



Ending Tibet's Occupation

February 2023

ILLEGAL OCCUPATION

After winning the Chinese Civil War, Mao Zedong ordered the invasion of Tibet. Until that time, the previously independent Tibet had never been ruled by China. Before the invasion, the United States referred to Tibet as a separate country. And since, Congress has put forward multiple statements affirming that Tibet remains occupied and the issue unresolved. [Reasserting this stance opens the door to greater pressure on China to negotiate a stable, peaceful solution.](#)

BROKEN PROMISES

In 1951, the Chinese Communist Party forced the Tibetan government under duress to submit to an agreement stating that Tibet had become a part of China. This clearly violates international law. The document included provisions promising that Tibet would enjoy autonomy and that its cultural identity would be respected. These promises were quickly broken.

THE MIDDLE WAY

Negotiations leading to an arrangement where Tibet receives genuine autonomy within the framework of the People's Republic of China, also known as the Middle Way, is the path forward that His Holiness the Dalai Lama has consistently offered as the only way to forge a meaningful, peaceful and sustainable solution to the unresolved Tibetan crisis. Especially critical is defining a stable status for Tibet's relationship to the PRC and the international community.

BIPARTISAN SUPPORT

The United States has always been on the forefront of supporting Tibetans' human rights and has called on the Chinese government to fulfill its supposed commitment to negotiations. Between 2002 and 2010, the PRC hosted 10 rounds of dialogue with the Tibetans. Then it simply walked away.

PUNCTURING CHINESE PROPAGANDA

The PRC knows its claims to Tibet are illegitimate. Its stance is internationally illegal. Nor can the PRC pretend to have acquired popular legitimacy in Tibet, as the Tibetan people continue to make clear they do not accept Chinese rule. That is why the PRC

expends enormous resources and propaganda to justify its claims. Beijing relies on other countries to endorse such statements, and they do so—often with the best of intentions and with the hope of coaxing the Chinese government back to the table. **Once it has these statements, the PRC is enabled to dismiss negotiations with the Tibetans as unnecessary and assert that all of its actions, however egregious, are internal issues where foreign pressure is inappropriate.**

STRONGER STANCE

More—and new—pressure must be brought to bear on the People's Republic of China. The US must clarify its position on the PRC's rule in Tibet. Congress and successive presidential administrations have repeatedly made clear that America considers the Tibet issue unresolved. Unfortunately, the PRC has repeatedly sought to cherry pick statements for anything that fits its agenda in order to undermine the call for negotiations. **It is time to disable this strategy.**

RECOMMENDATIONS

- The White House and the State Department must make clear that the United States will not consider Chinese authority over Tibet to be legitimate until Sino-Tibetan dialogue is successfully concluded with the full consent of the Tibetan people.
- The United States must stop issuing statements and reports that refer to Tibet as a part of China.
- The United States must work with like-minded countries to establish this framework on a broader scale and to exert maximum leverage on the PRC.
- Congress should pass the Promoting a Resolution to the Tibet-China Conflict Act (H.R.533/S.138) and the President should sign it into law.

The United States and Tibet's Political Status Timeline

Before China's invasion of Tibet, the United States government repeatedly refers to Tibet as separate from China:

- **1919:** American technical advisers to the Paris Peace Treaty include Tibet as a country.
- **1944:** US Secretary of State Joseph C. Grew refers to Tibet as a separate entity from China in a letter to the Deputy Administrator of the Foreign Economic Administration.
- **1949:** National Security Resources Board Chairman Steelman, writing to the Secretary of State, includes Tibet on a list of probable neutral countries alongside Sweden, Afghanistan, Israel and others.
- **1951:** The CIA Office of Policy Coordination includes Tibet in a list of countries covered by the Near East and Africa division. China is covered by the Far East division.

In May 1951, having defeated the Tibetan army, China forces the Tibetan government to sign the 17 Point Agreement. Among other things, the Agreement guarantees national regional autonomy for Tibet and states that China will not alter the existing political system. After the invasion, the United States recognizes the Tibetan right to self-determination and continues to refer to Tibet as separate from China:

- **1951:** Acting Secretary of State James Webb writes to the Consulate General at Calcutta and states that "Tibet is not considered a part of China ... except to the extent that it is occupied by the Chinese Communist forces."
- **1959:** After China forces the Dalai Lama to flee Tibet and then dissolves the Tibetan government, a joint Congressional resolution lists Tibet as a country whose national independence has been impinged.
- **1963:** In a circular to missions, Secretary of State Dean Rusk includes Tibet as a country in the Communist Bloc alongside China and others.
- **1986:** Tibet is listed as a separate country from the PRC in an amendment to the Export-Import Bank Act.

While Congress frequently maintains that China and Tibet are separate entities, the Chinese government begins seizing on any discrepancy in American statements. Statements recognizing that Tibet is administered as a part of the PRC are used by Beijing to argue that the United States is wrong to press for negotiations and a peaceful resolution to the Tibet issue. This tactic aims to weaken the leverage held by the Tibetan side; even though the US explicitly supports the need for dialogue, the PRC is arguing that the United States has endorsed China's claim to Tibet.

- **1992:** The Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (P.L. 102-138) declares that Congress considers Tibet "an occupied country."
- **1998:** During a summit with Chinese leader Jiang Zemin, President Clinton ties dialogue with the Dalai Lama to the reward of recognition for Chinese rule: "I urged President Jiang to assume a dialogue with the Dalai Lama in return for the recognition that Tibet is a part of China and in recognition of the unique cultural and religious heritage of that region."
- **2001:** A declaration of policy included in H.R.1779, the initial version of what would become the Tibetan Policy Act of 2002, includes the following: "Congress, as stated in section 355 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (Public Law 102-138), reaffirms that Tibet, including those Tibetan areas incorporated into the Chinese provinces of Sichuan, Yunnan, Gansu, and Qinghai, is an occupied country under the established principles of international law."
- **2003:** The Chinese Ministry of Foreign Affairs site runs a state media article seeking to discredit the Dalai Lama and the dialogue process, noting that the United States "has recognized that the Tibet Autonomous Region is part of the People's Republic of China" and specifically citing statements by Presidents Bill Clinton and George W. Bush saying that Tibet is a part of China.
- **2004:** The State Department report on Sino-Tibetan negotiations produced per the requirements of the Tibetan Policy Act includes the statement that the United States "recognizes the Tibet Autonomous Region (TAR) and Tibetan Autonomous prefectures and counties in other provinces to be a part of the People's Republic of China." This language remains standard in State Department reports on Tibet until 2021.
- **2005:** Chinese Foreign Ministry spokesman Qin Gang demands the United States honor its "repeated commitment that Tibet is a part of China" by desisting from making calls for dialogue between China and the Tibetans. He further demands that the Dalai Lama should make a public statement calling Tibet a part of China as well.

After engaging in 10 rounds of negotiations with the Tibetans from 2002 to 2010, the Chinese side walked away. The United States repeatedly calls for further negotiations, but the PRC continues to strategically misinterpret the executive branch referring to Tibet as a part of China during requests to resume negotiations, even as the Chinese government ignores these requests.

- **2011:** While urging China to continue dialogue with the Tibetan side at a joint press conference with Chinese leader Hu Jintao, President Obama says that "we, the United States, recognize that Tibet is part of the People's Republic of China."
- **2014:** Qin Gang portrays President Obama's meeting with the Dalai Lama as a form of reneging on "America's commitment of recognizing Tibet to be a part of China," using this "commitment" as the basis for demanding that America cease supporting the Dalai Lama and the Central Tibetan Administration.

- **2014:** Speaking at a joint press conference with Chinese President Xi Jinping, President Obama repeats that "we recognize Tibet as part of the People's Republic of China."
- **2015:** A Congressional Research Service report includes the following question:

Tibet's political status: "occupied country" or part of China? Does Congress see a need to clarify its position on Tibet's status? As noted above (see "The U.S. Congress and the Question of Tibet's Political Status"), while the executive branch considers Tibet to be a part of China, in the early 1990s, Congress passed legislation declaring Tibet to be "an occupied country" and stating that, "Tibet's true representatives are the Dalai Lama and the Tibetan Government in exile as recognized by the Tibetan people." A number of subsequent legislative measures, however, have implied Congress's acceptance of a status for Tibet as part of China.

More than a decade after the last round of Sino-Tibetan negotiations in 2010, prominent members of Congress begin to show a renewed interest in Tibet's political status and the ramifications of having the United States government repeatedly refer to it as a part of China.

- **2021:** The State Department Human Right Report on Tibet is published without referring to Tibet as a part of China, as previous years' reports had. Sens. Leahy and Rubio applaud this change in a letter to Secretary of State Blinken, writing that this language "unintentionally undermined Tibetan efforts to negotiate with Beijing. While these statements were meant to reassure Beijing, they, in effect, compromised the U.S. policy of supporting meaningful autonomy for Tibetans."
- **2021:** A group of over 60 members of Congress write to Under Secretary of State Uzra Zeya prior to her appointment as the Special Coordinator for Tibetan Issues. They approvingly note the removal of language referring to Tibet as a part of China in the Human Rights Report and "urge the continued exclusion of this phrase from future reports and statements, both as a means to promote renewed negotiations between the Chinese government and the Dalai Lama or his representatives."
- **2022:** Congress passes a funding bill that includes stipulations against the State Department producing maps or statements that portray Tibet as a part of China.
- **2022:** Chinese Foreign Ministry Spokesperson Zhao Lijian criticizes US Special Coordinator for Tibetan Issues Uzra Zeya's meeting with the Dalai Lama, saying the United States must "take concrete actions to honor its commitment of acknowledging Tibet as part of China."
- **2022:** Secretary of State Antony Blinken refers to "self-determination, sovereignty, [and] the peaceful settlement of disputes" as "reflections of the world's shared aspirations."



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