

# Tibet Brief

A report of the International Campaign for Tibet



July 2014

## The EU changing engines on a moving train

Following the European Parliament (EP) elections at the end of May, the EU entered into an intricate period of transformation. As if changing engines on a moving train, great care was taken not to derail any wagons, or in this case, alienate any Member States or political parties, and to keep the European project going.



© European Parliament

New European Commission President Jean-Claude Juncker

Compared with previous elections in 2009 and 2004, the winning European People's Party's (EPP) support decreased significantly due to an alarming rise of Eurosceptic right-wing parties. They were able to secure an overall victory, but the second largest group in the EP – the Progressive Alliance of Socialists and Democrats (S&D) – is not lagging too far behind. In any case, a coalition was needed to secure that the EPP candidate for the Presidency of the European Commission (EC) – **Jean-Claude Juncker** – passed the vote in the European Parliament.

For the first time major European political parties had agreed before the elections that for greater transparency they would introduce their candidates for the Presidency of EC publicly. They would not allow the Member States to appoint a candidate behind closed doors in the European Council. This agreement was followed by an ultimatum by the EP to veto any other candidate apart from the top candidates presented before the elections.

Such shift from Intergovernmentalism to parliamentarianism has not been to

everyone's tastes. The Prime Ministers of the UK, **David Cameron**, and Hungary, **Viktor Orbán**, objected to the nomination of Juncker mostly because of his federalist views.

Despite some disgruntled voices, **Juncker** passed the vote in the EP on July 15 with the backing of a coalition of the EPP, S&D and Alliance of Liberals and Democrats for Europe (ALDE). He secured 422 votes, while 250 MEPs voted against him and 47 abstained. Juncker needed an absolute majority of 751, meaning at least 376 votes were required. This coalition also

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guaranteed the re-election of **Martin Schulz** (S&D) as the President of the EP.

It is not yet clear who will be succeeding **Catherine Ashton** as the High Representative of the Union for Foreign Affairs and Security Policy because the exact assignment of portfolios in **Juncker's** Commission is still pending. The whole Commission is expected to take office in November this year following hearings and a vote of investiture in the European Parliament.

The EP's top positions – Vice-Presidents and Quaestors, as well as Chairs and Vice-Chairs of Committees and Delegations – were distributed between groups. Nevertheless, those preferences needed to be legitimised by votes either in the Plenary or respective Committees and Delegations, and in some cases pro-European groups, joined forces to scupper Eurosceptics from taking the top jobs.

Of the signatories of the ICT's pledge "[2014 for Tibet](#)" **Ulrike Lunacek** (Greens/EFA, Austria) was elected a Vice-President of the European Parliament; **Michael Cramer** (Greens/EFA, Germany) the Chair of the Committee on Transport and Tourism; **Yannick Jadot** (Greens/EFA, France) a Vice-Chair of the Committee on International Trade; **Robert Rochefort** (ALDE, France) and **Catherine Stihler** (S&D, UK) Vice-Chairs of the Committee on Internal Market and Consumer Protection; **Jaroslav Walesa** (EPP, Poland) a Vice-Chair of the Committee on Fisheries; and **Lidia Joanna Geringer de Oedenberg** (S&D, Poland) a Vice-Chair of the Committee on Legal Affairs.

**Tunne Kelam** (EPP, Estonia) and **Ulrike Lunacek** will be speaking up for the rights and freedoms of Tibetans in their capacity as Members of the Committee on Foreign Affairs, and **Monica Macovei** (EPP, Romania) as a Substitute Member. ■

## Italian EU Presidency and the Dalai Lama's visit to Italy

Between June 13 – 15 the Dalai Lama paid an official visit to Italy.

The **International Campaign for Tibet** (ICT) worked hard to put Tibet on the political agenda that week. ICT's President **Matteo Mecacci** spoke at a hearing at the Human Rights Committee of the Chamber of Deputies in Rome on June 12 (click [here](#) to see the video). He briefed government officials on Tibet in advance of Italy assuming Presidency of the European Union on July 1.

Mr. **Mecacci** and ICT's EU Policy Director **Vincent Metten** met members of the government and Parliamentarians in Rome. They called for Italy to lead the way on adopting a common European Union position on meetings with the **Dalai Lama**, stating that it is the right of all EU Member States to welcome and meet with the **Dalai Lama** and representatives of the Tibet movement whenever appropriate. They also supported the **Dalai Lama's** recent request for an inquiry into the wave of self-immolations across Tibet.

On his first visit to China, the new Italian Prime Minister **Matteo Renzi** met the Chinese President and Party chief **Xi Jinping** in Beijing on June 11. His visit to China coincided with the **Dalai Lama's** arrival in Italy, beginning with a visit to an important Tibetan religious and cultural institute in Tuscany, the **Lama Tzong Khapa** Institute in Pomaia (Pisa).

The **Dalai Lama** then held teachings and lectures in Livorno on June 14 and 15. Approximately 7,000 people attended the event on both days. ICT had an official stand in the hall where the **Dalai Lama** held his teachings in order to raise awareness about the current political and human rights situation in Tibet, and to distribute information.

On the evening of June 14, Mr. **Mecacci** spoke at a Tibet discussion in Livorno, joining a panel that included Ms. **Maria Grazia Rocchi**, Member of the Italian Parliament, **Thubten Wangchen**, member of the Tibetan Parliament in exile, **Claudio Cardelli**, President of the Association Italia-Tibet, **Nyima Dondhup** President of the Tibetan community in Italy and **Franco Battiato**, a popular Italian singer and activist. ■



ICT staff and Vice-President of the Italian Chamber of Deputies, Mrs. Marina Sereni

## Spanish Socialist Party makes formal appeal against changes in universal jurisdiction law but Spanish court closes Tibet case

On June 12, Spanish Parliamentarians issued an appeal to the Constitutional Court in Madrid, declaring that a change in Spanish law was necessary in response to Chinese pressure over two Tibet lawsuits was deemed illegal and unconstitutional.

After two Tibet lawsuits led to arrest warrants being issued by the Spanish courts for several Chinese officials for their Tibet policies, the Spanish Parliament had voted in February in favour of a bill that limits the power of the judiciary to investigate human rights abuses committed outside the country (see article in [Tibet Brief edition 42 of March 2014](#)).

The ruling was deeply controversial both internationally and in Spain, where it made headlines and led to a national debate, with many Spaniards arguing that China should not be allowed to influence either domestic policy or international law. Some 122 non-governmental organisations, including the **International Campaign for Tibet (ICT)**, signed a statement calling on the Spanish Parliament to uphold its international legal commitments and ensure that any reforms to its universal jurisdiction laws are consistent with international law. **ICT** also sent an [open letter](#) to the Spanish Socialist Party.

Also on June 12, the Spanish opposition Socialist Party made a formal challenge to the change in legislation, presenting an appeal to the court in Madrid. It argued that this change in the law on the internationally-recognised principle of universal jurisdiction is unconstitutional. The Spanish lawmakers seek to prevent a change in the law that would limit courts in trying cases of the most serious crimes regardless of where they

were committed and the nationality of the perpetrator and/or victim. They argue that this development would put Spain in breach of its international obligations and offer impunity to those responsible for serious crimes.

**Matteo Mecacci**, **ICT**'s President, said: "We welcome the action of the Socialists in challenging the Spanish government's attempt to overturn such an important principle of international law. The result of the earlier vote by the Spanish Parliament underlined the unprecedented pressure that the Chinese government is imposing on European governments on Tibet, including changes to the national legislation of a democratic country. This action taken by the Spanish opposition is an important first step to resist the pressure from China. It reaffirms the importance of democratic institutions against the blackmails of authoritarian governments."

However, only 10 days later, on June 23, Spain's Audiencia Nacional appeals court dismissed the judicial investigations into the Tibet lawsuits.

The judges of the court voted nine to seven to shelve both cases, as it does not comply with the new requirements of the reform law.

Local Tibet Support Groups in Spain will now appeal the decision. ■

## Tibetan filmmaker Dhondup Wangchen released after six years in prison



Dhondup Wangchen

On June 5, the Tibetan award-winning filmmaker **Dhondup Wangchen** was released after six years in prison.

The **International Campaign for Tibet (ICT)** warmly welcomed his release with an open statement by its President **Matteo Mecacci**: "He was held six years too long for simply making a film. Freedom of expression is a universal right and must be exercised by all citizens. We are glad Dhondup has now left the prison and we hope he will soon be able to rejoin his family".

**Dhondup Wangchen** and his assistant **Jigme Gyatso** were detained in March 2008 after they completed "Leaving Fear Behind," a documentary featuring

Tibetans in Qinghai province expressing views on the **Dalai Lama**, the Beijing Olympic Games and Chinese law. Before his arrest **Dhondup Wangchen** managed to smuggle the footage overseas. The film has been screened worldwide. In July 2009, officials barred lawyer **Li Dunyong** from representing Wangchen and charged him with "inciting separatism." The Xining Intermediate People's Court then sentenced him in December, 2009, to six years imprisonment.

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After harsh treatment at Xichuan Prison, that included solitary confinement starting in March 2012, officials transferred **Dhondup Wangchen** to Qinghai Women's Prison in Xining city where conditions were better and relatives were able to visit.

**Dhondup Wangchen** has been honoured for his courage by Amnesty International. The Committee to Protect Journalists

also awarded him the International Press Freedom Award in 2012. Dhondup's case was a priority for the United States government.

**Jigme Gyatso** served seven months in prison for the film but was then charged with another political crime. He fled Tibet and reached Dharamsala, India, in May 2014. ■

## ICT invited as speaker at a conference by the Unrepresented Nations and Peoples Organization in Munich

On June 27, the Unrepresented Nations and Peoples Organization (UNPO) convened a conference entitled 'Are Ethnic, Religious and Linguistic Minorities Just Pawns on the Geopolitical Chessboard?'. It was held at the Bavarian State Parliament in Munich, Germany, in collaboration with the World Uyghur Congress (WUC).

The conference, hosted by the German Green Party, and in particular by the Green MP Margarete Bause, aimed to offer a better understanding of the geopolitical complexities that shape the lives of ethnic, religious and linguistic minorities in various regions of the People's Republic of China, namely East Turkestan ('Xinjiang') and Tibet, and Crimea in the Ukraine.

The starting point of the discussions centred around the concept that the struggles for territory, power and recognition render various nations, peoples and minorities as pawns or puppets of the international system. They represent a threat to the status quo, which further vilifies the claims of marginal communities.

Speaking at the conference, the **International Campaign for Tibet (ICT)** held a presentation focusing on the geopolitical and strategic importance of the Tibetan region for China both in terms of the Chinese ideology of territorial unity and in terms of natural resources, such as water and minerals. However, **ICT** made the important point that China's assimilationist policies have actually empowered Tibetan nationalism and strengthened resistance movements in recent years.

Several Members of the European Parliament (MEPs) attended the



ICT at UNPO conference in Munich, June 27, 2014

conference, either in person or via a video message. **Barbara Lochbihler**, former Chairwoman of the European Parliament's Subcommittee for Human Rights (Greens/EFA, Germany), **Bernd Posselt** (EPP, Germany) and **Jean Lambert** (Greens/EFA, UK).

Further speakers were, among others, Dr **Fiona McConnell**, Associate Professor at Oxford University; Mr **Erkin Alptekin**, Former President of WUC; and Dr **Elzbieta Kuzborska**, a minority and language rights expert from Lithuania. ■

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## New UN High Commissioner for Human Rights

On June 16, the United Nations General Assembly unanimously approved Prince **Zeid Ra'ad Zeid al-Hussein** of Jordan as the new High Commissioner for Human Rights, succeeding Navi Pillay of South Africa.

Prince Zeid is the first High Commissioner from the Asian continent and the Muslim and Arab worlds. He is currently Jordan's Permanent Representative to the UN.

The International Campaign for Tibet (ICT) welcomes the appointment of Prince Zeid and intends to start working with

his team immediately to secure a long-awaited visit to China and Tibet. China is the only Security Council member, which has not yet agreed to a visit by the UN High Commissioner for Human Rights.

For more information see [the official UN press release](#). ■



Newly appointed UN High Commissioner for Human Rights, Prince Zeid

## Political Prisoner Focus

There is serious concern for the welfare of a respected and popular Tibetan lama, **Khenpo (Abbot) Karma Tsewang**. He remains in prison six months on from his detention without access to relatives or doctors, and only intermittent access to his lawyer. **Karma Tsewang**, also known as **Khenpo Kartse**, is seriously ill with a liver condition, and according to Tibetan sources, there are fears that he faces serious criminal charges (see article in [Tibet Brief edition 41 of January 2014](#)).



Khenpo Kartse

The Beijing-based Tibetan writer, **Tsering Woesser**, gave new information about possible charges against the Tibetan monk in a blog published on the six-month anniversary of **Khenpo Kartse's** detention. She reported that his Chinese

lawyer was told that charges against **Khenpo** had changed from 'endangering national security' to 'illegal harboring' and 'divulging state secrets', connected to a self-immolation. According to **Woesser**, when his lawyer, who was allowed only

brief access to **Khenpo Kartse**, raised concerns about his health, he was told that "because this was a major case involving stability maintenance they would not allow him to be released, and instead would continue to hold him in detention". The specific charges against him may not be clear if the case continues to be handled in secret.

'Endangering national security' refers to a broad category of criminal offences in Chinese law, including separatism and interfering with national sovereignty, among others. It can carry a sentence of 15 years in prison. Under China's Criminal Law, Article 282, an accusation of 'divulging state secrets' carries a fixed term sentence of no more than three or seven years imprisonment. But definitions of what is a 'state secret' are subject to interpretation according to the political climate and the authorities' drive to secure a conviction against a specific individual. ■

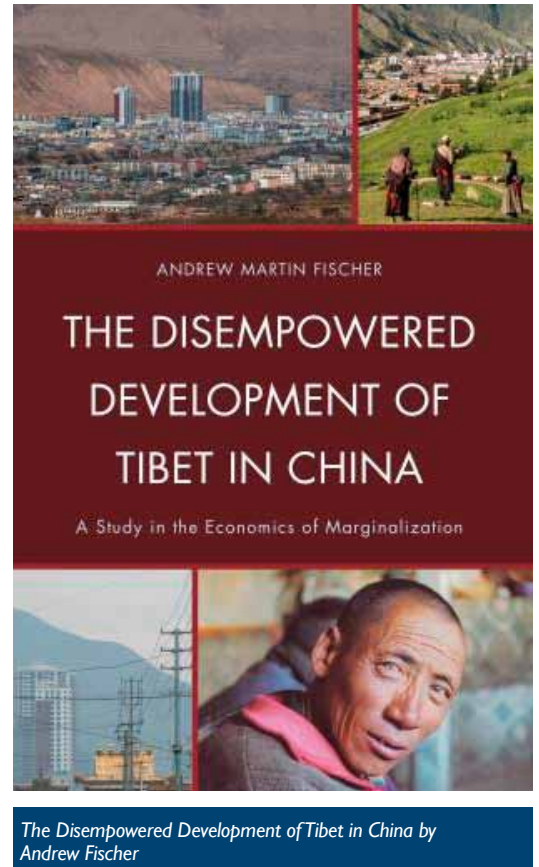
## Reading Suggestion

Andrew Fischer is associate professor at the Institute of Social Studies (ISS) in The Hague where he teaches poverty studies, population, inclusive growth and development economics.

His book 'The Disempowered Development of Tibet in China' offers a detailed and careful exploration of this synergy between development and conflict in Tibet from the mid-1990s onwards. This has been a crucial period when rapid economic growth has occurred in tandem with a particularly assimilationist approach of integrating Tibet into China. Since the central government of China started major campaigns for western development in the mid-1990s, the economies of the Tibetan areas in Western China have grown rapidly and living standards have improved. However, grievances and protests have also intensified, dramatically demonstrated by the protests that spread across most Tibetan areas in spring 2008 and by the more recent wave of self-immolation protests that started in 2011. Fischer argues that the intensified economic integration of Tibet into regional and national development

strategies on these assimilationist terms has accentuated various dynamics of subordination and marginalization faced by Tibetans of all social strata. He cites continued political disempowerment and massive channeling of subsidies through Han Chinese dominated entities based outside the Tibetan areas. Whether or not these dynamics intend to be discriminatory, they effectively accentuate the discriminatory, assimilationist and disempowering characteristics of development, even while producing considerable improvements in the material consumption of local Tibetans.

The combination of these disempowering dynamics and the sheer speed of dislocating and social change provides important insights into recent tensions. Fischer says that it has accentuated insecurity while restricting the ability of Tibetan communities to adapt in autonomous and self-determined ways. ■



## Upcoming Events

- ▶ **SEPTEMBER 7 - 26, 2014:** 27<sup>TH</sup> SESSION OF THE UN HUMAN RIGHTS COUNCIL
- ▶ **SEPTEMBER 2014:** START OF THE NEWLY ELECTED EUROPEAN PARLIAMENT