

**NEW PROCESS (ES) IN CONFLICT RESOLUTION
WITH PARTICULAR REPERENCE TO TIBET**

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CERTIFICATE

This is to certify that the dissertation entitled "**NEW PROCESS(ES) OF CONFLICT RESOLUTION - WITH PARTICULAR REFERENCE TO TIBET**" submitted by Ms **MEENU RAGHUNATHAN** in partial fulfilment of the requirements for the award of the degree of **MASTER OF PHILOSOPHY** of this University has not been previously submitted for any degree of this or any other university. This is her original work.

We recommend that this dissertation be placed before the examiners for evaluation.

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INTRODUCTION

The common assumption regarding conflict is that it is win-lose in its outcome. But, if a conflict is resolved rather than settled, it might have potential positive sum outcomes. This dissertation is an attempt to prove the above hypothesis, and made applicable to the Sino-Tibetan conflict.

Settlement is when the outcome involves some compromise in which all or some parties are to some degree losers. The processes of settlement are essentially those by which a cake of a given size is shared according to legal norms and relative power bargaining¹.

Resolution is when there is an outcome which fully meets the felt needs and interests of all parties. It is, therefore, self-sustaining. Since all parties end up feeling they have 'won', the conflict is solved completely, with no potential or chances of erupting again. So, then, the outcome is positive sum, and a win-win outcome for the conflicting parties.

Conflict resolution as a technique to solve conflicts is gaining ground, as its win-win potential is being realized. No longer is a win-win outcome viewed as idealism. If win-win is possible, what are the processes that make it possible? The focus of this work is on generating a process for dealing with conflicts, in particular the case of Tibet.

Chapter one introduces the concept of Conflict Resolution. It deals with the paradigm shift in solving conflicts from dispute settlement to conflict resolution.

¹ Burton, John.W, 'Procedures of Conflict Resolution' in Azar, E.A. and Burton, J.W. International Conflict Resolution, Boulder: 1986.

And it traces the link between conflict resolution and win-win outcomes in long standing conflicts.

Chapter two introduces the Sino-Tibetan dispute - the history, sources and origins, the escalation, the stalemate and finally the latest developments.

Chapter three analyses the Sino-Tibetan conflict. The different aspects of the dispute are examined, and an objective analysis is made.

Chapter four spells out the processes involved in conflict resolution. It chalks out problem-solving processes that promotes new thinking on old disputes like Tibet. The second half of the chapter is an attempt to design a process specifically for the Sino-Tibetan conflict, a process whose outcome is win-win by nature.

The Conclusion summarises the previous chapters, and shows how they have proved that conflict resolution results in win-win outcomes, which in today's tumultuous world is political and practical realism.

CHAPTER 1

A BRIEF INTRODUCTION TO CONFLICT RESOLUTION

*"I am not referring to the absolute, infinite concept of universal peace and goodwill of which some fantasists and fanatics dream..... Let us focus instead on a more practical, more attainable peace, based not on a sudden revolution in human nature but on a gradual evolution in human institutions-on a series of concrete actions and effective agreements which are in the interest of all concerned..... For peace is a process, a way of solving problems."*¹ President John F.Kennedy's June 1963 speech at American University.

In the research and applied areas of international conflict resolution, this is a period of transition from one main thrust to another: from power bargaining and negotiation to analysis and the discovery of agreed options. Definitions of the field of conflict resolution and management range from deterrent strategies and star wars, through power-bargaining techniques, normative and legal approaches, to psychological attempts to change attitudes of participants in simulation groups to problem-solving. Focus is also on process - how to manage a meeting between conflicting parties. Add to that the crucial role to be played by third parties, who must have a wide knowledge of research in the many fields that may be relevant in any particular situation, in the discovery by parties to a dispute of options that meet their needs.

At the international level, the original philosophical framework that persisted was: man is aggressive, therefore the state is aggressive, therefore

¹ Cyrus Vance, Hard Choices, New York: 1983, p. 20.

national defence is the main priority of state policy, therefore superiority of power is the goal of states, which leads to adversary diplomacy and politics, and to conflicts. In trying to understand such a situation, the unit of analysis would be the 'state' or even the 'nation-state'. The assumptions would be: scarcity of resources renders human conflictual relations inevitable; conflict is objective; it is win-lose in its outcome; and individual values are subordinate to institutional and social values.

There has been a paradigm shift of a major order. To start off with the assumptions. Firstly, human relations are dominated by exchange of 'social goods'- identity, ethnicity, recognition, participation, development. Conflict is subjective, because it involves needs, interests, values, that alter with perceptions and altered relationships. Because it is subjective, it has potential positive sum outcomes. Alternatively, we must radically change our focus and move away from a wholly statist analysis to one which is more communally or group centered. And since we are dealing with communities and groups, whose needs and values, being subjective, are non-negotiable along with interests that can be bargained, any kind of coercion or legal solution will only settle the problem, not resolve it.

Protracted social conflicts have typical characteristics that account for their prolonged nature. In particular, they have enduring features such as economic underdevelopment and unintegrated social and political systems. These provide the infrastructure for intractable conflict, multi ethnic and communal cleavage and disintegrations, under development and distributive injustice.

The real sources, however, are deep-rooted in the lives and ontological being of those concerned. It is the denial of those elements required in the development of all peoples and societies, whose pursuit is a compelling need in

all. These are security, distinctive identity, social recognition of identity, and effective participation in the processes that determine conditions of security and identity. This draws attention to the reality that human needs and long-standing cultural values will not be traded, exchanged or bargained over. They are not subject to negotiation.

Classical thinking would have us believe that conflict was about interests only. But what theory and application have revealed is that protracted conflicts are primarily over non-negotiable values. They are concerned with human and identity needs. This being the case, it is impossible to socialize or coerce the individual over any length of time into behaviors that run counter to the pursuit of security, identity, and other aspects of development. The theory of needs requires, then, a process that would enable parties to conflicts to ascertain the hidden data of their motivations and intentions, and to explore means by which human-societal needs held in common could be satisfied. As these needs are universal and related to security, identity, etc., that are not in short supply, therefore conflict resolution with win-win outcomes is possible.

Conflict resolution requires a face-to-face exploration into the needs of the opposing parties and the ways and means of satisfying them. This analytical step is the first and most essential in the resolution of protracted conflicts. Secondly, the most useful unit of analysis would be the identity group-racial, religious, ethnic, cultural, etc. rather than the nation-state.

This analytical and exploratory approach to disputes can not be undertaken by the parties alone. A third party seems to be essential. Not one to suggest compromise or appeal for adherence to legal norms and moral principles, but one that is well informed on all available insights into patterns and theories of

behaviour, human motivations and goals etc., a group of professionally qualified and experienced persons in touch with a community of political and social scientists of all kinds to ensure that there is available to all parties all possible relevant information.

There are many techniques and processes for conflict resolution. But there are some common features. A conflict resolution process tries to create an unusual non-routine setting in which the joint problem of the disputing parties can be discussed. It creates a situation wherein parties come to know more than what they think they already do, and realize that they do not know in sufficient detail the objectives and motives of the adversaries. So the process helps the parties in a dispute to face the fact that in some respects their definition of the problem may need to be revised, and that perceptions of other parties may have been misunderstood.

Resolution of a conflict means that a new set of relationships will eventually emerge which is self-sustaining and not dependent for their observance upon outside coercion or third parties.² This new set of relationships is freely and knowledgeably arrived at by the parties themselves. Resolution differs from settlement. Settlement is when the outcome involves win-lose or some compromise in which some or all parties are to some degree losers. And if the settlement needs to be enforced, some coercion is probably necessary. Resolution is when the outcome fully meets the felt needs and interests of all disputing parties. The problem is not considered as solved until an option is discovered that satisfies the

² Groom, A.J.R. 'Problem Solving in International Relations' in Azar, E.A. and Burton, J.W. International Conflict Resolution, Boulder: 1986, p.86.

interests and needs of all parties. Since all parties agree to the option, there is no need to enforce it.

History shows us that not all conflicts can be settled, and that there are situations both domestic and international, that are not subject to authoritative or coercive settlements. Ethnic (Yugoslavia) and alienation (Ireland) conflicts threaten the social stability of modern societies. These conflicts show that a person or group, when deprived of some essential human needs, cannot be induced to behave according to the dictates of the law. The greatest military power in history could not in the 1960s subdue a small post-colonial Asian nation that was seeking its autonomy. These are situations in which ontological needs of identity and recognition, and associated human developmental needs, are frustrated. These conflicts cannot be contained, controlled, or suppressed for long, but can be resolved, and prevented by the satisfaction of such needs.

In conclusion, it can be said that problems arising over non-negotiable needs and interests need to be resolved. Because conflict resolution processes satisfies the needs of all the parties, it is therefore possible to have win-win outcomes, which ensures that the dispute is solved and the outcome is self-sustaining, thus preventing future conflicts.

CHAPTER 2

BACKGROUND TO THE SINO-TIBETAN DISPUTE

A thousand years ago it was called Khawachen, the Land of Snows. Today it is known as Tibet¹. Towering snow capped peaks of the tallest Mountains on earth surround it on three sides, yet it has proven a vulnerable land, as invasions by the Mongols, the Manchus, and most recently the Chinese will attest.

Ethnographic Tibet is bordered on the south by the mighty Himalayas, on the west by the Karakoram and Ladakh mountains, and on the north by the Altyn Tagh range. Only to the northeast, where the land slopes gradually into China, is there a gap in the imposing barrier. It is located north of India, Nepal, Bangladesh, and Burma; east of Pakistan; south of the former Soviet union, Sinkiang (Chinese Turkestan), and Mongolia; and west of China. (See map 1.0). Tibet is the highest country in the world, three quarters of it lying at an elevation of 16000 feet and upward, higher than Mont Blanc, the loftiest summit in Europe, and too cold for crops or even trees to grow.

Tibet is made up of three provinces, (See map 1.1.) A large portion of the central province of U - Tsang lies in the Chang Tang (Northern plain), a desolate terrain; southern and western Tibet complete U-Tsang². Unlike the barren plateau to its north, many towns and villages are scattered here, including three of the four largest. The pre-1951 population of the capital Lhasa was 35,000 to 40,000, Shigatse 13,000 to 20,000, and Gyantse approximately 8,000³. In eastern Tibet, or

¹ Goodman, Michael Harris The Last Dalai Lama, London, 1986, p. 21.

² *ibid.*

³ *ibid.*, p. 22.

MAPS



1.0



1.1

Dokham, are the two other provinces, Kham in the southeast and Amdo in the northeast ⁴. It is more populous than central Tibet, and its soil more fertile.

Racially, the central Tibetans possibly derive from the same ancestral stock as the Chinese, the Burmese, and the Thais, and the eastern Tibetans from the Mongoloid race ⁵. A systematic study has been out of question, mainly, because traditional Tibetan methods of disposing of the dead have resulted in a dearth of skeletal material. And since the Chinese invasion of 1950, access to the country to outsiders has been until quite recently severely restricted.

Tibet's climate is dry and cold. Much of the Indian monsoon is blocked by the Himalayan range, and most of the snow fall confined to the lofty mountains surrounding it. Despite the dryness of the climate, however, the land is not devoid of water for drinking and cultivation, for from the Tibetan highlands flow some of Asia's greatest rivers - the Indus, the Brahmaputra or Tsangpo, the Sutlej and the Yangtse.

In Tibet also converge ancient trading routes from China, India, Nepal, Kashmir, Mongolia, Turkestan and Siberia. Roughly half of Tibet's six million people were nomadic, in a land whose vast majority was at altitudes where traditional methods of cultivation would have been futile. Agriculturists accounted for approximately one - third of Tibet's labour force. After the nomads and agriculturalists, the most numerous group in Tibet were the monks, who made up some fifteen percent of the population. There was also a small middle, class of mercantilists who carried on trade with China and India.

⁴ Ibid.

⁵ Ibid.

Tibet's social organization prior to 1951 can be described most simply, although perhaps not most accurately, as feudal in nature. According to the seminal work in the field, "the Tibetan political system can be seen as one which moved from a type of late feudalism to an incipient form of centralized bureaucracy" when the Fifth Dalai Lama assumed secular control of the country in the middle of the seventh century⁶.

All territory belonged to the state, and approximately half the land was granted on a hereditary basis in the form of manorial estates to aristocratic families and important monasteries. Retaining a few holdings for its own use, the government leased most of the remaining arable land directly to smallholding peasants living in villages. These villages were relatively autonomous and affected by Lhasa only in terms of tax collection.

As in medieval Europe, the manorial estate was divided into tenements land, allotted by the lord to his serfs for their personal sustenance, and demesne land, from which all produce belonged to him. Lords were vested by the central government with extensive rights over the serfs, including collection of Taxes and unpaid labour, adjudication of disputes and crimes, and the authority to whip, fine, or imprison offenders⁷. Theoretically, the serfs could lodge complaints against the lords to the Lhasa government for adjudication, but rarely did so for it was an expensive process and the manorial nobles dominated the lay segment of the government. It is undeniable that the system incorporated opportunities for cruelty

⁶ Goldstein, Melvyn C "An Anthropological study of the Tibetan Political System", unpublished Ph. D. Dissertation, University of Washington, 1963; P.255.

See also,

Goodman, M.H., The Last Dalai Lama, London, 1986.

Goldstein, M.C., A History of Modern Tibet, 1913 - 1951, Berkeley, 1989.

⁷ Goodman, M.H., 1986, p.27.

and oppression, but in practice this was unfrequent; there was no Tradition of peasant uprisings in Tibet ⁸.

Famine was also unknown in Tibet. *Tsampa* flour, of barley, or wheat or maize, the staple food of all Tibet, was unperishable and under proper conditions in the dry climate could be stored indefinitely. In both monasteries and government storehouses great quantities of *tsampa* were hoarded against the ever - present threat of crop failure.

Mahayana Buddhism was introduced to Tibet from India during the reign of King Songsten Gampo in the seventh century A. S. Ever since, it has played a major role in Tibet's history, more so in the contemporary era. By 1959 more than three thousand Buddhist monasteries were scattered throughout Tibet, and the country's relatively small population may be explained in part by the fact that one of every four males became a monk, a majority of whom lived lives of celibacy. In a land where religion was the dominant force, pervading every aspect of life, the monasteries had a major role to play in the political administration of the country.

The characteristic of Tibetan Buddhism that distinguishes it most obviously from the practice of Buddhism elsewhere is its system of reincarnating lamas (a Teacher). The spiritual and temporal leader of the Tibetans, is one such high incarnation of Chenresi, Tibet's patron saint. The supremacy of the Dalai Lama over both the spiritual and temporal affairs in Tibet began during the life of the Fifth Dalai Lama. Ngawang Lobsang Gyatso (1661-1682), the "Great Fifth", affected an alliance with Gusri Khan of the Qosot tribe of Mongols paving the way for an end to internal hostilities and the unification of Tibet. Gusri Khan

⁸ Goldstein, M.C., A History of Modern Tibet, 1913 - 1951, Berkeley, 1989.

Goodman, M.H., The Last Dalai Lama, London, 1986.

recognised, in 1642, the Fifth Dalai Lama's supreme spiritual authority over the entire country, himself retaining responsibility for the defense of the country and the security of the Dalai Lama. With the death and the reluctance of his hereditary successors as king of Tibet to exercise their political rights, the great Fifth took all power into his own hands - the first time in Tibetan history that spiritual and Temporal authority reposed in a single individual.

Tibet's political boundaries have shifted recurrently through the ages. During the reign of the Choegyal, or Religious kings, from the seventh to the ninth century A.D., it possessed a vast central Asian empire encompassing parts of present day China, Nepal, Turkestan, India, Pakistan, and Burma. Later, a combination of practical considerations and the pacifist nature of Buddhist teachings was it withdraw behind its mountain barriers. Until the establishment of a Manchu protectorate over Tibet in 1720, U-Tsang, Kham and Ando were subject to Lhasa's political control. When the Thirteenth Dalai Lama proclaimed Tibetan independence after the overthrow of the Manchu. Chi'ng dynasty in 1911, however, only in U-Tsang and western Kham was the Lhasa government able to extend its authority. This situation remained basically unchanged until the Chinese Communist invasion in October 1950.

Thus the Tibetans lived a rugged but contented life behind imposing mountain barriers and fortified by a faith that produced a determined conservatism and an aversion to change of any sort. Although a fental society, never in thirteen hundred years of recorded history was there an instance of general agrarian discontent. With Buddhism taking root in the social fabric, militarist and expansionist traditions withered and died. For over one thousand years Tibet invided noone and was happy to be left alone.

A Brief Survey of Sino - Tibetan Relations

The Kings of Tibet and the Chinese T'ang Dynasty:

The first verifiable contact between Tibet and China took place during the age of the Choegyal (Religious kings) C.A.D. 617-842, which roughly coincided with the Chinese T'ang dynasty (618-905). Tibet's Central Asian empire dominated parts of India, Nepal, and Burma to the South, Sinkiang to the North, China to the east, and parts of present - day Pakistan , Tibetan influence was felt further northwest to Ferghana and administered virtually all of the Chinese provinces of Kansu, Szechuan, and Yunnan, and forced the Chinese to pay an ^{annual tribute.} (Siam) . The two countries signed a pact of nonaggression in 821-822 that defined their boundaries, and stated that "all to the east is the country of great Tibet" ⁹ . In 842, after the assassination of king Lang Darma, the centralized authority of the Tibetan empire ended which splintered into disunited prince-doms. The T'ang dynasty was also on the decline but not before recovering most of the territory it had lost to the Tibetans, The next four hundred years saw contact between the two nations confined to frontier clashes.

Tibet and the Yuan Dynasty (1279-1368)

Genghis Khan and his Mongol armies overran the Tangut empire in 1207, Tibet reacted to this news by sending a delegation to the Khan with an offer of confrontation. The first authenticated invasion of Tibet took place in 1239, when it was attacked by Genghis Khan's grandson Godon Khan for refusing to send the prescribed tribute after Genghis's death. In 1253, Godon's successor, Kublai Khan, entered into a special relationship with a Tibetan lama named Phagpa, the

⁹ Quoted from Goodman, M.H, 1986., p. 121.

highest religious authority of the then - dominant Sakya sect, and made him his chaplain. In return for giving spiritual guidance to the Khan, the Sakya lama and his successors were granted authority over all of Tibet. After the fall of the Mongols, this patron - lama relationship reasserted itself in the eighteenth century between the Manchu emperors and the Dalai Lamas.

Establishment of Mongol rule over China began about 1279, when Kublai Khan created the Yuan dynasty, with its capital Peking. Thus a new sino - Tibetan link was established, through the conquest of China by a foreign power, one which was accepted already by the Tibetans as their overlord. In 1350, Tibet recovered her independence, and two decades later China followed suit. Neither took possession from the Mongols of any but their own original territories, nor did China attempt to exercise any authority whatsoever in Tibet. When the Mongolian empire collapsed, there was no longer any official link between China and Tibet.

Tibet and Ming Dynasty (1368-1644)

From 1350 to 1642 Tibet was ruled by a succession of lay princes and kings none of whom made any submissions to the Chinese Ming emperors. Excepting distant diplomatic relations there was no trace of Chinese political influence over, let alone control of Tibet. Some visits by Tibetan lamas took place, but when the emperor Ch'eng Tsu suggested to the fifth Karmapa (a particular sect named Karmapa) Lama in 1407 that they form an alliance similar to the one enjoyed previously by the Sakya Lamas and the Mongols, he was politely refused.

Tibet and the Ch'ing Dynasty (1644-1911)

As a solution to the ever - threatening invasions by tribes like the Mongols across their central Asian borders, the Chinese emperors established a zone of

Chinese influence beyond them by putting into effect a system whose purpose was not to bring the border areas under peking's direct administration but rather to treat them as protectorates and deal with them through diplomacy and indirect rule.

In 1644, the Manchus over came a weak Chinese central government and captured peking and established the Ch'ing dynasty. Disturbed by Sangye Gyatso's (the then regent of Tibet) intrigues with the always-dan-gerons Dzungar Mongols after the death of the fifth Dalai Lama, the Manchus moved on Tibet and in 1720 linked it with Manchuria, Mongolia, and Sinkiang to create a massive protective barrier that encircled Chinese territory from korea in the northeast to Burma in the southwest. The ensuing relationship was between the Manchu sovereign of as Manchu Empire and a subject Tibetan head of state, throughout the Ch'ing dynasty the status of Tibet and other nor-chinese regions of the Manchu Empire was neither tied nor subject to China.

By the end of the nineteenth century the Manchu protectorates were themselves surrounded by the great colonial empires of Britain and Russia British overtures to the Manchus for trade entry and concessions into Tibet without endangering their favourable economic position in China, were rebuffed. The Tibetan government was not helpful either , a pair of letters from the viceroy of India to the Dalai Lama were returned unopened, the implication that direct communication between Britain and Tibet would displease the letter's Manchu suzerainty over Tibet as a constitutional fiction, announced Lord Curzon, the frustrated viceroy of India, in January 1903, "a political affectation which has been maintained because of its convence to both parties"¹⁰

¹⁰ Quoted in Goodman, M.H, 1986, p. 124.

When rumours of a secret alliance between Russia and Tibet began circulating in 1903, Lord Curzon ordered a military expedition under colonel Francis young husband into Tibet. When the British reached Lhasa in August 1904, it concluded an agreement with the Tibetan regent (the Dalai Lama having fled to Mongolia) The Lhasa convention contained, among other things, stipulations that without the perior consent of the British government the Tibetans were to permit no foreign power to occupy any of their territory, interfere with any of their affairs, or even cross their borders, Designed to exclude Russian influence, the agreement in effect treated China as a foreign power.

The New Liberal government, motivated in part by sensitivity of foreign criticism, negotiated a treaty with peking in 1906, almost reversing Britain's own concessions and stopped just short of declaring the Manchus to have sovereign rights over Tibet¹¹. A year later they entered into a similar agreement with the Russians that placed restrictions on and Russia in Tibet¹², in it the word *suzerainty*¹³ was used to describe China's relation to Tibet for the first time. Strangely, the British did not see fit to inform the Tibetan government either treaty.

In the meantime, the ease with which the British forces marched through Tibet made the shocked Manchus realize that maintaining influence in central Asia by indirect rule had to be replaced by direct control and administration. They invaded eastern Tibet in 1905 and took Lhasa in 1910, forcing the Dalai Lama to flee, a second time, to India.

¹¹ See full text in Goldstein, M.C., 1989, Appendix A, pp.827-828.

¹² See full text in Goldstein, M.C., 1989, Appendix B, pp. 829-831.

¹³ *Ibid.*, p. 829.

Tibet's Relations with Republican and Nationalist China (1912-1949):

The Manchus were overthrown in the Chinese Revolution of 1911, and their troops expelled from Tibet a year later. This facilitated the return of the Thirteenth Dalai Lama from two years of exile in India, who proclaimed the resumption of Tibetan independence. In recognition of the same, he dispatched one of his ablest ministers to represent him at the tripartite Shimla conference in India arranged by the British. The Chinese simultaneously countered with a claim of sovereignty over Tibet, claiming that the latter had been an integral part of China since conquest by the Mongols of Genghis Khan in the thirteenth century.

The British were in a quandary. The Chinese were claiming sovereignty over Tibet, there were reasons to believe that the Russians would try to obtain a position of influence inimical to their interests and the future stability of the Himalayan frontier of their Asian empire, and finally, the British were themselves unwilling to establish a protectorate over Tibet. The ideal solution seemed to be to preserve Tibet as a modified buffer state. With the development of a stable Tibetan government free from outside influence, but in close relation with the British government.

At the urging of the British plenipotentiary Sir Henry McMahon, therefore, the Shimla Convention of 1914¹⁴ proposed that China be granted suzerainty over Tibet: the British preferred that it remain under some sort of Chinese control rather than become independent and free to enter into relations with Russia. But the British were talking of nominal suzerainty only, in exchange for practical independence, and under no circumstances was Tibet to be converted into a Chinese province. It was also proposed that the country be divided into two areas,

¹⁴ See full text in Goldstein, M.C., 1989, Appendix C, pp. 832-841.

Outer Tibet, the larger of the two, was to encompass all territory west of the Yangste River, previously ruled perpetually by the Tibetan government, and to be granted autonomy under the Dalai Lama and his successive reincarnations. Inner Tibet would encompass those border areas of Khan and Amdo whose populations were predominantly Tibetan in race and religion but whose political control over the centuries had passed back and forth between the Tibetans, Chinese Muslim warlords, and various local chieftains. Although it was to be theoretically self-governing, there was ample scope for the Chinese to exert their influence and control.

A draft agreement was initiated by delegates of all three nations, but the Chinese government repudiated the action of their representative, demanding further concession. After having pressured into conceding for the first time in its history become a part of China, even though it seemed a benign status as a suzerain, the Tibetans would concede no more. Finally, it was the British and Tibetan ministers who signed the convention, China abstaining. Tibet thus retained her independence. The British, though dealing with Tibet in practice as an independent state, did not formally recognise this sovereignty, in a move to avoid offending the Chinese with whom British economic interests lay.

Internal disunity within China in the wake of the overthrow of the Manchus meant that Tibet maintained its independence without any threats. The first official Chinese entry into Tibet since their expulsion in 1912 was in 1935, when the Nationalist government was granted permission to send a condolence mission to Lhasa following the death of the Thirteenth Dalai Lama. Talks between the two sides were suspended when the Tibetans made clear that they would acknowledge Chinese suzerainty only under the conditions of the 1914 Simla convention, which

guaranteed them internal autonomy and the right to conduct their own foreign affairs.

In 1949 the communists gained control of the Chinese mainland. In frequent broadcasts over Radio Peking, the new government announced their intention to 'liberate' Tibet while guaranteeing regional autonomy and religious freedom. In August 1949, the death knell sounded for Tibetan independence when General Chu Teh, Vice-Chairman of the newly formed People's Republic of China and commander in chief of her armed forces announced that Tibet was part of China and that the People's Liberation Army would march into Tibet to liberate it from imperialists. On 5 October 1950, the PLA crossed the Yangtze River and attacked Tibetan positions in Kham.

On 23 May 1951, both sides signed what has come to be known as the Seventeen-point Agreement,¹⁵. Within the terms of this Agreement Tibet agreed to work with China, the traditional Tibetan government continued to function, albeit with varying degrees of Chinese interference. A series of complicated events rendered this increasingly difficult after 1955. The events were related to the Khampa revolt in eastern Tibet. It saw the beginning of armed rebellion and guerrilla warfare against the Chinese, worsening the chances of Tibet being spared the harsh subjugation by the Chinese, and precipitating events that finally forced the Dalai Lama to leave Tibet and go into exile.

The meeting point between China and Tibet fell in eastern Kham and Amdo. For over three hundred years spiritual leadership of the region had reposed in the Dalai Lamas. Political control had proven somewhat more transitory and

¹⁵ See full text in Donnet, P.A., Tibet - Survival in Question, New Delhi 1994, pp.221-223.

Also see Appendix B.

had passed back and forth between Lhasa, Peking, and local Tibetan fendal lords. The social organization was based on clan and produced a people with a strong antipathy to control. Tax collectors, Chinese or Tibetan were looked upon as agents of oppression. Khampas and Amdoas alike were proud, resourceful, independent peoples and more demonstrative than their central Tibetan neighbours.

When the P.L.A. invaded Kham in 1950, the people were ready to fight. Initially, the Chinese averted violence by dispatching a group of officials to confer with and assure the village headmen and monastic leaders that the Chinese would leave as soon as the Tibetans, with the help of the Chinese, were able to govern themselves. The vision of an independent Kham free from external taxation but spiritually subject to the guidance and protection of the Dalai Lama was hardly unwelcome. For several years all was peaceful, but by 1955 Peking had moved in more troops, began to levy heavy taxes on traders and confiscated lands and valuables, of lay people and monastic institutions. The result was rebellion by the people.

It was dealt with such a high degree of repression and force, that horror stories of public executions, greusome killings, murders and torture, and violations of human rights reached upto Lhasa. Soon, all of eastern Tibet, committed to avenge the death of their people, rose against the Chinese. The Chinese were stunned by the extent and ferocity of the resistance, and in an effort to stop the rebellion spreading to central Tibet, where their garrisons were as yet inadequate to suppress any popular uprising, the Chinese appealed to the Dalai Lama for help. Lhasa's efforts were not fruitful as the rebellion continued.

A guerrilla movement also began, under the leadership of Gompo Tashi Andrugtsang.² This movement who called themselves the Chushi Gangdrug (Four Rivers, Six Rangers - after the rivers and mountains of eastern Tibet) was also approached by the United States Central Intelligence Agency (CIA).³ Six members were taken out of Tibetan, given training in guerrilla warfare, and parachuted back into Tibet by the CIA.


The Khampa revolt is important in that it precipitated events of dissent across Tibet, till it reached a situation where the Tibetans openly opposed the Chinese presence and the latter decided to crush any uprising by use of force. The events culminated in the 1959 Lhasa uprising, in the midst of which the Dalai Lama quietly slipped out of Lhasa and headed for India. He continues to be a guest of the Indian government to this day, leading the struggle for Tibet from outside Tibet.

Since then there have been ups and downs in Sino-Tibetan relations. While the cultural revolution was the climax of a ruthless Chinese policy of forcefully integrating the Tibetans within the national fold that began in 1950, pos-1980 saw a lessening of hardline, unpopular methods of rule and governance. Post 1980 also saw China revise its minorities policies⁴ and a series of steps for development in Tibet were adopted. The first steps were taken to have direct contact with the Dalai Lama, and negotiations have taken place but without an constructive results. Tibetan officials have visited China, including Gyalo Thondup,, the Dalai Lama's elder brother.

² Goodman (1986). pp. 260-264.

³ Ibid., p.263.

⁴ For a detailed account of the Chinese nationalities policies over the years, see Huang I-shu, 'National Minorities of China', China Report, Jan.-Mar. 1996, vol.32, pp.15-23.

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In 1987, in an address to members of the US congress, the Dalai Lama offered China the option of transforming Tibet into a demilitarised Zone of Peace. The Five Point Peace Plan had the following five basic components:

1. Transformation of the whole of Tibet into a zone of peace;
2. Abandonment of China's population transfer policy which threatens the very existence of the Tibetans as a people;
3. Respect for the Tibetan people's fundamental human rights and democratic freedoms;
4. Restoration and protection of Tibet's natural environment and the abandonment of China's use of Tibet for the production and use of nuclear weapons and dumping of nuclear wastes;
5. Commencement of earnest negotiations on the future status of Tibet and of relations between the Tibetan and Chinese people.⁵

A few months later, on 15 June, 1988, the Dalai Lama made the Strasbourg Proposal⁶ that by shifting drastically from the previous position of the Tibetans, remains the focus of heated debates among Tibetans. Addressing a group of European parliamentarians in Strasbourg, for the first time ever, he implicitly renounced formal independence for Tibet; in exchange, he proposed that an 'association' between Tibet and China serve as the basis for negotiation. Further, he proposed that 'the whole of Tibet (U-Tsang, Kham and Amdo) should become a self-governing democratic political entity founded on law by agreement of the

⁵ For full text of the speech, see Donnet, P., Tibet-A Question of Survival, New Delhi 1994, Appendix, pp.223-227.

⁶ Ibid., pp.227-229.

people' existing 'in association with the People's Republic of China'. Within this framework, China could maintain responsibility for Tibet's foreign policy; it could also maintain a 'restricted number of military installations' pending the successful outcome of an international conference convened to negotiate neutral status for Tibet. There upon, Tibet would become a 'sanctuary of Peace'.

In a later chapter, we shall see that the above shift in position is a positive step in any conflict resolution process that will try to solve the Sino-Tibetan dispute. However, and in March 1959, the Dalai Lama and most of his key officials fled to exile in India. He continues to be a guest of the Indian government to this day.

CHAPTER 3

ANALYSIS OF THE SINO-TIBETAN CONFLICT

Though the nature of Sino-Tibetan political relations before 1913 may be open to dispute, Tibet unquestionably controlled its own internal and external affairs during the period from 1913 to 1951 and repeatedly attempted to secure recognition and validation of its defacto autonomy/independence. It is equally unquestionable that Chinese leaders in the twentieth century, Nationalist and Communist alike, believed that historically Tibet was a part of China and sought to reunify it with the “Mother” country. This disjunction of beliefs between the two countries created a climate of tension and dispute. Both tried in their own ways, to reach a common ground wherein their aspirations could be satisfied, but in the end Tibet was forced, for the first time in Tibetan history, to accept Chinese sovereignty.

To analyse the conflict, we must begin with the sources of conflict, and the sources of conflict, and the process of interaction and escalation that have brought the conflict to present state. The present state of dispute is this: China, basically, does not consider Tibet as a disputed area and claims it as an integral part of the motherland. Tibet, on the other hand, claims to be an independent nation, which was forcefully colonized by the Chinese in a series of steps from 1951-1959, and demands complete independence, or at least a high level of autonomy under Chinese rule.

Despite the declaration of Tibetan independence by the thirteenth Dalai Lama in 1913, after his return from exile in India and the overthrow of the Manchu Ching dynasty, the Chinese maintained that because Tibet had been part

of the Manchu Empire, it automatically became upon restoration of Chinese rule in Peking (after an absence of 267 years), an integral part of China. China goes even further back into history, to the thirteenth century to justify its invasion of 1950 of Tibet.

As cited in chapter 2, the Mongols set up the Yuan dynasty in 1279 under Kublai Khan after established Mongol rule over China. The fact that the Mongols controlled Tibet from their base in Peking is no way subject to China at any time during the Yuan dynasty. The Mongols could hardly have governed China and the rest of their sprawling empire from a nomad encampment on the Central Asian Steppes, and simply adopted the highly sophisticated bureaucratic system. When the Mongolian empire collapsed, there was no longer any official link between China and Tibet. "Tibet was a part of the Mongol empire in a very peculiar way". Herbert Franke explains¹, "It was definitely not a part of China nor one of its provinces. The greater part of Tibet was ruled by indogeneous lamas whose government was sanctioned by the imperial court... but they received little or no interference from the emperors".

There can be no question regarding the subordination of Tibet to Manchu-led China following the chaotic era of the 6th and 7th Dalai Lamas in the first decades of the eighteenth century². However, as the Ching danasty weakened, so did its role in Tibetan affairs. By the mid-nineteenth century, if not earlier, Manchu Chinese influence was miniscule. For eg., the Tibet - Dogra war of 1841, the Tibet Nepal war of 1857, the Nyarong war of 1862 - 65, and the British invasion of Tibet in 1903 - 1904 were fought and settled without Chinese

¹ Franke Herbert, "Tibetans in Yuan China", in John D Langlois, ed., China under Mongol rule, Princeton, 1981, pp. 313.

² For excellent accounts of the 17th and 18th centuries, see, Ahmad, Z., China and Tibet, 1708-1959, London., 1960., Petech, L. China and Tibet in the early 18th century, Leiden, 1950, Shakabpa, W.D., Tibet A political History, New Haven, 1967 and 1976.

assistance. Internally too, the overthrow in 1862 of the regent of Tibet by monks of a particular monastery brought no interference from the emperor.³ The Manchu commissioners (ambans) stationed in Lhasa also had marginal influence. For eg, the selection of the thirteenth Dalai Lama was made without recourse to the lottery systems instituted by the Manchu emperor in 1793⁴.

More importantly, the Manchus were considered foreign invaders by the Chinese themselves. That the Chinese viewed themselves as separate from the Manchus may be attested by one of the rallying cries of the 1911 revolution to overthrow the foreign Manchus and restore the rule of China to the Chinese. The Manchus thus subordinated both the Tibetans and the Chinese, and their overthrow would logically result in China reverting to Chinese self-rule and Tibet to Tibetan self-rule.

Sino-Tibetan relations are further complicated by Tibetan political theory, which conceived of the linkage with China as Choyen⁵, a term that refers to the symbiotic relationship between a religious figure and a lay patron. The temporal support of the lay power was exchanged for the spiritual support of the religious power, in practical terms. Choyen is an abbreviation of two words, Choney, “that which is worthy of being given gifts and alms” (for eg., a lama or a deity), and Yondag, “he who gives gifts to that which is worthy” (a patron)⁶. Thus, for Tibetans, the Dalai Lama and Manchu emperor stood respectively as spiritual teacher and lay patron rather than subject and lord.

³ Shakabpa, W.D., Tibet: A Political History, New Haven, 1967.

⁴ In 1793, The Manchu emperor decreed that the selection of the Dalai Lama and other high lamas such as the panchen Lama was to be made by means of a lottery administered by the amban in Lhasa. In this lottery the names of the competing candidates were written on folded slips of paper which were placed in a golden urn. One of these was then picked.

⁵ Goldstein, M.C. A History of Modern Tibet, 1913-1951, Berkeley, 1989.

⁶ *Ibid.*

The Simla convention of 1914 proposed that China be granted suzerainty over Tibet. The precise definition of this term and of its counterpart, autonomy, is impossible according to Hugh Richardson, former head of the British mission in Lhasa, and later the Indian mission in Lhasa, "because the words have to be interpreted in accordance with the circumstances of each specific case"⁷. He makes clear, however, that "authorities on international law hold that suzerainty is by no means the same as sovereignty" and that "an autonomous state under the suzerainty of another is not precluded from having an international personality"⁸.

Whatever the tenuous nature of Tibet - Chinese relations before the twentieth century, three events in the first eleven years of this century dramatically altered the status quo : (1) the growth of British interest and relations with Tibet, culminating in the successful invasion of Tibet and Lhasa by the British in 1904; (2) the consequent efforts of the Chinese to reestablish control over Tibet, culminating in the military occupation in early 1910; and (3) the Chinese overthrow of the Manchu dynasty in 1911 and the mutiny of Chinese troops in Tibet.

International response also lent to the confusion after the fall of the Manchus. The overthrow of the Manchus resulted in one of the most extraordinary situations in all Chinese history - the proclamation of the Chinese republic and the recognition of a Chinese title to sovereignty in Manchuria, Mongolia, Chinese Turkestan, and Tibet. The west, far from realizing the extraordinary character of the situation thus created, took it all as a matter of course. International practice from at least the time of the Treaty of Nanking in 1842 had come squarely to the point of treating the Manchu empire as if it were the Empire of China. This led as a matter of course to the assumption on the part

Richardson, H. , A Short History of Tibet , New York, 1962.
Ibid.

of the western nation, when the Chinese revolution of 1911 overthrew the Manchu Empire in China, that China stood heir to the Manchu and could claim possession of the outer Dominions. "There was no doubt whatever that the Mongols and the Tibetans, the two most solid national groups affected by this historic reversal regarded the fall of the Manchu Empire as the destruction of a framework, which ought simply to have allowed the original component parts of the Empire to resume their own national identities" writes Owen Lattimore in Empire in the East ⁹ "Nor can there be any doubt that legally and historically they were right. They had never 'belonged' without the intervention of the West. The fall of the Empire would have left a China independent of 'barbarian' Control and group of 'barbarian' nations standing free either of commitments to Manchuria, to each other, or to China "¹⁰.

The Legal status of Tibet.

A lot of uncertainty has, always surrounded Tibet's status. In October 1949, with the communist regime in full control of the mainland of China, Radio Peking announced that Tibet belonged to China and that the people's Liberation Army would march into Tibet to liberate the Tibetans from foreign imperialists. At that precise moment, ridiculous though it may sound, there were exactly five foreigners, Europeans, within Tibet¹¹. In 1950, the Chinese invaded, legitimising its action by claiming that Tibet did not possess sovereignty, and that it was a part of China. It is true that at two different periods in history Tibet had been subject to the Mongols and later to the Manchus, and had become part of their empires, empires that also included China. But not until the People's Liberation Army

⁹ Lattimore, Owen, "China and the Barbarians", in Barnes Joseph, ed., Empire in the East. New York, 1931, pp. 14-15.

¹⁰ Ibid.

¹¹ Goodman, M., The Last Dalai Lama, London, 1986, p. 119 - 121.

invaded Tibet and the Tibetan government was agreement for the “peaceful liberation” of their country was Tibet ever subject to China itself.

The uncertainty around the status of Tibet is one of the reasons for the lack of international support for the Tibetan cause. This directly influences the position of the Tibetan government - in - exile which is also not recognised by any other government. According to international law, there are three conditions a state must meet in order to be recognised as a sovereign state;

1. It must have territory, but well - defined boundaries are not a prerequisite. Many states have long - standing boundary disputes with their neighbours.
2. A state must have a population (the inhabitants of the state).
3. A state must have a government capable of maintaining effective control over its territory and of conducting international relations with other states. This requirement is not always applied strictly., thus, a state does not cease to exist when it is temporarily deprived of an effective government as a result of civil war or similar upheave Even when all of its territory is occupied by the enemy during wartime, the state continues to exist, provided that its allies continue the struggle against the enemy .¹² .

International law recognises a state as independent as long as it performs the functions that independent states normally pursue, such as the sending and receiving of ambassadors, the signing of treaties, etc. It is important to make a distinction between a formal and an actual independent state. Formal independence is when the source of the government’s authority lies within the confines of that state. It cannot be limited by handing over of be important

¹² Akehurst M. , A Modern introduction to international Law , New York , 1987, p.53.

governmental tasks, such as maintaining diplomatic relations, but, when state A has right to legally interfere in internal affairs of state B, state B will not be recognised as formally independent. Actual independence means that a government or a state effectively exercise power independently from other states. Only minimal actual independence is enough for a state to be formally independent. However, if uncertainty surrounds the status of a state, it needs to possess actual independence, to be recognised as an independent state.¹³

Another criterion on which one can examine the independence of a state is recognition by other states, one of the most difficult topics in international law. The theoretical quarrel is between the constitutive theory, according to which a state or government does not exist in the eyes of international law until it is recognised by other states, and the declaratory theory, which states that recognition has no legal effects, The existence of a state or government concerns a question of pure empirical fact, a state of affairs, and by recognition states acknowledge this.¹⁴ From judgements of the international court of justice, it appeared that where the facts - the lawful existence of a state - are clearly defined, recognition or non - recognition by other states are not evidential in establishing proof of the existence of a government, in such circumstances recognition is declaratory. But in cases where the facts are unclear, recognition by other states can have a decisive effect ; in such circumstances recognition is semi - constitutive.¹⁵

¹³ Wilmer, Cutler and Pickering: Legal Opinion by Wilmer, Cutler and Pickering. Prepared on May 7, 1986 in The Legal Status of Tibet. Three studies by Leading Jurists., Office of information in International Relations, Dharamsala, India, 1986, pp. 6-7.

¹⁴ Akehurst, M., (1987), pp. 59-60.

¹⁵ Ibid., p.61.

“Dependence is a term frequently used to describe the relations and factors which limit sovereignty. The term confuses matters because of its apparent incompatibility with independence. In case of the handover of entitlements independence is not automatically lost, but it can lead to restricting the freedom of a state. Essential for the relations of dependence is inequality between entities. Suzerainty is an example of such an unequal relationship.

Arising out of the fental relationship between the lord and his vassal in the middle Ages and later applied to relations between states. The ruler of a satellite state had autonomous power, which he received from the suzerain, to which he was bound through an oath of loyalty. The suzerain, in turn, had to protect the satellite state and provide military assistance in case of war. Effective suzerainty occurred whenever the suzerain took over important tasks like foreign policy. Whereby the vassal was seen as a semi - sovereign. In international law the autonomous vassal can have the status of a state with legal personality, but with effective suzerainty the satellite state has no complete independence.

In 1904 the British and Tibetan government signed a treaty in Lhasa, the objective being to exclude foreign powers from interfering in the internal affairs of Tibet. That is, great Britain wanted to restrict Russian influence in Tibet as well as consolidate its trade - position in Tibet. In this treaty great Britain recognised Chinese suzerainty over Tibet.¹⁶ The parties of the treaty did not explain their interpretation of suzerainty, nor who the foreign powers were. China, however, has never considered itself “suzerain” over Tibet ; it saw Tibet as a part of China with far reaching autonomous competencies.¹⁷

¹⁶ International Commission of Jurists, The Question of Tibet and the Rule of Law., Geneva, 1959, pp. 13-14.

¹⁷ *ibid.* , p.110.

Events between 1911 and 1913 saw the beginning of a stable period in Tibet. The Manchu - Chinese troops and officials were sent out of Tibet after the revolution in China. The Dalai Lama, returning from exile in India, proclaimed the independence of Tibet. The fact is that this proclamation was never addressed towards China or any other country, and that makes its legitimacy doubtful. Nevertheless, Tibet obtained a government which could exercise effective control over its territory. For nearly four decades, the Dalai Lama and the government, consisting of Tibet. of religious and lay representatives, ruled over Tibet. Tibet had an army, a legal system, a tax system, a postal and telegraph service and an own monetary unit.¹⁸ That is, Tibetan government had effective control over its territory during that period. Further more, it handled its foreign affairs independently. Diplomatic representatives were received in Lhasa, and Tibet sent trade missions to Nepal, Bhutan, India, Great Britain, the United States, France and Italy, and each of the countries accepted Tibetan passports as legal travel documents.¹⁹

The Simla conference in India in 1913, organised by Great Britain, was important in determining the status of Tibet. The parties of the conference, China, Tibet and Great Britain, tried to reach an agreement regarding the status of Tibet in context of its relations with China and Great Britain and boundary conflicts between China and Tibet. The official representatives negotiated on the basis of mutual equality, meaning an implicit British and Chinese recognition of the independence of the Tibetan government was set up in which Tibet would accept Chinese suzerainty, and in return China had to guarantee that it would the territorial integrity and full autonomy of Tibet. These were agreements concerning border issues, too. However, the Chinese government never signed

¹⁸ Van Walt van Praag, Michael C., The Status of Tibet, London, 1987, pp. 136 - 137.

¹⁹ Wilmer, Cutler & Pickering (1986), p. 33.

the treaty because China refused to make concessions on the Sino-Tibetan border.²⁰ Thus, Tibet never signed a treaty with China, but only with Great Britain. The British and Tibetan representative who signed the convention declared that although it was binding as to relations between them, its benefits would be denied the Chinese until they signed,²¹ Tibet thus retained her independence, and the British, freed from the restrictions of the 1907 Anglo-Russian convention by the downfall of the czarist regime in 1917, evinced no hesitation thereafter in carrying on diplomatic relations with the Dalai Lama's government without first consulting the Chinese., it claimed that the delegation from Lhasa was not entitled to make such agreements without China's cooperation.

Before 1950, China never exercised total control over Tibet, supported by the Tibetan people. China nor the international community ever recognised Tibet de facto. Throughout the period 1913-1947, Britain was Tibet's main supporter and only noncontiguous country with whom Tibet maintained foreign relations. The British goal during this period was to maintain Tibet as a buffer zone in which Chinese and Russian influence was excluded and British and British Indian interests predominated. Britain did not secure this goal by either offering Tibet substantial assistance toward independence or by incorporating it into its Indian empire as a protectorate, believing that either action would ultimately create serious problems for Britain's international interests. Instead, it adopted a policy based on the idea of autonomy, for Tibet within the context of Chinese suzerainty, a policy it articulated in the Simla Convention of 1914.²² From 1914 on, Britain dealt with Tibet completely independently of China, but officially it recognized

²⁰ Ibid, p.30.

²¹ Goodman, M.H., (1986), p.126.

²² For full text, see Golstein, Melvyn. C., A History of Modern Tibet, 1913-1951, Berkeley, 1989, Appendix C, pp.832-841.

— Tibet only as autonomous under Chinese suzerainty. Britain therefore was unwilling to assist Tibet in securing an independent international status, and it refused to assure Tibet that if China attacked, in 1947, Britain left India, and abandoned its interest in Tibet, yielding all initiative to the newly independent Indian state. At the time of the 1948 trade mission, instead of trying to foster an independent identity for Tibet, Britain refused to even issue visas on Tibet and passports. And in 1950, when Tibet appealed to the United Nations for help, it was the British delegate who spoke first, informing the delegates of the world body that his Majesty's government felt that the status of Tibet was unclear and suggesting that Tibet's appeal be postponed.

Independent Indian government's policy towards Tibet was similar to that of colonial India in certain respects and widely divergent in others. On one hand, it sought to continue the bilateral Simla relationship, and asked Tibet to recognize them as the successor to the British. On the other hand, Prime Minister Nehru had no intention of supporting Tibet's de facto independence nor of working to prevent Chinese influence in Tibet. Nehru saw Sino - Indian friendship as critical to a new Asia, and to the creation of a new moral order in the non western world, and he saw Tibet as a threat to that relationship.

After the fall of Chiang Kai - Shek, the United States became increasingly interested in Tibet as a bastion of anti - communist ideology in East Asia. But in the critical months of late 1950 and early 1951, the United States dealt the Tibetan government a painful setback by failing to accept a Tibetan delegation to the United States and by allowing the Tibetan appeal to the United Nations be set aside. Although it was the only country that expressed any interest in assisting Tibet against the Chinese after Tibet had signed the Seventeen point agreement with China and even offered to help the Dalai Lama to resettle in exile if he

would disavow the Seventeen point Agreement. It was unwilling openly to support complete independence for Tibet, and could not offer Tibet any military aid because of Indian hostility to U.S. involvement.

Tibet, also, never looked for international recognition and never negotiated this issue with other states; it followed an isolationist policy. "It never occurred to us that our independence, so obvious a fact to us, needed any legal proof to the outside world." The fourteenth Dalai Lama explains. "When we won it, we were quite content to retire into isolation."²³ The failure to seek international acknowledgement of its sovereign status in the face of persistent and well-publicized Chinese allegations that Tibet was an integral part of China was a critical mistake. It can be argued, however, that not being recognised by other states cannot be an argument against the de facto existence of that state and of its rights for independence. But the fact is that this issue, in combination with the continuing Chinese claim of the sovereignty over Tibet, can possibly explain why Tibet never has been recognised by the international community.

During the Second world war, Tibet carried out an independent foreign policy; although the allied forces put a lot of pressure on Tibet for allowing transports of war equipment over its territory, Tibet refused and firmly kept a neutral position.²⁴ In 1947, Tibet took part in the Asian Relations conference held in Delhi. The Tibetan delegation travelled with Tibetan passports, participated as representatives of an independent state, and the Tibetan flag was raised during the conference.²⁵

²³ Goodman, M. H. , (1986), p. 144.

²⁴ Wilmer, Cutler & Pickering (1986), p. 32 .

²⁵ Ibid, p 32.

On 23 May, 1951, under great Chinese pressure the 17 Artical agreement for the Liberation of Tibet was signed by the Tibetan delegation in Beijing²⁶. The Tibetans literally had no choice, what with a weakened army that had been defeated in the east, no help from the international community and two calls for help towards the united Nations without response. This agreement regulated the contractnal Sino - Tibetan relation; the incorporation of Tibet into China, and it allowed the encampment of Chinese troops in Tibet,. According to this treaty, China would not intervene in the internal policy of Tibet nor change the status of the Dalai Lama and the panchen Lama. The enjoy regional autonomy and preservation of their customs.. In addition, culture and religion in Tibet would be respected. Furthermore, the agreement which regulated internal changes in Tibet would not take place without the approval of the Tibetan leaders.²⁷ The Tibetan government opposed this agreement, which had been signed by the Tibetan delegates sent to beijing who were entitled only to negotiate and who needed the approval of the Tibetan government before it could sign a treaty.²⁸ Because the Tibetan delegates were forced to sign, and the Chinese army threatened to occupy Lhasa, the Tibetan government considered the agreement or ultimatum as "fait accompli"²⁹. Undoubtedly, uncertainties surround the conclusion of the agreement.

In conclusion, one can argne that on the eve of the Chinese invasion, Tibet was an autonomous state with its own territory, with a people, and a government able to carry out effective internal control and external relations. Tibetan leaders have never accepted the Chinese invasion. On the other hand, however, no country

²⁶ For the full text, see, Donnet, Pierre - Antoine, Tibet - Survival in Question, New Delhi; 1994, Appendix pp 221-223.

²⁷ ICOJ (1959), p. 139.

²⁸ Wilmer, Cutler & Pickering (1986) , p 37.

²⁹ Van Walt van Praag (1987), p. 149

had taken a clear position concerning the international status of Tibet nor recognised Tibet formally. China used force in its dealing with Tibet from 1950 on, thus breaching the rules of international law which secure territorial integrity and the independence of a state. International law ignores the Chinese justification of Tibet's annexation. There appears to be consistent support from the majority of the Tibetan people for the Dalai Lama and the Tibetan government - in - exile. On the basis of a military invasion and wartical law, the Chinese government appears not to be able to claim sovereignty over Tibet. The resistance against the Chinese occupation gives credibility to the existence of an autonomous Tibetan state, living under Chinese occupation.

Chinese strategic Interests in Tibet.

Tibet has been of crucial importance to the dominant powers of south and East Asia in their strategic calculations, in the past and presently. At the turn of the century, it was the arena of the "great game" between great Britain, Tsarist Russia and China. By 1950, Tibet was again the point of contention between China and India, where two nationalist regimes had emerged. Nehru hoped that both parties would respect the Himalayas as the limit of each other's political influence and defence boundaries. As he stated in December 1950, "From time immemorial, the Himalayas have provided us with magnificent frontiers..... We cannot allow that barrier to be penetrated because it is also the principal barrier to India"³⁰ Such a policy was designed to make Tibet a buffer state among the three great imperial powers that surround the Himalayan piedmond - India, China, and Russia. In geopolitical terms, the wisdom of such a policy can hardly be threatened. The British as capitalist imperialists were concerned with the

³⁰ Jawaharlal Nehru speeches., 147 - 1953, New Delhi publications Division, Government of India , 1963, p.252

economics of imperial defence and used the buffer theory as the most economical means of securing imperial security along the 5000 - mile long Himalayan boundary. Perhaps, given the chance, and in the absence of Chinese military might, even Nehruvian India would have pursued essentially the same policy, though modified, as the British did in the past. To India too, it would have been an economical way of security. There is evidence to support such a presumption. In 1947, the Tibetan delegation was invited to participate at the Asian Relations Conference. After Independence, New Delhi wrote to Lhasa stating that all the past treaty commitments would be respected,³¹. India did not exhibit any hastiness in relinquishing any of the privileges in Tibet that were inherited from Britain, these were withdrawn in the early 1950, when the Chinese military occupation of Tibet became an undeniable reality. India, and Nehru's vociferous protests against the entry of the Chinese People's Liberation Army into Tibet was not just dictated by moral sympathy for unarmed Tibetans but also by Indian concern for national security. Nehru realized that India could do nothing to militarily dislodge the 40,000 strong PLA troops firmly lodged in Tibet by 1954.

To analyze the Sino- Tibetan dispute, it is essential to look into Chinese strategic thinking on Tibet. For the British, Tibet was a second and outer rampart of a grand imperial strategy. The fear of Russian intrigue in Tibet do not have very many buyers. The Chinese communists interpret the British attempt to make Tibet a buffer state among the rival imperial powers as a diabolical, calculated imperialist scheme to separate Tibet from China and open China's backdoor to the influence of and attack by imperialism once China's backdoor is open, it is unsafe and insecure, and vulnerable to foreign influence and intervention . Not without reason did the Chinese perceive British India's influence in Lhasa upto

³¹ Richardson, H.E., Tibet and its History, London , p.173.

1947 as an imperialist strategy of encircling China Republican China perceived Tibet as its backdoor that needed to be securely shut to achieve security. Once Tibet was occupied, Communist China began to perceive Tibet, especially during the 1970, as China's "south-west out post against imperialism, revisionism and reaction", terms that are specific references to countries considered hostile to China then - the Soviet union and India³².

Chinese communists were strategists par excellence and realized early the strategic importance of Tibet and shut its backdoor in 1950. The Tibetan rebellion of 1959 and the Sino - Indian border war of 1962 strengthened Chinese belief in the strategic importance of Tibet. Strategic development began as soon as PLA troops entered Eastern Tibet and continued for more than two decades. Most of the overall economic development in Tibet from 1950 to 1976 was military - oriented. Most of Chinese economic assistance went into strategic road building, in Tibet proper and in the Sinkiang - Tibet border regions. Prior to 1950, lack of communications frustrated repeated Chinese attempts, both Imperial and Republican, to gain effective control over Tibet. Constructing highways largely enabled tge PLA to be military ready for the 1962 border war. By 1965, two highways effectively linked Tibet with interior China . And by 1975, China had completed 91 highways totalling 15,800 Kms with 300 permanent bridges in outer Tibet alone, by which 97% of the region's counties were conected by motorable roads.³³ The importance of landing facilities and airfields was also not underestimated. The first airfield was built in 1955-56, by 1963 there another twelve, located near the borders of India, Nepal and Bhutan and now there are 23 airfields¹. Like four major highways running almost parallel to the Himaliayan

³² Remin Rebao, Peking Reviens, No28, Sep.1975 cited in Dawa Norbu, 'Chinese strategic thinking in Tibet and the Himalayas', Strategic Analysis, July 1988, P.374.

³³ Ibid, P.376.

¹ Ibid., p.378.

borderland and close to the Sino- Indian boundary, most of the airfields in central and western Tibet are also located close to the Sino - Indian borders. Such development on such a massive scale overshadowed social reform and economic development. Two major factors are behind such moves one, strategic vulnerability of Tibet where China confronted India (with whom it also has been having an arms race) and the Soviet union, who in Maoist eyes have been allied since the 1960s, and two, the persistent Tibet resistance, which by itself could not challenge, the might of the PLA but had the potential inviting unwanted foreign intervention.

It must be noted that during the 1950s and 1960s, Chinese strategic intentions were misread. In the early 1960s China published a new version of the Chinese map which included some parts of the Himalayan states. This led to speculation that after the occupation of Tibet, & China would take over the Himalayan states as Mao had once claimed, and be a major threat to South Asia. Such speculations, undoubtedly fuelled by the cold war atmosphere, misunderstood Chinese strategic intention was to make the Himalayan kingdoms (Nepal, Bhutan, Sikkim) a new buffer zone between India and China. To venture into the Himalayan regions would be geopolitically and strategically a mistake, for then China would be face to face with India. Moreover, China did not and still does not want any conflict in or near Tibet that could internationalise the Tibet situation.

The Soviet influence in the subcontinent needs mention too. The “great game” in the region was played between Tsarist Russia and great Britain, and perceived with apprehension by the Chinese. As one of the principal countries neighbouring Sinkiang, the Soviet Union had national interests and strategic stakes in inner Asia and Indo - Soviet cooperation and friendship only added to

Chinese fears of both powers having vested interests in an independent Tibet, China saw the Soviet Union behind Indian actions in both Bangladesh and Sikkim, Russian reports on Tibet, both in broadcasts and the press, characterised Chinese rule in Tibet as “colonial” and “Han - chauvinistic” the *Literaturnaya gazeta* even characterised the Tibetan resistance movement as the Tibetan” people’s national liberation struggle³⁵, In conclusion, it might be said that one of the main reasons for the communist takeover of Tibet was strategic, apart from historical claims and ideological motives. The Chinese fears about imperialist threats were not wholly unfounded, either. The great game in central Asia and forceful entries into Chinese ports shaped Chinese perceptions, and was the basis for their strategic moves. The people’s republic of Mongolia was carved out of the Chinese Empire as a necessary buffer between the Soviet Union and China. China’s actions in Tibet has similar motives. Since 1951, Tibet has become, for all practical purposes, the inner Chinese rampart where no external intervention is tolerated.

Positions and Claims.

Hu Yaobang, the late secretary of the Chinese communist party, labelled the Chinese attitude to Tibet as “Pure Colonialism”. He made this statement on seeing the object poverty in Tibet in 1980 - thirty one years after one Chinese invasion of Tibet. The Chinese also admit to grave atrocities committed against the Tibetans during the cultural revolution, and since then have taken steps to uplift the social fabric and economic and cultural development in Tibet but the Panchen Lama, second highest incarnation after Dalai Lama, stated a few days before his death in 1989, that “The price paid by Tibet for its development over the last

³⁵ Ibid., P.387

thirty years has been higher than the gains....”³⁶

To understand the grievances of the Tibetans and their quest for self-determination, we must take a look at the social, cultural, economic and political changes in Tibet since 1950, we must see the Chinese steps to incorporate Tibet within China and how far they have been successful, vis-a-vis Chinese intentions and effect upon the Tibetan society.

The Chinese claim that the seventeen Article Agreement on the peaceful liberation of Tibet was signed in 1951 by the central government and Tibetan local government, both realizing the need to liberate Tibet from imperialists. Since then, the Tibetan people, as other nationalities in China have fully enjoyed all rights of equality and have embarked on the road of freedom and happiness. Over the past 43 years Tibet has undergone major changes, from the extremely backward serf system to modernization. Many Tibetans - workers, intellectuals, officials have taken up the task of building and managing Tibet. Tibetan culture has been carefully developed and freedom of religion allowed especially after 1976. Big strides have been made in education, science, culture, and public health. The Tibetan people's living standards have improved, and the population seen an increase. The seventeen-point Agreement was imposed on the Tibetan government and people by the threat of arms after 40,000 PLA troops had already **seized** Tibet's eastern provincial capital, Chamdo. Recalls Tibetan delegate to the meeting, Dzasa Khemey, "The Chinese threatened that if His Holiness and the Tibetan people, monk and lay, did not accept the terms of the agreement, they would be dealt with accordingly"³⁷.

³⁶ China Daily, 25 January 1989, on the front page.

³⁷ Cited in Goodman, M.H.(1986), P 169

Under such duress did the Dalai Lama's representatives affix their signatures to the official document Agreement on Measures for the peaceful Liberation of Tibet on May 23, 1951. The preamble to the seventeen point agreement, as the above is more commonly known, made clear that the PLA had been ordered to "march into Tibet" to force the Tibetan government to "conduct talks" which would lead to the "peaceful liberation" of their country, a curious, intimidating manner to begin "friendly" discussions, as claimed by the Chinese. It is instructive to remember that not until some 4000 Tibetans had died in the east fighting for their wotherland, not until the Tibetan government had made several unsuccessful appeals to the U.N. general Assembly and Security Council, did the Tibetans agree to begin "peaceful negotiations" at all. An excerpt from the Directive of the Central Committee of the central part committee on policies for our work in Tibet, issued on April 6, 1952 by Mao Zedong, further substantiates Tibetan unwillingness "Not only the two silons (ce. prime ministers) but also the Dalai Lama and most of his clique were reluctant to accept the Agreement and are unwilling to carry it out As yet we do not have a material base for fully implementing the agreement" nor do we have a base for this purpose in terms of support among the masses or in the upper stratum".³⁸

The Chinese made a good start at implementing the seventeen - point Agreement. Peking deliberately adopted a policy of restraint and tolerance, assuring Tibetans over loudspeakers that the Agreement would be honored, that the PLA had come as friends, and that the Tibetan way of life would not be interfered with in any way, There was no appeal to the workers of the world to unite. They respected monks and civilians with respect and refrained from confiscating private property. But larger measures were also being planned, measures seemingly consistent with

³⁸ Selected Works of Mao Tsetung, vol. 5, Peking, 1977, P.75

the reassuring language of the Seventeen - point Agreement. but otherwise circumventing the document by the application of casuistic Chinese interpretations or violating it altogether,³⁹

These were designed to disperse regional political power, rekindle factional dissension, weaken the Lhasa government , and above all undermine both the temporal and spiritual authority of the Dalai Lama.

On one hand, efforts were made to win over the people, interest - free loans were given to agricultural tenants, several hospitals were built in Lhasa, Shigatse and Chamdo where medical facilities were poor, elementary schools were opened in Lhasa, and the road building program across the country began. On the other hand, the Chinese did not delay public indoctrination campaigns - loudspeakers blaring Marxist propoganda could be heard everyday on the streets of Lhasa, and new social” , patriotie” and “cultural” organizations were created for further dissemination of Chinese ideology. Thet also began making inroads into the previcously reverea, and entrenched position of the monasteries, who played a major role in the social, religious, political life and history of the Tibetans. Propoganda aimed at Tibetan youth extolled the virtues of state socialism and disparaged the austere monastic life. The reaction of the Tibetan peasantry to this Chain of events was mixed Chinese innovations in the fields of medicine and health care were generally welcomed. Undoubtedly, a large section of serfs welcomed their new found freedom ensured by the Chinese when they were freed from the shackles imposed by the landlords and aristocracy. But a

³⁹ See Guisburg, George and Mathos, Michael, Communist China and Tibet: The First Dozen years, The Hague, 1964. See also, Godman, (1986).

feeling of gratitude was missing. The Tibetans continued to view the Chinese as invaders, Chinese propoganda failed to win many converts. The highways resulted in destruction of houses and fields, the troops which moved in strained the people's food reserves, and depressed wage scales, and conscription of labour all left a legacy of bitterness.

Chinese methods of integration took on brutal and inhuman dimensions, especially after 1959. The liberation" brought about the death of 1,2 million Tibetans and the distruction of over six thousand Tibetan monasteries and cultural centres. After 1960, the Tibetan people were marginalised as second class citizens, and subjected to atrocities like mass killings, rapes and indiscriminate impresionments of cirllans and monks. Tibet, with its feudal systems, conservative lifestyle, and all, was a simple and self - rehand nation. It was not a model of democracy, but the people enjoyed a degree of freedom that is not evident today under communist rule. When Chinese communist party Secretary, Hu Yaobang, visited Lhasa in 1980, he found no evidence of Tibetans having gained from China's financial assistance, and noticed that living standards had actually gone down from pre - invasion period.

An April 28, 1994 **Xinhua** News agency interview with the spokesman of the united front works department of the Chaineese communist party has has him stating , " In 1993, Tibet harvested a record 620, 000 tons of grain, its modern industry, which started from scratch, manufactured 470 m yuan - worth of goods, and its energy. transportaion and telecommunication conditions improved markedly" Any increase in food production have only gone in meeting the demands of the transfer of Chinese population in Tibet, industrial development is mainly for the exploitation of Tibet's natural resources, among them the highly valued reserves of uranium, Tibet has had to import all its needs of manufactured

goods from China, Urban areas alone have the benefits of electricity, transportation, telecommunications, etc.

Tibetan culture and religion have taken the worst beating. Monasteries were destroyed and monks were subjected to torture, that reached horrendous levels during the cultural Revolution. There is a consistent campaign to undermine the authority of the Dalai Lama, supreme spiritual and temporal leader to all Tibetans the latest being the ban of his pictures. Although after 1980, efforts were made to rebuild monasteries, any dissent or peaceful protest has been put down ruthlessly. Freedom of religion is limited and Tibetan culture has been perverted through subtle and insidious means. Tibetan refugees continue to escape to India in numbers that are not dwindling. Health services are expensive for Tibetans and education limited. Population levels have fallen, and the harsh implementation of the one-child policy have led to brutalities being forced upon men and women by way of forced abortions and sterilizations,⁴⁰

In granting autonomy to the Tibet Autonomous Region, China claims to have trained enough cadres who hold most of the posts of prefectural commissioners, county heads, bureau directors, heads of mass organizations, government leaders and people's congress standing committee. Yet, no Tibetan has manned the post of the secretary of the regional communist party either in TAR or the other Tibetan areas of Qinghai, Sichuan, Yunnan and Gansu.

⁴⁰ See Tears of Silence : A Report on Tibetan Women and Population Control, Tibetan Women's Association, Dharamsala, 1995.

reforms since 1980 included tax -exemption in agriculture and animal husbandry for three years from 1982, construction of 53 small hydroelectric power stations in 1981, bringing the total number to 808 with a total generating capacity of 76,900 kilowatts, and relaxation of restrictions on economic affairs.⁴¹ But on the other hand, in the name of development and economic reforms, an environmental disaster is unfolding in Tibet, The destruction of the natural environment has been systematic. It has been aggravated by the Chinese policy of transferring han population into Tibet. The timber industry, mining operations, hydroelectric projects have led to deforestation, soil erosion, destruction of grass lands, desertification and destruction of wildlife. This further threatens global climate, increases the danger of floods, in the rivers that flow out to all parts of south Asia, threatens the survival of the Tibetan nomads, and threatens a major, sanctuary of an otherwise complete ecosystem. Tibet has also been used as both a base for nuclear missiles and as a high - level nuclear waste dump.⁴² Massive and unchecked destruction of the environment and the disturbance of the ecological balance of Tibet not only threatens the future of Tibet but also the survival of the teeming millions in south and south - eastern Asia.

The latest official policy is less overtly violent but most alarming the ominous operation to sinocize Tibet by transferring hordes of the han population into Tibet, a move which could obliterate Tibet's ancient civilization and make Tibetans a minority in their own land. Instead of using violent tactics and repression, that not only internationalizes the issue but also strengthens dissent and solidarity among the tibetans, the Chinese have opted for demographic aggression, the outcome of which is a foregone conclusion. The very survival of

⁴¹ Beijing Review. Special Features Series Beijing, 1983, pp 41-44.

⁴² See Environmental Destruction of Tibet - its Effect on Asia, Tibetan Youth Congress, Mcleodganj, India, 1996.

Tibet - its culture, religion, identity, its land and its environment - is in doubt. It is close to genocide - a whole race stands in danger of obliteration.

Sino-Tibetan negotiations.

In the late 1990's china's basic policy remains very much the same as it was in the early

1980s. It is ready to talk to the Dally Lama, but the status of Tibet is absolutely non-negotiable. A five-point policy with respect to the Dally Lama was articulated in 1981, as preconditions for any agreement with the exiled leader of the Tibetans. they are:²

1. China has gntered a new period of political stability and economic prosperity. The Dalai Lama and his followers should believe this. Otherwise they can watch for a few more years.
2. There is no need for the Dalai Lama and his envoys to 'rehash the political issue'. The 1959 rebellion and the repression that followed should be forgotten.
3. The Chinese government 'sincerely welcomes the Dalai Lama and his followers' if they wish to return and settle in 'their motherland', China. China hopes the Dalai Lama will contribute to maintaining the unification of the country, particularly the unity between Han and Tibetan people.
4. After returning, the Dalai Lama may enjoy the same political treatment and living conditions as he had before 1959. He may be appointed Vice-Chairman of the National People's Congress. But 'it will not be necessary for him to

² Donnet, (1994), p.191.

hold any post in Tibet, because younger Tibetans have taken office and they are doing a very good job', of course, the Dalai Lama may visit Tibet often.

5. If he decides to return, the Dalai Lama may make a press statement. He will be received on arrival by a delegation of suitable ministerial rank.

If the Dalai Lama returns under the above conditions, he would likely be neutralized and kept in Peking, away from his people and his land and bereft of his religion's responsibilities. The promised political status has no decision-making power, either. And even if he were allowed to return to Tibet proper, there could be risks regarding the reaction of the Tibetan people to his return: Considering their boundless and near blind devotion for their God-king, his return could unleash tremendous emotions whereby the situation could get out of control and result in a repetition of the 1959 tragedy, when hundreds were killed when human barricades were formed to prevent their Precious Protector being taken away by the Chinese, and these very human barricades were moved down by the PLA in a bloodbath.

China believes that the Dalai Lama's 1988 Strasbourg Proposal is an attempt to distort the present status of Tibet, a "disguised" demand for independence. It, however, elicited a response from the Chinese government that it was ready to meet the Dalai Lama or his representatives "whenever and wherever he preferred". There was the usual precondition however, that everything was negotiable except Tibet's independence. Why China views the proposal as a "trap" is this: any understanding or compromise based on the proposal would place Tibet in a quasi-sovereign situation: under Chinese suzerainty but virtually independent. It would be like Bhutan, a country that enjoys independence, but whose foreign relations remain under Indian

supervision. Under international law, the relationship would be one that exists between two States when one State offers protection to the other, which accepts it. Such an association would have a hidden, added advantage for Tibet which it could exploit to recover its sovereignty, i.e., in such cases, the country that has decided to seek association with another power retains the option of terminating the relationship when it so desires. An agreement of this type would further mean that Tibet would be independent according to international law, but not in fact. When it comes to choosing between the two, for understandable reasons the Chinese government is likely to prefer de facto independence rather than de jure. Divisions in both camps.

Prior to the Tiannamen massacre of June 1989, according to well-placed sources, the Chinese authorities were deeply divided on the Tibet issue.³ Supposedly the moderates in Zhao Ziyang's camp were genuinely in favour of securing a lasting arrangement with the Dalai Lama. But it is equally likely that the orthodox hard-liners are uncompromisingly hostile to any political or other concessions regarding the status of Tibet.

The fissures on the Tibetan side are more evident. In spite of the Dalai Lama's charisma and the devotion he commands from his people because of his exalted position, his means for carrying out their struggle have not always found unanimous support. The Dalai Lama has an unshakeable belief in non-violence. He firmly believes that non-violent means alone will finally result in it must also be mentioned that the Tibetans have a source of support from the side of many Chinese dissidents, many of whom sought refuge in the West after June 1989. The Federation for Democracy in China, based in Paris, has on its priority list the task of finding a satisfactory solution for the Tibetan people in a democratic

³ Donnet (1994), p. 193.

China. They have established meaningful contact with the Dalai Lama's entourage.

Whether China will become a democratic nation is an important question. The occupation of Tibet had its ideological basis. Should China move towards a western democratic model, the cause of Tibet stands a better chance of being attended to with the purpose of coming to an acceptable solution by both sides. But realistically, it would be safer to hope that, after the death of Deng Xiaoping, the moderates within China will have a better chance to mould Chinese policy to better suit the world political atmosphere, where social and individual justice will have top priority. To expect the present Chinese leadership to discard deep-footed Marxist-Maoist ideology and embrace democracy is a pipedream. but it can be hoped that the new leadership will soften their hard-line stand, and be more agreeable to negotiations and flexibility in approaches. This new leadership is also fully aware that the Tibet issue is now an internationalised affair, and gaining ground by the number of support groups coming up in other nations, and the concern being voiced in many legislatures and parliaments. Sooner or later, it will have to attend to international criticism and change its tactics for its own national interests as a superpower, an emerging economic giant and more active participant in world affairs is at stake.

International Solidarity

The Tibetan people's right to self-determination is currently an issue of wide international interest and concern. There are some 700 Tibet support groups and information networks across countries, mainly in Europe and America. Parliaments and international organisations pass resolutions and express support and sympathy for the Tibetan cause. of late, there has been heightened interest,

mainly due to the following events:- the announcement of the Five Point Peace Plan proposed by the Dalai Lama in September 1987, demonstrations and riots in Beijing and Lhasa the same year; the Strasbourg Proposal by the Dalai Lama in June 1988, the Nobel peace Prize of 1989 awarded to the Dalai Lama. While individual events like the Dalai Lama's supposedly spiritual but provocative visit to Taiwan in 1997 creates news and brings Tibet to the headlines, long-standing issues like human rights violations, cultural genocide, population transfer and environmental degradation also give rise to international concern and awareness.

Yet, no country in the world has so far recognized the government-in-exile of the Dalai Lama. On the contrary, over 200 countries, by establishing diplomatic relations with the People's Republic of China have implied that Tibet is an integral part of China. There are even about part of China. There are even about two dozen countries that recognize 'the other China', represented by the Kuomintang in Taiwan, which incidentally also considers that Tibet is an integral part of China, although Taiwan, by and large, is against reunification with the mainland itself.

China has not been idling by. Aware of international scrutiny, it has taken steps internally, and diplomatically, to keep international criticism, and interference, at bay. Since the visit of deposed Premier Hu Yaobang to Tibet in 1980, China has made attempts to correct the mistakes of the cultural Revolution years. It has taken up the restoration of monasteries, scaled down its military presence, and invited the Dalai Lama to return. Tibet has been opened up to tourists, as well as trade and commerce with the outside world. In 1994, the Third Work Conference on Tibet launched an ambitious development plan for Tibet. But all of these steps have come with some counter measures. Freedom of religion is severely restricted, and Beijing has tightened control over the

monasteries and social institutions. A determined campaign to undermine the Dalai Lama among his people is underway: he is described as a “splittist”, force is used to disperse peaceful demonstrations by monks, vocal supporters are harshly dealt with, and even his photographs are banned from public display.

Externally, China’s embassies have brought diplomatic pressure to bear on the government of any country visited by the Dalai Lama. Considerable pressure is exerted upon journalists who visit China, and editors and publishers. The ace up China’s sleeve is the threat of immediate reprisals in the twin areas of diplomacy and trade. With international reserves in excess of 40 billion dollars, a huge market still in the teething stage but ready to mature in leaps and bounds, the Chinese are aware that China is the most attractive market for Western companies in the years to come. And therefore the China card is conveniently used to discourage any international interference or criticism on Tibet.

Though China has managed to systematically obstruct any official meeting between the Dalai Lama and government officials (except those of India), unofficially and privately, he has visited and met officials from nearly fifty countries since he fled into exile in 1959. All of these encounters, that have been multiplying exponentially, are well-publicised by the media.

Although some of China’s neighbours do not openly dare to defy Chinese positions, the Dalai Lama seems to be gaining ground in Asia. In course of time, he has met the heads of state and government of Thailand, Sri Lanka, Japan, Malaysia and Indonesia. In Europe the list is long, and there were two meetings with President Clinton of the U.S.A. A growing number of public figures, non-governmental organisations, and celebrities in the realms of politics, literature, arts, sciences and other fields have joined in support of Tibet. Several Western

parliaments have extended very explicit support and recognition. Quite a number have set up committees or study groups on Tibet the U.S. Congress adopted a bold text on 23 May 1991 that declares Tibet (including the areas inhabit by ethnic Tibetans in the provinces of Sichuan, Yunnan, Gansu and Qinghai) an occupied country under the established principles of international law, and that “Tibet’s true representatives are the Dalai Lama and the Tibetan government-in-exile. Tibet has maintained throughout its history a distinctive and sovereign national, cultural and religious identity separate from that of China and, except during periods of illegal Chinese occupation, has maintained a separate and sovereign political and territorial identity”.⁴ In Europe in November 1992, a special session of the permanent peoples Tribunal was held in Strasbourg, which declare that in 1950, the Chinese armed forces “acted in breach of international law and continues to act in breach of the law by remaining in Tibet to this day, effectively as an occupying army”⁵ The lengthy resolution adopted by the European parliament in December 1992 calls for the ‘immediate reversal of policies that encourage the mass transfer of Chinese to Tibet’.⁶ In January 1993, forty international lawyers and jurists met in London, at the request of UK All-Party Parliamentary group for Tibet and the *International Commission of Jurists*. They took notice of the serious threat posed by the settlement of non-Tibetans from China in traditional Tibetan areas.

The support from the UN has, however, not been very encouraging, especially since China’s entry into the world body in 1971. The award of the 1989 Nobel Peace Prize to the Dalai Lama not only enhanced his reputation, but

⁴ M.S. Congress Foreign Relations Authorization act, Fiscal Years 1992 and 1993. 3 October 1991.

⁵ Cited in Donnet (1994), p. 204.

⁶ *ibid*

opened many doors and elicited strong support from many quarters, all at the expense of China's prestige which had already taken a blow the same year for the Tiannamen Massacre. But there are major areas from where support, much wanted, is not forthcoming. India seems less willing than ever to support the Tibetan resistance. And as stated before, no country has risked trade and diplomatic ties with China to openly recognise the Tibetan government-in-exile.

Positions and Perceptions.

The Chinese position has been a consistent one, that Tibet was and is an integral part of China. Even in any future negotiations with the Dalai lama, everything except the independence and status of Tibet is negotiable. China denies that Tibet was independent between 1913-1951, arguing that it was not so recognised by any state. In 1950, China did not "invade" but peacefully "liberated" Tibet from external manipulation as well as from its domestic feudal forces. a major precondition to any talks with the Tibetans is that the Dalai Lama officially and publicly recognize and declare Tibet as an inseparable part of China, and abandon the idea of Tibetan independence. On the status of Tibet, there is no room at all for bargaining. these principles, it further believes, are the basis and guarantee for successful negotiations.

The Tibetan position is that, racially, culturally, and historically, Tibet is distinct from the Chinese mainland. Prior to the Chinese invasion" in 1950, Tibet was an independent nation, and history and international law have been summoned to argue have been summoned to argue that it was state separate from china with a distinct personality of its own. Ever since the Chinese invasion, Tibet has been and is still a colony of China. They believe they have a right to self-determination.

Tibetans refute Chinese interpretation of history claiming Tibet on the basis of Mongol and Manchu influence by the claim that both the Mongols and Manchus were foreign powers, foreign both to the Chinese considered both to be alien subjugating powers. To recognize Tibet as part of China would be, in the Tibetans' view, to distort history. They view the Chinese position and preconditions as obstacles to negotiations their stand being "hardline" and not positive. In a significant shifting of position, the Dalai Lama's Strasbourg proposal of June 15, 1988 moved away from total independence to an association with China.

The Chinese perceive "the demand for self-determination at two levels. Firstly, it is aware that the Tibetans are deeply discontented, by Chinese policies before and during the Cultural Revolution. China also realises that consequently, the Dalai Lama's influence among Tibetans in Tibet, including Tibetan cadres of the communist party, is increasing. It has since, especially after the 1980 visit of Premier Hu Yaobang, re-examined its nationalities policies and expedited the economic development of the area, and opened up a channel of communication with the Dalai Lama. Secondly, China perceives with deep suspicion the foreign interest and international sympathy that Tibet receives. It believes its is part of a larger political game to weaken and break up China, a threat to its deep-footed ideologies, its territorial integrity, domestic social and political unity and organisation, a threat from the force of "democracy".

Tibet perceives that its current status as a colony has to be ended by smoking the right of self-determination.

The positions are symmetrically opposite to each other, and could result in a zero sum game. Third alternatives are there: autonomy, "association" with

China, "one country two systems," or even a federation. But these go essentially against the interests of both sides. Anything short of complete autonomy and wide powers of self-governance would be against the interests of the Tibetans. Meanwhile, China concerned about its territorial integrity and the return of Hong Kong, Macao and Taiwan to the mainland, cannot give high priority to adoption of softer, flexible measures in handling the Tibetan demands. The situation, therefore is that Tibet is either independent or is an integral part of China. As long as power relations between China and Tibet, and China and the developed nations (who would be in a position to apply international pressure) remain unchanged, historical and legal arguments and moral and other support will all fail to advance the Tibetan cause. State power lies with Beijing, and it can be made accommodating and flexible only if foreign governments intervene directly or indirectly. Self-determination put forwards further questions: what degree of self-determination are the Tibetans seeking? Is it a right to sovereignty and nationhood, a high measure of self-governance sans essential functions like defence and foreign affairs, or mere preservation of the Tibetan spiritual, religious and cultural identity? the answers could turn out to be Tibet-specific, and they need not add up to perspective, method and precedent that has universal relevance, nor even a precedent that could be replicated elsewhere by groups and peoples.

The Tibet case has its unique features that need mention to understand the problem. Firstly, it is unique because of the religion of the people, Buddhism. It had a long tradition of non-secular organisation of its society and government. Secondly, it is led by the Dalai lama, a man who not only commands near complete devotion among all Tibetans, but is revered by them as a God-king. His word is law, so much so that just about all decisions are entrusted to him inspire of his deliberate attempts in exile to democratise and secularise his community

and government consequently, the Chinese quite understandably perceive, the Tibetan cause and struggles personified by the Dalai Lama. Undermining his status is an effective victory for the Chinese in their concerted effort to integrate Tibet and Tibetans within the Chinese fold.

Thirdly, the religion and the man, both advocates of non-violence, have had a major impact on the means and methods the Tibetans have chosen, by and large, to achieve their ends. Non-violent struggle, rare in such struggles today, not only gives credence to their cause and attracts attention from governments and support groups alike, it also leaves a wide variety of options open in any conflict resolution processes.

In the next chapter, the need to change current positions and re-evaluate perceptions will be discussed, for any constructive progress in the Sino-Tibetan negotiations and any steps to resolve the conflict.

CHAPTER IV

CONFLICT RESOLUTION PROCESSES

On Jan. 20, 1997, over 250 representatives of Tibetans in exile met for three days in Dharamsala, India, the seat of the Tibetan government-in-exile and the Dalai Lama's headquarters, to discuss options for the future direction of the Tibetan struggle. This was pursuant to the Dalai Lama's announcement in 1994 that his efforts at getting China to the negotiating table through his Middle Way approach had failed, and that he would consult the Tibetan people on an alternative course of action. In 1995, the Tibetan government in exile scheduled a four point referendum whereby the Tibetans would choose their future course of action. The four choices were:

1. Complete Independence;
2. Self-determination;
3. Continuation of the present Middle Way approach; and
4. Satyagraha (Insistence on Truth).(1 Cite document + Source)

A closer look at the above will show that the first two could be categorised as ends rather than means of the Tibetan struggle ie., they are the objectives that need to be attained: the Middle Way. Approach is a suggestion, a Tibetan suggestion for beginning a process of dialogue towards certain objectives. The last, alone, could be said to have all the characteristics of a conflict resolution process: a means towards certain objectives and ends. It will be discussed in further detail later.

Human beings draw close to one another by their common nature, but habits and customs keep them apart.

Confucian saying.

Before any process of conflict resolution begins, there is a need to map a conflict so as to be able to analyse the issues and stakes involved. This framework for analysis can be, however, quite different from the face-to-face analysis that opposite parties will conduct across a negotiating table. The following guide may be used to 'map' the conflict, a first step towards regulating and managing a conflict. (1 Wehr, Paul, Conflict Regulation, Colorado: Westview Press, 1979).

1. A brief description, like an introduction, summarising the conflict.
2. Conflict History.

This will include the origins and sources of conflict, context of the conflict, and major events in the evolution of the conflict.

3. Conflicting Parties.

Decision making units directly or indirectly involved in the conflict, and who have a stake in the outcome. The primary units would be the opposing disputants whose goals and interests are apparently incompatible, and need to be reconciled. Secondary parties will have an indirect stake in the outcome of the dispute. There might be interested third parties who would simply have an interest in the successful resolution of the conflict.

4. Issues.

A conflict will normally develop around one or more issues, each of which could be a point of disagreement that must be resolved. The issues could be based on

1. facts; the legal and historical evidences of the dispute
2. values; beliefs that determine a party's position on any issue
3. interests; the desired or expected share of scarce resources
4. needs; ontological by nature, and usually non-negotiable.

Along with the identification of issues, it would be useful to further identify the significant disparities in perception, values, and interests that motivate each party.

5. Dynamics.

The dynamics of a conflict, if recognized, can help to find a way around the conflict. Some processes will need to be monitored and others such as escalations will need to be reversed during the conflict resolution process. These could include the following: precipitating events, new issues which emerge and then change and proliferate as a conflict deepens, the polarization of positions, the spiraling of hostilities, and a stereo-typing and mirror-imaging of each other by the disputants.

6. Alternative Routes towards Solutions.

Apart from the suggestions of the disputants, and sometimes even those of the uninvolved but participating observers, there must be stand-by options and

alternative routes available. These may be combinations of previous ones or completely new ones.

7. Conflict limiting resources.

These do not just help in limiting the conflict and avoiding a fall-out, but may even help to resolve the conflict itself. Internal factors would include common values and interests. External factors would include a higher authority who could intervene and impose a settlement in a given situation; interested or neutral third parties who could facilitate good offices, communication, mediation, and financial resources; techniques of management that include mediation, conciliation, facilitation, control of rumors, extending the time range to enable a settlement, and modifying the environment continually during the resolution process.

Mapping the conflict gives the conflicting parties as well as third-party mediators (whose role will be discussed later, and who in fact may also frame and map the conflict) a clearer understanding of the origins, nature, dynamics, and possibilities for resolution of the conflict. It also helps to demystify the dynamics of the conflict that might otherwise seem to be confusing, inexplicable and frustrating. The map must be periodically updated because, conflict, a social process tends to continually change, and secondly, the process of conflict resolution can extend to months and years.

Third-party Mediation

Before going on to the next steps of conflict resolution, the role of third-party mediators and mediation needs to be examined, especially so because it will play a major, useful role in the processes recommended for solving the Tibetan dispute.

As long as people have had disputes with each other, mediators have emerged to counsel the use of reason over arms. Conflict analysis and the problem-solving processes can be facilitated by a skilled and impartial third-party, be it a lone mediator, or a group of professionals or experts. The third-party can play a wide range of constructive roles: enhancing motivation, improving communication, regulating the interaction and negotiations, and aiding diagnosis. Above all, third-party mediators can contribute to problem-solving by making sure that disputants attack the problem rather than one another, and keeping the focus on interests rather than on positions.

Practitioners claim that mediation is an art. Foremost among the bases for such a claim is the ever changing circumstances of the disputes. Each dispute has its own unique character, stemming from such factors as the personalities and backgrounds of the disputants and also of the mediators, and the nature of the issues over which the parties disagree. The artistry stems from the mediator's ability to analyse and smoothly handle unique circumstances. Beyond the most rudimentary procedural principles, there is no book of rules to prepare the mediator. No single mediator will be effective in every type of conflict management, nor will he have all the diverse skills for all types of negotiations. But certain basic skills usually held in common are:

1. The ability to analyse and investigate facts.
2. The demonstration of empathy and patience.
3. A sense of timing: when to bring negotiators together, when to introduce an alternative suggestion, when to suspend talks, for example.
4. An ability to evoke trust and credibility:

5. The techniques of Mediation and Communication: scheduling negotiations, helping formulate agreeable propositions, insuring full implementation of agreements; facilitating and validating communication between parties, and keeping communication channels open always.
6. The quality of Imagination: the capacity to eliminate impasses, create alternatives, realign and recombine solutions, goals, priorities and positions.
7. Knowledge of Crisis management: How to minimize hostility and violence, and control of rumors.

The most essential qualifications for any mediator are:

1. Credibility

They must already have or be able to establish the credentials as someone with past success in settling disputes; they must also win the trust and faith of all disputing parties.

2. Neutrality

They must have no commitment towards any party except to a mutually satisfactory resolution of the conflict. At all times, objectivity must be maintained lest credibility itself is lost.

Third party roles could be process-oriented ones like hosting a conference, offering good offices, developing tools for parties to use to diagnose their conflict, facilitating analysis and face-to-face talks. It could be substance-oriented ones like providing peacekeeping forces to maintain a ceasefire, providing neutral evaluation of legal and other claims, and providing binding decisions for outstanding issues in a dispute. The mediator(s) could be an individual-trained,

skilled and experienced in mediation and facilitation; it could be a group of people from a professional consultancy or a non-profit foundation; it could be academic institutions or another government providing the personnel; any prominent international figure; a world body like the United Nations or regional ones like the Association of South East Asian Nations or Organisation of African States; tribunals, arbitration organizations, and even the World Court.

Third party mediation should help in resolving a conflict or at least in setting the process going towards problem-solving. The idea is not to bargain or go for give-and-take tactics, but to facilitate processes that could lead to mutually agreeable solutions. Finally, the mediator(s) should never prejudice his position by suggesting solutions: it is only the parties themselves that can arrive at solutions. The mediation-exercise is to arrive at alternative goals or means that do not require imposition of unacceptable compromises.

Negotiations and Procedures

Negotiation here is used to mean the process of communicating back and forth for the purpose of reaching a stage wherein the options for a future agreement or resolution are available. It has more to do with persuasion than crude power. Moreover, the exercise has to do with the other side (TOS) feeling good about the outcome of the negotiation. Negotiation involves communications, psychology, sociology and individual assertiveness. Lastly, it is facilitated by clear understanding of the motivations of all the involved parties.

All the while, focus must be kept on a win-win outcome. This means that both sides win in the end. The negotiating parties may not bother about a win-lose situation as long as they are the winners : 'the other person bleeding is not my problem'. But the problem with win-lose situations is this: the loser will try to get

even, now or later. Much of the loser's energy will be powered into all kinds of dysfunctional behaviour, aimed at getting out of the losing position. It might ultimately result even in a lose-lose situation. The conflicts that have been sustained for decades are really unresolved conflicts from previous win-lose situations. The Middle East antagonisms, the Yugoslav crisis are good examples of conflicts where various parties sought to "win" only at the expense of TOS. Win-win negotiation as well as win-win outcomes are critical, not to portray each party as elevated, wonderful units, but simply because it is the most practical thing to do. The least it will ensure is the credibility of the parties at home, the most it will do is to finally resolve a conflict.

Win-win negotiation can be achieved by:

1. Meeting the needs of TOS.

The idea is that we get much of what we want if we help others get what they want. Interests are negotiable, positions are changeable, but it is needs that need to be fulfilled for any progress in conflict resolution.

2. Focus on interests and not positions.

Positions may be hardline, but finding out interests helps to assess the real needs of TOS.

Before actual face-to-face talks begin, a mediator will find it useful to have a diagnostic checklist. It works as a framework which not only helps to get around a problem, but also highlights any gaps in analysis. Other diagnostic tools can be added on when and where necessary. A mediator will attempt to answer each question, listed below in an effort to figure out more precisely what is wrong, and then develop plans to rectify it.

1. Interests

Questions: have the parties understood their own interests, as well as understood the others' priorities and constraints ?

Parties usually are stuck to extreme positions, from which they find it difficult to make concessions. But positions have been constructed to meet some underlying needs, interests, values. Making unstated interests explicit opens up ways to accommodate them.

2. Options.

Questions: Are enough options being generated; can more variables be taken into consideration; can other possible options be explored ?

The goal being to find an option that meets the interests of both sides, there should be enough possibilities, and ways to generate new ones.

3. Legitimacy.

Questions: Have relevant precedents and external standards of fairness been considered?

In coping with an international conflict, a potentially powerful element is an external standard of legitimacy. It is a good idea to look for such - pre-existing treaties, customary international law, equality, etc. -- that can be used to convince one or more parties that an outcome is fair.

4. Communication.

Questions: Are parties explicitly articulating their perceptions and interests; do they depend on the other side to guess or already know; are they

communicating directly, or is some data filtering through the media; are the ways of communication helping or hindering their ability to deal constructively with the conflict ?

Incomplete or ambiguous messages communicated from one party to another can create problems between parties, in analysis, in comprehending issues, and in understanding each other. There must be mechanisms to check whether what was understood is in fact what was intended.

5. Relationships

Questions: Prior to the conflict, what relationship did the parties have; what is their ability to work together now and are they likely to have future dealings; what level of confidence does each party have in the reliability of each other and in those of the mediators ?

Maintaining a good working relationship with those with whom we have serious differences is difficult. It is crucial to be able to deal well with both the differences and the parties. There must be a working relationship and coordination between the mediators. The parties must pay attention to the kind of future relationship they want.

Once the conflict is mapped, the diagnostic checklist is ready, and the parties have been assembled, the facilitator sets the stage for talks to begin. One effective means to start the procedure would be to explain, in simple and understandable terms, the resolution process, the advantages of a win-win approach, and the supportive role of the third party.

The initial agenda is to invite each party to state its position. The parties at this stage may address only the mediators and not their opponents, as they bring in law, history, morality and pre-started positions to explain and validate their stand.

A question-session should follow, not to engage in a debate but strictly for purposes of information. Here the third party mediator can also direct questions, in an effort to uncover previously untouched aspects of the conflict. The analytical process continues, as attempts are made to identify, distinguish and understand positions, interests and needs. Common motives and interests come to the fore, and as understanding and communication become easier, the parties begin to address each other. Perceptions are made clear, situations realigned, and a shift made from hardline positions to relatively flexible ones. Points of synthesis are sought out. This is not to say that the whole procedure will take place smoothly, step by step. At each obstacle, alternative options have to be tried out; it might be necessary to revert back a step or more and approach the hindrance with new procedures, ideas and tactics. Mediators have to be continuously active and have frequent discussions among themselves. Each mediator will pick up a different point, and all of them need to coordinate to be able to sort out the input from the parties, to synthesize it and to present it back to them. A back-up staff, skilled and professional, must be there to update the mediators on data and information, to double-check claims and facts, to look to the demands of the venue and of the participants' requirements.

This process could take time, and not necessarily produce ideal solutions. While a solution would be welcome, the focus of such procedures would be provide an environment whereby the parties can move forward from the existing position to where they would like to be.

The following stumbling blocks need to be avoided:

1. Falling, or straying, into a win-lose trap
2. Ignoring cultural gaps, if any
3. Not listening for communication barriers
4. Being in too much of a hurry
5. Using language that is insulting, complicated or abusive.
6. Body language and gestures showing disrespect for the others.

Some common strategies help in effective mediation across cultural barriers.

The third-party must:

1. Plan the negotiation
2. Adopt a win-win approach
3. Build solid relationships
4. Be patient
5. Be culturally literate
6. Use language that is simple and accessible
7. Ask questions, listen more and observe much
8. Maintain neutrality while being equipped with fresh ideas, and alternative approaches and options.

Finally, once agreement of any sort is reached, either in the understanding of issues, synthesizing of interests, or finding some viable and workable solution, there must be a mechanism for follow-up. By an effective follow-up, the stage is set for either the next round of negotiation, or implementation of some mutual agreement. Follow-up is also a good opportunity for building good relationships, that will help future contacts and meetings.

SOME PROPOSALS FOR RESOLVING THE TIBETAN DISPUTE

Apart from the fact that it has been a protracted conflict spread over nearly four decades, we must keep in mind the peculiarities of the Tibetan dispute before any suggestions are made to resolve the conflict. One, the dispute is between two parties whose positions are poles apart. The Tibetans want independence, at least as a long-term, ultimate goal, and the Chinese will not grant it under any circumstances. Two, the government policies and ideologies are again diametrically opposite. Communist China has an authoritarian regime, while the Tibetan government-in-exile has been steadily democratising and secularising itself. Three, there is a wide disparity in areas of power -- China is a military and nuclear power, Tibetans are hardly armed within or without Tibet; size and population -- China is one of the largest countries by way of area and has the largest populations in the world, Tibet has an area of 2.5 million square kilometres with a population of six million, of which only about two million are in the Tibet Autonomous Region; development -- China has a moderate and well-spread infrastructure, a potential market worth billions, and though the standards of living may not compare highly to developed nations, it has a low unemployment level and high levels of literacy and education, Tibet is badly underdeveloped, literacy and education levels are low; and

culture and religion -- the Chinese are racially of the Han stock, speaking Mandarin, and officially an atheist state. Tibetans are classified as Mongoloids, with a distinct Tibetan language and script, and they are a deeply religious people steeped in Vajreeyane Buddhism. Four, so far, more or less, the Chinese have followed a path of force, coercion and repression in following their goal of integrating Tibet into China, on the other hand the Tibetans, by and large, have adopted non-violent means to achieve their goals of self-determination and independence. Lastly, mention must be made of the representatives of the two peoples. China is represented by a selected, authoritarian regime in Beijing, and they do not necessarily reflect the Chinese peoples wishes, opinions, views and positions. (Though, coincidentally, it is not so in this particular case). Tibet and its cause is represented by a government-in-exile, that has been democratically elected. But so far, even though there have been dissent about policies and positions, ultimate decision making lies, or rather has been left in the person of the Dalai Lama.

I shall break the whole process of resolution of the Sino-Tibetan dispute into three stages:

- I Pre-negotiation stage
- II Getting to Talk
- III Post-negotiation stage.

I Pre-negotiation Stage

Every protracted social conflict reaches a stage where the timing and opportunity seems to be just right and "ripe" for resolution. Now is the time for both the Chinese and Tibetans to make good use of internal and external

circumstances and enter into a fruitful dialogue. The following points point towards the opportune moment:

1. Hongkong has, rightfully, returned to China. This has its implications regarding Taiwan, Macau, Tibet and Xinkiang.
2. Deng Xiaoping's passing away means the major bulwark of the hardline position of China is not there. There is a chance that the views of moderate Chinese voice may now make a larger impression in Chinese policies.
3. The Tibetan position has already made a major shift - from complete independence, they are now ready for an association with China.
4. As the Chinese market grows, and as world events unravel in the post-cold war era, neither side can deny or ignore their growing interdependence, by way of economy, security, and general well-being.

Satyagraha has been suggested as an approach by the Tibetan government to continue their struggle against the Chinese. It would probably have an impact on the Chinese and get them to the negotiating table.

Satyagraha operates as a force to effect change. The word "satyagraha" was coined by M.K. Gandhi as he led the movement of Indian resistance to the Asiatic Law Amendment Ordinance introduced into the Transvaal Legislative Council in 1906. (Bondurant, J. p.8) It literally translates into "insistence on truth", which is the meaning meant by the official Tibetan expression. This Gandhian model for limiting, and resolving conflict allows for several stages of winning over the conscience of an opponent. The first stage is characterized by persuasion through reason. The subsequent stages enter the realm of persuasion through self-suffering where the satyagrahi will attempt to dramatise the issues so as to get through to

the opponent's stand so that he may willingly come again to a level where he may be persuaded through rational arguments. Finally, if persuasion by reason or self-suffering fails, the satyagrahi may resort to non-violent force characterized by such tools as mass civil disobedience and non-cooperation.

There are a few precepts essential to satyagraha. These are truth, non-violence and self-suffering. The degree to which the action technique functions effectively may well be determined by the extent of understanding which the satyagrahi has of these basic elements and the skill and discipline with which he applies them. The action taken varies from one circumstance to another, so tactics have to be evolved to meet specific situations. As do all techniques of action for effecting change, it employs force, but the character and result of the force of satyagraha are essentially different from those of conventional-violent-techniques of action during conflict. Force is by way of non-violent actions, like non-cooperation including strikes, walk-out, closing of shops and businesses; civil disobedience including contravention of existing laws, and non-payment of taxes. It requires a comprehensive programme of planning, preparation, education and execution. Attention must be paid to the choice of objectives, selection of participants and the terms of final settlement. The effectiveness of its action is governed by criteria centering upon the degree of persuasion effected, the extensiveness of the programmes planned, and above all the degree to which the non-violent character of the action has been persevered.

The usual limitation of satyagraha as a model for action and as a means during conflict to bring about change lies in its precepts which are culturally rooted. This however, will not be the case among Tibetans: non-violence and self-suffering are not alien to the Buddhist way to life. The obstacles however, are there. It is near impossible for preparation and education and planning to be carried out within

Tibet itself. Any such activities could be dealt with harsh repression when detected by the infamous surveillance measures existent within China. Even if some specific satyagraha were taken up, it would be difficult to sustain it over a prolonged period of time. Operations that can be taken up by the exiled community will also be limited. Host nations like India and Nepal who have delicate relationships with China, may not allow any such activity to take off, let alone be carried out to the end. To have any impact on the Chinese, the Tibetans within Tibet will have to initiate a satyagrah movement. Doubtless it will have an impact, but it may not necessarily succeed.

To complement this effort, I suggest some international action. Firstly, western nations where the Tibetan cause is sympathised with, at legislative and lay levels, could bear upon China to concede to negotiations without hardline preconditions. The economic card that China wields could be used both against and for China, if developed nations take a collective stand. Simultaneously, Track II diplomacy could be applied to ease the relationships between the Chinese and Tibetans. The author of that phrase, Joe Monteville's definition is:

"Track Two Diplomacy is unofficial non-structured interaction. It is always open-minded, often altruistic and strategically optimistic, based on best case analysis"²(Foreign Policy, no.45, Winter 1981-82.) Track II representatives are private citizens. They do not represent their governments and because they are not instructed delegates, are on their own, working with other private citizens from other countries, and have enormous flexibility. Conducted at a neutral venue, where a non-official, relaxed ambience is ensured, Track II diplomacy could bring Chinese and Tibetan representatives together. The Track II diplomats must not insist on any deadline, any commitment or even an objective that has to be achieved. Their's is an exercise just to get the disputing parties to know each other,

to understand each others interests without the pressure of domestic and leadership scrutiny and to examine the possibility of a win-win approach. Without applying pressure, without exacting concessious or guarantees, and without subjecting the delegates to any commitment or promise for the future, Track II diplomacy can get the parties to think about getting together again, at an official or unofficial level.

II Getting to Talk.

What steps are to be taken once the disputing parties agree to talk to each other, with the purpose to move forwards and the aim to reach a mutually agreeable solution? Some preliminary steps would be:

1. Choosing the venue.

A place acceptable to both parties and conducive for conducting free and frank talks. It should be equipped with all the infrastructive required by the parties for transport, communication, stay and work. A neutral country, with no real stake in the outcome of the meeting but having an interest to see the conflict resolved could offer good offices. India would be a good choice for a number of reasons. Its proximity to the area under conflict and its cultural links to both the peoples might make it an acceptable venue. Any European nation or even Canada or Australia could also be considered.

2. Putting together a mediating team.

Even if the parties would wish for Track II diplomacy to continue as the third-party's means, the team members would need to be chosen a new. A panel of experts in different fields would be the ideal choice. It could or may not be led by a prominent international figure. The members of the team must be able to coordinate with each other, must build relationships with both parties, must

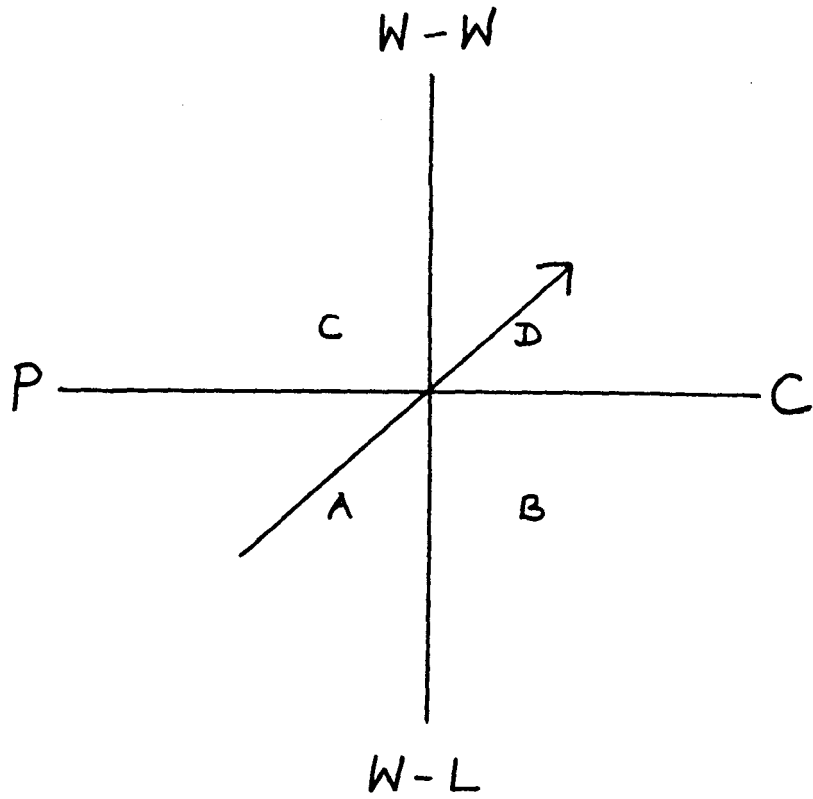
maintain their neutrality while helping the disputants all along the way of resolving the conflict, must be persons of credibility whom both sides trust and are comfortable with, and must have the elementary skills of mediation and facilitation apart from their expertise in their respective fields. Above all, they must be culture literate regarding the Chinese and Tibetans. That is, they must be aware of the different habits and mannerisms, customs and tradition of both the Chinese and the Tibetans and respect the same. It would add to the respect and regard the conflicting parties have for the mediators and improve relationships between the conflicting parties and the mediators. The team members' nationality, background, ideological and political leanings, will count in this case. The Chinese would not want an all American or Indian team, nor would the Tibetans like a North Korean group. A UN team, made up of members chosen for merit and credibility would be a good option. They must, however, resist from imposing or otherwise reflecting UN position on the dispute. The reason for choosing from the UN is because UN representatives handle varying types of conflicts across the world, and they are not necessarily UN career diplomats but experts invited by the world body to head UN missions. The ideal number would be 5 to 7.

Right from the start, all three teams -- the two disputant parties and the third-party -- must work together. Initial dialogue must focus on mapping the problem and preparing a common checklist of items that need to be discussed. Both disputives should have scope for flexibility, new points, upgrading or downsizing the number of items, and open to changes anytime. At the very outset, they should shift the focus from a win - lose to a win-win approach. A simple quardrant diagram would help clear doubts and explain the win - win approach. *See*

CHART 1.0

e continua are: from power (P) to cooperation (C), and from win-lose (W-L) or Negative or Zero-sum outcomes to win-win (W-W) or Positive-sum out comes.

CHART 1.0



Quadrant A denotes conflicts resolved through power bargaining, even war, with winners and losers or losers all. Quadrant B shows conflicts in which the relationship of dominance/dependence is maintained; it has a built-in negative-sum outcome. Quadrant C has those conflicts where the antagonists are forced into a settlement imposed by a third party, usually exercising power. Quadrant D would have conflicts with outcomes in which all parties are winners; a third party intervenes and helps the parties to a settlement that advances the interests of both, i.e. a positive-sum outcome results.

The next stage would be conflict analysis. It would involve presenting positions and staking claims based on legal and historical bases, identifying underlying interests, needs and values, unravelling concerns, fears and goals behind stated issues, identifying interests that are negotiable and those that are ontological and cannot be shared, stating perceptions imagined and real, clarifications and corrections accompanied by suggestions, and options and alternatives. While this somewhat tedious process continues, the third party must ensure that the approach does not stray from the win-win solution, that the communication channels are kept open even after a bad day, that the focus remains more on interests rather than positions. Minute but important details must not be ignored: the right gestures and culturally correct moves and signals, keeping the mood relaxed by maybe even cracking a joke to ease a particularly tense moment, and catering to such needs as writing material to refreshment breaks, all add to make the process smooth, efficient and progressive.

Exploring perceptions is an important step. There is a Russian saying that everyone looks at the world from the belltower of his own village. Perceptions differ because experiences differ. Understanding how others view a conflict, and the motivations that lead up to a conflict, can make us appreciate the basis for their

positions and judgements. Becoming aware of the interests that lie behind the positions will focus our attention on the possibility of meeting some of those interests, and give an insight into room for accord. The following table summarises some of the positions, interests and perceptions of either side, that can broaden further options for an agreement and help in synthesis of ideas that could lead to a win-win outcome to the conflict.

PERCEPTIONS

Chinese	Tibetan
1. Tibet was 'liberated' from impending imperialism and serfdom	• Tibet was 'occupied' and the communist system imposed upon the people
2. Tibet has always been an integral part of China	• Tibet was an independent nation before the Chinese invasion of 1950, it is now a colony
3. Our integration policies demonstrate our willingness to accept Tibetans as one of us	• Chinese integration policies demonstrate their real goal: to make Tibetans a minority in their own land
4. Tibetans have no real interest in peace, as they continue with splittist and subversive activities	• Chinese have no real interest in peace as demonstrated by its military presence in Tibet.
5. It would be out of the question to grant independence to Tibet as it would dismember our territorial integrity	• It would be absurd to give up the right to self-determination and demand for independence, as it would be distorting history.
6. Tibetans are preparing to split the motherland, therefore we must have a military presence in Tibet	• Chinese continue to have a military presence, against which we shall continue to fight
7. We have corrected our previous policies in Tibet, and made the move to agree to negotiations. The next move is upto the Tibetans	• We have made the concession of demanding for autonomy instead of complete independence; the next move is upto the Chinese
8. Association is just another way of asking for independence	• We mean genuinely an association with China
9. Our positions can be the basis for	• Chinese positions are obstacles to resolving

resolving the conflict and fruitful negotiations

the conflict and fruitful negotiations

10. The Dalai Lama is the main cause of the conflict. He is a major obstacle to any negotiations or agreements
- The Dalai Lama is not Tibet - he is the leader of the Tibetans. He is not the obstacle but represents the Tibetans and their cause.

POSITIONS AND INTERESTS

Chinese

Tibetan

POSITIONS

1. China must remain united, and Tibet, an integral part of China, cannot be allowed to secede. The status of Tibet is non-negotiable
- Tibetans requires an independent nation; it was one before the Chinese invasion. Presently we want autonomy to conduct our own affairs.

SUBSTANTIVE INTERESTS

1. Territorial integrity of China must not be threatened
 2. Our ideology and social system are sound, and no one must try to undermine them.
 3. Our strategic interests in Tibet must be respected and maintained for national security
 4. For the above reasons, we need a strong military presence in Tibet
- Tibet as a separate nation must not be wiped out from the earth and from the maps
 - We must have our own systems - political, social and ideological, which is far removed from the Chinese model
 - Tibet must be a zone of peace, a neutral buffer area in Central Asia
 - Tibet must be demilitarized and denuclearized

SYMBOLIC INTERESTS OR NEEDS

Maintaining Chinese superiority in the region, and avoiding repetition of the humiliation of "cutting the Chinese melon"

- Protection of Tibetan rights, culture, religion and civilization.

Both parties in the course of their interaction will realize that the conflict is not over material goods or scarce resources, but over universal goals such as identity, recognition, a sense of control through effective participation, security and other such need - based goals. These, however, are not in short supply as material resources. The more security one party experiences, the more the others

experience. The more identity a minority ethnic group experiences, the more likely it is to accord recognition to others and to cooperate within an agreed and political system.

Granting internal autonomy will not undermine China's clout among nations, nor prove a threat to its security. On the other hand, complete independence would not be beneficial to Tibet, which would benefit economically by being associated with China.

From such a stage, the process must move forward to examining options for final agreement, for acceptable coexistence of the two people.

III Post-Negotiation Stage

Once the parties have reached an agreement for further talks, action, or solution, follow-up mechanisms must ensure that the decisions of the negotiation stage are carried out and implemented. Contact between the two parties must still be maintained, but negative propaganda, provocative policies must be avoided, as the conflict resolution process is still on. Parties must now consult domestic opinion think up ways to build upon the new relationship that was established at the talks. If any final substantial agreement was reached, it must be implemented, subject to the conditions and clauses under which the agreement came into being legally and officially.

I hope that such an agreement can in fact be reached. The above proposals for the resolution processes did not aim primarily at solutions but aimed at bringing about an environment where the conflict could be discussed and understood, which would open up avenues towards possible solutions. The idea is, knowing all constraints and positions, interests and values, that have historical, legal,

cultural, ontological, psychological and social bases, to move forward from position A to position B, whereby without sacrificing the essentials we move to a position where both the parties benefit. From a previous position wherein the conflict was a zero-sum game, with negative outcomes for both sides, the purpose is to move forward whereby we reduce the negative aspects, and go towards a position where both sides achieve positive outcomes. It is possible. Because a win-win approach is practical, and its results are welcome to both parties.

CONCLUSION

Conflict Resolution is a major shift from the previous methods of finding solutions to conflicts. Just as there is a paradigm shift in the process of solving conflicts, from settlement to resolution, so too is there a shift in the outcomes. From win-lose outcomes, we now have a possibility of win-win outcomes. A problem resolved ensures a win-win result this dissertation tried to prove this proposition.

Chapter One dealt with Conflict Resolution as a process, and explained the paradigm shift. Since the dissertation took up Tibet as a case study, Chapter Two was given to the history and other relevant factors of the Sino-tibetan conflict. The analysis of the dispute was done in Chapter Three. Chapter Four dealt with conflict resolution processes, and the shifts made in understanding the conflict as well as in the processes. The chapter further had a few proposals for solving the Sino-Tibetan conflict. These proposals for the conflict resolution processes show that, if the processes are carried through to the end, it will only result in a win-win situation, whereby both the Chinese and Tibetans would stand to gain. As a new process for the particular case of Tibet, it is hoped that it will add to the growing realization in the method of conflict resolution as the technique to solve, or 'resolve' conflicts.

BIBLIOGRAPHY

1. Avedon, John F. *In Exile From the Land of Snows* (New York, 1984).
2. Ahmed, Z. *China and Tibet, 1708-1959*, (London, 1960).
3. Akehurst. M. *A Modern Introduction to International Law*, (New York, 1987).
4. Bell, Sir Charles. *Portrait of the Dalai Lama* (London, 1946); *Tibet Past and Present* (London, 1924).
5. Bureau of His Holiness the Dalai Lama - N.d. *Tibet in the United Nations : 1950-61* (New Delhi).
6. Bureau of Parliament Research, Congress Party in Parliament. *India-China Border Problem*. (New Delhi, 1960).
7. Dalai Lama, the Fourteenth. *My Land and My People* (New York, 1962).
8. Donnet, Pierre - Antoine *Tibet - Survival in Question* (New Delhi, 1994).
9. Ford, Robert. *Captured in Tibet* (London, 1937).
10. Franke, Herbert. "Tibetans in Yuan China", *In China under Mongol Rule*, ed. John D Langlois (Princeton, 1981).
11. Ginsburgs, George, and Michael Mathos. *Communist China and Tibet : The First Dozen Years* (The Hague, 1964).
12. Goldstein, Melvyn C. *A Modern History of Tibet, 1913-1951* (Berkeley, 1989).
13. Harrer, Heinrich. *Seven Years in Tibet* (Londn, 1953).
14. His Holiness the Dalai Lama. *Speeches, Statements, Articles, Interviews 1987 to 1995*. (Dharamsala, India, 1995).
15. International Commission of Jurists. *The Question of Tibet and the rule of Law* (Geneva, 1959).
16. Li, T.T. *Tibet : Today and Yesterday* (New York, 1960).
17. Petech, L. *China and Tibet in the Early 18th Century* (Leiden, 1950).
18. Richardson, Hugh E. *A Short History of Tibet* (New York, 1962).

19. Shakabpa, Tsepon W.D. *Tibet : A Political History* (New Haven, 1967).
20. Su Wenning, ed., *Beijing Review Special Features Series - Tibet : Today and Yesterday* (Beijing, 1983).
21. Thomas, Lowell Jr. *Tibet Today* (Peking, 1974); *Tibet under Chinese Communist Rule* (Dharamsala, India, 1976).
22. Thubte Jigme. Norbu, and Turbull, Colin. *Tibet in the United Nations : 1950-61* (New Delhi).
23. Van Walt van Praag, Michael C. *The Status of Tibet*, (London, 1987).
24. Wilmer, Cutler and Pickering *The Legal Status of Tibet. Three Studies by Leading Jurists*, (Dharamsala, India, 1986).
25. Acuff, Frank.L. *How to Negotiate Anything with Anyone Anywhere* (New York, 1992).
26. Aronson, S. *Conflict and Bargaining in the Middle-East* ; John Hopkins University Press, 2978.
27. Axelrod,R. *Conflict of Interests* (Chicago, 1970).
28. Axelrod,R. *The Evaluation of Cooperation*, (New York, 1984).
29. Azar, E.E and Burton, J.W (Ed.s) *International conflict Resolution - Theory and PracticeI* (Boulder, 1986).
30. Bartar,O.J. *Simple Model of Negotiation*. In J.W.Zartman(ed.), *The Negotiation Process*, (Beverly Hills, Calif, 1978).
31. Bartar,O.J. *Process and outcome of Negotiation*, (New York , 1974).
32. Bartunek,J.M., Benton,A.A., and Keys,C.B. *Third Party Intervention and the Bargaining of the Group Reproduction*, *Journal of Conflict Resolution*, 1975,19,532-557.
33. Bercovitch,J. *Social conflict and Third Parties*. (Boulder, 1984).
34. Bercovitch,J. And Rubin,J.Z., (ed.). *Mediation in International Relations*, (London , 1991).
35. Burton,J.W. *Conflict and Communication:The use of Controlled Communication in International Relations*, (London, 1969).

36. Dahl,R. *Modern Political Analysis*. (Englewood Cliffs, N.J, 1976).
37. Deutch,K. *The Analysis of International Relations*. (Englewood Cliffs, N.J, 1968).
38. Deutch,M. *The Resolution of Conflict:Constructive and Destructive Processes* (New Haven, 1973).
39. Fisher, Roger and others *Beyond Machiavelli - Tools for Coping with Conflict* (Cambridge, Massachusetts, 1994).
40. Fisher,G. *International Negotiation : A Cross-cultural Perspective* (Chicago, 1980).
41. Fisher,R. *International Conflict for Beginners* (New York:Harper & Row, 1969).
42. Fisher,R. And Ury,W. *Getting to Yes : Negotiating Agreement without giving in*, (New York:Penguin, 1984).
43. Hopman,P.T. *Resolving International Conflicts: The Negotiation Process* (Columbia, 1991).
44. Ikle,F.C. *How Nations Negotiate*, (New York , 1964).
45. Jervis,R. *Perception and Misperceptionin International Politics*, (Princeton, 1976).
46. Kelman, H.C. *The Problem solving workshop in conflict Resolution*, In R.L.Merritt (ed.), *Communication in International Politics* (Urbuna University, 1972).
47. Kalb,D.M., *The Mediators* (Cambridge,1983).
48. Kiesberg,Louis, *The Sociology and Social Conflicts* (Englewood Cliffs, 1983).
49. Kressel,K., Pruitt,D.G., and Associates *Mediation Research : The process and Effectiveness of Third-party Intervention*. (SanFransisco, 1989).
50. Kreisberg,L. (Ed.), *De-escalation and Negotiation* (Syracuse, 1990).
51. Kremenyuk,V.A. (ed.), *International Négotiation* (San Fransisco, 1991).
52. Mitchell,C.R. *Peace Making and the Consultant's Role* (London, 1981).

53. Rapoport, A. *Fights, Games and Debates* (Ann Arbor, 1960).
54. J.Z. Rubing (ed.), *Dynamics of Third Party Intervention: Kissinger in the Middle-East* (New York, 1981).
55. Sandole, D.J.D. and Van Der Mervwe, H. *Conflict Resolution - Theory and Practice* (New York, 1993).
56. Wehr, Paul *Conflict Regulation* (Colorado, 1979).
57. Zartman, I.W. (ed.), *The Negotiation Process: Theories and Applications* (Beverly Hills, Calif., 1978).

Journals:

1. Beijing Review.
2. International Journal of Group Tensions.
3. International Peace Research Newsletter.
4. International Peace Studies Newsletter.
5. International Studies Quarterly.
6. Journal Of International Affairs.
7. Journal Of Conflict Resolution.
8. Journal Of Peace Research.
9. Pacific Affairs.
10. Tibet Press Watch.
11. Tibetan Review.
12. Tibetan Bulletin.
13. Strategic Analysis

News Papers:

1. The Times Of India.
2. The Hindustan Times.

3. Indian Express.
4. The New York Times.
5. The International Herald Tribune.
6. The Washington Post.

Reports Of:

1. Asia Watch.
2. Amnesty International.
3. Department of Information and International Relations of the Tibetan government-in-exile.
4. Freidrich Naumann Foundation.
5. International Peace Research Association.

Interviews - Conducted in March 1997:

1. Professor S Rimpoche, Chairman of the Tibetan Parliament.
2. Tashi Wangdi, Tibetan Foreign Minister.
3. M.Ps of the Tibetan Parliament.
4. Karma Yeshe and Yangchen Dolkar, Tibetan Youth Congress.
5. Lay Tibetans.

APPENDIX A

THE SIMLA AGREEMENTS OF 1914

1. Convention Between Great Britain, China and Tibet: Simla 1914

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

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

His Excellency the President of the Republic of China, Monsicur Ivan Chen, Officer of the Order of the Chia Ho;

His Holiness the Dalai Lama of Tibet, Lonchen Ga-den Shatra Paljor 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 Convention specified in the Schedule to the present Convention shall, except in so far as they may have been modified by, or may be inconsistent with or repugnant to, any of the provisions of the present Convention, continue to be binding upon the High Contracting Parties.

Article 2

The Governments of Great Britain and China recognising that Tibet is under the suzerainty of China, and recognising also the autonomy of Outer Tibet, engage to respect the territorial integrity of the country, and to abstain from interference in the administration of Outer Tibet (including the selection and installation of the Dalai lama), which shall remain in the hands of the Tibetan Government at Lhasa.

The Government of China engages not to convert Tibet into a Chinese province. The government of Great Britain engages not to annex Tibet or any portion of it.

Article 3

Recognising the special interest of Great Britain, in virtue of the geographical position of Tibet, in the existence of an effective Tibetan government, and in the maintenance of peace and order in the neighbourhood of the frontiers of India 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, nor to establish Chinese colonies in the country. Should any such troops or officials remain in Outer Tibet at the date of the signature of this Convention, they shall be withdrawn within a period not exceeding three months.

The Government of Great Britain engages nor 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 Agent's escorts), nor to establish colonies in that country.

Article 4

The foregoing Article shall not be held to preclude the continuance of the arrangements 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 Government 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 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 I, 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.

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. If taken whereof the respective Plenipotentiaries have signed and sealed this Convention, three copies in English, three in Chinese and three in Tibetan.

Done at Simla this third day of July, A.D., one thousand nine hundred and fourteen, corresponding with the Chinese date, the third day of the seventh month of the third year of the Republic, and the Tibetan date, the tenth day of the fifth month of the Wood-Tiger year.

Initial of the Lonchen Shatra.

(Initialed) A.H.M.

Seal of the Lonchen Shatra.

Seal of the British Plenipotentiary.

APPENDIX B

1. The Seventh-Point Agreement, 1951

The agreement of the Central people's Government and the Local Government of Tibet on measures for the peaceful liberation of Tibet, 23 May 1951

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 hundred years and 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 KMT (Guomindang) 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 imperialist deception and provocations, but adopted an unpatriotic attitude towards the great motherland. Under such conditions, the Tibetan nationality and people were plunged in to the depths of enslavement and suffering. 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 KMT 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 and the Central Peoples' Government was announced. In accordance with the Common Programme passed by the Chinese People's Political Consultative Conference, the Central People's Government declared that all Nationalities within the boundaries of the People's Republic of China are equal, and that they shall established unity and mutual aid and oppose imperialism and their own public enemies, so that the People's Republic of China may become one big family of fraternity and cooperation, composed of all its nationalities. Within this big family of nationalities of the People's Republic of China, national regional autonomy is to be exercised in areas where national minorities are concentrated, and all national minorities are to have freedom to develop their spoken and written languages and to preserve or reform their customs, habits, and religious beliefs, and Central People's Government will assist all national minorities to develop their political, economic, cultural, and educational construction work. Since then, 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 Central People's Government and the direct leadership of the higher levels of People's Governments, all national minorities have full 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 may be successfully eliminated, the unification of the territory and sovereignty of the People's Republic of China accomplished, and national defence safeguarded; in order that the Tibetan nationality and people may be freed and return to the big family of the People's Republic of China to enjoy the same fights of national equality as all other

nationalities in the country and develop their political, economic, cultural, and educational work, the Central People's Government, when it ordered the People's Liberation Army to march into Tibet, notified the local government of Tibet to send delegates to the Central Authorities to hold 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 from the Local Government of Tibet arrived in Peking. The Central People's Government appointed representatives with full powers to conduct talks on a friendly basis with the delegates of the Local Government of Tibet. The result of the talks is that both parties have agreed to establish this agreement and ensure that it be carried into effect.

1. The Tibetan people shall be united and drive out the imperialist aggressive forces from Tibet; that 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 People's Liberation Army to enter Tibet and consolidate the national defences.
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.
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. Official of various ranks shall hold office as usual.
5. The established status, functions, and powers of the Panchen Ngoerhtehni shall be maintained.
6. By the established status, functions and powers of the Dalai Lama and of the Panchen Ngoerhtehni is meant the status, functions and powers of the 13th Dalai Lama and of the 9th 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 Chinese People's Political Consultative Conference will be protected. The Central Authorities will not effect any change in the income of the monasteries.
8. The Tibetan troops will be reorganised step by step into the People's Liberation Army, and become part of the national defence forces of the Central People's Government.
9. The spoken and written language and school education of the Tibetan nationality will be developed step by step in accordance with the actual conditions in Tibet.
10. Tibetan agriculture, livestock raising, industry and commerce will be developed step by step, and the people's livelihood shall be improved step by step in accordance with the actual conditions 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 must be settled through consultation with the leading personnel of Tibet.

12. In so far as former pro-imperialist and pro-KMT officials resolutely sever relations with imperialism and the KMT and do not engage in sabotage or resistance, they may continue to hold office irrespective of their past.

13. The People's Liberation Army entering Tibet will abide by the above-mentioned policies and will also be fair in all buying and selling and will not arbitrarily take even a needle or a thread from the people.

14. The Central People's Government will handle all external affairs of the area of Tibet; and there will be peaceful co-existence with neighbouring countries and the 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 Central People's Government will set up a military and administrative committee and a military area headquarters in Tibet, and apart from the personnel sent there by the Central People's Government it will 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 district and various principal monasteries; the namelist is to be prepared after consultation between the representatives designated by the Central People's Government and various quarters concerned, and is to be submitted to the Central People's Government for approval.

16. Funds needed by the military and administrative committee, the military area headquarters and the People's Liberation Army entering Tibet will be provided by the Central People's Government. The Local Government of Tibet should assist the People's Liberation Army in the purchases and transportation 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 Central People's Government 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 Ngarbou Ngawang Jigme (Nhabo Shape) Delegates: Dzasak Khemey Sonam Wangdi, Khentrung Thuptan, Tenthar, Khenchung Thupten Lekmuun Rimshi, Samposey Tenzin Thundup.