

Tibet 50 years under China, 1959 – 2008 by Gendun Tarchin

In year 2008 China is hosting Olympic game with promise of granting more human rights in its own country. Tibet became its central question for the international community as the country has been fully occupied by China since from 1959. More over rapid flux of Chinese immigrants into Tibetan area, Tibetans already became minority in Tibet and it is now in risk of disappearing Tibetan culture and its national identity. So, it has been the main concern for International community and Tibetan people. The only possibility of saving Tibet, Olympic game of 2008 could condition to Chinese government for pursuing in granting more respect towards Tibetan culture and people.

Therefore, whole world is watching over Chinese authorities in regard with the promise that made by Chinese government in exchange to hosting Olympic 2008 in Beijing. But Olympic is approaching near to take place yet their suppression on Tibet is still growing. It has been the main reason that many people throughout the world tried to involve in unresolved case between Tibet and China. And Tibetans both inside and out side lost their patience and explored their depression on 14th. March 2008.

The truth is that Tibet and China have been neighbourhood countries for centuries. During seventh and eighth centuries, period of Tibet's dynasties Tibet defeated China decisively. Chinese princes Wen Chen married to Tibet's dynasty Song Tsen Gam Po and Ra Mo Che temple in Lhasa was built upon her wish. There is another temple in Lhasa known as Jo Khang which was built with wish of Nepalese princes who married to the same King. In that period both China and Nepal Kings and people were proud of their princess were married to Tibet's King, which ensures them also security of their countries.

Subsequently another Chinese princess was married to another Tibet's King. During those periods the relation between two countries has been based on equal respect and military power computation. As testimony and agreement they installed three stone pillars in three places; the capital of Tibet, the capital of China and one in the border between two countries. Epics on those pillars say equal respect and solidarity between two countries. A very popular line on those pillars is saying "rGYA rGYA YUL NA sKYID, BOD BOD YUL NA sKYID". It means that Chinese would be happy in China and Tibetans would be happy in Tibet. On such historical fact basis Tibetans always have been claimed that they are not Chinese and they have their own national identity that different from Chinese.

Fortunately, the Chinese have not removed these monuments, which stand for all history as a reminder of the fact that Tibet and China are two great nations, and should cooperate instead of dominate one another. The Chinese continue to play around with the Mongol interventions from time to time in Tibetan history as "proof" that Tibet is part of China, but of course anyone with a real knowledge of Tibetan history knows that this is no proof at all. Would this justify China taking over South East Asia? Where would it stop? If China is the middle kingdom, is it the Middle Kingdom with no boundaries? Seems a little exaggerated!

The great scholar of Tibet, Gedun Choephel (1903-19519) has written (unfinished) history of Tibet – white annals which he begins his with reading the lines from those pillars to prove Tibet's fact of independent nation.

The first time foreign invasion in Tibet was by Genghis Khan in 1209 and eventually Mongol Khan took over seat of Chinese Empire and Mongols hold the lineage of Chinese dynasty. Later when Chinese regained their empire seat from Mongols, China started to make claim that all territories under Mongol Khan were belong to China! So, it is the only reason that China is still making claim of that Tibet belongs to China.

It is a traditional impact laid in natural sentiment of Tibetan people. Tibetans would never feel that they are Chinese, nor Tibetans could imagine that Tibet is China. So, I think the fighting for Free Tibet is an inseparable natural tendency of Tibetan people.

As history proved that neither Tibetan would happy under Chinese authorities and nor Chinese would happy under Tibetan authorities. It is a conflict came through centuries and it belongs to both histories of China and Tibet. This battle will be going on till its ends either absolute victory or absolute lost, in another word, this battle will remain as long as Tibetans will remain. It is a question will be brought through generations to generations as a part of human history.

Is dialogue could be the solution? There is a big traditional obstacle to precede a constructive dialogue between China and Tibet. It is a Tibetan traditional saying "China fails by suspicion and Tibet fails by expectation". Current Sino-Tibet dialogue has begun since from the meeting between Mao Zedong and the Dalai Lama in Beijing in 1954. It proceeded till year 2007 without reaching the goal to both sides. So, it is evident that the traditional Tibetan saying proves the truth. It seems useless to attempt resolving Sino-Tibet conflict through dialogue.

May be a possibility - the modern political economy development in Tibet could bring a radical change in social status of Tibetan people in future? But, it can't change the past history of Tibet.

Another big question remains, what about future of Tibetan refugee families those have been living in India and Nepal for last 50 years under the Central Tibetan Administration – Dharamsala. What would be their future? Whether they should still be waited for Free Tibet with renouncing local citizenship rights or they would be integrated into local citizens?

Waiting for last 50 years with the hope of Free Tibet

I would like to speak about some difficult aspects of situations for Tibetans in exile society. I believe strongly that through research and discussion, many things can improve and be helpful towards developing better conditions for Tibetans in Exile. I think the matter is closely connected to today's debate theme, Human Rights and inauguration event of photo exhibition on People of Dharamsala.

Following the Chinese occupation of Tibet in 1959, a big question remains within the Tibetan society in exile; what is the future for Tibetan refugee families living in India and Nepal under the direction of the Central Tibetan Administration based in Dharamsala? These people have been sacrificing their lives, waiting for last 50 years with the hope of Free Tibet. What will be their future? Should they still be waiting for a Free Tibet by renouncing local citizenship rights, or should they be integrated as local citizens?

The Tibetan community in Exile

The Tibetan Government in exile, formerly known as the Central Tibetan Administration (CTA), is the continuation of the legitimate government of Tibet which was in effect prior to China's invasion. It was constituted by the Dalai Lama in 1959 in Dharamsala at the time of his flight from Tibet with 80,000 Tibetan refugees. The aim of the Government in Exile, from the moment of its constitution, was twofold; to restore freedom in Tibet and to promote the welfare of the Tibetan refugees.

The first objective as stated by the Tibetan Government in Exile, was that of preserving the Tibetan communities and their culture. Consequently the Tibetan refugees were placed in rural settlements. Today according to www.Tibet.Net there are 21 agricultural settlements, 11 cluster units, eight agro-industries and four carpet-weaving cooperatives in India. In addition, the CTA looks after 20 Tibetan settlements and handicraft societies in Nepal and Bhutan. Many Western government representatives and parliamentary members along with Tibetan supporters and Western media often visit Dharamsala, where actually, a small number of Tibetans reside. The majority of Tibetans in Exile actually live in other parts of India; it is

unfortunate that these other refugees are usually ignored by these visitors to Dharamsala.

The critical conditions under which Tibetans have been living in these major settlements for half a century have been described in the following document "Human Rights Features - Voice of the Asia-Pacific Human Rights Network," which I offer as testimony. I feel it is important to recognize those Tibetans efforts and how much sacrifice they've given for the cause of Tibet.

HUMAN RIGHTS FEATURES

(Voice of the Asia-Pacific Human Rights Network)

*(A joint initiative of SAHRDC and APHRN)***

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Tibetan Refugees in India

Declining Sympathies, Diminishing Rights

India has not signed the 1951 Convention on the Status of Refugees-the primary instrument setting international norms for the treatment of refugees. As a result, its treatment of refugees remains outside the purview of a congenitally pusillanimous Office of the United Nations High Commissioner for Refugees (UNHCR). For the most part, India's treatment of Tibetan refugees has been generous, providing them with political exile as well as shelter and the opportunity to secure an economic livelihood, but the limitations to this generosity are becoming increasingly apparent.

According to the most recent estimates, India is host to approximately 110,000 refugees from Tibet. [1]

<http://by120w.bay120.mail.live.com/mail/EditMessageLight.aspx?n=950186657#_ftn1>

While the practice of Tibetan refugee hosting has, thus far, been generous and lenient, the legal framework directing the actions of the government afford the Indian government great powers of control and restriction over foreigners, including Tibetan refugees. Tibetan leaders in India consistently state that the government of India has treated them extremely well, but these understandably sincere statements of gratitude fail to testify to a changing reality-both practical and political-under which Tibetan refugees in India must live. Tibetans, as one of the only refugee groups to be officially recognised by the Indian government and thus legally permitted to stay in India, are often considered to be in a more advantageous position than other refugees in India. [2]

<http://by120w.bay120.mail.live.com/mail/EditMessageLight.aspx?n=950186657#_ftn2>

It is, however, necessary to recognize that the proximity and strategic importance of their country of origin, China, makes their situation politically delicate. As political pressure continues to mount on India from China, human rights observers fear that the practice of tolerance and permissive freedom will give way to subtle and even overt forms of repression, which are technically supported under Indian law.

The Legal Status of Tibetans in India

As India has no separate refugee legislation, the laws governing the entry, stay and exit of refugees is subsumed under the laws governing

all foreigners. The primary legislative instrument of this foreigner's regime is the Foreigners Act, 1946. The Act gives the Government of India the power to make orders "prohibiting, regulating or restricting the entry of foreigners into India or their departure there from or their presence or continued presence therein." [5]

<http://by120w.bay120.mail.live.com/mail/EditMessageLight.aspx?n=950186657#_ftn5>

By law, Tibetans are can be detained or arrested for contravening any part of the Foreigners Act or Orders and may be subject to further penalty. [6]

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Although the general practice of India is not to exercise its control to this extent in regard to Tibetan refugees, it would be well within its powers, if it chose to do so.

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Tibetans who arrived in India before 1979 or who can prove that they were born in India prior to 1979 are given residence permits issued by the Indian Home Ministry which must be renewed yearly. [7]

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Some sources refer to these documents as residence permits, while others as residential certificates. Residence permits are necessary in order to obtain work, to rent an apartment or to open a bank account. [8]

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These residence permits also allow Tibetan refugees to obtain identity certificates which are necessary for international travel. Until 2003, the CTA issued birth certificates to Indian-born Tibetans. [9]

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These were accepted by the Indian government as proof of Tibetan identity in the application of residence permits.

Citizenship

As the Tibetan refugee community in India has existed for over 50 years and many Tibetans have been born in India. However, conflicting information exists about whether or not Tibetan refugees living in India are able to acquire Indian citizenship. Further, a number of sources indicate that only 1-3% of Tibetans who are eligible apply for Indian citizenship. [13]

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Few of them apply because there is a general belief that their exile in India is temporary and a return to Tibet will eventually follow. [14]

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Many do not see India as their country and look forward to returning to a free Tibet. [15]

<http://by120w.bay120.mail.live.com/mail/EditMessageLight.aspx?n=950186657#_ftn15>

As a result, they see no need for the acquisition of Indian citizenship.

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Other sources, however, reveal that the acquisition of Indian citizenship is not so straightforward for Tibetans. The Research Directorate of the Immigration and Refugee Board of Canada, for example, has reported that according to information obtained from the High Commission of India in Ottawa, neither citizens of Tibet who reside in India nor individuals who are born in India to parents who are Tibetan citizens are eligible for Indian citizenship. [16]

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In an interview with the United States Bureau of Citizenship and Immigration Services, a Liaison Officer from the Office of Tibet in New York stated that in general, Tibetans have trouble obtaining Indian citizenship and are subsequently denied the concomitant rights it bestows. [17]

<http://by120w.bay120.mail.live.com/mail/EditMessageLight.aspx?n=950186657#_ftn17>

Identity Cards for Travel

Tibetans are able to travel within India as long as they obtain permission from Indian authorities and report back to local police upon their return. While travelling within India, they must carry their Registration Certificate. [18]

<http://by120w.bay120.mail.live.com/mail/EditMessageLight.aspx?n=950186657#_ftn18>

For international travel, Tibetans must obtain an Identity Certificate (IC) from the Indian Home Ministry, valid for two years. In order to return to India, the document must bear a 'no objection to return to India stamp'.

The Government in Exile (CTA) – a democracy which is evolving

The Tibetan democracy has evolved gradually. The Tibetan Parliament in exile was established in 1960, which today is known as the Assembly of Tibetan People's Deputies (ATPD). In 1963 the Dalai Lama proclaimed a democratic constitution which was intended to serve as a model for a future free Tibet.

Over the years there were many innovations with important repercussions on the institutional structure of the Government in Exile which culminated in 1990 with the dissolution of Parliament and the Council of Ministers and new elections. The Dalai Lama instituted a Commission for the elaboration of a new Constitutional Charter for a free Tibet. In 1991 the eleventh Parliament adopted a Charter for the Tibetans in exile. The following lines are from The Charter of Tibetans in-Exile on www.tibet.com

PREFACE

Whereas His Holiness the Dalai Lama has offered a democratic system to Tibetans, in order that the Tibetan People in-Exile be able to preserve their ancient traditions of spiritual and temporal life, unique to the Tibetans, based on the principles of peace and non-violence, aimed at providing political, social and economic rights as well as the attainment of justice and equality for all Tibetan people.

Whereas efforts shall be made to transform a future Tibet into a Federal Democratic Self-Governing Republic and a zone of peace throughout her three regions.

Whereas in particular, efforts shall be made in promoting the achievement of Tibet's common goal as well as to strengthen the solidarity of Tibetans, both within and out of Tibet, and to firmly establish a democratic system, suitable to the temporary ideals of the Tibetan people; the Eleventh Assembly of Tibetan People's Deputies do hereby take over Legislative powers, promulgate and legalize this Charter of the Tibetans in-Exile as their fundamental guide.

Adopted on June 14, 1991; Second Day of the Fifth Tibetan Month, 2118 Tibetan Royal Year.

Nature of the Tibetan Polity - Article 3. The future Tibetan polity shall uphold the principle of non-violence and shall endeavour to be a Free Social Welfare State with its politics guided by the Dharma, a Federal Democratic Republic; and the polity of the Tibetan Administration in-Exile shall conform to the provisions herein after specified. No amendments to this Charter shall be made except as specified in the Articles of Chapter XI of this Charter.

The charter mentions that its politics are "guided by the Dharma." This is also a crucial point I would like to raise today; whether it is relevant for a modern democratic system and how can it coexist with a secular democratic government?

After 50 years of experimenting with a democratic system in the Tibetan community, the Tibetan Government in exile hasn't established a one man, one vote system, which is the indispensable characteristic of a modern democratic system. In order for the Tibetan Government in Exile to become a full modern democratic Institution, it needs to examine the roots of genuine democracy. In the promise of a free and Independent Tibetan community, by gaining true democratic rights, Tibetans would develop a stronger government which would fight for Tibet and its people in a more correct and effective way.

Independent or Autonomous Tibet

From the beginning, Tibetans in exile have been firmly holding onto one goal for their future; to restore freedom in Tibet. Currently the Tibetan government in exile is seeking an autonomous Tibet under China, but that doesn't mean they don't want Independent Tibet in future.

I feel the Tibetans' struggle should be fundamentally based upon building up self esteem and inner strength. Rather than spending energy on blaming others, or demonstrating emotional anger, they would be better served to build strength through modern education, knowledge of modern politics and social science, or building a strong social economy and creating a culture renovation. By having powerful self esteem and inner strength, one can gain the goals desired and eliminate obstacles without causing any destruction. I feel Tibetans must learn how to win their struggle through legitimate and moral acts. They can use strong, wise means of achieving their goals with the examples of great revolutionary politicians like, Gandhi, Martin Luther King, Nelson Mandela and their followers.

Conclusion

I wish Tibet and China will both find relevant means of coexisting side by side in the future. They have been great historic neighbours with a long history of interchange in both culture and politics. One can only hope.

Geshe Gedun Tharchin

Rome, 7, June 2008