



INTERNATIONAL CAMPAIGN FOR TIBET

Concerns rise about Tibetans' status in Nepal as Chinese leader Xi Jinping prepares to visit

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- Security has tightened this week in Nepal's capital of Kathmandu in advance of Chinese President Xi Jinping's visit from Saturday, Oct. 12 to Sunday, Oct. 13, with a particular focus on Tibetans. According to reports from Nepal, at least 18 Tibetans were detained by Nepalese police in connection with the visit, although some of them seem to have been subsequently released.¹ Five Tibetans who had been attending a conference run by the Central Tibetan Administration in India were refused permission to re-enter Nepal. Earlier, nine Tibetan activists, including writer-activist Tenzin Tsundue, were detained in Chennai, India, this week² in advance of Xi's arrival for bilateral talks with Indian Prime Minister Narendra Modi.
- According to reports, the Nepalese government discussed a possible extradition treaty with China in advance of Xi's visit. Even if such a treaty were not signed during the high-level visit, there are fears the Nepalese government may be pressured to take further steps in the near future to conclude such a treaty. The International Campaign for Tibet (ICT) is concerned that a treaty of that nature could include provisions that would further jeopardize the status of Tibetans in Nepal.
- Nepal's ruling Communist government has made a decisive pivot toward Beijing in recent months. Nepalese officials and leaders have even been trained on "Xi Jinping Thought," raising concerns among many in Nepal about issues of sovereignty and judicial independence.

News emerged this week in a section of the Nepalese media and in other sources that the Nepalese government was preparing to sign an extradition treaty with China during Chinese President and Communist Party Secretary Xi Jinping's visit this weekend.

It is not known whether such a treaty will be signed during Xi's visit; one Nepalese news outlet reported that following a meeting on Oct. 10, 2019 of leaders and ex-prime ministers, Nepal's current Prime Minister KP Oli said the government would not sign the treaty during Xi's visit.³ A well-informed

¹ Information received by ICT from sources in Nepal.

² According to Radio Free Asia, "The activists had planned to hold a protest about 50 kilometers (31 miles) from the venue in Tamil Nadu's Mamallapuram city where Xi and Modi are scheduled to meet on Oct. 11-13 amid recent strains in the Sino-Indian relationship over trade and border disputes. [...] Media reports said police detained 42 Tibetans in all, but let most of them go after they promised to refrain from demonstrating and maintain peace." Radio Free Asia, October 8, 2019, <https://www.rfa.org/english/news/tibet/nine-tibetan-activists-arrested-10082019170851.html>

³ Online portal Khabarhub had reported that it might be signed this weekend, but updated their report, saying: "Nepal will not sign an extradition and mutual legal assistance treaty with China during the state visit of Chinese President Xi Jinping to Nepal on Saturday. [...] The decision to this effect was made after a consultation meeting with former prime ministers called by Prime Minister KP Oli on Thursday." <https://english.khabarhub.com/2019/10/48348/> This information

source in Kathmandu who works for a Nepalese civil rights organization told ICT: “The agreement is ready to go from the Nepalese side, and the Chinese side want it to happen. We don’t know exactly what will transpire during the visit. But the Nepalese must not follow blindly what the Chinese say; we call ourselves a democracy, and must protect our sovereignty.”

The Chinese government has been seeking such an agreement for several years, and the government of Nepal is believed to have resisted pressure from China on earlier occasions.⁴ Following a visit to China by Oli in June 2018, a joint statement was issued that said, “Both sides agreed to negotiate the Treaty on Mutual Legal Assistance in Criminal Matters and Treaty on Extradition, in order to strengthen cooperation on the administration of border areas and fight against illegal border crossing and transnational crimes.”⁵ In an analysis following the visit, a Nepalese scholar wrote, “China has been seeking ‘Treaty on Mutual Legal Assistance in Criminal Matters’ and ‘Treaty on Extradition’ similar to Nepal-India extradition treaty which facilitates the prevention of any anti-China activities from Nepali territory.”⁶

Matteo Mecacci, president of the International Campaign for Tibet, said:

“The International Campaign for Tibet (ICT) is concerned by reports that an extradition treaty between Nepal and China is being discussed and could be signed in the near future. The Chinese government systematically violates basic human rights, including the right to a fair trial, so any extradition treaty with China is highly problematic, as the recent developments in Hong Kong have clearly shown. Such a treaty could also effectively further jeopardize the situation of Tibetan refugees in Nepal, whose status has been precarious for a long time. We call on the Nepalese authorities not to sign an extradition treaty with China and on the international community to be vigilant and protect the rights of Tibetans in Nepal.”

China has sought to push extradition treaties with other countries to criminalize and target individuals suspected of disloyalty to the one-party state, dissidents and peaceful protesters. The ongoing protests in Hong Kong were sparked by pressure from Beijing to pass legislation that allows extradition from Hong Kong to China.

Interestingly, there was an unprecedented exercise of Beijing’s export of its ideology in Nepal last month when a two-day symposium on “Xi Jinping Thought” was held, and Song Tao, the chief of the International Liaison Department of the Chinese Communist Party (CCP), and other CCP officials imparted “training” to about 200 Nepal Communist Party (NCP) leaders, including Prime Minister Oli.⁷ This doctrine, which endorses Xi as China’s “core” leader and is supposed to guide the entire People’s Republic of China, was extended outside China’s borders to Kathmandu, to the dismay of many Nepalese opposition leaders and members of civil society. Ajaya Bhadra Khanal, a researcher at

was also confirmed by ICT sources. Khabarhub also confirmed that a draft of the treaty had been made ready prior to Xi’s visit.

⁴ China’s strategic convergence, My Republica, June 27, 2018, <https://myrepublica.nagariknetwork.com/news/china-s-strategic-convergence/> Also, according to the Kathmandu Post, China forwarded the text of an extradition treaty to Nepal for consideration in 2009 and also ahead of former Chinese Premier Wen Jiabao’s visit to Nepal in January 2012. The newspaper reported in an article on October 22, 2014 that: “Nepal is yet respond to China on either of the two documents.” (<https://kathmandupost.com/miscellaneous/2014/10/22/china-proposes-bippa-extradition-treaty-to-nepal>)

⁵ Joint Statement between the People’s Republic of China and Nepal, June 21, 2018, https://www.fmprc.gov.cn/mfa_eng/wjdt_665385/2649_665393/t1570977.shtml

⁶ China’s strategic convergence My Republica, June 27, 2018, <https://myrepublica.nagariknetwork.com/news/china-s-strategic-convergence/>

⁷ Nepal Communist Party and the Communist Party of China formalise relations, Kathmandu Post, September 25, 2019 <https://kathmandupost.com/politics/2019/09/25/nepal-communist-party-and-the-communist-party-of-china-formalise-relations>

the Centre for Social Inclusion and Democracy, was quoted in Nepalese media saying: “Nepal’s public and foreign policy has long been hamstrung by a lack of consistency. This new development is likely to deprive Nepal of its independent and free decision-making.”⁸

Following the training, the NCP and CCP signed a six-point bilateral agreement on Sept. 24, 2019.⁹ An undated draft copy of the agreement seen by the International Campaign for Tibet states that both parties agreed to closer “high-level exchanges” and increased “cooperation” in order to “share experience in strengthening governance capacity building, grass roots level organisation work.” The draft copy also stated that the “party-to-party channel” between the CCP and NCP should be “brought into the fullest possible use” and that exchanges “between youth and local leaders of Nepal and China” should also be strengthened.

Nepal is part of China’s strategic effort to maintain and enforce political “stability” in Tibet, meaning that Chinese authorities are seeking to ensure complete control, compliance with Communist Party policy and the crushing of all dissent. Party officials equate political “stability” in Tibet, an important border territory, with the security of the entire People’s Republic, and this approach has been extended to Nepal, with its close ties to Tibet and location as the gateway into exile for Tibetans who seek to flee Chinese rule.¹⁰

Particularly since 2008, when a brutal crackdown was imposed in response to peaceful protests across Tibet, China-Nepal interaction has been characterized by Chinese financial or other support, and in return, there is an expectation that Nepal will condemn, prevent or physically quash “anti-China” activities on Nepali soil—although what constitutes “anti-China” activity is not defined. Demonstrations and gatherings with an overtly political tone might fall under that category, but difficulties for Tibetans in Nepal have gone well beyond the political to include many different aspects of their cultural, social, civil and economic lives.

Chinese Foreign Minister Wang Yi was sent to Kathmandu in September to strengthen ties in advance of Xi’s arrival this week. According to a Chinese state media report on the visit, Nepal’s prime minister “reiterated Nepal’s adherence to the one-China policy, saying no anti-China activities are allowed in the country,” thereby signaling Nepal’s fidelity to China’s dictates on Tibet.¹¹

Nepal’s ability to counter China’s heavy-handed approach on Tibet has been increasingly compromised, particularly since Nepal formally joined the “One Belt One Road” initiative in 2017, with promises of millions of dollars of Chinese investment in Nepalese infrastructure and projects.¹²

⁸ A blueprint for consolidating power: China exports Xi Jinping Thought to Nepal, Kathmandu Post, September 24, 2019, <https://kathmandupost.com/national/2019/09/24/a-blueprint-for-consolidating-power-china-exports-xi-jinping-thought-to-nepal>

⁹ Nepal Communist Party and the Communist Party of China formalise relations, Kathmandu Post, September 25, 2019 <https://kathmandupost.com/politics/2019/09/25/nepal-communist-party-and-the-communist-party-of-china-formalise-relations>

¹⁰ ICT documented the situation for Tibetans on an annual basis for some years in its series of reports entitled ‘Dangerous Crossing’ – all these reports are archived at: <https://www.savetibet.org/category/publications/major-ict-report/dangerous-crossing/>

¹¹ Nepal, China vow to further boost cooperation, Xinhua, September 9, 2019, http://www.xinhuanet.com/english/2019-09/10/c_138379001.htm

¹² According to the Chinese state media, in March 2017, China committed foreign direct investment of \$8.2 billion to the Himalayan country out of total pledges of \$13.52 billion received at the Nepal Investment Summit. The same Global Times article noted that: “The Chinese pledges overshadowed India’s commitment of \$317 million at the same event.” Global Times, August 14, 2017, <http://www.globaltimes.cn/content/1061315.shtml>

In addition China has spent billions of dollars on infrastructure projects in Tibetan areas bordering Nepal. (Also see: Nikkei Asian Review, March 9, 2019, <https://asia.nikkei.com/Spotlight/Belt-and-Road/Belt-and-Road-reaches-Nepal-s-wild-north-winning-China-influence>).

A direct correlation between the deepening investment and aid from China and the vulnerabilities of Tibetans in Nepal is acknowledged openly by Beijing, which has described its investment as a reward to Nepal for its “important role in guarding against Tibetan separatists,” according to state media.¹³

There has been a dramatic decline in Tibetan refugee arrivals in Nepal since the tightening of border controls and crackdown in Tibet in 2008. There has also been continued inaction on the status of Tibetan refugees. Tragically, thousands of Tibetans remain stateless and in political limbo in Nepal.

¹³ “China should offer more generous aid to Nepal amid Sino-Indian border dispute”, Global Times, August 14, 2017, <http://www.globaltimes.cn/content/1061315.shtml>