters would remain for ever a dream. If continued to try to make some gain from the Tibetan question, then they would soon find themselves in a blind alley.

As a deputy of Tibetan nationality the Vice-Governor of Kansu and Head of the South Kansu Tibetan Autonomous *Chou*, Lozong Tsewong (Huang Zheng Qing) sharply denounced the Tibetan rebels' shameful cry " to drive out the Hans " as an attempt to disrupt the relationship between the Han and Tibetan peoples. He said that since liberation, under the guidance of the great policy towards nationalities, friendly co-operation between the Han and Tibetan peoples had been developed on a unprecedented scale. Has it not been for the help of the Han people, the Tibetan people's becoming an advanced nationality would have been unthinkable.

Lozong Tsewong said that the unification of the motherland was in the highest common interests of all nationalities. But in order to conceal their criminal activities, the former Tibetan local government and the reactionary clique of the upper social strata assumed an attitude of representing the interests of the Tibetan people but it would not hold water. Their criminal activities were firmly opposed by the people of all nationalities throughout the country, first of all, by the Tibetan people, and had resulted in ignominious defeat.

" Let the foreign aggressors and rebels shout and cry ! " Lozong Tsewong said." The backward, dark, and cruel Tibet is gone for ever; a new democratic and socialist Tibet will soon appear in our motherland. "

Deputy Fu Tso-yi, Minister of Water Conservancy and Electric Power, showed great indignation at the imperialists and foreign reactionaries who supported the Tibetan rebellion. He pointed out in his speech that the imperialists and foreign reactionaries would never rest content with our victory, they would always attempt to sow discord among us; but that all these conspiracies would be doomed to failure.

Fu Tso-yi stressed that the liberated Tibetans would certainly be able to smash quickly the scheme of a handful of Tibetan rebels and imperialists, remove the obstacles in the way of progress, and, led by the Central People's Government and the Preparatory Committee for the Autonomous Region of Tibet, carry on smoothly the democratic reforms so as to build the Tibetan plateau into a real paradise on earth.

Deputy Chao Tsun-hsin, Head of the Hsishuangpanna Tai Autonomous *Chou* in Yunnan Province, spoke on behalf of 22 national minority deputies to the National People's Political Consultative Conference. He pointed out that the imperialists' and foreign reactionaries' scheme to split our motherland had gone up in smoke. Following their failure, these reactionaries could no longer conceal their frustration and anger so that they tried desperately to fabricate rumours and utter vicious slanders and cries of woe. They even went so far as to fabricate a so-called " statement of the Dalai Lama " to hoodwink the public and attain their underhand motive. But all their schemes had ended in failure

Chao Tsun-hsin stressed the need to guard the unification of our motherland and the unity among the nationalities as the apple of our eye. We must wage resolute struggles against all activities to split the motherland and disrupt the unity among the nationalities, he said. We must energetically oppose any attempt of the foreign reactionary forces to interfere in China's internal affairs.

(Hsinhua summary, April 23)

DOCUMENT 15

Statement by Mr. Nehru in the Indian Parliament April 27th, 1959

The following is an excerpt from a statement made by the Prime Minister of India in the Lok Sabha on the situation in Tibet on April 27th, 1959:

I have made several statements in the House in regard to the developments in Tibet. The last statement was made on April 3 in which I informed the House that the Dalai Lama had entered the territory of the Indian Union with a large entourage. I should like to bring this information up to date and to place such additional facts as we have before the House.

A few days ago the Dalai Lama and his party reached Mussoorie where the Government had made arrangements for their stay. I have had occasion to visit Mussoorie since then and have had a long talk with the Dalai Lama.

In the course of the last few days reports have reached us that considerable numbers of Tibetans, numbering some thousands, have recently crossed into the Kameng Frontier Division of the N.E.F.A. and some hundreds have also entered the territory of Bhutan. They sought asylum and we have agreed to this. Such of them as carried arms were disarmed. We do not know the exact number yet. Temporary arrangements are being made in a camp for their maintenance until they can be dispersed in accordance with their wishes and the necessities governing such cases. We could not leave these refugees to their own resources. Apart from the humanitarian considerations involved there was also the law and order problem to be considered. We are grateful to the Government of Assam for their help and cooperation in this matter.

So far as the Dalai Lama and his party are concerned we had to take adequate measures on the grounds of security and also to protect them from the large numbers of newspaper correspondents, both Indian and foreign, who in their anxiety to obtain first hand information in regard to a matter of world importance, were likely to harass and almost overwhelm the Dalai Lama and his party. While we were anxious to give protection to the Dalai Lama and his party, we were agreeable to giving these newspapermen suitable opportunities to see him. I had received an appeal from nearly 75 representatives of news agencies and newspapers from Tezpur requesting me to give them such opportunities. A senior officer of the External Affairs Ministry was therefore deputed to proceed to Tezpur in advance to deal with the press representatives and photographers who had assembled in that small town of Assam. This officer made the necessary administrative arrangements to meet as far as possible the wishes of the newspapermen to see the Dalai Lama and to photograph him. Soon after entering India the Dalai Lama indicated his wish to make a statement. We were later informed that this state-

ment would be released at Tezpur. Our officer made arrangements for the distribution of the translation of the statement to the newspaper correspondents.

In view of certain irresponsible charges made I should like to make it clear that the Dalai Lama was entirely responsible for this statement as well as the subsequent briefer statement that was made by him from Mussoorie. Our officers had nothing to do with the drafting or preparation of these statements.

I need not tell the House that the Dalai Lama entered India entirely of his own volition. At no time had we suggested that he should come to India. We had naturally given thought to the possibility of his seeking asylum in India and when such a request came we readily granted it. His entry with a large party in a remote corner of our country created special problems of transport, organisation and security. We deputed an officer to meet the Dalai Lama and his party at Bondilla and to escort them to Mussoorie. The particular officer was selected because he had served as Consul-General in Lhasa and therefore was to some extent known to the Dalai Lama and his officials. The selection of Mussoorie for the Dalai Lama's stay was not finalised till his own wishes were ascertained in the matter and he agreed to it. There was no desire on our part to put any undue restrictions on him, but in the special circumstances certain arrangements had necessarily to be made to prevent any mishap. It should be remembered that the various events in Tibet culminating in the Dalai Lama's departure from Lhasa and entry into India had created a tremendous interest among the people of India and in the world press. After his arrival in Mussoorie steps were taken to prevent the Dalai Lama from being harassed by crowds of people trying to see him as well as by newspapermen. Apart from this no restrictions about movement were placed on him. He has been told that he and his party can move about Mussoorie according to their wishes. It should be remembered that the Dalai Lama has recently not only had a long, strenuous and dangerous journey but has also had harrowing experiences which must affect the nerves of even the hardest person. He is only just twentyfour years of age.

These are some bare facts, but behind these facts lie serious developments which may have far-reaching consequences. A tragedy has been and is being enacted in Tibet. Passions have been let loose, charges made and languages used which cannot but worsen the situation and our relations with our northern neighbour. I am sure that the House will agree with me that in considering matters of such high import we should exercise restraint and wisdom and use language which is moderate and precise. In these days of the cold war there has been tendency to use unrestrained language and often to make wild charges without any justification. We have fortunately kept out of the cold war and I hope that on this as on any other

occasion we shall not use the language of the cold war. The matter is too serious to be dealt with in a trivial or excited way. I would therefore appeal to the press and the public to exercise restraint in language. I regret that occasionally there have been lapses from this on our side. In particular I regret that grave discourtesy was shown some days ago to the picture of the head of the Chinese State, Chairman Mao Tse Tung. This was done by a small group of irresponsible people in Bombay. In the excitement of the moment we cannot allow ourselves to be swept into wrong courses.

It is not for me to make any similar appeal to the leaders, the press and the people of China. All I can say is that I have been greatly distressed at the tone of the comments and the charges made against India by responsible people in China. They have used the language of the cold war regardless of truth and propriety. This is peculiarly distressing in a great nation with thousands of years of culture behind it noted for its restrained and polite behaviour. The charges made against India are so fantastic that I find it difficult to deal with them. There is the charge of our keeping the Dalai Lama under duress. The Chinese authorities should surely know how we function in this country and what our laws and constitution are. Even if we were so inclined we could not keep the Dalai Lama under some kind of detention against his will and there can be no question of our wishing to do so. We can gain nothing by it except a burden of difficult problems. In any event this matter can be easily cleared. It is open to the Dalai Lama at any time to go back to Tibet or wherever he wants to. As the Panchen Lama has made himself responsible specially for some strange statements I have stated that we would welcome him to come to India and meet the Dalai Lama himself. Should he choose to do so every courtesy will be extended to him. I have further said that the Chinese Ambassador or any other emissary of the Chinese Government can come to India for this purpose and meet the Dalai Lama. There is no barrier for anyone to come peacefully to India and, whether we agree with him or not, we shall treat him with the courtesy due to a guest.

Another and even stranger allegation has been made about " Indian expansionists " who, it is alleged, are the inheritors of the British tradition of imperialism and expansion. It is perfectly true that British policy was one of expansion into Tibet and that they carried this out by force of arms early in this century. That was in our opinion an unjustified and cruel adventure which brought much harm to the Tibetans. As a result of that, the then British Government in India established certain extra-territorial rights in Tibet. When India became independent we inherited some of these rights. Being entirely opposed to any such extra-territorial rights in another country we did not wish to retain them. But in the early days after independence and partition our hands were full, as this House well knows, and we had to face very difficult situations in our own country. We ignored, if I may say so, Tibet. Not being able to find a suitable

person to act as our representative at Lhasa we allowed for some time the existing British representative to continue at Lhasa. Later one Indian took his place. Soon after the Chinese armies entered Tibet the question of these extraterritorial rights was raised and we readily agreed to give them up. We would have given them up anyhow whatever developments might have taken place in Tibet. We withdrew our army detachments from some places in Tibet and handed over the Indian postal and telegraph installations and rest houses. We laid down the five principles of Pancha Sheela and placed our relationship with the Tibet region on a new footing. What we were anxious about was to preserve the traditional connections between India and Tibet in regard to the pilgrim traffic and trade. Our action in this matter and whatever we have done subsequently in regard to Tibet is proof enough of our policy and that India had no political or ulterior ambitions in Tibet. Indeed even from the narrowest practical point of view any other policy would have been wrong and futile. Ever since then we have endeavoured not only to act up to the agreement we made but to cultivate the friendship of the Chinese State and people.

It is therefore a matter of deepest regret and surprise to us that charges should be made which are both unbecoming and entirely void of substance. We have conveyed this deep feeling of regret to the Chinese Government more especially at the speeches delivered recently in the current session of the National People's Congress in Peking.

I stated some time ago that our broad policy was governed by three factors: (1) preservation of the security and the integrity of India; (2) our desire to maintain friendly relations with China; and (3) our deep sympathy for the people of Tibet. That policy we shall continue to follow because we think that the correct policy not only for the present but even more so for the future. It would be a tragedy if the two great countries of Asia, India and China, which have been peaceful neighbours for ages past, should develop feelings of hostility against each other. We for our part will follow this policy, but we hope that China also will do likewise and that nothing will be said or done which endangers the friendly relations of the two countries which are so important from the wider point of view of peace in Asia and the world. The five principles have laid down inter alia mutual respect for each other. Such mutual respect is gravely impaired if unfounded charges are made and the language of the cold war used.

I have already made it clear previously that the charge that Kalimpong was a centre of the Tibetan rebellion is wholly unjustified. We have a large number of people of Tibetan stock living in India as Indian nationals. We have also some Tibetan emigrés in India. All of these deeply respect the Dalai Lama. Some of these have been exceedingly unhappy at the developments in Tibet. Some no

doubt have anti-Chinese sentiments. We have made it clear to them that they will not be permitted to carry on any subversive activities from India, and I should like to say that by and large they have acted in accordance with the direction of the Indian Government. I cannot obviously say that someone has not done something secretly, but to imagine or say that a small group of persons sitting in Kalimpong organised a major upheaval in Tibet seems to me to make a large draft on imagination and to slur over obvious facts.

The Khampa revolt started in an area of China proper adjoining Tibet more than three years ago. Is Kalimpong supposed to be responsible for that ? This revolt gradually spread and no doubt created a powerful impression on the minds of large numbers of Tibetans who had kept away from the revolt. Fears and apprehensions about their future gripped their minds and a nationalist upsurge swayed their feelings. Their fears may have been unjustified, but surely they cannot be denied. Such feelings can only be dealt with adequately by gentler methods than warfare.

When Premier Chou En-Lai came here two or three years ago he was good enough to discuss Tibet with me at considerable length. We had a frank and full talk. He told me that while Tibet had long been a part of the Chinese State, they did not consider Tibet as a province of China. The people were different from the people of China proper. Just as in the other autonomous regions of the Chinese State the people were different even though they formed part of that State. Therefore, they considered Tibet an autonomous region which would enjoy autonomy. He told me further that it was absurd for anyone to imagine that China was going to force Communism on Tibet. Communism could not be enforced in this way on a very backward country and they had no wish to do so even though they would like reforms to come in progressively. Even these refoms they proposed to postpone for a considerable time.

About that time the Dalai Lama was also here and I had long talks with him then. I told him of Premier Chou En-Lai's friendly approach and of his assurance that he would respect the autonomy of Tibet. I suggested to him that he should accept these assurances in good faith and cooperate in maintaining that autonomy and bringing about certain reforms in Tibet. The Dalai Lama agreed that his country, though according to him advanced spiritually, was very backward socially and economically and reforms were needed.

It is not for us to say how far these friendly intentions and approaches materialised. The circumstances were undoubtedly difficult. On the one side there was a dynamic rapidly moving society. On the other a static unchanging society fearful of what might be done to it in the name of reform. The distance between the two was great and there appeared to be hardly any meeting point. Meanwhile change in some forms inevitably came to Tibet. Communications developed rapidly and the long isolation of Tibet was partly broken

through. Though physical barriers were progressively removed mental and emotional barriers increased. Apparently the attempt to cross these mental and emotional barriers was either not made or did not succeed.

To say that a number of " upper strata reactionaries " in Tibet were solely responsible for this appears to be an extraordinary simplification of a complicated situation. Even according to the accounts received through Chinese sources the revolt in Tibet was of considerable magnitude and the basis of it must have been the strong feeling of nationalism which affects not only the upper class people but others also. No doubt vested interests joined it and sought to profit by it. The attempt to explain the situation by the use of rather worn-out words, phrases and slogans is seldom helpful.

When news of these unhappy developments came to India there was immediately a strong and widespread reaction. The Government did not bring about this reaction. Nor was this reaction essentially political. It was largely one of sympathy based on sentiment and humanitarian reasons and also on a certain feeling of kinship with the Tibetan people derived from long-established religious and cultural contacts. It was an instinctive reaction. It is true that some people in India sought to profit by it by turning it in an undesirable direction. But the fact of that reaction of the Indian people was there. If that was the reaction here one may well imagine the reaction among the Tibetans themselves. Probably this reaction is shared in other Buddhist countries of Asia. When there are such strong feelings, which are essentially not political, they cannot be dealt with by political methods alone much less by military methods. We have no desire whatever to interfere in Tibet. We have every desire to maintain the friendship between India and China; but at the same time we have every sympathy for the people of Tibet and we are greatly distressed at their hapless plight. We hope still that the authorities of China in their wisdom will not use their great strength against the Tibetans but will win them to friendly cooperation in accordance with the assurances they have themselves given about the autonomy of the Tibet region. Above all we hope that the present fighting and killing will cease.

As I have said above, I had a long talk with the Dalai Lama three days ago at Mussoorie. He told me of the difficulties he had to face; of the growing resentment of his people at the conditions existing there and how he sought to restrain them; of his feelings that the religion of Buddha, which was more to him than life itself, was being endangered. He said that up to the last moment he did not wish to leave Lhasa. It was only on the afternoon of the seventeenth March when according to him some shells were fired at his palace and fell in a pond nearby that the sudden decision was taken to leave Lhasa...

DOCUMENT 16

The Revolution in Tibet and Nehru's Philosophy[1]

by

The Editorial Department of " Renmin Ribao "
May 6, 1959

On May 6 " Renmin Ribao " published the following commentary by its Editorial Department. We inserted it as a supplement in those copies of our May 5 issue which had not yet been mailed out. Since we are certain that all readers of " Peking Review " will want to have this basic article, we are publishing it in this issue of our magazine.— Ed. " Peking Review. "

The war of rebellion unleashed by the handful of traitors in Tibet has in the main been quelled. With the ignominious defeat of the rebels, the sanguinary conflict they created has ended over the overwhelming portion of Tibet. Now Tibet faces a peaceful revolution, that is, the democratic reforms in Tibet referred to in the resolution of the National People's Congress[2] and which the broad masses of people in Tibet have long expected and urgently demanded. This is a revolution—the continuation in Tibet of the great people's revolution which swept the Chinese mainland around 1949. Because of obstruction by the former local government of Tibet, this revolution has all along been delayed in Tibet during the past eight years since the peaceful liberation of Tibet. The revolution to be carried out following the putting down of the rebellion will be a peaceful one, that is to say, a revolution without bloodshed. The Tibetan people will pursue a policy of redemption towards those of the upper classes in Tibet who have not taken part in the rebellion—almost the same policy adopted in the Han areas towards the national bourgeoisie. Ample conditions exist for the Tibetan people to do so, because they are backed up by China's hundreds of millions of people, who have already completed democratic reforms and the socialist transformation.

At present, public opinion in many countries of the world is quite vocal about the question of Tibet. This is an excellent thing. The 1,200,000 people living on the roof of the world, to whom no serious attention has ever been paid before, have every right to enjoy the honour of holding the attention of the whole world, and to be enlightened and steeled in the course of worldwide discussions. Some foreigners say that the rebellion of the handful of reactionaries in Tibet is a " revolution, " a " nationalist, " " anti-agressive, " " anti-colonialist " and " anti-imperialist " " revolution " and that these reactionaries are entitled to " full " and " inviolable " autonomy or " independence ". On the other hand they describe the putting down of the rebellion by the People's Liberation Army with the active support of the Tibetan people as " armed intervention, " " aggression, " " colonialism " and " imperialism, " an action of a " Hitler. " Talking like this are the Western imperialists and the reactionaries of various countries, like Nobusuke Kishi, Syngman Rhee, Sarit Thanarat, Nge Dinh Diem and Chiang Kai-shek in Asia (nevertheless Chiang Kai-shek does not favour independence for Tibet, but demands that Tibet pledge its allegiance to Taiwan). There are certain sections of the bourgeoisie in some capitalist countries, whose political attitude in general is different from that of the above-mentioned people, but who go along with imperialism on this question. Certain bourgeois elements in India are such an example. All the afore-mentioned people are a minority in the world as well as in their own countries. But they control considerable propa-

[1] Source : *Peking Review*, No. 19 (May 12, 1959), pp. 6-15.
[2] Full text published in *Peking Review*, No. 17, April 29, 1959.—*Ed.*

ganda machines and appear to be kicking up quite a big fuss for the time being. A greater number of people in the world say that the rebellion in Tibet is reactionary and that putting down the rebellion is a just action. The people of the socialist countries unanimously support the Chinese people's struggle against the rebels. Even in the capitalist world, the majority are on the side of the Chinese people. They include the working people of all lands, people who stand for justice and progress, and those national bourgeois who are fighting foreign aggression and foreign intervention. These national bourgeois understand that approving foreign interference in Tibet would mean approving foreign interference in the internal affairs of Indonesia, Ceylon, Cambodia, Nepal, Iraq, Cuba and many other countries in Asia, Africa and Latin America, or approving encroachment on the sovereignty and territorial integrity of these countries. However, in some capitalist countries, this voice of righteousness for the time being does not sound so loud as the noisy clamour of the anti-Chinese propaganda machines. Some people feel sorry: here we have the fine People's Republic of China; here we have the fine Sino-Indian friendship; would it not be better if there had been no rebellion in Tibet! These people are well-intentioned, but they fail to see that as the rebellion in Tibet broke out and was rapidly stamped out, a bad thing has been turned to good account. The revolution in Tibet has been accelerated by this rebellion and with the democratisation of Tibet the history of foreign intervention in Tibet will finally come to an end. This is absolutely necessary for the true consolidation of Sino-Indian friendship. In short not only the people of Tibet and of China as a whole should carefully examine and draw lessons from these different opinions but the people of many capitalist countries, particularly those capitalist countries where there has been much ballyhoo on the Tibet question, will also examine them and draw the lessons they need.

Here we would like to talk about the statement made by Mr. Nehru in the Indian *Lok Sabha* on April 17. (The Editorial Department's Note: Since writing this commentary, we have read Prime Minister Nehru's May 4 speech in the Indian *Rajya Sabha*. The principal points contained in that speech did not go beyond the scope of his April 27 speech. Therefore, we have made no revisions or additions.)

This was the seventh time since March 17 up to the end of April, that Mr. Nehru had spoken on the question of Tibet in Parliament. Mr. Nehru has on many occasions expressed his sympathy with the so-called "aspirations of the Tibetans for autonomy" and his opposition to what he called "armed intervention" by China. His statement of April 27 is somewhat more systematic. And its full text appeared in our paper on April 30. For the convenience of our readers, we here again quote certain passages from this statement which, to a very large extent, can be taken as a summary of his views on the rebellion in Tibet and on India's role:

> The circumstances were undoubtedly difficult. On the one side there was a dynamic, rapidly moving society; on the other, a static, unchanging society fearful of what might be done to it in the name of reform. The distance between the two was great and there appeared to be hardly any meeting point. Meanwhile change in some forms inevitably came to Tibet. Communications developed rapidly and the long isolation of Tibet was partly broken through. Though physical barriers were progressively removed, mental and emotional barriers increased. Apparently, the attempt to cross these mental and emotional barriers was either not made or did not succeed.
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> To say that a number of "upper strata reactionaries" in Tibet were solely responsible for this appears to be an extraordinary simplification of a complicated situation. Even according to the accounts received through Chinese sources, the revolt in Tibet was of considerable magnitude and the basis of it must have been a strong feeling of nationalism which affects not only the upper class people but others also. No doubt, vested interests joined it and sought to profit by it. The attempt to explain a situation by the use of rather worn-out words, phrases and slogans, is seldom helpful.
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> When the news of these unhappy developments came to India, there was immediately a strong and widespread reaction. The government did not bring

about this reaction. Nor was this reaction essentially political. It was largely one of sympathy based on sentiment and humanitarian reasons, also on a certain feeling of kinship with the Tibetan people derived from long-established religious and cultural contacts. It was an instinctive reaction. It is true that some people in India sought to profit by it by turning it in an undesirable direction. But the fact of that reaction of the Indian people was there. If that was the reaction here, one may well imagine the reaction among the Tibetans themselves. Probably this reaction is shared in other Buddhist countries of Asia. When there are such strong feelings, which are essentially not political, they cannot be dealt with by political methods alone, much less by military methods. We have no desire whatever to interfere in Tibet; we have every desire to maintain the friendship between India and China; but at the same time we have every sympathy for the people of Tibet, and we are greatly distressed at their hapless plight. We hope still that the authorities of China, in their wisdom, will not use their great strength against the Tibetans but will win them to friendly co-operation in accordance with the assurances they have themselves given about the autonomy of the Tibet region. Above all, we hope that the present fighting and killing will cease.

Nehru did not explain what kind of society in Tibet he referred to as a " static unchanging society fearful of what might be done to it in the name of reform. " But this is precisely the starting point of the whole question. Our discussion must and can only begin here.

Tibetan society is a serf society based on material estates in Tibet, the main means of production—all the land and most of the cattle belong to three kinds of feudal estate-holders or serf-owners, namely, the officialdom (the feudal government), the monasteries and the nobles. These three kinds of serf-owners only account for approximately 5 per cent of the population, that is, about 60,000 of the 1,200,000 population of Tibet. None of the peasants have any land of their own; few of the herdsmen have cattle of their own. They can only toil for the serf-owners. Together with their children they have for generation after generation belonged to different serf-owners. Part of the estates of the serf-owners are especially set aside for service to the feudal government. The serfs that are assigned to cultivate such land have to do various kinds of corvee for the feudal government. Military service is also borne by some of the serfs on such land. The rest of the estates are the so-called " self-managed land " of the serf-owners. On this kind of manorial land, the serfs have to cultivate all the land for the estate owners with their own draught animals and farm implements (sometimes also having to bring their own food), while the lords only allot a small piece of inferior land (about three-tenths of the land of the lords) to the serfs as payment. The serfs spend the great bulk of their time every year working on the land of the serf-owners, and also have to do all kinds of corvee for them. On the above-mentioned two kinds of estates, more than 70 per cent of the income obtained from the toil of the serfs goes into the pockets of the serf-owners through exploitation. It is generally difficult for the serfs to live on their incomes and, therefore, they are forced to borrow on usurious terms from the serf-owners. A great many serfs are unable to repay the debts they have incurred, and there are even some debts hundreds of years old. The serfs not only have no political rights, they do not even have ordinary freedom of movement. They must get permission from the lord of the manor for even a short term of absence. The nobility in Tibet is hereditary. At present there are two or three hundred noble families in Tibet. Their position varies according to the amount of their property. The big nobility make up around one-tenth of this number, or some twenty-odd families; they each own dozens of manorial estates and thousands of serfs. In the feudal governments of Tibet, the power has always been in the hands of these big nobles. The distinctions of rank between nobles and serfs are extremely rigorous. On seeing nobles, the serfs have to avoid them or bow and stick out their tongues as an expression of awe. When they speak they have to follow a definite pattern of speech with no slips. The nobles torture at will the serfs who run away and are recaptured or who are considered to have otherwise violated the law. Besides the commonest form, flogging, there are even such frightfully cruel tortures as

gouging out the eyes, cutting off the nose and the hands, hamstringing and chopping off the kneecaps.

Monasteries occupy an important place in Tibet's social life. The proper religious activities of the monasteries and the people's freedom of religious belief must at all times be protected and respected. But up to the present all rulers of the monasteries in Tibet are at the same time serf-owners. The exploitation of the serfs by the monasteries through usury and trade is even harsher than that by the officialdom or the nobles. The monasteries have an additional kind of exploitation of the serfs carried out in the name of religion. Distinctions of rank in the monasteries are also strict. The poor lamas that come from serf families and the small lamas are also the exploited in the monsteries. The monasteries also have various instruments of torture and prisons. They can punish the serfs and the lower-ranking lamas at will. The cruelty of such punishment is not different from that imposed by other serf-owners.

Roughly speaking, the nobles and the monasteries each hold around 30 per cent of all the land in Tibet. The rest, approximately 40 per cent, belongs to the feudal government.

It is natural that, based on such a reactionary, dark, cruel and barbarous serf system, the political and religious hub in Tibet was a tiny collection of the biggest serf-owners. All kinds of shocking corruption and internal strife inevitably arise among these biggest serf-owners. Countless cases of murder and poisoning have occurred among part of the high-ranking power-wielding officials surrounding the Dalai Lama, in their fight for power and gain. The Dalai Lama is by no means highly respected unconditionally by these people as Nehru says. Quite to the contrary, they often make the Dalai Lama their puppet, impose their opinions on him, and even do him to death when they deem it necessary. For example, it is well known that the Eleventh Dalai Lama met with sudden death in the Potala Palace in 1855 when he was only 18 years old. After that, in 1875, the Twelfth Dalai Lama also died a sudden death in the Potala Palace at the age of twenty. After the British imperialists' invasion of Tibet' the reactionary rulers of the upper social strata in Tibet resorted to even baser and crueller methods of squeezing out those not in their own gang. In 1923, the Ninth Panchen Lama was forced to flee Tibet to the interior of the country for the rest of his life. In 1947, the Rabchen Hutuktu, regent for the Dalai Lama for eight years, was arrested and strangled to death in prison. In the same year, the father of the present Fourteenth Dalai Lama now in Mussoorie was poisoned for his patriotic ideas by reactionaries who had connections with foreign countries, in order to facilitate their control over the Dalai Lama. In 1950, Living Buddha Geda who worked for the peaceful liberation of Tibet was poisoned in Chamdo and his body was burned in order to destroy the evidence. All these notorious crimes were committed by stooges of foreign interventionists within the Tibetan ruling clique.

This society was indeed static in the past. Not only was the economy depressed and the culture backward, but even the population was unable to increase. However, the system of this society was not in the least " moderate " or " humane. " It is a thoroughly backward, reactionary, cruel and barbarous system !

May we ask all those vociferous self-styled sympathizers of the Tibetan people: Just who are the " Tibetan people " you sympathize with? Whose autonomy or independence is the autonomy or " independence " of Tibet you propagandize? Whose defeat is the defeat of the rebellion in Tibet which you weep and mourn over? It can be seen that many of the so-called " sympathizers " are only usurping the name of the Tibetan people, the name of Tibetan autonomy and the name of humanitarianism. It is not the Tibetan people they sympathize with, but those who for generations have oppressed, exploited and butchered the Tibetan people, those chiefs of the cannibalistic system in Tibet. When the big serf-owners in Tibet gouged out the eyes and hearts of the serfs, these people who made sympathizing their special job did not feel it a tragedy and did not demand of these serf-owners moderation and humanitarianism. When these big serf-owners launched armed attacks on the People's Liberation Army stationed on the soil of their own country, when they used savage methods to butcher captured P.L.A.

fighters and People's Government personnel, these sympathizers only cried " bravo, " and blustered that these serf-owners could carry on a one-hundred-year guerrilla war; they did not demand of them moderation and humanitarianism Only when the People's Liberation Army went over from the defensive to the offensive against those beasts who persisted in rebellion, that is to say, only when this cruellest and most savage serfdom in the world finally met with crisis as a result of the defeat of the rebellion of the armed bandits, only then did all the hue and cry of " tragedy, " " sympathy, " " humanitarianism, " " autonomy " and " independence " flood forth like a torrent bursting through sluice gates. From this it can be seen that except for some who are under a mis-apprehension, those who uttered such cries are precisely the defenders of the most reactionary serfdom and the most barbarous big serf-owners, precisely the enemies of the freedom and liberation of the Tibetan people. And it is precisly for this reason that this counter-revolutionary " holy alliance " of the Metternich type has bound together the U.S. State Department, British colonialists, Syngman Rhee of south Korea, Ngo Dinh Diem of south Viet-nam, Chiang Kai-shek of China and India's reactionary parties—the Praja Socialist Party and the Jan Sangh Party. There is nothing strange about all this.

What surprises us is that the Indian Prime Minister Mr. Nehru, on the one hand, obviously has major contradictions with many disreputable characters in that alliance and understands that their plots and tricks are detrimental to India, to Sino-Indian friendship and to Nehru himself; on the other hand he has involuntarily been pushed by that alliance into an important role in their so-called sympathy-with-Tibet movement, enabling them to look on with glee like someone watching tigers fighting from a hilltop. We feel greatly distressed at being forced now to argue with Mr. Nehru in our comment. Mr. Nehru, the respected Prime Minister of our friendly neighbour, India, is one of the statesmen who enjoy prestige in the world. In particular, we cannot forget that he is a friend to China and an opponent to the imperialist policy of war and aggression. Furthermore, he has also made a number of enlightened statements on social progress. For instance, in his autobiography written in prison in 1934-35, although he showed many misconceptions and prejudices towards communism (he admitted himself to be " a typical bourgeois, " " with all the prejudices " fostered in bourgeois surroundings), he admitted, nevertheless, that owing to the application of scientific methods in the study of past history and current events, " the most revealing and keen analysis of the changes that are taking place in the world today come from Marxist writers. " He also wrote :

> Economic interests shape the political views of groups and classes. Neither reason nor moral considerations override these interests. Individuals may be converted, they may surrender their special privileges, although this is rare enough, but classes and groups do not do so. The attempt to convert a governing and privileged class into forsaking power and giving up its unjust privileges has therefore always so far failed, and there seems to be no reason whatever to hold that it will succeed in the future.

Nehru put it quite right here. But what a different tune he sang in his statement on April 27, 1959 ! Either he has completely cast away the views he once expressed, or else he really did not understand the scientific Marxist methods which he had thought he understood. Now he blames us for not having been able to convert the privileged ruling class in Tibet into forsaking power and giving up its privileges. Moreover, he tries to write off at one stroke the class analysis of Tibetan society as " wornout words, phrases and slogans, " and describes the two extremely antagonistic classes of serfs and serf-owners as a single society " fearful of what might be done to it in the name of reform. " Of course, we find it impossible to agree with this attempt of Nehru's. The class antagonism in Tibetan society is a living fact. It is by no means a matter of words, phrases or slogans, to say nothing of being wornout. Reforms naturally call for action, and they should naturally be in the interests of the overwhelming majority who demand reforms and detrimental only to the tiny minority who stubbornly oppose reforms. As the situation stands in Tibet, reforms should benefit first of all the 1,140,000 people who account for 95 per cent of the popula-

tion. As for the 60,000 who make up the other 5 per cent of the population, the situation with them also varies. Only a tiny minority of them resolutely oppose reform, to the extent of launching a rebellion and refusing to repent to the last. As we have said, the majority of the 20,000 or so rebels are labouring people who have been coerced or hoodwinked into joining the rebellion (as is the case with all counter-revolutionary armies). If the Khambas who account for about one-third of the rebels are subtracted, the Tibetans who took part in the rebellion were only a little over one per cent of the 1,200,000 population of Tibet. To think that the entire upper class in Tibet rebelled is not correct. Furthermore, among these 60.000 there is quite a section of enlightened persons who approve of reforms. Therefore, it is necessary to differentiate among the members of the upper class, too, and to give them appropriate treatment; accordingly we have always adhered to this policy. To say that all those in the varying circumstances we mentioned have the same fear of reform and the same mental and emotional barriers to reform does not accord with the facts. As for the overwhelming majority who demand reforms, why should they be fearful of reforms and have mental and emotional barriers?

In discussing Tibetan society, although Nehru does not oppose reforms and does not deny the part vested interests played in the rebellion, still on the whole he not only fails to touch on its extremely cruel system of exploitation, but virtually lumps together the vast majority of the exploited with the tiny minority of the exploiters. On this basis, he denies that a handful of upper-strata reactionaries are responsible for the rebellion in Tibet, describes the just action of the Chinese people in putting down the rebellion as a " tragedy " and expresses sympathy for the rebellion. Thus he commits, a most deplorable error. As friends of India and as the people whose affairs Nehru is discussing, we deem it necessary to point out this error. If one agrees with Nehru's logic, not only the revolution in Tibet, but the whole Chinese revolution would be impermissible. It will be recalled than before liberation the area of China inhabited by the Han nationality had basically not emerged from the orbit of feudal society, although it was not serfdom. It, too, had always been called a static, unchanging, isolated society. Some people also sneered at us for proceedings from a wornout, outdated, and extremely simplified imported ideology—Marxism-Leninism—which was said to be entirely unsuited to specific Chinese conditions. They asserted that our reform movement would meet with resistance from the entire society, the whole nation. They even declared that we split the nation, betrayed the motherland, and that we were agents of so-called " red imperialism " acting on orders from Moscow, and so on and so forth. Now, history has rendered its verdict. It is we who are right, not they. All the attacks and slanders against the communists have gone completely bankrupt. Under the leadership of the proletariat, China, once static and unchanging, has all of a sudden become a China full of vitality and moving swiftly forward—a proof that Marxist-Leninist analysis is applicable anywhere on earth. The static state of the past was merely due to the fact that the development of the forces of production was shackled by the backward relations of production. Marxist-Leninists and communists truly represent the interests of the nation and the motherland, while the handful of anti-communist elements who claimed to represent the interests of the whole nation proved indeed to be agents of imperialism, although they temporarily hood-winked a section of the masses. We believe that Prime Minister Nehru is not likely to oppose this conclusion from Chinese history. But according to Nehru's logic on the Tibet question, if his sympathy were not simply confined to the " Tibetan people " but extended to the whole of the " Chinese people, " then the whole Chinese revolution would become a many times more distressing and unprecedently great " tragedy. " During the period of the Chinese people's Liberation War, Chiang Kai-shek's Kuomintang and the Kuomintang troops greatly outnumbered the 20,000 Tibetan rebel bandits, there were many more " reasons " to say they were not merely " upper-strata reactionaries. " and the war was on a much bigger scale. In a word, it should have warranted much stronger " sympathy. " Yet, so far as we know, when Prime Minister Nehru sympathized with the whole of China he did not sympathize with the " big serf-

owners" of the Han people; nevertheless, when he sympathizes with Tibet, which is a part of China, his sympathy goes to the "little Chiang Kai-sheks" in Tibet. How is this most glaring contradiction to be accounted for?

Perhaps Mr. Nehru will say that we are not doing him justice, because what he said was limited to Tibet and the Tibetans are different from the Hans. This is to say, the Han people, in leading the revolution among the Tibetan people, would inevitably meet with national barriers. The Tibetans are different from the Hans—that's perfectly true. And that is not all: the Mongolians, Uighurs, Chuangs, Huis, Miaos, Koreans and many other minority nationalities of China are all different from the Hans. The Chinese communists and the Chinese Government are confronted with the question of minority nationalities in the country. We have approached this question with extreme caution. For nearly ten years we have trained up indigenous cadres among the various national minorities, and have seriously carried out education against Han chauvinism among the Han people, especially among the Han cadres, the Han members of the Communist Party and the Han officers and men of the People's Liberation Army. We adopted a method unprecedented in the capitalist world. We persuaded the Han people in multi-national areas where they were in the majority to establish minority nationality autonomous regions. The Inner Mongolian Autonomous Region, the Kwangsi Chuang Autonomous Region, the Ninghsia Hui Autonomous Region and many autonomous *chou* and autonomous counties were established in this way. In Tibet, we displayed especially great patience in order to win the co-operation of Tibetan upper-strata elements. For eight long years since the peaceful liberation of Tibet we maintained intact the former local government of Tibet, its complete system, its army and even its currency and persuaded the people of Tibet not to carry out for the time being the reforms they urgently demand. If the Central People's Government had not given the former local government of Tibet any right of autonomy as alleged in the so-called statement of the Dalai Lama, then those reactionaries, whose treason had been established, would have been arrested and punished long ago and the democratic reforms in Tibet would not have been put off up to the present. The Central People's Government adopted such an attitude of extreme magnanimity towards the reactionaries that even after the outbreak of the rebellion in Lhasa, and after learning that the Dalai Lama had been abducted from Lhasa, the troups of the Tibet Military Area Command of the People's Liberation Army did not start the counter-attack until seven hours after the rebel bandits had launched a direct armed attack on the Military Area Command headquarters. Quite clearly, by then the reactionaries had blocked all roads to peaceful settlement, and the only possible recourse left open was resolutely to launch a punitive expedition and put down the rebellion. Since the People's Liberation Army had the strength quickly to put down the rebellion in the Lhasa area, if it had chosen to make the first move, it could certainly have surrounded the Norbu Lingka in good time and prevented the rebel bandits from abducting the Dalai Lama. Any sensible person need only think for a moment and he will understand this, and will pay no attention to the fairy tales about two or three mortar shells fired in the direction of the palace and falling in a nearby pond. The policy adhered to by the Central People's Government and the People's Liberation Army from beginning to end not to fire the first shot in the face of such a serious situation precisely shows that the communists have always dealt very carefully with the question of nationalities, and in particular have exerted the maximum efforts to win over the upper-strata elements in Tibet. Such a policy can only be carried out in earnest by the revolutionary proletariat. The bourgeoisie or other exploiting classes could never carry it out, even if they wanted to.

Here, in the relations between nationalities, the fundamental keypoint is still the method of class analysis, Mr. Nehru hopes that we "will win them to friendly co-operation." No doubt this is a good idea, though it was meant by Mr. Nehru as an indirect charge that we have not done so and are not doing so. In point of fact, only the revolutionary proletariat can find a thorough and correct solution to historical national problems. Disputes and barriers between nationalities are in the main created by the exploiting classes and can never be

eliminated by them. But under the correct leadership of the revolutionary proletariat, it is entirely possible for the working people of different nationalities to eliminate, through certain efforts, all the disputes and barriers left over from history and enter into a cordial, fraternal friendship. Chinese history has witnessed long-standing national oppression and national strife. Mongolian and Manchu rulers once oppressed the Hans, Uighurs and Tibetans; Han rulers, too, oppressed the Mongols, Manchus, Uighurs and Tibetans. This state of affairs has been radically changed since the founding of the Chinese People's Republic led by the proletariat. The Hans, who form the overwhelming majority of the population and the main revolutionary force, now still have to send personnel to Inner Mongolia, Sinkiang and Tibet. They no longer go there to oppress and exploit the national minorities, but rather, together with the revolutionary cadres of the local nationalities, to help the working people there to win freedom and liberation from the oppressors and exploiters of their own nationalities and to achieve democracy and socialism, that is, to lay the foundation for the flourishing economy and culture of the national minorities. The communist personnel of the Han nationality who work in those areas, including the Han officers and men of the People's Liberation Army, do not ride on the backs of the people of the national minorities there and lord it over them; on the contrary, they go there to work, together with the revolutionary cadres of the local nationalities, as the servants of the people of the national minorities. They share the weals and woes of the labouring people of the national minorities and fight for their rights and happiness in disregard of difficulties and perils. Thus, the working people of the national minorities and those upper- and middle-strata elements of the national minorities who are patriotic and favour reforms, have united with the working people of the Han nationality and overthrown, as the Han people did, the reactionary rule of the upper-strata reactionaries of their own nationalities. Thus, the sources of national disputes and barriers disappeared and friendly co-operation among different nationalities was placed on a really solid foundation. This is the process which has been carried out in Inner Mongolia, in Sinkiang, in Ninghsia, Kansu and Chinghai of the northwest and in Szechuan, Kweichow, Yunnan and Kwangsi of the southwest. In the course of this process, the personnel who lead the reforms make every effort to unite with people of various strata among the national minorities who approve of reforms, and maintain close co-operation with them before, during and after the reforms. True, it would be impossible not to have struggles, and armed rebellions occured in the Tibetan-inhabited areas in Szechuan, Kansu and Chinghai. But, as we have pointed out elsewhere, the rebellions in these Tibetan-inhabited areas were directed and instigated precisely by the reactionaries in Tibet, taking advantage of their special position.

In Tibet, where the rule of the big serf-owners had not been changed in the course of the peaceful liberation, it was still possible for them to utilize their legal position to direct the old Tibetan army and the Khamba rebels and other reactionary political organs which defended the system of serfdom and continue to collude with some foreign interventionists. It is for this reason that reforms have not been carried out there and it was even possible to launch this rebellion.[8] But in spite of all this, the Tibetan people have time and again eagerly demanded reforms since the entry of the People's Liberation Army troops into Tibet. The long suffering Tibetan people were not afraid of reforms; they were fearful lest the Central People's Government delay reforms year after year by being too accommodating to the big serf-owners of Tibet! Messrs. Humanitarians of the world should know that the serfs in Tibet are also human beings. It is impossible to make them believe that the monsters who brutally exploit them, flog them and gouge out their eyes are their protectors. Nor is it possible to make them believe that the People's Liberation Armymen who warm-heartedly and amiably help them in their labours and treat their diseases, who do not take

[8] Earlier in this article it is stated that the Chinese persuaded the Tibetan people "not to carry out for the time being the reforms which they urgently demand." See p. 184, *supra*.

from them so much as a needle or a piece of thread, are their enemies. There lies the fundamental reason why the rebellion was entirely without support from the Tibetan people and was utterly routed in the twinkling of an eye, in spite of the national and religious signboards held up by the rebels, the difficult terrain with high mountains and precipitous valleys, and the many different kinds of foreign aid they got. In putting down the rebellion, the People's Liberation Army confiscated the official seals of the feudal government, the arms of the rebel bandits and the court whips—serf-owners' instruments of torture. The Tibetan people everywhere greeted this with the joy of hailing rain after a long drought. How they have suffered under the oppression of these three things! They volunteered to serve as guides for the People's Liberation Army troops, and of their own accord supplied them with information about the bandits, and helped them to round up remnant rebels and to search for arms. The People's Court in Lhasa alone has received hundreds of rifles collected and turned in by the people themselves. In many villages of the Loka area, the people gathered together as soon as they learnt that the People's Liberation Armymen were coming, to present them with *hata* (ceremonial scarves), to bring them crimson peach blossoms and fresh willow wands and at the same time poured out to them bitter tales of rape, plunder, murder and arson by the rebel bandits and asked the People's Liberation Army to avenge them. At Kung Ketsong, the rebels had dug four ditches across the highway in an attempt to prevent the advance of the People's Liberation Army. But as soon as the rebels were gone, the local inhabitants filled the ditches up. When the People's Liberation Army troops arrived at Lintze, the local inhabitants immediately organized a pack animal caravan of their own accord to help them carry ammunition and rations and move on with them as they mopped up the remnant bandits. Such moving examples are endless. When the rebellion was put down, the broad masses of people very quickly assisted the People's Government to restore order and, with the assistance of the People's Government, quickly went back to production. Spring ploughing in the Loka area, though delayed for half a month by the harassment of the rebel bandits, was finished with the assistance of the People's Liberation Army troops without delaying the sowing. Large numbers of people there are now taking manure to the fields, sowing and repairing irrigation canals and ditches. They are singing long-forgotten songs of joy. The peasants are everywhere asking when the land will be distributed. After it was announced, in response to popular request, that whoever sows could reap the crops this year on the land formerly belonging to the chief rebels, the serfs of the big serf-owner Surkong Wongching-Galet, one of the chief culprits in abducting the Dalai Lama, at Kaishuhsika immediately of their own accord organized the labour power into labour mutual-aid teams to cultivate all the land jointly to strive for a bumper harvest. It is very clear that the Tibetan peasants are confident that the day is fast approaching when they will stand on their feet and be their own masters on Tibetan soil. Excuse us for being so lengthy here...however, let all well-intentioned people who care about Tibet see for themselves how different all this is from the picture that met the old-type Chinese armies that entered Tibet from the Ching dynasty on! What a sharp contrast it presents to the picture met with by the British aggressive forces storming Lhasa from India! Therefore how can one describe the just action of the People's Liberation Army, together with the Tibetan people, in suppressing the rebel bandits who committed murder, arson and all other manner of evils as national oppression and national aggression.

Mr. Nehru asserts that there appeared to be hardly any meeting point between the Han and Tibetan societies and that the attempt to break down the mutual mental and emotional barriers was either not made or did not succeed. So far as the Tibetan working people are concerned, this question has been answered by the facts and will be answered in greater quantity and more vividly in the future. Even for the people of the upper strata in Tibet, the mental and emotional barriers have undergone varying degrees of change for many of them. The three letters to General Tan Kuan-san written by the Dalai Lama secretly and entirely of his own volition when he was held under duress [4] and the speeches of Panchen

[4] See Document 20, Appendix, p. 201 ff.

Erdeni, Ngapo Ngawang-Jigme, Shirob Jaltso, Ngawang Jaltso and Lozong Tsewang at the National People's Congress furnished a part of the obvious evidence in this respect.[5] Standing on the side of the Preparatory Committee for the Autonomous Region of Tibet are many patriotic members of the upper and middle social strata in Tibet. Lhasa's middle and primary school pupils, a large number of whom are children of families of upper and middle social strata, went back to class as soon as the rebellion was quelled, and their number now is much greater than before the rebellion. It can thus be seen that there is no ground to call the rebellion a national " revolution " and to describe the putting down of the rebellion as a national " tragedy. "

It is possible that some Indian friends who bear China no ill-will misunderstood, for a time, China's position and policy, owing to the long-time influence of biased propaganda, and to the fact that they have not seen the true conditions of life in Tibetan society and the activities of the People's Liberation Army first-hand, while their newspapers rarely publish full Chinese data. However, facts speak louder than eloquence and the truth will prevail in the end. We are fully confident that those Indian friends who labour under misapprehensions for the time being and who still hesitate to believe what we are saying now will ultimately arrive at an objective conclusion. We hope that Mr. Nehru will be one of them. Of course, Mr. Nehru has great confidence in himself, and he has his own set of independent views on the question of Tibet. He is inclined to assume that the powerful group in the former local government of Tibet are a flock of milk-white lambs. So even after they had attacked us, he still held that we were to blame. We cannot demand that out foreign friends must see the Chinese scene the way we do, much less can we demand that Mr. Nehru change his philosophical, historical and political viewpoints. Obviously, there exist contradictions in Mr. Nehru's thinking. But we do not propose to discuss how these contradictions are to be resolved. On such matters, we could engage in a friendly debate, or we need not debate at all. Both our households have plenty to do. We are busy enough minding our own business, and why should either of us poke his nose into the other's business? When Mr. Nehru was in Peking, he said with good reason : " Any attempt to impose the will of one nation on another or the ways of life of one people on another must necessarily produce conflict and endanger peace. " However, the point now is, that a group of Indians, unfortunately including Mr. Nehru, insist that we do things according to their opinions. We are very good friends and neighbours and can easily live in peace with each going his own way. If your way of doing things yields good results in India, it will not be too late for us to learn from you. Where, indeed, is the need for this urgency, not even scrupling to resort to certain acts of interference which impair friendship? We have thought it over and over again and are still unable to figure it out.

Prime Minister Nehru denies that India has interfered in Tibet. He recalls the course of events before and after India's independence and partition to show that India has never had " political or ulterior ambitions " in Tibet. We acknowledge that Nehru's remarks conform with reality in the sense that the Indian Government has no desire to annex Tibet or send its armed forces to intervene in Tibetan affairs. India has all along recognized Tibet is a part of China and that the Chinese Government enjoys sovereignty over Tibet. India concluded with China in April 1954 the Agreement on Trade and Intercourse Between the Tibet Region of China and India based on the five principles and, later withdrew its troops from Tibet and handed over its post and telegraphic installations. The Chinese people view all this with satisfaction. However, interference by one country in the internal affairs of another may take diverse forms. To say that the Indian Government has not interfered in China's Tibet in any way in the past and at present is not convincing.

It may be recalled, as this newspaper reported, that the Indian Government intervened through diplomatic channels in October 1950 when the Chinese Govern-

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[5] See Document 14, Appendix, p. 168 ff.

ment ordered its troops to enter Tibet. At that time, the Chinese Government, while ordering its troops to enter Tibet, asked the local government of Tibet to send its representatives to Peking for negotiations. This was exclusively an internal affair under Chinese sovereignty. The Indian Government, however, delivered three notes to the Chinese Government, on Octover 21, October 28 and November 1, 1950, declaring that " the invasion by Chinese troops of Tibet cannot but be regarded as deplorable " and with " no justification whatever " and that the Indian Government deemed it " most surprising and regrettable. " It was further alleged in these notes that Chinese troops' entry into their own territory of Tibet " will give those countries in the world which are unfriendly to China a handle for anti-Chinese propaganda at a crucial and delicate juncture in international affairs ", that on the question of restoring Chinese representation in the United Nations, it " will have serious consequences and will give powerful support to those who are opposed to the admission of the People's Government to the United Nations and the Security Council "; that it " may prejudice the position of China in the eyes of the world, " while the " peaceful negotiations (between the Central People's Government and the local government of Tibet) can hardly be synchronized with it "; that it will not be " in the interests of China or of peace, " has " greatly added to the tensions of the world and to a drift toward general war, " and has " affected these friendly relations (between India and China) and the interests of peace all over the world. " In this regard, the Chinese Government in its reply notes to the Indian Government pointed out that in entering Tibet, the Peoples' Liberation Army was exercising the nation's sovereign rights, that the Tibet question was China's internal affair, and that no foreign interference was to be tolerated. This had nothing whatsoever to do with the Chinese People's Republic's right of representation in the United Nations. If those countries which were unfriendly to China want to exploit the question of representation in the United Nations for the purpose of threatening China against exercising its sovereign rights on its own territory, that would only confirm once again their hostility towards China. Only after the Chinese Government had repeatedly made known this solemn attitude in resolute terms, and especially after the People's Liberation Army had scored an important victory in the Chamdo area, wiping out the main forces of the Tibetan army which attempted to bar its advance into Tibet, only then did the delegation of the local government of Tibet which remained in India arrive in Peking for negotiations in the latter part of April 1951. After negotiations, the seventeen-article agreement on the peaceful liberation of Tibet was finally concluded in May of the same year.

It may not be pleasant to recall this episode. However, facts are facts. How can it be said that the Indian Government has never interfered in Tibet?

Unfortunately, such interference still continues in certain forms. Such interference is all the more regrettable since it has taken place after the Chinese and Indian Governments jointly declared that relations between their two countries should be guided by the five principles of peaceful coexistence. Take Prime Minister Nehru himself for example. In his statements and remarks made since the rebellion in Tibet there are not a few friendly indications, but there are some utterances which, we feel, cannot be sait to be conformable to the five principles of peaceful coexistence. For instance, he said: " The agreement between Tibet and China on the autonomous status of Tibet and the assurance given to India has not been kept by Peking. Armed intervention was taking place there " (April 13); " I do earnestly hope that the Tibetan people will be able to maintain and be able to enjoy their autonomy and not be oppressed and suppressed by others " (April 14). It may be asked, to describe China's putting down a rebellion in its own territory as " armed intervention ", as " oppressing and suppressing " their " autonomy ", and to say that " the assurances given to India " have not been kept—how can it be said that all this is not interference? The Indian Government insists that the Dalai Lama is not held under duress by the rebels but is the head of the rebels. If this is so, did not the impressive welcome extended to the Dalai Lama by the Indian Government and the visit to Mussoorie by Prime Minister Nehru himself mean giving a welcome to and holding a meeting

with the leader of a rebellion in a friendly country? Because the Indian Government has never pursued a clear-cut policy of non-interference, it is quite understandable why both Madame Indira Gandhi, President of the ruling National Congress Party, and Madame Sucheta Kripalani, General-Secretary of the Party have declared that Tibet was a " country " or an " autonomous country ", and why the " People's Committee in Support of Tibet " which was formed by most of the political parties in India including the National Congress Party openly demanded that the Tibet question be submitted to the United Nations, and why Indian papers openly slandered the Chinese Government as " practising banditry and imperialism ", insulted China's head of state as an " abominable snowman " and demanded the convening of a so-called tripartite conference of India, Tibet and China on the pattern of the Simla Conference to settle the Tibet question, which is purely China's internal affair. After the outbreak of the rebellion in Tibet and even before, certain political figures and papers in India launched a smear campaign against China of a scope reminiscent of the intervention of U.S. political and press circles in the execution of counter-revolutionary criminals in Cuba. We must ask, applying such political pressure to the internal affairs of a friendly country—can this be considered conformable to the five principles?

Prime Minister Nehru says that the Indian reaction on the question of Tibet is essentially not political but instinctive, largely one of sympathy based on sentiment and humanitarian reasons, also on a feeling of kinship derived from long-established religious and cultural contacts with the Tibetan people. We understand that the Indian people have a feeling of kinship for the people of China's Tibet. Not only that, the Indian people have a feeling of kinship for the whole of the Chinese people. When Premier Chou En-lai visited India, the ardent slogan " Indians and Chinese are brothers " was heard everywhere, and these scenes and sentiments seem like a matter of only yesterday. But how can feelings towards the people in Tibet be used by certain political figures as a pretext for impairing feelings towards the Chinese people and for interference in China's affairs? This kind of logic is fraught with obvious dangers, because if such logic can stand, then when Tibet has taken the road of democracy and socialism, the road of strength and prosperity, could not a " people's committee to support Assam " and a " committee for Uttar Pradesh affairs " be set up to interfere in the affairs of India's state of Assam or Uttar Pradesh under the pretext of ancient religious and cultural links? Could not the government of the Autonomous Region of Tibet or the Government of China as a whole declare deep sympathy with the people of Assam or Uttar Pradesh as a basic policy and in pursuance of such a policy find fault with this and that in the affairs of these states? If the Indian Government can demand certain assurances from the Chinese Government on the grounds of deep sympathy and ancient links with the Tibetan people, could it not on the grounds of deep sympathy and ancient links with all the people of China make the outright demand for certain assurances from the Chinese Government as regards all its internal affairs? Similarly, could not the Chinese Government, also on the grounds of deep sympathy and ancient links with the Indian people, demand certain assurances from the Indian Government as regards its internal affairs? Where would peaceful co-existence and the five principles be? Would not the world sink into the chaos of mutual interference? We believe that our friends in India would no more welcome or tolerate such an international order than we do.

When India's interference in China's Tibet on these two occasions is taken into account, it is not difficult to see that, although the Indian Government has no desire to occupy Tibet or make Tibet formally independent, it really strives to prevent China from exercising full sovereignty over its own territory of Tibet. In this respect certain political figures in India have followed the tradition of the British Government of the past—they only recognize China's " suzerainty " over Tibet, like India's " suzerainty " over Bhutan and Sikkim. What they call " autonomy " for Tibet is different from national regional autonomy as laid down in clear terms in the Constitution of China, different from the national regional autonomy practised in Inner Mongolia, Sinkiang. Kwangsi and Ninghsia; rather it is a kind of semi-independent status. True, Tibet is not a province but an autonomous region of the People's Republic of China, with greater powers

and functions than a province as laid down in the Constitution and by law; but it is definitely no protectorate—neither a Chinese protectorate, nor an Indian protectorate, nor a joint Chinese-Indian protectorate, nor a so-called buffer state between China and India. The People's Republic of China enjoys full sovereignty over the Tibet region just as it does over the regions of Inner Mongolia, Sinkiang, Kwangsi and Ninghsia; there can be no doubt whatever about this, and no interference by any foreign country or by the United Nations under whatever pretext or in whatever form will be tolerated. Consequently, any question concerning Tibet can only be settled by China and in China, and not in any foreign country. Any status of semi-independence for Tibet would be detrimental to the Tibetan people, to the Chinese people, to the Indian people, to Sino-Indian friendship and to Asian peace. It would only serve the interests of the traitorous, reactionary big serf-owners of Tibet and their foreign interventionist backers, as well as of the expansionists and imperialist schemers who seek to sow discord between China and India. China and India are two peace-loving countries whose friendship is of long standing. Our two countries have every reason to live together in harmony, and refrain from aggression and interference, and not a single reason for mutual conflict, or for wanting to set up any buffer zone; and if establishment of such a buffer zone were pressed for, it would indeed create a truly deplorable conflict where none existed before. In view of the attitude of the Indian Government on this question, in view of the statement by certain Indian figures who are by no means irresponsible we think it vital for the consolidation of Sino-Indian friendship to make this point absolutely clear. In his April 27 statement, when Prime Minister Nehru referred to the five principles he mentioned only " mutual respect " (which is undoubtedly necessary), but did not mention " mutual respect for each other's territorial integrity and sovereignty " (those are the original words from the five principles, and moreover are preconditions for any sort of mutual respect). We hope that this was only an oversight.

Interference in China's internal affairs by certain political figures in India is not fortuitous. It bears the sign of the times. India is a country that has gained independence after shaking off the colonial rule of British imperialism. It desires to develop its national economy in a peaceful international environment and has profound contradictions with the imperialist and colonialist forces. This is one aspect of the picture. Another aspect is that the Indian big bourgeoisie maintains manifold links with imperialism and is, to a certain extent, dependent on foreign capital. Moreover, by its class nature, the big bourgeoisie has a certain urge for outward expansion. This is why, while it opposes the imperialist policy of intervention, it more or less reflects, consciously or unconsciously, certain influences of the imperialist policy of intervention. In international affairs, the Indian Government, headed by Prime Minister Nehru, has been reflecting generally the will of the Indian people and playing an important and praiseworthy role in opposing war and colonialism and safeguarding peace, in carrying out a foreign policy of friendship with China, with the Soviet Union and with other socialist countries, of not joining in the military blocs of United States imperialism. But for historical reasons India's big bourgeoisie has inherited and is attempting to maintain, certain legacies from the British colonialist rulers. Of course, the great Indian people are not in the least responsible for this dual character of the Indian bourgeoisie. We also believe that not only the Indian people, but all far-sighted and wise members in the Indian Government, acknowledge that the way for India lies in progress, in looking forward not backward. We, as they do, hold that for the authorities of a country which gained independence not long ago and is now still subjected to threats from imperialist interventionists to interfere in the internal affairs of its neighbour is a regrettable phenomenon in contemporary international politics.

There may be differences on this point or that between us and Mr. Nehru but there is not likely to be any difference of opinion on this : China has not interfered in India's internal affairs. It was only after a large volume of slanderous utterances had appeared in India that the Chinese people began to hit back. Prime Minister Nehru in his April 27 statement rightly censured certain Indian statements and actions intended to undermine the friendly relations between

China and India. Unfortunately, he followed this up with a concentrated attack on the public opinion in China which opposed interference. Nehru says that " the comments and the charges made against India by responsible people in China " are " regardless of truth and propriety " and " used the language of cold war. " But China's charge of Indian interference, as already stated, is well-founded. The suspicions voiced by Chinese public opinion about the authenticity of the so-called statement of the Dalai Lama are also based on facts. The numerous loopholes and traces of forgery in that statement are still there objectively. It is very obvious that those Tibetan reactionaries who abducted the Dalai Lama to India, together with those Tibetan reactionaries who have assembled in Kalimpong for a long period of time carrying on traitorous activities, are sparing no effort to make use of the so-called statement of the Dalai Lama to bar the way to the Dalai Lama's return to his motherland, and this does not conform with the desire repeatedly expressed by Prime Minister Nehru.

As to attaching importance to truth and propriety, we regret that much that was said about China by some political figures and publications in India in the past month and more can by no means be considered as showing regard for truth and propriety. The people of our country took note of the fact that Prime Minister Nehru more than once exerted a restraining influence in this respect. This is undoubtedly beneficial to Sino-Indian friendship. But when he accused the Central People's Government of China of violating the seventeen-article agreement and spoke about China's so-called " assurances " to India and so forth, we, after all, cannot say that his remarks showed regard for truth and propriety. Speaking of the language of cold war, some Indian political figures and publications have slandered China as " a new and sinister form of imperialism " and " expansionist imperialism " and attacked China's putting down the rebellion in Tibet as " military intervention ", " colonization " and " banditry ". Is not all this precisely the " language of cold war "? Towards such " language of cold war ", we, for quite a long time, exercised forbearance time and again, exercising the maximum self-restraint. Our papers maintained almost complete silence. It will be recalled that as late as April 18, Premier Chou En-lai issued an earnest appeal for upholding Sino-Indian friendship at the Second National People's Congress. But, sad to say, all it got in return was a great clamour about the so-called statement of the Dalai Lama and even more unbridled attacks on our government and people. When further retreat was impossible, we had to rise and hit back. Some people try to use " freedom of speech " to justify India's slander campaign against China. But why do they not think for a moment : cannot the Chinese people have freedom of speech too? Tibet is our territory. The question of Tibet is our internal affair. If even foreigners can have so-called instinctive responses to this question, how indeed could the people of our country not have instinctive responses? At present, it seems that the slander campaign against us in certain foreign countries is already ebbing, and reason is once again getting the upper hand; but there are still a tiny number of people trying to continue fanning the flames. We can tell these people plainly: So long as you do not your anti-Chinese slander campaign, we will not cease hitting back. We are prepared to spend as much time on this as you want to. We are prepared, too, if you should incite other countries to raise a hue and cry against us. We are also prepared to find all the imperialists in the world backing you up in the clamour. But it is utterly futile to try to use pressure to interfere in China's internal affairs and salvage the odious rule of the big serf-owners in Tibet. The more violently all the anti-communist, anti-Chinese elements in the world vilify us, the more clearly will they reveal their true colours, and the better lesson will they provide for the people of the whole world.

As we said before, a great many people in the world today are talking about the Tibet question, from a great many different standpoints. Prime Minister Nehru is different from many persons who obviously bear ill-will towards China. He disagrees somewhat with us on the Tibet question. But in general he advocates Sino-Indian friendship. Of this we may have no doubts whatsoever. We have such a detailed reply to Prime Minister Nehru's reproaches (touching, of course, in not a few parts of the article also on those people who obviously bear us ill-will) precisely because we are fully confident that differences can be reduced and

the argument can be settled. The argument may have been a bit sharp, because the vital interest of our motherland and the Tibetan people are involved. But we still hope that, in substance, our argument will benefit mutual understanding between our two peoples and the friendship between our two peoples and two governments and that in the use of language friendship and propriety have not been overlooked. We are in full agreement with those warm words to the Chinese people spoken with such feeling and sincerity by Prime Minister Nehru: " We have every desire to maintain friendship between India and China " and " it would be a tragedy if two great countries of Asia, India and China, which have been peaceful neighbours for ages past should develop feelings of hostility against each other ". Sino-Indian friendship is of long duration and rests on a solid foundation. Our basic interests are the same and our main enemy is also the same; we will certainly not forget our common interests and fall into the trap of our common enemy. Although it is regrettable for this argument to have taken place, we firmly believe that it will not result in feelings of hostility, nor will it shake the friendship between our two countries. Prime Minister Nehru has announced that India has no desire whatever to interfere in Tibet. We warmly welcome this friendly statement. Once the Indian side stops its words and deeds of interference in Tibet, the present argument will also come to an end. China never has interfered and never will interfere in India. We would like solemnly to assure all Indian patriots who are concerned for the security of India that a democratic and prosperous Autonomous Region of Tibet as a member of the big family of the people of various nationalities of China is bound to be a factor for consolidating and strengthening friendship between China and India: It certainly will not be, nor can it possibly be, any sort of " menace " to the Republic of India. The peaceful, good-neighbour policy of socialist China is for ever unshakable and the friendship of the nearly 1,100 million people of our two countries is for ever unshakable, just as the Himalayas are unshakable. All the drivel poured out by the slanderers is utterly groundless. When Prime Minister Nehru visited China in October 1954, he said: " China and India are great countries facing similar problems who have set out resolutely on the road to progress. To the extent that they will understand each other shall depend the well-being not only of Asia but of the whole world. The tensions in the world today demand that we should jointly work for peace. " It is our wish that the peoples of our two countries for ever remember the truth pointed out here by Prime Minister Nehru. Like the Chinese people, the great Indian people have always treasured Sino-Indian friendship. We are firmly convinced that the slanders poisoning Sino-Indian relations will be recognized as such and repudiated by the broad mass of the Indian people as the true facts become known and common efforts are made by all personages concerned in both countries. China and India, and the peoples of the two countries, will continue their friendly co-operation in the cause of peaceful construction and will continue to join hands in their struggle for peace in Asia and the whole world.

DOCUMENT 17

The Dalai Lama's Statement in Tezpur, India, on April 18, 1959 [1]

It has always been accepted that the Tibetan people are different from the Han people of China. There has always been a strong desire for independence on the part of the Tibetan people. Throughout history this has been asserted on numerous occasions. Sometimes the Chinese Government has imposed their suzerainty on Tibet and at other times Tibet has functioned as an independent country. In any event, at all times, even when the suzerainty of China was imposed, Tibet remained autonomous in control of its internal affairs.

In 1951 under the pressure of the Chinese Government a 17-article agreement was made between China and Tibet. In that agreement the suzerainty of China was accepted as there was no alternative left to the Tibetans. But even in the agreement it was stated that Tibet would enjoy full autonomy. Though the control of external events were to be in the hands of the Chinese Government it was agreed that there would be no interference by the Chinese Government with Tibetan religion and customs and her internal administration. In fact, after the occupation of Tibet by Chinese armies the Tibetan Government did not enjoy any measure of autonomy, even in internal matters and the Chinese Government exercised full powers in Tibetan affairs.

In 1956 a preparatory committee was set up for Tibet with the Dalai Lama as the Chairman and the Panchen Lama as Vice-Chairman and General Chang Kuo-hua as the representative of the Chinese Government. In practice, even this body had little power and decision in all important matters were taken by the Chinese authorities. The Dalai Lama and his government tried their best to adhere to the 17-article agreement but interference of the Chinese authorities persisted. By the end of 1955 a struggle had started in Kham Province and this assumed serious proportions in 1956. In the consequential struggle, Chinese armed forces destroyed a large number of monasteries.

Many Lamas were killed and a large number of monks and officials were taken and employed on the construction of roads in China and interference in the exercise of religious freedom increased.

The relation of the Tibetans with China became openly strained from the early part of February 1959. The Dalai Lama had agreed a month in advance to attend a cultural show in the Chinese headquarters and the date was suddenly fixed for the 10th of March.

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[1] *Concerning the Question of Tibet* (PEKING: Foreign Languages Press, 1959), pp. 16-19.

The people of Lhasa became apprehensive that some harm might be done to the Dalai Lama and as a result about 10,000 people gathered around the Dalai Lama's summer palace at Norbu Lingka and physically prevented the Dalai Lama from attending the function.

Thereafter the people themselves decided to raise a bodyguard for the protection of the Dalai Lama. Large crowds of Tibetans went about the streets of Lhasa demonstrating against Chinese rule in Tibet. Two days later thousands of Tibetan women held demonstrations protesting against the Chinese authorities. In spite of this demonstration from the people the Dalai Lama and his government endeavoured to maintain friendly relations with the Chinese and tried to carry out negotiations with the Chinese representatives as to how best to bring about peace in Tibet and assuage the people's anxiety.

While these negotiations were being carried out reinforcements arrived to strengthen the Chinese garrisons in Lhasa and Tibet. On the 17th of March, two or three mortar shells were fired in the direction of Norbu Lingka Palace. Fortunately the shells fell in a nearby pond.

After this, the advisers became alive to the danger to the person of the Dalai Lama and in those difficult circumstances it became imperative for the Dalai Lama, members of his family and his high officials to leave Lhasa.

The Dalai Lama would like to state categorically that he left Lhasa and Tibet and came to India of his own free will and not under duress.

It was due to the loyalty and affectionate support of his people that the Dalai Lama was able to find his way through a route which is quite arduous. The route which the Dalai Lama took involved crossing Kyichu and Tsang-po rivers and making his way through Loka area, Yarlung valley and Psonadzong before reaching the Indian frontier at Kanzeymane near to Chuttanmu.

On March 29, 1959 the Dalai Lama sent emissaries to cross the Indo-Tibetan border requesting the government of India's permission to enter India and seek asylum there. The Dalai Lama is extremely grateful to the people and government of India for their spontaneous and generous welcome as well as asylum granted to him and his followers.

India and Tibet have religious, cultural and trade links over a thousand years and for the Tibetans it has always been a land of enlightenment having given birth to Lord Buddha. The Dalai Lama is deeply touched by kind greetings extended to him on his safe arrival in India by Prime Minister Jawaharalal Nehru and his colleagues in the government of India. The Dalai Lama has already sent a reply to this message of greeting.

Ever since the Dalai Lama entered at Kanzeymane near Chuttanmu he has experienced in full measure the respect and hospitality extended

to him by the people of Kameng Frontier Division of the Northeast Frontier Agency and the Dalai Lama would like to state how the Government of India's officers posted there has spared no effort in making his stay and journey through this extremely well-administered part of India as comfortable as possible.

The Dalai Lama will now be proceeding to Mussoorie which he hopes to reach in the next few days. The Dalai Lama will give thought to his future plans and if necessary give expression to them as soon as he has had a chance to rest and reflect on recent events.

His country and people have passed through an extremely difficult period and all that the Dalai Lama wishes to say at the moment is to express his sincere regret at the tragedy which has overtaken Tibet and fervently hope that these troubles will be over soon without any more bloodshed.

As the Dalai Lama and the spiritual head of all Buddhists in Tibet, his foremost concern is the well-being of his people and in insuring perpetual flourishing of his sacred religion and freedom of his country.

While expressing once again thankfulness at his safe arrival in India the Dalai Lama would like to take this opportunity to communicate to all his friends, well wishers and devotees in India and abroad his sincere gratitude for many messages of sympathies and concern with which they have flooded him.

DOCUMENT 18

Statement by the Dalai Lama made on April 22, 1959 [1]

On April 18, I issued a statement at Tezpur. I did not wish to follow it up with another statement at this stage. However I have seen a New China News Agency report implying that I was not responsible for this earlier statement. I wish to make it clear that the earlier statement was issued under my authority and indicated my view and I stand by it. I am making this brief statement to correct the wrong impression created by the New China News Agency's report and do not propose to state anything more at present.

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[1] *Concerning the Question of Tibet* (PEKING: Foreign Languages Press, 1959), p. 143.

DOCUMENT 19

Text of the Dalai Lama's Statement of June 20, 1959, at Mussoorie, India [1]

Ever since my arrival in India I have been receiving almost every day sad and distressing news of the suffering and inhuman treatment of my people. I have heard almost daily with a heavy heart of the increasing agony and affliction, their harassment and persecution and of the terrible deportation and execution of innocent men. These have made me realize forcibly that the time has manifestly arrived when in the interests of my people and religion and to save them from the danger of near annihilation, I must not keep silent any longer but must frankly and plainly tell the world the truth about Tibet and appeal to the conscience of all peace-loving and civilized nations.

To understand and appreciate the significance and implication of the recent tragic happenings in Tibet, it is necessary to refer to the main events which have occurred in the country since 1950.

It is recognized by every independent observer that Tibet had virtually been independent by enjoying and exercising all rights of sovereignty whether internal or external. This has also been implicitly admitted by the Communist Government of China for the very structure, terms and conditions of the so-called agreement of 1951 conclusively show that it was an agreement between two independent and sovereign States. It follows, therefore, that when the Chinese armies violated the territorial integrity of Tibet they were committing a flagrant act of aggression. The agreement which followed the invasion of Tibet was also thrust upon its people and Government by the threat of arms. It was never accepted by them of their own free will. The consent of the Government was secured under duress and at the point of the bayonet.

My representatives were compelled to sign the agreement under threat of further military operations against Tibet by the invading armies of China leading to utter ravage and ruin of the country. Even the Tibetan seal which was affixed to the agreement was not the seal of my representatives but a seal copied and fabricated by the Chinese authorities in Peking and kept in their possession ever since.

While I and my Government did not voluntarily accept the agreement we were obliged to acquiesce in it and decided to abide by the terms and conditions in order to save my people and country

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[1] *The Sunday Statesman* (India) June 21, 1959; *The New York Times*, June 21, 1959.

from the danger of total destruction. It was, however, clear from the very beginning that the Chinese had no intentions of carrying out the agreement.

Although they had solemnly undertaken to maintain my status and power as the Dalai Lama, they did not lose any opportunity to undermine my authority and sow dissensions among my people. In fact, they compelled me, situated as I was, to dismiss my Prime Ministers under threat of their execution without trial, because they had in all honesty and sincerity resisted the unjustified usurpations of power by representatives of the Chinese Government in Tibet.

Far from carrying out the agreement they began deliberately to pursue a course of policy which was diametrically opposed to the terms and conditions which they had themselves laid down. Thus commenced a reign of terror which finds few parallels in the history of Tibet. Forced labour and compulsory exactions, a systematic persecution of the people, plunder and confiscation of property belonging to individuals and monasteries and execution of certain leading men in Tibet, these are the glorious achievements of the Chinese rule in Tibet.

During all this time, patiently and sincerely I endeavoured to appease my people and to calm down their feelings and at the same time tried my best to persuade the Chinese authorities in Lhasa to adopt a policy of conciliation and friendliness. In spite of repeated failures I persisted in this policy till the last day when it became impossible for me to render any useful service to my people by remaining in Tibet. It is in these circumstances that I was obliged to leave my country in order to save it from further danger and disaster.

I wish to make it clear that I have made these assertions against the Chinese officials in Tibet in the full knowledge of their gravity because I know them to be true. Perhaps the Peking Government are not fully aware of the facts of the situation.

But if they are not prepared to accept these statements let them agree to an investigation on the point by an international commission. On our part I and my Government will readily agree to abide by the verdict of such an impartial body.

It is necessary for me to add that before I visited India in 1956 it had become increasingly clear to me that my policy of amity and tolerance had totally failed to create any impression on the representatives of the Chinese Government in Tibet.

Indeed they had frustrated every measure adopted by me to remove the bitter resentment felt by my people and to bring about a peaceful atmosphere in the country for the purpose of carrying out the necessary reforms. As I was unable to do anything for the benefit of my people I had practically made up my mind when I came to India not to return to Tibet until there was a manifest change in the attitude of the Chinese authorities. I therefore sought the advice

of the Prime Minister of India who has always shown me unfailing kindness and consideration. After his talk with the Chinese Prime Minister and on the strength of the assurances given by him on behalf of China, Mr. Nehru advised me to change my decision.

I followed his advice and returned to Tibet in the hope that conditions would change substantially for the better and I have no doubt that my hopes would have been realized if the Chinese authorities had on their part carried out the assurances which the Chinese Prime Minister had given to the Prime Minister of India.

It was, however, painfully clear soon after my return that the representatives of the Chinese Government had no intention to adhere to their promises. The natural and inevitable result was that the situation steadily grew worse until it became impossible to control the spontaneous upsurge of my people against the tyranny and oppression of the Chinese authorities.

At this point I wish to emphasize that I and my Government have never been opposed to the reforms which are necessary in the social, economic and political systems prevailing in Tibet.

We have no desire to disguise the fact that ours is an ancient society and that we must introduce immediate changes in the interests of the people of Tibet. In fact, during the last nine years several reforms were proposed by me and my Government but every time these measures were strenuously opposed by the Chinese in spite of popular demand for them, with the result that nothing was done for the betterment of the social and economic conditions of the people.

In particular it was my earnest desire that the system of land tenure should be radically changed without further delay and the large landed estates acquired by the State on payment of compensation for distribution amongst the tillers of the soil. But the Chinese authorities deliberately put every obstacle in the way of carrying out this just and reasonable reform. I desire to lay stress on the fact that we, as firm believers in Buddhism, welcome change and progress consistently with the genius of our people and the rich tradition of our country.

But the people of Tibet will stoutly resist any victimization, sacrilege and plunder in the name of reforms—a policy which is now being enforced by the representatives of the Chinese Government in Lhasa.

I have attempted to present a clear and unvarnished picture of the situation in Tibet. I have endeavoured to tell the entire civilized world the real truth about Tibet, the truth which must ultimately prevail, however strong the forces of evil may appear to be today. I also wish to declare that we, Buddhists, firmly and steadfastly believe in peace and desire to live in peace with all the peoples and countries of the world. Although recent actions and policies of the Chinese authorities in Tibet have created strong feelings of bitterness

and resentment against the Government of China, we Tibetans, lay and monk alike, do not cherish any feelings of enmity and hatred against the great Chinese people.

We wish to live in peace and ask for peace and goodwill from all the countries of the world. I and my Government are, therefore fully prepared to welcome a peaceful and amicable solution of the present tragic problem, provided that such a solution guarantees the preservation of the rights and powers which Tibet has enjoyed and exercised without any interference prior to 1950.

We must also insist on the creation of a favourable climate by the immediate adoption of the essential measures as a condition precedent to negotiations for a peaceful settlement. We ask for peace and for a peaceful settlement but we must also ask for the maintenance of the status and the rights of our State and people.

To you gentlemen of the Press I and my people owe a great debt of gratitude for all that you have done to assist us in our struggle for survival and freedom. Your sympathy and support has given us courage and strengthened our determination. I confidently hope that you will continue to lend that weight of your influence to the cause of peace and freedom for which the people of Tibet are fighting today.

DOCUMENT 20

From a News Conference Held by the Dalai Lama on June 20, 1959, at Mussoorie, India [1]

MUSSOORIE, India

Q Your Holiness, from the reports you have been getting from Tibet, what are the Chinese Communists up to ?

A The ultimate Chinese aim with regard to Tibet, as far as I can make out, seems to attempt the extermination of religion and culture and even the absorption of the Tibetan race.

Q How ?

A Besides the civilian and military personnel already in Tibet 5 million Chinese settlers have arrived in eastern and northeastern Tso, in addition to which 4 million Chinese settlers are planned to be sent to U and Sung provinces of Central Tibet. Many Tibetans have been deported to China, thereby resulting in the complete absorption of these Tibetans as a race, which is being undertaken by the Chinese.

I will give a brief statement on recent events as reported to me by my people.

The people of Lhasa (the capital), both men and women, have been classed into three groups. The first group is deported to China where its fate is not known. The second group is imprisoned, interrogated and punished without limit in various Chinese military headquarters in Lhasa. The third group is fed with the meanest food and driven to forced labor. Each is made to carry 100 loads of earth daily, failing which, no food is given.

Armed troops are posted in the streets of Lhasa, where no more than two Tibetans are permitted to converse and where only aged men and women are to be seen. The central cathedral and other places of worship are closed. In addition, the reserves of the Tibetan Government and the properties of private individuals are being listed by the Chinese, who are conducting an all-out propaganda for the formation of people's communes.

Q An Indian report filed with the International Commission of Jurists says that 65,000 Tibetans have been killed in fighting with Chinese occupation forces since 1956. Is that correct?

A The number of Tibetans killed in fighting the Chinese occupation forces since 1956 is actually more than the Indian report.

Q Is it true, as this report says, that a " deliberate and precise campaign has been conducted by the Chinese in Tibet against the Buddhist religion "?

[1] *U.S. News & World Report*, July 6, 1959, pp. 60-61.

A The report is correct in stating that, until 1958, over 1,000 monasteries were destroyed, countless lamas and monks killed and imprisoned, and the extermination of religious activity attempted. From 1955 onward a full-scale campaign was attempted in the provinces of U and Sung for the full-scale extermination of religion. We have documentary proof of these actions, and also of actions against the Buddha himself, who had been named as a reactionary element.

Q Are younger people being indoctrinated in Communism?

A Yes, it is true that the younger generation of Tibetans is being indoctrinated and the policy of colonization is being practiced.

Q What made you finally decide to leave Lhasa?

A On March 17, 1959, at 4 p.m., two mortar shells were fired toward my residence, as evidence of the Chinese intention to use military force, and, although I had endeavored to keep up friendly relations with them for the last nine years, my hopes of rendering any service in the interests of my people by remaining in Tibet were finally shattered. Therefore, I and my Government had to leave for India secretly at 10 p.m. on March 17, 1959, with a view of rendering more beneficial service to my people.

Q Did the Chinese attempt to block your escape?

A The Chinese had no idea of my escape or else they would have certainly tried to intercept. They would not have succeeded in capturing me because of the unity of purpose of the people and the national voluntary defense army of Tibet.

Q Is the revolt still going on in Tibet? Is any part of the country under the control of the Khambas (rebel tribesmen)?

A As Tibet is a large country, there are still some parts where fighting is going on. However, there are several places to the east and north of Lhasa which are under the control of the Khambas.

Q Would passive resistance by your people have gotten better results than an armed uprising?

A Until the last day, I tried to bring about a peaceful settlement, the failure of which resulted in the armed uprising of my people who were compelled to fight for their freedom.

Q Is it true that there are now Russian troops in Tibet, along with the technicians already known to be there?

A I have heard such a report but I have no clear information yet as to how far it is true.

Q Recently you wrote three letters to the Chinese authorities in Tibet. What had you hoped to accomplish?

A I wrote the three letters to the Chinese at a critical time when the lives and bodies of innumerable people were in the hands of the Chinese. This was a measure adopted in order to take peaceful action. When the circumstances in which these letters were written

were brought to the attention of the world they could not have made any other impression other than to expose the measure of Chinese oppression.

Q What do you think of the Preparatory Committee for Tibetan Autonomy which the Chinese have set up, with the Panchen Lama as acting chairman?

A The Preparatory Committee for Tibetan Autonomy is nothing but nominal, with all powers concentrated in the hands of the Chinese. The Panchen Lama has no alternative but to carry out the orders of the Chinese. He has no actual power.

Q Is there any agreement between you and the Panchen Lama as to what is best for Tibet?

A The Panchen Lama has been under Chinese influence ever since his boyhood and has never enjoyed any freedom.

Q Do you consider the 1951 treaty between Tibet and the Chinese Government still in force?

A The Sino-Tibetan agreement imposed by the Chinese in accordance with their own desires has been violated by the Chinese themselves, thus giving rise to a contradiction. Therefore we cannot abide by this agreement.

Q Could you define the " autonomy of Tibet " that was supposed to be guaranteed by that agreement?

A The autonomy of Tibet is meant to be the right of self-government in internal affairs, but the existing situation in Tibet gives no rights whatever to my Government.

Q How much support is there for the present Government in Lhasa?

A The present Government in Lhasa is nothing but a deceptive Government with all the power in the hands of the Chinese. The people of Tibet will never recognize it.

Q Do Tibetans still recognize you and your ministers here with you as the Government of Tibet?

A Wherever I am, accompanied by my Government, the Tibetan people recognize us as the Government of Tibet.

Q Have any Communist Chinese diplomats talked to you about Tibetan affairs since you fled Lhasa?

A No.

Q Do you expect India's support in solving your problems?

A I hope the Government of India will give us the same support, if not more, as she has given to small countries like Algeria, Morocco or Tunisia.

Q Is India placing any restraints on your movements, as the Communists claim?

A The Government of India has not placed any restraint at all on my movements, and if the occasion arises I intend to tour India and abroad.

Q Do you plan an international appeal—for example, to the United Nations?

A In case I am not satisfied by the terms of peaceful settlement offered by China, then I shall consider my future plans.

Q Will you appeal for arms on behalf of the rebels?

A Although I have no intention of keeping the national volunteer defense army unaided, I am intending to help them by means of peaceful solutions rather than military force.

Q Under what conditions would you return to Lhasa?

A I will return to Lhasa when I obtain the rights and powers which Tibet enjoyed and exercised prior to 1950.

DOCUMENT 21

Statements made by Tibetans in India

Statement by Chaghoe Namgyal Dorje (a former Governor of a Province under the Chinese).

"From 1955 till now the story of the fighting if it is to be told to you will cause me to shed tears of blood.

"The story is not of a class or party—not of the upper strata, not the ordinary man, these are not the only ones who suffer. Even our animals are suffering. We heard that some countries are not with Communists. Perhaps our country does not mean anything to them. We have not much. Ours look a barren land. We make no show, no cars, no hotels. We are insignificant—no aeroplanes to fight. Human beings are massacred in my country. People say there is no way out for us. We cannot even talk of help. Strange! It is not for other people or for the U. N. to say what relationship there is between India and Tibet. That relationship is there. It has lasted for thousands of years. If India's hands are tied and it cannot help, is it not a mockery? Is that all the friendship you have? We are united, India and Tibet is united by the traditions of the Buddha of Varnasi. The Himalayas do not divide us. If Communists consolidate on one side of the Himalayas what security is there for you on the other side. Then India's plight will be pitiable.

"I come from Do-Kham and belong to Derge District and the area has about 50,000 people. There are 500 bigger monasteries alone in this area. In 1950 the Chinese came over to my area and declared they have come to bring in reforms and to secure justice for the benefit of the people—protesting their allegiance to the principles of equality, fraternity and brotherhood. They said that not even a needle or thread will be taken from the Tibetan people unjustifiably. Thousands of books and pamphlets were distributed for propaganda on these lines and giving assurance that no single Tibetan even will be molested. From 1950-1953 the Chinese followed a soft policy with this propaganda. 1953-56 Chinese started oppression and a more rigid control over the Tibetans was turned on.

"In 1956 the Chinese announced their policy of the so-called 'Road to Socialism'. The Chinese first turned their offensive against the monasteries. In 1956 a gruesome incident happened in the famous monastery Peyu Compa which had 1500 monks. The head of the monastery, a reincarnate Lama called Dawa-Dezer, 44 years old, was made nude, bound with ropes and dragged along the ground from the hill-top where the monastery was situated.

As a result his body was mangled and his intestines came out. This Lama was very popular and so respected that the earth under his feet was taken and kept as holy sacrament. In Parpong Monastery comprising 1700 monks the Head Abbot (reincarnate) called Wangyal Rimpoche aged 39 years was kept handcuffed with " Russian Steel " for 28 days with the result that his wrists got fleeced of flesh to the bones. Today he is in Bhutan—his hands bear the marks. In many of the temples in Eastern Tibet the chapels have swords, knives, etc., lying there for thousands of years with tantric images. Women are strictly forbidden even to come near these places or peep into them. It was made a routine by the Chinese to take women (the Tibetans say they are prostitutes) inside the chapels and ask them to bring out these sacred relics. They hoped by such shock tactics to make the Tibetans disbelieve in their religion. The monasteries had granaries with stocks of grain to last for years. The Chinese emptied these granaries and so compelled the monks to leave those places.

"I am a witness to all these because I was working with the Chinese as a Tushi (governor). Even now my brother is the governor (Tushi) of Szchewan province of China. In this way I was working with the Chinese for 4 years. My monthly pay as governor was about Rs. 1000. Chinese wanted to use me as a stooge. My experience of 4 years' work with the Chinese convinced me that their propaganda was false and that their real intention was to exterminate us as a race and destroy our religion and culture. In 1958 the daily ration for a man in those areas was only 2 chatangs of grain or rice. We had to pay many taxes, tax even for the possession of furniture. If we had an extra shirt a tax had to be paid for it twice a year. If we had no means to pay the taxes we had to hand over our clothes and even the drinking glasses we had. Even then all my people meeting in assembly begged the Chinese to take away all they had but to leave them their religion and their way of life. The Chinese replied that they were mistaken in believing in their Gods. Kas-Kruchi, the Chinese officer of Dorge, said that Tibetan Gods are as like rats and dogs and wolves. Communists are enemies not only to Buddhism but to all religion. It has been told to me that more than 2000 Lamas had been killed by the Chinese. I have personal knowledge of such attacks on 17 Lamas.

" Even if no help is coming we shall fight to death. We fight not because we hope to win but that we cannot live under Communism. We prefer death. We are fighting not for a class or sect. We are fighting for our religion, our country, our race. If these cannot be preserved we will die a thousand deaths than surrender these to the Chinese."

Statement of Andu Loto Phontso

" I, Phontso, was in Litang (Kham) when the Communists came in 1950. In the beginning their manner of dealing with us was

persuasive. This went on till 1955. When the Chinese found that we would not accept their ways by giving up our religious and our ancient culture they became agressive. Then the Chinese told us that there were only two ways and we were asked to choose one. 'There is the white way which is the road to Communism and there is the black way which would lead to the destruction of everything you possess—life, property, religion, social institutions. Choose what you want'. If my people take the so-called white way our religion is gone, our tradition is gone, our race is gone. So many people with full consciousness accepted the so-called black way. 'Even if our lives are destroyed we won't accept the white way', we replied. After the reply an unprecedented calamity descended on us. It was as if we were being attacked by worms from above and ants from below."

Phontso ended his long narrative by saying: "Indulging in wanton and cruel shooting the Chinese destroyed many lives. Litang got reduced to half by massacre. Of the remaining one half are living a perilous life staying in the jungle but resisting the Chinese authorities. With no shelter and with few clothes they are living in famine conditions, subsisting on roots, etc. They can have no contact with their people, the women and children, who, even without provocation, are harassed. There are cases of women, whose husbands are away in the jungles, who have jumped into torrents with their children because they found life unbearable. In Litang we are a deeply religious people. But the Chinese go on accusing us of violent acts to have a pretext to terrorise the people. The atrocities of the Chinese have made us desperate.

"I, Loto Phontso, resisted the Chinese for two years. In 1957 I gave up whatever I had and escaped to India. My brother is continuing his fight—narrowly escaping many times from the Chinese.

"In Litang after the struggle started only women and children of 13 years and below were left. Chinese troops come to the houses to search for the men. The house dogs start barking and the children rush out. The Chinese shoot down the dogs and in the process some of the children also get killed. In the beginning of the uprising the women used to go and keep food in certain places. The Chinese come to know of it and shoot the women when they come to deposit the food in the agreed marked places. Later they destroyed the crops to prevent help from getting across to the partisans".

He gave two instances of wanton killing:

"1. In Yuro-Pon (part of Litang) Sonam Wangyal, 25 years old, was killed by 500 men firing on him. I saw him being killed."

"2. A famous religious servant named Nori Khen-Sur of the age of 60 while sitting in meditation was fired upon and killed by the Chinese for he exercised great influence among the people."

Another tragic instance he narrated was:

" Yangzom, an elder daughter of the Phoying family at Molashe, strapping her only child on her back, jumped into a river getting desperate over the Chinese molestation and atrocities."

Statement of two monks Thotub and Chamba of Tao From Kham

Both of them stated that lands taken from monasteries and landlords were first distributed to Tibetans. In a year they were all deprived of the land and Chinese were settled on the land.

Thotub added : " I have a recollection of an incident connected with the Red Army's march to Yenan. I was 17 years old then. Cha Teh came to our country via Gyal Rong. They were having a big congregation of monks in the monastery of Tao Ngyam-tso Gompo. The monastery alone houses 1900 monks. The fleeing Communists under Chu Teh attacked the monastery killing 30 monks. The monastery was destroyed and they ran off taking the wealth and the animals. On the march they robbed us of our grains and other possessions. Because of this raid the country got famine stricken and thousands died for want of food.

" To rectify these wrongs in 1950 when they invaded our country they loudly professed good intentions and talked of equality and justice. This went on for 3 years, after which the Chinese started changing their ways and in 1956 they started terrorising us. They greatly harassed the monks. They said monasteries were agents of imperialists of America and England. They exhorted us to revolt against America and England. "

Statement of Thenlo of Thegy Gompa

" I am not a big person. I am a servant of a trader. Prior to the coming of the Chinese I was at Tachien Lu (Eastern Tibet).

" I have to state that at that period when I was there people used to say that the Communists were on their way to invade Tibet. It was also said that they were human beings who eat dog and horse-flesh and if need be even human flesh. It was also said that they were completely different human beings with long nails and strange behaviour. Subsequently the Communists came ; as an eye-witness I have seen them eat horse, donkey and even dog flesh. We have not seen them eating human flesh.

" After the coming of the Chinese I stayed with my colleagues for over a year. In the beginning they used to talk of justice and of bringing in reforms. They talked that they would not interfere with our lives. There will be no restrictions on trade. We will enjoy all our personal liberties.

" In that first year they treated us well by offering good prices for the goods we had to sell. So we brought in large consignments of serge, cotton, cloth and utensils.

"As soon as goods in plenty got stocked the Chinese employed other tactics. Instead of paying the due price they paid less ; in most cases only half of the value in goods. We began to suffer heavy losses. When the Chinese raised the prices in the beginning, the transport charges also got higher. This process went on to such an extent that the prices offered by the Chinese did not cover even the cost price of the articles. People got exasperated. They did not want to sell. I am an eye-witness of many cases of cigarettes bought by petty traders being thrown into the water rather than be sold at a price which did not even cover transport.

"In this area there are lots of lamasseries and monasteries. Most of these religious institutions possess land and have also trade interests. The Chinese after destroying the trade of the country resorted to trouble the monasteries. They told everyone that keeping up monks, abbots and even incarnate lamas is all useless and only a waste of money. They asked the monks to come to the fields and work for their living. They said that monks were only parasites. All our people were shocked. According to our religion monks cannot engage in worldly affairs. The Communists used force to make the monks come out and labour on the land. People wept when they saw the monks being treated like this. The Communists got jealous of the influence of the monks and started killing them. Amongst those killed was the much respected *Lochy Gompo Tsering* who was killed in a mysterious way in prison. Under the pretext of re-building and repairing monasteries they have taxed many of the monasteries. One monastery alone was taxed within a year three times in instalments of Rs. 1,80,000 ; Rs. 1,70,000 ; Rs. 1,60,000.

"This has happened because monasteries are well to do because of trade and because they possess lands.

"As a result, monasteries got deserted. The inmates could not stay because they had nothing to eat. Under these circumstances people got convinced that the Chinese were out to destroy their religion. Getting desparate the people started fighting the Communists."

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