



INTERNATIONAL CAMPAIGN FOR TIBET

Nepal-China joint statement has implications for Tibet

<https://savetibet.org/nepal-china-joint-statement-has-implications-for-tibet>

September 26, 2023

The [joint statement issued by Nepal and China in Beijing](#) on Sept. 26, 2023 following the visit by Prime Minister Pushpa Kamal Dahal 'Prachanda' institutionally strengthens China's hand on matters relating to Tibet and Tibetans.

International Campaign for Tibet President Tencho Gyatso said: *"Nepal is bound by international law to respect the principle of non-refoulement, which precludes states from returning a person to a place where he or she might be tortured or face persecution. The principle of non-refoulement is included in several treaties signed and ratified by Nepal, such as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Article 3), General Comment No. 20 of the Human Rights Committee and General Comment No. 6 of the Committee on the Rights of the Child."*

Of the 13 points in the joint statement, four have direct references to Tibetan affairs and encompass politics, boundary management, health and infrastructural issues.

Politically, the joint statement says, "The Nepali side reiterated that Tibet affairs are China's internal affairs, that it will never allow any separatist activities against China on Nepal's soil." Although the fundamentals have not changed, this formulation separates Tibet from Taiwan as well as the One China Principle, unlike two earlier joint statements in [2019 \(when President Xi Jinping visited Nepal\)](#) and [2018 \(when then-Prime Minister KP Sharma Oli visited China\)](#), which said, "The Nepali side reiterated its firm commitment to the one-China policy with Tibet and Taiwan affairs as being China's internal affairs, and the determination on not allowing any anti-China activities on its soil."

The joint statement refers to implementation of an agreement on boundary management, raising concerns not only about the plight of Tibetans who are trying to flee via Nepal, but also the possible deportation of those who have already entered Nepal.

The "Agreement Between the Government of the People's Republic of China and the Government of Nepal on the Boundary Management System," which the joint statement now says the "two sides agreed to bring into force ... as soon as possible," provides the Chinese authorities additional avenues to get Tibetans deported from Nepal to Tibet.

[According to the text of the agreement that ICT has seen](#), Articles 26 and 27 of the agreement deal with "persons crossing the border illegally." Article 26.2 reads, "The boundary representatives or competent authorities of both sides shall investigate the cases of persons found while crossing [the] border illegally, ascertain their identities, cross border facts and reasons as soon as possible and hand them over to the side where they stayed before crossing the border within seven days from the day when they were detained."

In recent years, the number of Tibetans able to escape from Tibet through Nepal has been dwindling due to China's heightened security in border areas, as well as its general clampdown in Tibet. [From the 1980s until 2008, there was a steady flow of 2,500 to 3,500 Tibetans escaping into exile via Nepal](#) annually.

The flow of refugees from Tibet dropped dramatically in the wake of the party's response to the pan-Tibet protests in spring 2008. In 2008, the number of refugees from Tibet dropped to 588 from 2,338 in 2007. After a gradual climb up to 753 in 2011, the number of refugees dropped by 50% to 375 in 2012, the year Xi Jinping assumed leadership. With the intensive securitization of Tibet, the number of refugees from Tibet trickled down steadily throughout the decade of Xi Jinping's rule: the number [dwindled to 19 Tibetans in 2019, five in 2020, 10 in 2021, and only five in 2022](#).

Nevertheless, this agreement would put at risk even the very few Tibetans who are able to cross into Nepal, as they could effectively be sent back without receiving any legal protection in Nepal.

Additionally, the agreement enables the Chinese authorities to get information from Nepal on details relating to the fleeing Tibetans. Article 26.5 in effect says Nepal will have to provide China "with the persons' cross-border evidence and handover the communication means they used when crossing the border."

The agreement also [expands on the possible use of firearms to deal with people crossing the border illegally](#). Article 27 states: "Before using weapons, frontier personnel shall clearly send out the warning of preparing to use weapons and fire a warning shot. Using weapons is limited to prevent the unlawful action only."

In 2006, there was a much-publicized case of a 17-year-old Tibetan nun named Kelsang Namtso who was shot dead by Chinese security forces during her escape across the Nangpa Pass to Nepal on Sept. 30, 2006.

Although in the 2019 joint statement, Nepal and China "expressed hope for an early conclusion of the Treaty on Extradition," there is no mention of it this time. There is speculation that the China-proposed extradition treaty has not moved forward after Nepal's officials realized its impact on international relations. Such a treaty would [represent a serious danger for long-term Tibetan residents of Nepal](#), raising concerns that they could be targeted for arrest and return to Tibet.

The Sept. 26 joint statement also refers to the opening and reopening of the transit points along the Tibetan border, including one bordering the Mustang region of Nepal, the Lektse (Chinese: Lizi) Port with Nechung port in Mustang. The rail link between Kyirong in Tibet and Kathmandu also finds a mention, although no progress seems to be made. These initiatives are being projected as part of The Trans-Himalayan Multi-Dimensional Connectivity Network that Xi Jinping proposed during his trip to Nepal in 2019.

China has also for the first time imposed its formulation in English of "Xizang" to refer to "Tibet" in a joint statement with Nepal. With reference to Nepal's request for power supply, the joint statement says, "The Chinese side agreed to positively consider the request made by the Nepali side for supplying grid power to electrify northern remote villages of Nepal from Xizang Autonomous Region of China, and take overall consideration of providing equipments (sic) or technology on commercial terms."

The joint statement also refers to the Lhasa Economic and Technological Development Zone Investment Development Company, which intends to invest in projects in Nepal, but no concrete decision is announced.

Even though the joint statement was issued on Sept. 26, Prime Minister Dahal is scheduled to visit Tibet, possibly on Sept. 29, before returning to Nepal.



International Campaign for Tibet (ICT) | 1825 Jefferson Place NW | Washington, DC 20036 | United States of America
Phone: (202) 785-1515 | Fax: (202) 785-4343 | info@savetibet.org

ICT Europe
Funenpark 1D | 1018 AK
Amsterdam, The Netherlands
Phone: +31 (0)20 3308265
Fax: +31 (0)20 3308266
icteurope@savetibet.nl

ICT Deutschland e.V.
Schönhauser Allee 163 | 10435
Berlin, Germany
Phone: +49 (0)30 27879086
Fax: +49 (0)30 27879087
info@savetibet.de

ICT Brussels
11, rue de la linière | 1060
Brussels, Belgium
Phone: +32 (0)2 609 44 10
Fax: +32 (0)2 609 44 32
info@savetibet.eu