

An uncertain welcome: How China's influence impacts Tibetans in Nepal

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KATHMANDU, July 2009: The wave of protests against Chinese rule that began in Tibet in March 2008 and the resulting crackdown transformed the political landscape - and made a dramatic impact on the situation for Tibetans across the border in Nepal.

In an attempt to prevent pro-Tibet protests in Nepal, the Chinese authorities stepped up their efforts to influence the Nepalese government, judicial system and civil society. While the 'gentlemen's agreement' to guarantee safe transit of Tibetans escaping from Tibet through Nepal is still largely implemented, the Nepalese government has adopted a harder line against expressions of the Tibetan identity by the long-staying Tibetan refugee community in Nepal. Acquiescence to Chinese demands by the Nepalese government threatens the integrity of Nepalese democratic and legal institutions and runs counter to the strong cultural and religious ties among the Himalayan peoples that have existed for centuries.

Nepal's bend towards China on Tibetan issues is characterized by the following:

- A change in the use of language by Nepalese authorities to describe the Tibetan refugee flow through their country, suggesting a 'law and order' approach rather than the humanitarian approach that has characterized Nepal's treatment of Tibetans over the last decades.
- Continuing harassment and extortion of long-staying Tibetans in Nepal, contributing to a widespread sense of fear and insecurity.
- Cancellation of peaceful expressions of the Tibetan identity, such as the celebration of the Dalai Lama's birthday.
- Pre-emptive arrests of Tibetans, ID checks and house searches.
- Large-scale police deployment in Tibetan communities.
- The harassment of Nepalese journalists for attempting to report on police actions in Tibetan communities, and a plethora of hostile articles in the Nepalese media alleging 'Free Tibet' conspiracies.
- A growing presence of organizations sympathetic to the Chinese government position, both secular and religious, some popularly assumed to have links with the Chinese Embassy.
- The resistance of the Nepalese government to provide durable solutions for certain long-staying Tibetan refugees in Nepal, either by regularizing their legal status or allowing their resettlement to the United States through a refugees admission program proposed by the U.S. Government in 2005
- A pattern of hostile coverage of the Tibetan community and their supporters in the Nepalese media.

Less than a year after Maoist leader Pushpa Kamal Dahal (Prachanda) stood for prime minister, heralding a new start for Nepal after a decade of civil war, prospects for peace and prosperity in Nepal look as distant as ever. A coalition of rival parties took over the reins of government in May after the resignation of Prachanda over the issue of involving Maoists into the army. The new administration is struggling to tackle crippling corruption, food and fuel shortages, a lack of basic facilities such as water,

and increasing fears over security there is a disturbing rise in kidnappings for ransom in Kathmandu and beyond and violent protest strikes.

Kathmandu Post comment editor Aditya Adhikari described the situation as: "A crisis of governance -- a weak state that has no control over much of the country." Adhikari writes: "As during previous occasions of crisis as the peace process has unfolded, political instability in Kathmandu has distracted attention away from the many other crises confronting the country. Issues of the reconstruction of infrastructure destroyed during the lost years of the war, of transitional justice, and of the creation of a new, just state structure have been pushed to the sidelines." [1].

Beijing has transferred its good relations to Nepal's new leadership, and regards the Tibet issue as the defining element of its bilateral relations with Nepal. This follows its prior support for King Gyanendra, notably when he disbanded the government and usurped power in 2005 and which included the sale of arms to the king's military to fight the Maoists, and then to Prachanda's Maoist-led government.

The Chinese authorities have also stepped up outreach to Nepal's civil society, and increased trade and cultural exchanges. As a result of this political influence and Beijing's priorities, the Tibetan community in Nepal is vulnerable, demoralized and at risk.

Following complaints from senior Chinese officials to the Nepalese government about the meeting of a group of Nepalese MPs with the Dalai Lama, a peaceful celebration of the Dalai Lama's 74th birthday on July 6 was cancelled in Kathmandu. The event had been given the go-ahead by the Chief District Officer as long as Tibetans did not sing the Tibetan National Anthem.

Political science Professor Kapil Shrestha, a former National Human Rights Commissioner who had been invited to speak at the cancelled birthday celebration for the Dalai Lama on July 6, told ICT that it was a further worrying development: "Tibetans have helped to transform the Nepali economy. There would be far less tourism without Tibetans, and the Tibetan carpet industry has helped to expand business in Kathmandu. The Tibetan community has a legitimate place in today's Nepal and its rights should be respected. A small, disenfranchised minority like Nepal's Tibetan community may be an easy target, but a denial of Tibetan rights will ultimately degrade the rights and legal recourse of all Nepali citizens."

A 'zero tolerance' approach to Tibetan protests

Following the crackdown in Tibet from March 2008 onwards, Tibetan exiles in Kathmandu engaged in a series of almost daily protests for around six months. The Nepalese authorities adopted a 'zero tolerance' approach to Tibetan protestors, and Nepalese police on occasion employed excessive force against the protestors (see Human Rights Watch report [2]). The Maoist-led government in Nepal allowed Chinese diplomats extraordinary and extrajudicial influence in dealing with Tibetan issues in Nepal. Chinese embassy personnel were witnessed and photographed working behind police lines guiding the handling of protests and arrests of demonstrators, even going so far as to direct the positioning of Nepalese police officers [3].

In March this year, in the buildup to the 50th anniversary of the March 10 uprising in Tibet (and the year anniversary of the current wave of protests across the plateau), the zero tolerance approach was continued. In the few days prior to March 10, several Tibetans suspected of playing a leading role in last year's demonstrations were rounded up by the authorities. Nepalese police went to Tibetan people's homes and in some cases conducted searches without showing warrants. A planned seven-day prayer

vigil in the main Tibetan community centers was prevented, and police in riot gear were evident in Tibetan communities. During this period, the security presence around the Tibetan Refugee Reception Center in Kathmandu was increasingly visible.

On March 10, Nepalese journalists seeking to cover a vigil at the Boudhanath stupa for the anniversary had memory cards from their cameras seized by Nepalese police. A Tibetan journalist working for a Tibetan language newspaper was also detained prior to March 10 and released upon payment of a large bribe. The journalist, whose name is withheld, was apparently accused of writing articles that were "anti-China", and his home was searched.

These actions took place in a context of intense pressure from the Chinese embassy in Kathmandu on the then Maoist-led government. Receiving the visit of Hu Zhengyue, a junior Chinese foreign minister in Kathmandu on February 26, 2009, the then Prime Minister Prachanda (who resigned in May) reiterated claims made by the Chinese Communist Party that Tibetan exiles posed a threat to 'stability' in Nepal, and specifically that militant exiles from India were infiltrating the country to stage anti-Chinese protests.

Outgoing US ambassador to Nepal Nancy Powell made a rare public comment on the Tibet issue when she referred to her concern about the human rights of Tibetans in Nepal last week. During an interview for Kantipur Online, she said: ". We have not advocated the independence of Tibet, but we are very concerned about the human rights of Tibetans in any country. They have the right to express themselves freely, they have the right to peacefully assemble and advocate for themselves. This is a major concern and it is a major difference in opinion with some people. But this does not mean that the United States is supporting the Free Tibet movement. Certainly we understand that Nepal is in an awkward position but we would expect that the human rights of all individuals in Nepal would be respected." [4]

"Tibetans in Nepal are desperate": harassment of the long-staying refugee community

"Tibetans in Nepal are desperate," said a senior Tibetan community leader in the Boudhanath stupa area in Kathmandu, one of the main centers of Buddhism and home to several thousand Tibetans, in an interview with ICT this month. "They dread being stopped by police or their homes raided because we do not have even minimal rights, with no papers. This is damaging our community really badly, and it was particularly critical under the Maoist-led government. It is hard to describe the fear and vulnerability. People feel as though they are invisible, as though they have no right to exist. They cannot go home to their country, nor are they safe here."

The same community leader said that his own home had been raided by Maoists recently, and that they had demanded 50,000 Nepalese Rupees (US\$652) which he negotiated down to a smaller sum and had to pay. They threatened him with worse treatment if he told anyone about it. "This is very typical," he said. "Tibetans who are stopped by Nepalese police on the way home without papers are sometimes beaten up, often huge fines are demanded. They are always told that it will be worse for them if they tell the UNHCR or any other organization or individual. For this reason most harassment is not reported." Multiple instances of this kind have been reported to ICT by trusted Tibetan sources in Kathmandu.

As a result, it is rare to see Tibetans on the streets of the Boudhanath stupa area, a traditional Tibetan center of religious worship, with many thankga [Tibetan religious artwork] shops and artisans, after

around 6:30 each evening. Tibetans are also at risk of being stopped and harassed by police if they travel home from the main tourist area of Thamel to Boudhanath after 6 pm.

A 19-year old Tibetan from the Ngari area of western Tibet who took part in the protests against Chinese repression in Kathmandu last year told ICT: "I always feel that my life is unsafe and I cannot go anywhere without worrying, especially because the Nepali political situation has become tense. In the last five years of my life in Nepal, I have had this experience living without legal papers, but I understand it is not only me, there are thousands of us Tibetan refugees living in Nepal without proper documents. I think I am a very hard worker and determined. But I can see that there is no future for me in exile in this condition and I cannot go back to Tibet without taking a great risk. It is simply because of the Chinese invasion, and I cannot live where I was born with my parents in Tibet. When I speak to my parents, they always say that it will cause problems for them if I go back to Tibet because they are working for the Chinese government. This difficult situation makes me want to fight for Tibet. When I see what has happened in Tibet since March 14 [2008], my sadness and despair motivated my involvement in protests in Kathmandu. I thought it was important that our desperation could be seen by the rest of the world."

The Tibetan, whose name is withheld due to fears for his safety in Nepal, said that for these reasons he participated in several protests in Kathmandu last year after March 14. He said: "I was beaten by [Nepalese] police many times. We faced tear-gas and many beatings. Because I was once one of the leaders of a protest I was beaten particularly badly and could not walk for three days."

On March 9 this year, the Nepalese police raided the young Tibetan man's home, possibly in an attempt at pre-emptive detention in order to prevent him joining a protest for the 50th anniversary of the March 10 Uprising. When they found he was not there, they detained two of his relatives for several weeks.

A Tibetan man from Amdo in eastern Tibet who works on a Tibetan newspaper in Kathmandu said that his family has urged him not to continue his work for fear of their safety in Tibet. "The Chinese government punishes the relatives of those they see as separatists and members of the 'Dalai Clique'," he said. "I am always afraid in Kathmandu. There are so many Chinese spies here." (Report by Siofra O'Donovan, Irish Times, March 27, 2009).

Tibetans without residence papers are generally not allowed to register any businesses such as shops, restaurants, and guest-houses. Sometimes Tibetans are not allowed to register businesses even if they have valid papers and money, according to several anecdotal reports from Kathmandu. Sometimes Nepalese people help Tibetans to register their businesses under their name, or offer Tibetans employment.

Nepalese civil society activists and human rights monitors who are supportive of the Tibetans' plight stress the close historic, cultural and religious ties between the Nepalese and Tibetans that date back to the 6th century. The Buddha's birthplace is in Lumbini, Nepal, 300 kilometers southwest of Kathmandu. The Himalayan Sherpa, Tamang, Dolpo, Mustang and other Himalayan people share the same devotion to the Dalai Lama and practice Tibetan Buddhism.

According to one senior Tibetan community leader who has lived in Kathmandu for nearly 20 years, sometimes Tibetans are subject to extra tax compared to Nepalese people, although this is in a context in which many shops and businesses in Nepal are subject to extortion in the unstable political climate. In a comment indicative of the feelings of Tibetans in Nepal, the community leader said: "The additional tax on businesses owned and run by Tibetans is clearly because of Chinese political pressure, every

Tibetan knows that the Chinese government wants to create maximum difficulty for the Tibetan community in Nepal."

According to other Tibetan sources in Nepal, there are fears that Tibetan children may be prevented from studying in Nepalese schools in some of the settlements outside Kathmandu. Some Tibetan students currently attend Nepalese schools after class ten because there are not enough Tibetan schools. A Tibetan who is a member of the exiled Tibetan Parliament and who has been living in Nepal since 1959 told ICT that this year the Nepalese government has introduced new application forms which require children to have full Nepalese citizenship before being admitted to the schools.

Prayer ceremony broken up by Nepalese police

Last August, in the politically-charged atmosphere surrounding the Beijing Olympics and the ongoing crackdown in Tibet, Nepalese police had broken up a peaceful prayer gathering of Tibetans and Nepalese and torn down Buddhist flags. The Nepal Buddhist Federation, representing all schools of the Mahayana Buddhists organizations and institutions in Nepal, reported in a press release issued later on the same day (August 10, 2008): "About 4000 Tibetans and Nepali Himalayan Buddhist sympathizers donning Buddhist and Nepal National flags joined a mass prayer for peace at 8:30 am on 7th August at Chuchapati Taragaon, Kathmandu. The peaceful gathering organized by the Tibetan Young Buddhist Association suddenly became tense after police lathi [baton]-charged the big photo of the Dalai Lama and tore down Buddhist flags."

The Nepal Buddhist Federation added that: "Nepali Buddhists are closely observing that, of late, Buddhist monks, nuns and all Himalayan people in traditional dress are constantly harassed by state police." The organization said that this was happening despite the strong cultural and religious ties between the Himalayan people: "Ever since the introduction of Buddhism in Tibet in the 7th century, Himalayan Buddhists of India, Nepal and Bhutan used to go to Tibet for studies in the various monasteries and after the closing of northern border in 1959 Himalayan Buddhists continue to go to monastic educational institutions in India and return to their respective countries after graduation to serve the community. The unbroken close spiritual bond between the Dalai Lamas and the Buddhist followers of Himalayan region is continued today."

A senior Tibetan in Nepal married into a Nepalese family said: "Together with many Nepalese friends, I feel that matters within Nepal's borders are for Nepalis to manage. Our concern emerges from the overt and negative influence of the PRC in Nepal. While we recognize the generosity of various countries in assisting economic development, including China, we stand against the political influence of the PRC over the government's approach towards the Tibetan community in Nepal, some of whom are Nepali citizens and others refugees. It is widely known that Tibetans enrich Nepal's cultural and religious landscape, strengthen our economy and trade, and enhance our artistic traditions. We must not forget the historical, cultural and religious ties between the Nepalese, Tibetan and other Himalayan peoples. A substantial minority of the present Nepali population are Tibetan Buddhist with great devotion to His Holiness the Dalai Lama and other Tibetan Buddhist lamas, who have close family and community ties with Tibet reaching back many generations."

Risks at the border and the journey into exile

The reasons that Tibetans escape from Tibet are similar: parents send their children for an education, monks and nuns seek religious freedom, and nomads separated from their traditional livelihoods hope

to find a future and an affirmation of their Tibetan identity in exile. Virtually all Tibetans say they wish to be near His Holiness the Dalai Lama [5].

Somewhere between 2,500 and 3,500 Tibetans are registered each year by the UNHCR as "persons of concern" and provided assistance at the Tibetan Refugee Reception Center in Kathmandu. There have been unusual spikes, and since March 2008 there has been a dramatic decline in numbers. Only 652 Tibetans arrived safely at the Kathmandu reception center last year. So far, just over 300 Tibetans have arrived at the Reception Center this year, although the number is expected to increase significantly in winter. Most have not crossed via the treacherous Nangpa pass over the past year, due to difficult and dangerous conditions and also following the shooting of a Tibetan nun on the pass on September 30, 2006, by Chinese border guards.

The Reception Center is critical for the welfare of Tibetans arriving in exile. But it is already subject to considerable scrutiny from the authorities due to Chinese concern over the activities of Tibetans in Nepal. Prior to the 50th anniversary of March 10, a large police deployment was reported at the Reception Center, with plain-clothes officers entering the premises and demanding information about the names and movements of Tibetans staying there.

Chinese border security is intense. Just six years ago, the main PAP border patrol station was some 25 kilometers northwest of the Nangpa pass. But in 2003 the Chinese government completed construction of a motorable road to a point just six kilometers north of the Nangpa pass. The Chinese government also began to draw attention to its efforts to tighten border security. It commended border security for intercepting "people attempting to flee the country" while maintaining "revolutionary spirit in a place with insufficient oxygen." (Xinhua, December 29, 2003) [6].

Soon after the visit of a high-level Chinese delegation to Kathmandu, the Nepalese Home Ministry announced the deployment of Armed Police Force (APF) personnel in the border areas, saying that this was at the request of the Chinese government. (Press Trust of India report, July 16, quoting the Nagarika Daily quoting Home Ministry officials). According to Nepalnews.com, it is the first time that a fully-fledged border security force is being installed along the border, and security bases will be established in Tatopani of Sindhupalchok, Lomanthang of Mustang, Kimathanka of Sankhuwasabha, Limi of Humla and Tinker of Darchula in the first phase. Each base will have an Armed Police Force (APF) squad under the command of a Superintendent of Police (SP) [7].

In Tibet, a prison near Shigatse houses Tibetans caught en route. Former inmates report that there have been as many as 500 prisoners there at any one time, nearly all caught at the Nangpa pass or near the Chinese-Nepal Friendship Bridge border crossing at Dram, the main commercial crossing at the Tibet/Nepal border. Most Tibetans serve from three to five months, some longer, and face severe beatings and hard labor, usually road building in and around Shigatse. They must usually sign a document that they will never again attempt to leave the People's Republic of China to go to India. According to Article 322 of the Chinese criminal law, such Tibetans are subject to imprisonment for "secretly crossing the national boundary."

A Chinese-language website, boxun.com [8], reported on a case of two Tibetan teenagers who were detained in April when seeking to go home to Tibet through Nepal. They were detained after crossing the border into Tibet and held in Shigatse, where they were "beaten with electric batons, causing severe damage to their abdomen and genitals" [8]. The same source reported that Dagah and Tsultrim had initially tried to enter Tibet in February, but were unable to do so due to tightened border security in the

buildup to the March 10 anniversary. By the time they again entered Tibet in April, their travel permit had expired for 15 days and they were detained and taken to the Shigatse detention center where they were subjected to "severe and violent" interrogation. Dagah's mother, who came looking for her son, was reported to have fainted upon seeing the condition of her son, who was later taken to hospital.

Nepalese authorities stepped up border security dramatically following the protests in Tibet that began last spring and in the run-up to the Beijing Olympics last summer. The border was virtually sealed. Tibetans living near the Tibet border reported being harassed by Chinese security and photographed by Nepalese informers during this period. TAR Chairman Jampa Phuntsog made a rare trip to the Tibet/Nepal border on September 1, 2008, to congratulate security stationed there for their work in "preventing splittism."

Throughout the 1990s, Nepalese authorities generally permitted Tibetans to enter Nepal and have assisted or directed them to the refugee center, typically after they have been detained by border police and handed over to Nepal immigration officials. Nonetheless, incidents of forced repatriation at the border and even from Kathmandu have occurred periodically and often in exchange for even minor enticements from the Chinese.

As pressure from the Chinese government intensifies, Nepal's attitude regarding Tibetans resident or transiting its territory becomes markedly less welcoming.

China quickly registered its Tibet position with the new Maoist-led government, and ex Prime Minister Prachanda, who resigned on May 4, reiterated his intention to support China on the Tibet issue and readily affirmed that Nepal would not be used by Tibetan "separatists" for any anti-Chinese activities.

Prachanda supported the Chinese government's harsh suppression of Tibetans following the 2008 demonstrations and, in Nepal, ruled out allowing the Tibetan Refugee Welfare Office and the Office of the Representative of His Holiness the Dalai Lama to reopen, both of which had operated in Kathmandu since the 1960s. The two offices had been ordered closed in 2005 by King Gyanendra in an apparent quid pro quo for China's support when Gyanendra dismissed the democratic government in Nepal, fired the entire parliament and assumed absolute control.

An estimated 156,000 Tibetans live in exile, a majority of them in India and Nepal. According to statistics, Nepal has more than 20,000 Tibetan refugees concentrated mainly in the Kathmandu valley and Pokhara in Western Nepal.

Collusion and conspiracies: Nepalese media coverage on Tibet and the fallout from Nepalese MPs' Dharamsala visit

There has been a noticeable pattern of negative news coverage on Tibet, which coincides with increasing Chinese outreach to Nepalese media and prevailing political trends. The June visit of the six Nepalese MPs from four different parties to Dharamsala, where they met the Dalai Lama and Tibetan exile government officials, became a particular focus.

Their three-day visit to Dharamsala on June 21 was aimed at gaining "a deeper understanding of Tibetan issue and situation, and to pave ways to bridge closer relations between the two communities" in the long term, according to Siddharth Gautam, President of the Lumbini Foundation for Development & Peace and the delegation leader of the visiting MPs [10].

"No other country in the world had developed such close and neighbourly ties with Tibet as Nepal did in the past," Biswendra Paswan, one of the delegates and President of the Dalit Janjati Party, was quoted as saying in the same article. The Nepalese delegation, told exile Tibetans that they would ask the coalition government of Prime Minister Madhav Kumar Nepal to allow the office of the Dalai Lama's representative in Nepal, closed in 2005 due to pressure from Beijing, to re-open.

Paswan also said that the new efforts to support Tibetans will also include lobbying for inclusion of such provisions in Nepal's new constitution, which is currently under drafting process, to ensure "legal status and social justice for Tibetans and other refugees" in the Himalayan state. "We will also ask for such provisions that can effectively help check Nepali security forces and government agencies from acting arbitrarily against Tibetans or others during peaceful demonstrations."

China responded to the visit immediately. Zhang Jiujuan, a former ambassador to Nepal, met Nepal's new Foreign Minister Sujata Koirala to register the Chinese government's concern, and the Prime Minister called in senior lawmakers in the presence of the Chinese Ambassador, Qiu Guohong. According to the Nepalese news service Kantipur Online, a Nepalese politician who was at the meeting, FDNF leader Raj Kumar Limbu said, representing what the Prime Minister had said according to Kantipur: "Just like India worries when we shake hands with the agitating side in Nagaland [referring to the Maoist guerillas in north-east India], China feels the same when the parties meet Lama [sic; a reference to the Dalai Lama]. Both the neighbors are equal to us. You have done a crime like shaking hands with the guilty of Khyati Shrestha murder, correct it." [Khyati Shrestha is a famous murder case in Nepal she was a 19-year old woman abducted and allegedly killed by her teacher][11].

Later, one of the Nepalese MPs who had met the Dalai Lama gave an interview to the Nepalese press claiming that she had been "coerced" into doing so. In the interview for the Nepalese Telegraph, Rukmini Chaudhary, the Constituent Assembly member from the Loktantrik Rastriya Manch-Democratic National Front, said: "'I just want to tell the Nepalese people that I was deceived very badly. I did not know that I will be meeting the Dalai Lama. I and my party still stick to Nepal's One China Policy', Rukmini clarifies her shaky position now." [12]

An article in the People's Review in Nepal entitled: 'Anti-China plot unfolds, more than usual suspects implicated' was typical of some of the coverage of the visit of the MPs to Dharamsala. Commentator M.R. Josse wrote: "It is quite evident that the entire trip was not about paying a courtesy call on the Dalai Lama, or even sympathizing with him on human rights grounds. It was out-and-out politically motivated on both sides of the equation for a clear political end: an absurd, suicidal attempt to 'liberate' Tibet from China, from Nepali territory, for considerations that have nothing to do with our national or strategic interest but merely for advancing the geo-political or geo-strategic agenda of those who wish to weaken China for their own vested interests." (July 9).

Another recent focus of the Nepalese media has been China's suspicions that Nepal is being used as a base for 'free Tibet activity'. A visit by US ambassador Nancy Powell, who has left her post this month to return to the US, to Mustang provoked particular suspicion and rumors published in the Nepalese press that she was supporting "guerrilla resistance against China".

US Ambassador Powell visited remote Mustang in northern Nepal, which borders Tibet, in order to visit a cultural preservation project and to pursue her interest in photography. But the visit was interpreted by some Nepalese journalists as an "inspection of the Chinese-Nepalese border" In preparation for the

"next Khampa rebellion". In a reference to the Khampa guerilla resistance against China in the 1960s, supported by the CIA, Bishnu Sharma of the Dristi weekly reported: "A former army official who is well acquainted with the Khampa rebellion instigated by the American detective wing CIA three and half decade ago said, 'The activities [Nancy Powell's visit, and the visits of other ambassadors from Kathmandu] are directed at reviving the Khampa rebellion'." The CIA-funded Tibetan resistance force operated out of Mustang from 1959-1974.

In an indication of the level of concern about this visit to a sensitive border area, the Chinese Ambassador Quo Guohang visited Mustang himself in June. Kantipur's Nepalese-language weekly magazine, Nepal, reported: "The Chinese ambassador did not believe that the American Ambassador Nancy J Powell reached bordering district of Mustang to fulfill her photography passion, carrying her SLR camera. Maybe that is why within three months of her visit, Chinese ambassador reached Mustang with his own associates. He not just kept an eye on whether there were any 'Free Tibet movement' going on in Mustang, but also inquired about it with the Nepali authorities and locals." (July 5-11).

ICT recommendations on a way forward

- A. China has proposed a "Friendship Treaty" to Nepal. Nepal, distracted with internal problems, has yet to respond, but there is talk that if the treaty does not move, then Beijing will seek a narrower extradition treaty as a first step. There is concern that the Chinese draft will seek to legitimize their position that the Tibetans in Nepal are economic/illegal migrants, not refugees, which, if adopted, would undermine any protections they currently have. The U.S. government, and its partners, should take a clear position with the Nepal government against any extradition treaty that would codify the PRC position and, at the stroke of a pen, turn Tibetan refugees in Nepal into criminal illegal aliens that could lead to their extradition to China, where they would face a credible fear of persecution.
- B. The Tibetan Refugee Reception Center in Kathmandu is an essential lifeline for the refugees coming across the border and transiting through Nepal onward to India. It is also supported by U.S. government funds. The Center may be the next target of Chinese pressure on Nepal. The U.S. government and its partners must work to keep the reception center open. Closure would frustrate the ability of UNHCR to offer protection, and expose Tibetans fleeing China through Nepal to exploitation and refoulement.
- C. Legal documentation is critical for the Tibetan community in Nepal. It is in the interests of the Nepalese government as well as the Tibetan community for a durable solution to be found for the long-staying Tibetan refugee population in Nepal, including the issuance of Refugee Certificates, opening the path to citizenship, and cooperation with the US government-proposed refugee resettlement program for certain Tibetans in Nepal.

Links:

[1] http://www.himalmag.com/The-new-old_nw3104.html

[2] http://china.hrw.org/press/news_release/nepal_abuses_against_tibetans_protesting_china_s_tibet_crackdown

[3] <http://www.savetibet.org/>

[4] <http://www.kantipuronline.com/kolnews.php?&nid=205142>

[5] <http://www.savetibet.org/files/documents/2007-2008RefugeeReport.pdf>

[6] <http://www.savetibet.org/documents/reports/2003-refugee-report-dangerous-crossing-2003-update>

- [7] <http://www.nepalnews.com/main/index.php/news-archive/2-political/463-govt-mulls-security-deployment-to-nepal-china-border.html>
- [8] <http://boxun.com/>
- [9] <http://phayul.com/>
- [10] [http://www.phayul.com/news/article.aspx?article=Visiting MPs from Nepal pledge support for Tibet&id=25001](http://www.phayul.com/news/article.aspx?article=Visiting+MPs+from+Nepal+pledge+support+for+Tibet&id=25001)
- [11] <http://www.kantipuronline.com/kolnews.php?nid=202408>
- [12] http://www.telegraphnepal.com/news_det.php?news_id=5845