



## **Recommendations to the Lithuanian EU Presidency**

### **Briefing Note by the International Campaign for Tibet (ICT)**

*1st July 2013*

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#### **1. Human rights situation in Tibet**

For centuries, Tibet remained remote from the rest of the world with a widely dispersed population of nomads, farmers, monks and traders. In 1949, following the foundation of the Chinese Communist state, the People's Liberation Army invaded Tibet and soon overpowered its poorly equipped army and guerilla resistance. In March 1959, Tibetans rose up against the Chinese occupiers. The uprising was crushed, and the Dalai Lama escaped to India, followed by some 80,000 Tibetans. Tens of thousands of Tibetans who remained were killed or imprisoned.

At the moment Tibet continues to be controlled by the People's Republic of China (PRC), which severely restricts the rights of Tibetans, both civil and political rights, and economic, social and cultural rights.

#### **Religious Repression**

The Chinese government's implementation of state religious policy is particularly harsh in Tibet. Tibetan Buddhism is an integral element of Tibetan identity and Tibetan nationalism and, therefore, is perceived as a potential threat to the unity of the PRC and the authority of the Chinese Communist Party (CCP), which requires PRC citizens to 'love the country' above all else.

In recent years, the level of repression of Tibetans' freedom of religion and other rights strongly linked to it, such as freedom of speech, assembly and association, has increased even further. ICT has documented this trend through the following findings:

- Restrictions to religious practice
- A stepping up of the “patriotic education” campaign in religious institutions as well as lay society, particularly since March, 2008
- A commitment by the government of the PRC to strengthen the powers of the CCP’s control mechanisms in religious institutions
- A renewed determination by Chinese authorities to crack down on the influence of the Dalai Lama in Tibet
- The severe undermining of traditional systems of monastic education
- Appropriation by the atheist Chinese state of the authority for the transmission of teachings and the identification of reincarnate lamas
- Torture and imprisonment of monks and nuns who fail to denounce the Dalai Lama, express dissent or engage in other peaceful expression of views.

### Nomad Resettlement

Tibet’s nomadic lifestyle is one of the last examples in the world of sustainable pastoralism. For centuries, Tibetan nomadic herders have made a sustainable living uniquely adapted to the harsh conditions of the Tibetan plateau. They live on the plateau, migrating with their herds of yak, sheep and goats according to the seasons of the year, and producing wool, butter, cheese, yogurt and meat.

However, the implementation of Chinese policies to settle Tibetan nomads, to resettle Tibetans in towns and villages, and to fence off areas of grassland threatens the survival of a way of life that is integral to Tibetan identity as well as the livelihoods of Tibetan nomads.

As a matter of fact, since the beginning of the Western Development Strategy in 1999-2000, the Chinese government has been implementing policies of settlement, land confiscation, and fencing of pastoral areas inhabited primarily by Tibetans, dramatically curtailing their traditional means of livelihood. Hundreds of thousands of Tibetan nomads have been required to slaughter their livestock and move into newly built housing colonies in or near towns, abandoning their traditional way of life.

The ethos of the Western Development Strategy is to create conditions, which will encourage poor rural workers to move to towns or cities, where they will apparently become workers and consumers in a new, ‘modern,’ economy.

A key issue arising from the implementation of these policies is how nomads and farmers who have lost their land and livelihoods will make a sustainable living in the future, particularly given that they are ill-equipped to compete in the job market with the increasing number of more skilled Chinese workers. Resettled nomads seldom receive training in new skills, and they often have no access to health or social welfare.

### Protests and Crackdown

In the last five years there has been a surge in mostly non-violent protests by Tibetans in Tibet, notably in 2008 but increasing again since early 2012, with

demonstrators calling for freedom in Tibet and for the return of the Dalai Lama.

In the spring of 2008 the Tibetan people had reached a breaking point and in risking their lives to make their position known, they propelled Tibet to the top of the international news agenda.

The Chinese government responded to the protests with a massive troop deployment across the Tibetan plateau. Monks and nuns were the primary targets and monasteries were swiftly sealed and encircled by armed soldiers.

Chinese authorities actively sought out those involved in the dissent, detained thousands of Tibetans, executed harsh sentences without due process and inflicted torture methods to ensure the silence of those who dared speak out against the state.

One of the key characteristics after March 2008 has been the level of disappearances. Thousands of Tibetans from all walks of life have simply disappeared; they have been taken to prisons far from their homes, and their families often have no idea whether they are alive or dead.

In recent years, the crackdown in Tibet has intensified both in scope and tactics. The 2008 protests have been followed by the biggest wave of self-immolations as political protest globally in the past 60 years. The Chinese response to the escalation of self-immolations, however, consisted in strengthening the 'stability maintenance' approach, associated with a dramatic expansion of powers of China's policing and military apparatus.

### Freedom of expression

In recent years ICT has also witnessed a progressive degradation of freedom of expression in China and Tibet.

Since the 2008 protests, Chinese officials enforced a media blackout in Tibet, allowing only a select few, closely monitored delegations access to predetermined areas in Tibet. Western journalists are extremely curtailed in their ability to report on this region, which has implications for Western understanding of Tibet. Without free access for the media in Tibet and penalties for low-level information sharing—such as simply making a call to a friend outside Tibet or sending an email—among the most severe in the world, it is difficult to get an accurate picture of the situation on the ground.

According to the most recent report published in January 2013 by the independent organization Freedom House, which annually ranks countries and territories on their level of political rights and civil liberties, Tibet is part of its "Worst of the Worst" category, joining North Korea, Syria and Somalia.<sup>1</sup>

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<sup>1</sup> The full report "Freedom in the World 2013" is available at [http://www.freedomhouse.org/sites/default/files/FIW%202013%20Booklet%20-%20for%20Web\\_1.pdf](http://www.freedomhouse.org/sites/default/files/FIW%202013%20Booklet%20-%20for%20Web_1.pdf)

Tibetan writers, intellectuals, and artists have been particularly targeted since the protests and crackdown in 2008 and many have been ‘disappeared’, tortured, and imprisoned as the state seeks to control representations of Tibet. For the first time since the end of the Cultural Revolution in 1976, singers, artists and writers have been the target of a drive against Tibetan culture in which almost any expression of Tibetan identity not validated by the state can be branded ‘splittist’.<sup>2</sup> As a matter of fact, the Chinese government uses a mix of propaganda, disinformation and repression to stifle free expression and to present a positive image of its actions in Tibet to the outside world.

Moreover, in April 2010 the Chinese government sought to strengthen their hold on information by revising its “State Secrets Law” to include provisions specifically geared at hampering freedom of information through information communications technologies. While the Chinese government does not openly admit that it censors internet content, it is widely known to the Chinese public, who, fearing reprisals, often exercise “self-censorship” and avoid sites dealing with topics such as democracy, the Dalai Lama and the 1989 Tiananmen Square incident. State censorship and suppression of free expression is widespread across the PRC.<sup>3</sup>

### Self-immolations

All these factors have provoked an unprecedented wave of self-immolations by Tibetan monks, nuns and laypeople. Since February 2009, at least 118 Tibetans have self-immolated in Tibet<sup>4</sup> with a dramatic acceleration in frequency since the once-in-a-decade leadership transition at the Chinese Communist Party Congress in November 2012. Twenty-eight Tibetans self-immolated in November 2012 alone, marking a new phase in the political struggle in Tibet. Many acts of self-immolation – that have recently been clustered in politically restive areas of Amdo in eastern Tibet – have been followed by mass gatherings of Tibetans to honor and express solidarity with those who have called for freedom for Tibet and the return of the Dalai Lama as they set themselves on fire.

The Chinese government has responded to the self-immolations and unrest in Tibet by intensifying the military buildup and strengthening the very policies and approaches that are the root cause of the acts. The Chinese Communist Party’s erosion of authority and criminalization of self-immolation also leads to retributive actions against families, relatives, or monasteries associated with those who have self-immolated, which creates a vicious spiral in which more people are prepared to self-immolate because of the oppressive conditions.

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<sup>2</sup> For more information, see ICT report “A Raging Storm: The Crackdown on Tibetan Writers and Artists after Tibet’s Spring 2008 Protests” available at [http://www.savetibet.org/files/documents/Raging\\_Storm\\_complete.pdf](http://www.savetibet.org/files/documents/Raging_Storm_complete.pdf)

<sup>3</sup> For further details on Chinese internet censorship, see the latest report by the BBC News: <http://www.bbc.co.uk/news/world-asia-china-21743499>

<sup>4</sup> ICT has released a report on the self-immolations entitled “Storm in the Grasslands – Self-immolations in Tibet and Chinese Policy” : <http://www.savetibet.org/files/documents/storminthegrassland-%20FINAL-HR.pdf>

In the months since Xi Jinping was elevated to the top of the Chinese Communist Party, China has even more vigorously stepped up its response to these calls for freedom, heightening its already strong military presence and introducing further pervasive security systems.

New legal measures to criminalize the friends and relatives of self-immolators were introduced at the end of 2012. Dozens of Tibetans across eastern Tibet have been detained and long sentences passed, including a suspended death sentence issued in January 2013 for monk Lobsang Kunchok (Ch: Luosang Gongque) in Ngaba (Ch: Aba), Amdo.<sup>5</sup> These actions are exacerbating tensions in Tibet. The charges of “intentional homicide” against him follow new guidelines issued by China’s judicial and law enforcement authorities in December 2012 for the aggressive prosecution of cases involving self-immolation protests. Included in an editorial in the official Chinese media commenting on the new measures is the stipulation that: *“anyone who obstructs public security officers, medical personnel, or others from rescue efforts shall be held criminally liable for intentional homicide in accordance with the Criminal Law.”*<sup>6</sup> These actions are exacerbating tensions in Tibet.<sup>7</sup>

While the Chinese government has sought to underplay the self-immolations, they expose a crisis in the Beijing leadership’s Tibet policy. The self-immolations are a dramatic and visible counter to the claims of the Chinese Communist Party to be improving Tibetans’ lives and they are a direct challenge to the Party’s legitimacy in Tibet. Although the Chinese government has sought to blame the Dalai Lama and ‘outside forces’ for the self-immolations, it is acknowledged by the international community as well as a number of scholars and *netizens* in China that these dramatic developments in Tibet reflect significant failures in policy that must be addressed. This approach has been even criticized by a leading Chinese scholar on Tibet, Ms. Jin Wei, director of ethnic and religious studies at the Central Party School, who suggested that stalled talks with the Dalai Lama’s representatives should be restarted.<sup>8</sup>

### Leadership Change in China

In early November, during the 18<sup>th</sup> National Congress of the CCP, the PRC nominated its fifth generation of leaders, Xi Jinping and Li Keqiang, who in March 2013 became President and Premier of the PRC, respectively.

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<sup>5</sup> [http://www.savetibet.org/media-center/ict-news-reports/distress-death-sentence-tibetan-accused-  
inciting-self-immolation](http://www.savetibet.org/media-center/ict-news-reports/distress-death-sentence-tibetan-accused-inciting-self-immolation)

<sup>6</sup> Gannan Daily, “Those Who Incite Self-Immolations Must be Severely Punished Under the Law”, 3 December 2012 (Translation into English by Dui Hua Foundation)

<sup>7</sup> More information on self-immolations can be obtained at [http://www.savetibet.org/resource-  
center/maps-data-fact-sheets/self-immolation-fact-sheet](http://www.savetibet.org/resource-center/maps-data-fact-sheets/self-immolation-fact-sheet)

<sup>8</sup> The Economist, “The Way Forward”, 22 June 2013, [http://www.economist.com/news/leaders/21579845-proposals-different-approach-tibet-suggest-  
some-china-know-their-policies-are-not](http://www.economist.com/news/leaders/21579845-proposals-different-approach-tibet-suggest-some-china-know-their-policies-are-not)

Xi Jinping has worked, in the past few years, on developing a less conservative image. Nevertheless, he has also voiced rather conservative and often harsh stances, emphasizing the necessity to keep the Party in power.

In the current climate, it seems unlikely that there is a potential for a major shift on current hardline policies on Tibet, nor that there is any visible element of change within the Party on the issue. China has made it clear that Tibet is not a marginal issue but a core issue. Chinese officials asserted that Tibet is, together with Taiwan and the East China Sea, one of China's "core interests" of territorial integrity and national sovereignty.

## **2. EU-China Relations**

Diplomatic relations between the EU and China were established for the first time in 1975 when Christopher Soames, then European Commissioner for External Relations, became the first EU official to visit the PRC.

After almost forty years, China has become the EU's largest source of imports and the EU is China's biggest trading partner.<sup>9</sup> As a matter of fact, EU-China relations, based on the 1985 EU-China Agreement on trade and economic cooperation<sup>10</sup>, have grown to include foreign affairs, security matters and international challenges such as climate change and global economic governance.

At present, the EU and China hold almost 60 sectoral dialogues.<sup>11</sup> Every year an EU-China Summit takes place, although in 2008 China cancelled it due to French President Sarkozy's meeting with the Dalai Lama.

Of particular importance is the EU-China Human Rights Dialogue, the oldest human rights dialogue established between the EU and a third country. It is normally convened twice a year, alternating locations between the EU presidency and Beijing, but in recent years China has always cancelled the second round. The dialogue has two different components. During the first one, European and Chinese officials discuss human rights concerns in general as well as specific cases. The second one is a legal seminar where European academics and NGOs have discussions with their Chinese counterparts.

After Beijing's rejection of the Memorandum on Genuine Autonomy presented by Tibetan representatives during the round of the Sino-Tibetan dialogue in November 2008<sup>12</sup>, the Chinese government stepped up its anti-Dalai Lama campaign in China and abroad. Beijing has subverted and politicized international fora where its human

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<sup>9</sup> <http://eeas.europa.eu/china>

<sup>10</sup> Agreement on Trade and Economic Cooperation between the European Economic Community and the People's Republic of China, 1985:

<http://ec.europa.eu/world/agreements/downloadFile.do?fullText=yes&treatyTransId=783>

<sup>11</sup> EU-China Dialogue Architecture: [http://eeas.europa.eu/china/docs/eu\\_china\\_dialogues\\_en.pdf](http://eeas.europa.eu/china/docs/eu_china_dialogues_en.pdf)

<sup>12</sup> To read a translation of the Memorandum on Genuine Autonomy, see

<http://www.savetibet.org/policy-center/topics-fact-sheets/memorandum-genuine-autonomy-tibetan-people>

rights record has been challenged, and refused to answer questions from European governments.

Moreover, the Chinese government has refused to respond to requests for access to Tibet by UN rights monitors, foreign governments and international human rights NGOs, whilst gross human rights violations continue to occur, both in mainland China and in Tibet. This reflects not only intransigence by the Chinese government but also the failure of the EU to challenge it on this international concern. The international community continues to urge engagement from all parties to resolve differences and both sides have indicated that they are open to dialogue. However, the Chinese government insists on various preconditions. Among them, the end of the internationalization of the Tibet issue by the Dalai Lama, including his meetings with foreign leaders. As a matter of fact, over the past few years, Beijing has stepped up pressure on EU Member and civil society to block meetings between heads of government, ministers and members of Parliament with the Dalai Lama. Unfortunately, some European leaders have succumbed to the pressure. This undermines European values of dialogue and conciliation, and ultimately weakens EU leverage rather than contributing to the development of strong EU-China relations that encourage China to become a better global citizen.

An example of this approach is represented by the current UK-China crisis. Prime Minister David Cameron was recently forced to abandon a trip to China due to his meeting with the Dalai Lama in 2012.<sup>13</sup> High-level political relations between the two countries remain frozen but the UK does not seem to be considering apologizing or issuing a statement drafted by the Chinese, as other countries such as France and Denmark have done in the past. However, the EU has still not found a way to protect individual Member States from Chinese bullying. On the contrary, the current Chinese strategy is working. It is ever harder for Tibetan leaders to get meetings when they travel in Europe.<sup>14</sup>

As a matter of fact, a further recent example concerns the visit of Kirti Rinpoche, a senior Tibetan monk living in exile in India, who came to Europe in March 2013 to meet with representatives of institutions and Ministries of different countries. Following his arrival in Brussels, the Chinese embassy contacted the Belgian government to complain about his meetings with officials from the Foreign Ministry and the President of the Senate. As a result, two scheduled appointments were cancelled and downgraded.<sup>15</sup>

Moreover, the EU-China Human Rights Dialogue presents several shortcomings and has so far failed to bring concrete results. As mentioned by Kelsang Gyaltzen in March 2012: “The EU human rights dialogue with China has failed to improve the

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<sup>13</sup> The Guardian, « Blow for Cameron as China welcomes Hollande », 26 April 2013, <http://www.guardian.co.uk/world/2013/apr/26/blow-for-cameron-china-hollande>

<sup>14</sup> The European Voice, « The Tibetan Test », 16 May 2013, <http://www.tibetpolicy.eu/article-on-the-european-voice-the-tibetan-test/>

<sup>15</sup> For further information on Kirti Rinpoche’s visit to Europe, see <http://www.tibetpolicy.eu/visit-of-kirti-rinpoche-to-brussels-marked-by-chinese-pressure-on-belgian-officials/>

human rights of the Tibetan people and has failed to achieve a constructive dialogue between His Holiness the Dalai Lama or his representatives and the Chinese leadership.<sup>16</sup> At EU level there is often not enough political will to engage on human rights with China, turning these meetings into exercises of limited utility. The EU lacks a common strategy on human rights in China and the dialogues are not well linked with diplomatic initiatives, policies or other key issues in the EU-China bilateral relations (e.g. trade or investment). The EU should not only raise concerns but also address its expectations and demand specific commitments from its Chinese counterparts. The EU could make more use of public statements to make its position known, as Chinese leadership is sensitive to its image. It must also increase the transparency of the dialogue, while carrying out regular evaluations based on clear indicators and benchmarks. Moreover, decisions on China should be taken at a higher level and human rights issues, including Tibet, should systematically be raised at each EU-China Summit.

The EU and China will only become real strategic partners when genuine and concrete improvements on human rights will take place in Tibet and in the rest of China. This is a necessary precondition for stable EU-China relations.

### **3. Lithuanian Presidency, July – December 2013**

Lithuania will hold the Presidency of the Council of the EU in the second half of 2013, starting on 1<sup>st</sup> July 2013. Lithuania will be the first of the three Baltic States to hold the Presidency since joining the EU in 2004. All Member States alternately take on the Presidency of the Council for a period of six months, according to an order of rotation unanimously agreed by the Council of Ministers. The rotating Presidency of the Council is responsible for the functioning of the Council.

The state holding the Presidency has a very important role, as it coordinates the work for most of the various Councils. It gives Member States the power to influence decision making within that time period, as each President sets out the legislative agenda for the following six months, upon assuming office.

Among its main tasks, the Presidency:

- Sets the agenda of the meetings
- Drafts compromise documents and compromise reviews of the proposals
- Works to achieve compromise between the Member States
- Represents the Council during dialogues with the Commission and the Parliament

ICT is pleased that Lithuania will take on the next rotating Presidency of the Council due to its longstanding commitment to the Tibetan cause.

ICT believes that a coordinated effort between EU Member States and like-minded

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<sup>16</sup> Memorandum on the call for an EU Special coordinator for Tibetan Affairs , Kelsang Gyaltzen Envoy of His Holiness the Dalai Lama (Mach 2012) <http://www.tibetpolicy.eu/memorandum-on-the-call-for-an-eu-special-coordinator-for-tibetan-affairs/>



countries is the only way to compel China to move. The efforts undertaken so far by the EU and its 27 Member States are insufficient to address the current situation in Tibet. A fundamentally new approach is needed. The EU should assess how to adopt a coherent and coordinated EU foreign policy on the sensitive question of Tibet and should clarify and define its overall goals and objectives on this issue as well as work with the stakeholders to identify concrete steps that could help Tibetans and Chinese find mutually acceptable solutions. The current approach of various EU Member States alternately cajoling and criticizing China does not work. Without coordination, EU Member States are working at cross-purposes and handing Beijing shallow public relations victories and an ability to continue to stall. Therefore, as a first step, a consistent, unified Tibet policy must be forged.

ICT calls on the Lithuanian government to ensure that Tibet will be brought back to the forefront of the Council's political agenda during the six months of its Presidency, and looks forward to a fruitful collaboration with Lithuanian authorities during this period.

As has been rightfully pointed out in a recent article published by the European Voice, *“the burden of responsibility and solidarity lies particularly heavily on the countries that have living memories of communist rule and foreign occupation. The Tibetan flag is banned by the Chinese authorities, just as owning a flag in the colors of the pre-war republics guaranteed harsh punishment in the Soviet era. The Baltic States were wiped off the map by the Soviet Union, which criminalized any expression of national sentiment. Migration and ‘russification’ countered Baltic “nationalist” tendencies; now Beijing is destroying Tibetan identity with huge Han Chinese settlement. Only 30 years ago the restoration of Baltic independence seemed an impossible dream.”*<sup>17</sup>

## **RECOMMENDATIONS**

As recently stressed by the Committee on Human Rights of the Seimas of the Republic of Lithuania, the Lithuanian government should *“encourage the dialogue between the representatives of China and Tibet (...), build up support for it at the European Union level and at other international organizations contributing to the consolidation of peace and security, respect for human rights and freedoms around the world.”*<sup>18</sup>

ICT, therefore, urges the Lithuanian Presidency to:

- Ensure the **coordination between EU Member States'** national positions and the adoption of a clear EU policy on Tibet, including by appointing an **EU Special Coordinator for Tibet**<sup>19</sup>;

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<sup>17</sup> The European Voice, “The Tibetan Test”, <http://www.europeanvoice.com/article/imported/the-tibetan-test/77253.aspx>

<sup>18</sup> Statement of the Seimas Committee on Human Rights on the Situation of Human Rights in Tibet, 14 March 2012, [http://www3.lrs.lt/pls/inter/w5\\_show?p\\_r=9252&p\\_d=122500&p\\_k=2](http://www3.lrs.lt/pls/inter/w5_show?p_r=9252&p_d=122500&p_k=2)

<sup>19</sup> On this issue see the « Memorandum on the call for an EU Special coordinator for Tibetan Affairs » by Kelsang Gyaltzen Envoy of His Holiness the Dalai Lama (Mach 2012)

- Ensure the alignment of national positions, stating in an **EU common position** that it is the right of all EU Member States to welcome and **meet with the Dalai Lama** and legitimate representatives of the Tibetan movement in whatever manner they deem appropriate and without interference or threats from the Chinese government;
- Actively and concretely promote the **resumption of the Sino-Tibetan dialogue**, which has been stalled since 2010, as a way to contribute to a durable solution of the crisis in Tibet and to the improvement of the human rights situation of Tibetan people;
- Prevail upon the new Chinese leadership to **re evaluate the ‘stability maintenance’ approach** as applied in Tibet, to end the military buildup and limit the dominance of the security apparatus. These are factors that have intensified the dangers in Tibet, increasing the risk of more self-immolations and future instability;
- Call on China to allow independent observers, human rights experts, UN officials, the EU Special Representative for Human Rights and Beijing-based European ambassadors<sup>20</sup> to investigate on the human rights situation in Tibet and grant foreign media **unrestricted access to Tibet**;
- Utilize all appropriate **UN** fora to press the Chinese government on the situation in Tibet and increase international coordination and cooperation. Specifically, EU Member States should make use of China’s upcoming second **Universal Periodic Review** (UPR) at the Human Rights Council (22 October 2013) to voice their concerns about ongoing human rights violations in Tibet;
- Reinforce transatlantic and international cooperation on Tibet with like-minded countries;
- Re-think the **EU-China Human Rights Dialogue** and ensure a better integration of human rights issues into all aspects of EU-China relations, including at the highest level;

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<http://www.tibetpolicy.eu/memorandum-on-the-call-for-an-eu-special-coordinator-for-tibetan-affairs/>

<sup>20</sup> The US Ambassador to China Gary Locke visited Tibetan areas on two occasions, the latest one was end of June 2013 <http://qz.com/97972/us-ambassador-to-china-visits-tibet-amid-wave-of-self-immolations/>