



# New Tibet Legislation Supports Tibet-China Government Negotiations

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### **| SUMMARY**

- China's human rights violations in Tibet continue despite international calls to negotiate a lasting, peaceful resolution. More than 12 years after China abandoned dialogue with the Dalai Lama, a new piece of legislation introduced by Rep. Jim McGovern, D-Mass., and Rep. Michael McCaul, R-Texas, will clarify America's position that it considers the People's Republic of China's rule in Tibet as unresolved in the absence of an agreement with Tibetan leadership based on negotiation, not subjugation.
- The Promoting a Resolution to the Tibet-China Conflict Act (H.R. 8365) explicitly states that the United States views negotiations as the only way to resolve the Tibet-China conflict and states the importance of countering the Chinese government's pervasive disinformation regarding Tibet, Tibetans and His Holiness the Dalai Lama.
- It also importantly reaffirms Tibetans' right to self-determination as a people and that current Chinese policies bar this, and other, fundamental rights from being exercised.
- The PRC routinely exploits any perceived inconsistency on Tibet's status and uses foreign statements referring to Tibet as 'a part of China' as smoke screens for its false claims. Adopting a consistent approach and removing any ambiguity from U.S. policy and statements on Tibet will elevate the importance of resolving the ongoing Tibet-PRC conflict through meaningful negotiations that reflect Tibetan consent.

China has illegally occupied Tibet, a historically independent country, for more than half a century. In all that time, it has never won the hearts and minds of the Tibetan people; Chinese rule in Tibet has no legitimate historical, diplomatic or popular basis. The Chinese government has cracked down severely on Tibetans' religious freedom,

freedom of expression and other basic human rights. China's abuses in Tibet have reached such a magnitude that Freedom House recently declared Tibet tied with South Sudan and Syria for the least-free country on Earth.

In their efforts to safeguard Tibet's culture, religion and language, the Dalai Lama and the Central Tibetan Administration advocate for what they refer to as the Middle Way Approach. Instead of pursuing independence on the one hand or accepting China's authoritarian status quo on the other, under the Middle Way Approach, Tibet would remain part of the People's Republic of China, but Tibetans would gain meaningful autonomy over their own affairs. This approach is consistent with China's constitution, which allows for regional autonomy.

The United States government and others around the world have endorsed the Middle Way Approach, and between 2002 and 2010, Chinese and Tibetan officials repeatedly met for negotiations. Since 2010, however, the Chinese have refused to return to the table. Instead, Beijing insists on poison-pill preconditions to talks. In parallel, the PRC's abuses in Tibet became increasingly severe, triggering a wave of more than 150 self-immolations protesting China's worsening human rights violations.

**The Middle Way is “a practical approach and mutually beneficial to both Tibetans and Chinese, in which Tibetans can preserve their culture and religion and uphold their identity.”**

**-The Dalai Lama**

After more than a decade without dialogue, the Promoting a Resolution to the Tibet-China Conflict Act (H.R. 8365) will strengthen America's support for negotiations and provide greater leverage for the Tibetan leadership to restart talks. While the United States has staunchly supported the Middle Way Approach, the PRC has shown that it is willing to exploit any inconsistency in ways that undermine US policy goals. In the face of this opportunistic adversary, we must clarify our position in order to lend the greatest possible support to the negotiation process.

The United States government has repeatedly identified Tibet as a separate country from China and called on Beijing to resolve the issue through dialogue with the Tibetans. But it also has referred to Tibet as “a part of China,” often in the very same statements calling on the PRC to resume negotiations. These statements were designed to allay the PRC's stated concerns about separatism, but labeling Tibet a part of China has triggered the side effect of granting an unearned legitimacy to Chinese rule and Tibetans' total lack of autonomy. The PRC utilizes these statements as proof that the Tibet issue is an entirely internal issue, even going so far as to argue that calling Tibet a part of China obliges the United States to cease support for the Dalai Lama and calls for a resumption of negotiations. China has described its actions in Tibet—including serious human rights abuses—as “internal affairs,” and calling Tibet a part of China only bolsters this dangerous assertion.

**“Tibet is a sacred and inalienable part of China's territory. Tibet-related affairs fall entirely within the internal affairs of China. The US [...] reneged on its commitment of recognizing Tibet to be a part of China... We urge the US side once again to [...] stop interfering in China's internal affairs.”**

***-PRC spokesman Qin Gang admonishes the United States after President Obama met with the Dalai Lama, citing American statements referring to Tibet as a part of China to argue that the meeting was a violation of this “commitment”***

This new legislation will raise the stakes to resume negotiations by clarifying America’s position that the Tibet-PRC conflict will remain unresolved until Chinese government policies allow Tibetans to provide consent on their future status through peaceful, finalized negotiations. In turn, the onus is now on the Chinese government to reach and implement such an agreement with official Tibetan representatives or the United States will make clear it does not consider the current situation resolved for the Tibetan people and will proactively counter disinformation.

Tibetan leadership has made it clear that they are ready and willing to resume negotiations. Now we have an opportunity to ensure that the Chinese government can’t use United States public and private statements to undermine America’s own pressure on Beijing to come back to the table. If the Promoting a Resolution to the Tibet-China Conflict Act (H.R. 8365) passes, the Chinese government will no longer be able to pick and choose which statements it prefers; instead, American statements and policies will all point to negotiations as the only path to resolving the Tibet-PRC conflict and to granting the Tibetan people a future based on self-determination.



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