

Tibet and the Chinese People's Republic

**A Report to the
International Commission
of Jurists
by its
Legal Inquiry Committee on Tibet**

“ It may happen that here in the centre of Tibet the religion and the secular administration will be similarly attacked from without and within, and the holders of the Faith, the glorious Rebirths, will be broken down and left without a name. As regards the monasteries and the priesthood, their lands and properties will be destroyed. The officers of State, ecclesiastical and lay, will find their lands seized and their other property confiscated, and they themselves made to serve their enemies or wander about the country as beggars do. All beings will be sunk in hardship and fear, and the nights will drag on slowly in suffering . . . ”

— from the Political Testament of the thirteenth Dalai Lama (d. 1933). Sir Charles Bell, *Portrait of the Dalai Lama* (1946), p. 380.

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FOREWORD

It is now almost ten years since the forces of the Chinese People's Republic entered Tibet with the declared purpose of "liberating" that country from imperialism. Organized Tibetan military resistance was swiftly crushed in 1950, and after unsuccessfully appealing to the United Nations, the Tibetan Government agreed in 1951 to Chinese occupation. During the nine years that have followed Tibet has seen the Khamba uprising of 1956 and afterwards, the Lhasa uprising of March 1959, and the continued resistance thereafter, and even now in western parts of Tibet armed resistance to the Chinese continues.

One year ago the International Commission of Jurists published a preliminary report on Tibet entitled The Question of Tibet and the Rule of Law. In that report prima facie conclusions were drawn on the Chinese rule in Tibet since 1951 and on the question whether the events in Tibet were an international matter. In view of the gravity of the violations of human rights of which evidence appeared, and especially in view of the evidence of genocide, it was decided to invite a number of well-known jurists—judges, professors and practitioners of high standing—to form an independent committee charged with the task of investigating events in Tibet in a detached and judicial manner and reporting to the Commission on the field of its inquiry. The report to which this is a Foreword is the unanimous report of that Committee; the report sets out the Committee's findings together with a detailed review of the facts and evidence upon which those findings are based.

This report is by the Legal Inquiry Committee and is not the report of the International Commission. The Commission is deeply grateful to the members of the Committee, all busy men at their professions in their respective parts of Asia, Africa and Europe; they have devoted much time and energy to the arduous task of carrying out, for no material reward, a painstaking and searching inquiry on Tibet.

The Committee's findings constitute a detailed condemnation of Chinese rule in Tibet and they confirm the prima facie conclusions made in the preliminary report by the Commission. But they cannot and do not purport to be a complete account of all the significant events which have taken place. There is no doubt that in the course of their inquiry the Committee considered a number of facts which are relevant also to other matters but they felt it proper to refrain from expressing

an opinion on such matters as were outside their terms of reference. Whether the attack on Tibet's territory by the armed forces of the Chinese People's Republic was an act of aggression is a particularly important question of this nature. So, too, is the complex of legal and political problems arising from India's frontier dispute with China over the Tibetan border with India. In order to avoid entering into political controversy and invidious selection of additional topics the Committee preferred to adhere strictly to the scope of the preliminary inquiry by the International Commission. The terms of reference were interpreted so as to avoid political issues and were restricted, as in that preliminary inquiry, to considering the record of the Chinese People's Republic in Tibet and to whether the question of Tibet is a purely domestic affair on the most restrictive interpretation of the Charter of the United Nations.

In view of the economic and social rights proclaimed by the UNIVERSAL DECLARATION OF HUMAN RIGHTS, the Committee examined the Chinese claim to have brought social human rights, including economic and political emancipation, to an oppressed people who knew no human rights. The general lack of knowledge of pre-1951 conditions in Tibet has led to an unusual dependence by the outside world on one-sided accounts which are lacking in scientific objectivity. An attempt has been made by the Committee to appraise human rights as they used to exist in Tibet and as they exist after almost a decade of rule by the Central People's Government of China.

The picture of the Tibetan people which emerges is of a sturdy, cheerful and self-reliant nation living in peace with its neighbours and seeking to a remarkable degree to cultivate the faith and mysticism which is known to so few people outside Tibet. No-one, least of all the Dalai Lama, pretends that reform was not necessary, and it would in fact have been carried out by the Tibetan Government but for the obstruction of the Chinese. What has happened to these people and what is still happening to them is a matter for the conscience of all who respect the rights of a peace-loving nation and people, even if they know very little of Tibet, or of Tibetans, or of the religious faith from which they are being torn.

In some situations it is necessary for the International Commission of Jurists, when it raises a protest in defence of the Rule of Law, to explain what it means amidst the variety of meanings with which that phrase has been employed. On the question of Tibet it is hardly necessary to explain this concept; the events in Tibet, as shown in the findings of the Legal Inquiry Committee, are in breach of what jurists everywhere would understand by the Rule of Law in its most elemental meaning of a government of laws where human dignity is respected. No exposition by the Commission is necessary or desirable on the significance of the findings of its Legal Inquiry Committee. Those findings are best left to speak for themselves.

The International Commission of Jurists, a body made up of judges, professors and practising lawyers, is a non-governmental organization and speaks on behalf of no government or political creed. The principles which it strives to defend are those of justice under the law in a free society, and whether those principles are threatened by governments of the right, of the left, or of the centre, is of no concern. The Rule of Law is nowhere invulnerable and in a number of countries seriously threatened. The question of Tibet and the question of South Africa are the most recent subjects for detailed investigation on behalf of the Commission and it is planned to publish, with the co-operation of local jurists, periodic reviews through a comprehensive survey on the Rule of Law of the standing from time to time in countries throughout the world of those principles which the Commission seeks to uphold.

This report is being distributed to all the jurists throughout the world who are associated with the Commission, either through its many National Sections, where they exist, or as individual friends. It is also being submitted to the United Nations, to all delegations of member States, and distributed to representatives of the press. Whether injustice can be alleviated through the force of moral condemnation can never be foretold. The only force at the Commission's disposal is the force of ideas; the only sanction which the findings of the Legal Inquiry Committee possess is that same force of ideas. This force may or may not ultimately prevail, but it is with the conviction that it must be tried that this Report is presented for the consideration of all who are concerned for the right to live in peace and liberty with their fellow-men.

July 1960

JEAN-FLAVIEN LALIVE
Secretary-General

EXPLANATORY NOTES

(a) The Principal Abbreviations Used in this Report

- CCP — Chinese Communist Party.
CPPCC — Chinese People's Political Consultative Conference.
CPG — Central People's Government, i.e., of the Chinese People's Republic; this occasionally appears as CG (Central Government).
CPR — Chinese People's Republic.
NCNA — New China News Agency.
NPC — National People's Congress, i.e., of the Chinese People's Republic.
NVDA — National Volunteer Defence Army (Tibetan, largely Khamba, resistance fighters).
PCART — Preparatory Committee for the Autonomous Region of Tibet.
PLA — People's Liberation Army (Chinese).

(b) Notes on the prominent persons in Tibet

(i) *Tibetan*

The Dalai Lama: Supreme spiritual head of the Tibetan people and of other believers in lamaistic Buddhism. Supreme temporal head of Tibet proper and Chairman of the PCART, he left Lhasa on March 18, 1959, arriving in India on March 31, 1959, where he was granted political asylum. The fourteenth incarnation, the present Dalai Lama is twenty-five years old.

The Panchen Lama: Traditionally the spiritual authority for his area based on Shigatse, but without temporal authority until this was conferred on him by the Chinese in 1954. His reported speeches are pro-communist and he is reported to be still in Lhasa as of June, 1960. The Panchen Lama, the tenth, was installed by the Chinese without Tibetan participation¹ and came to take up his position in Tibet in 1952. He is Deputy Chairman and since the departure of the Dalai Lama Acting Chairman of the PCART. He is called Panchen Erdeni (or Ngoertheni) by the authorities of the Chinese People's Republic. He is three years younger than the Dalai Lama.

Ngabo Ngawang Jigme: Governor of Chamdo in 1950, he commanded the Tibetan army in the battle in Chamdo in 1950. He was captured by the Chinese and was one of the Tibetan representatives who signed the Agreement on Measures for the Peaceful

¹ See the Memdrandum by Tsepou Shakabpa at P... *Infra*.

Liberation of Tibet in 1951. Since that time he has collaborated with the Chinese in Tibet and his reported speeches are pro-communist. He is Secretary-General and a Vice-Chairman of the PCART, a member of the land reform Committee and of its standing committee, assistant to the Commander of the Tibet Military District of the PLA, and a Deputy to the Chinese NPC.

(ii) *Chinese:*

Chang Ching-wu: Political representative of the CPG in Tibet and Secretary of the Tibet Work Committee of the CCP.

Chang Kuo-hua: Commander of the Tibet Military District of the PLA, a Deputy Secretary of the Tibet Work Committee of the CCP, a Vice-Chairman of the PCART, and Chairman of the land system reform Committee.

Tan Kuan-san: Political Commissar of the PLA, Chairman of the Tibet Committee of the CPPCC, a Deputy Secretary of the Tibet Work Committee of the CCP, a member of the PCART, and Chairman of the Tibet Physical Culture and Sports Commission.

Fan Ming: Deputy Political Commissar of the PLA, Assistant Secretary of the Tibet Work Committee of the CCP and a member of the PCART.

(c) Notes on Tibetan words and customs appearing in this Report

Butter-lamps: The lighting of a lamp for which butter performs the function of oil, or, compared with a candle, of wax, is a religious practice. The flame is left lighted before a Buddhist image.

Chasing the devil: A religious ceremony which takes place during one of the great prayer festivals. An effigy prepared from barley-flour is paraded through the streets and finally thrown on to a fire. The account by Marius Magnien of the burning of a live child during this ceremony is not correct,² and it may be noted that the Chinese objection to this festival was based on its being a waste of expenditure.³

Marriage and the Religious Orders: The predominant sect is the yellow hat sect, to which both the Dalai Lama and the Panchen Lama belong. The other is the red hat sect. Religious of the latter but not the former are permitted to marry.

The eating of meat: It is considered justified to eat flesh-meat in Tibet because the climate and the soil together do not produce an adequate diet to meet the cold and the high altitude. Killing is limited to what is necessary and as few animal lives as possible should be destroyed.

Dzong: A district or fort.

² *Le Tibet sans Mystère.* p. 87.

³ See Statement No. 29, cited at p. 32, *infra*.

Gompa: A monastery.

Kalon (Kaloon): A Prime Minister, not necessarily confined to one.

Kashag: The Government or Cabinet of the Dalai Lama, referred to by communist Chinese writers and spokesmen as the local government of Tibet.

Rimpoche: A lama.

Sang: A coin of variable value, and a measure of weight (one ounce).

Tsepon: A Minister.

(d) Note on the Chinese sources quoted in this Report

It is a feature of the law and practice relating to the publication of news and comment in and from the Chinese People's Republic that everything must conform to the requirements of the Chinese Communist Party. Articles which might at first glance appear to be by private individuals, as they would be in countries where the function of the press is differently regarded, are in fact expressions of the party's viewpoint or views which the party approves. *Jen Min Jih Pao* (People's Daily, Peking) is the official organ of the CCP, and NCNA is the official government news agency. Peking and Lhasa radio are similarly the direct and official channels for the broadcast of news and comment under the auspices of the Chinese People's Government.

**REPORT
TO THE INTERNATIONAL COMMISSION
OF JURISTS BY THE LEGAL INQUIRY
COMMITTEE ON TIBET**

REPORT TO THE SECRETARY GENERAL

The Secretary-General
The International Commission of Jurists,
Geneva

The Legal Inquiry Committee on Tibet has the pleasure to submit to the International Commission of Jurists its Report on those aspects of events in Tibet which the Committee was called upon by its terms of reference to consider. The Committee came to the following conclusions :

Genocide

According to the Convention for the Prevention and Punishment of Genocide, which was adopted by the General Assembly of the United Nations in December, 1948, human groups against which *genocide* is recognized as a crime in international law are national, racial, ethnical and religious. The COMMITTEE found that acts of genocide had been committed in Tibet in an attempt to destroy the Tibetans as a religious group, and that such acts are acts of genocide independently of any conventional obligation. The COMMITTEE did not find that there was sufficient proof of the destruction of Tibetans as a race, nation or ethnical group as such by methods that can be regarded as genocide in international law. The evidence established four principal facts in relation to genocide :

(a) that the Chinese will not permit adherence to and practice of Buddhism in Tibet;

(b) that they have systematically set out to eradicate this religious belief in Tibet;

(c) that in pursuit of this design they have killed religious figures because their religious belief and practice was an encouragement and example to others;

(d) that they have forcibly transferred large numbers of Tibetan children to a Chinese materialist environment in order to prevent them from having a religious upbringing.

The COMMITTEE therefore found that genocide had been committed against this religious group by such methods.

Human Rights

The COMMITTEE examined evidence in relation to human rights within the framework of the Universal Declaration of Human Rights as proclaimed by the General Assembly of the United Nations.

The COMMITTEE in considering the question of human rights took into account that economic and social rights are as much a part of human rights as are civil liberties. They found that the Chinese communist authorities in Tibet had violated human rights of both kinds.

The COMMITTEE came to the conclusion that the Chinese authorities in Tibet had violated the following human rights, which the COMMITTEE considered to be standards of behaviour in the common opinion of civilized nations :

Article 3 : The right to life, liberty and security of person was violated by acts of murder, rape and arbitrary imprisonment.

Article 5 : Torture and cruel, inhuman and degrading treatment were inflicted on the Tibetans on a large scale.

Article 9 : Arbitrary arrests and detention were carried out.

Article 12 : Rights of privacy, of home and family life were persistently violated by the forcible transfer of members of the family and by indoctrination turning children against their parents. Children from infancy upwards were removed contrary to the wishes of the parents.

Article 13 : Freedom of movement within, to and from Tibet was denied by large-scale deportations.

Article 16 : The voluntary nature of marriage was denied by forcing monks and lamas to marry.

Article 17 : The right not to be arbitrarily deprived of private property was violated by the confiscation and compulsory acquisition of private property otherwise than on payment of just compensation and in accordance with the freely expressed wish of the Tibetan people.

Article 18 : Freedom of thought, conscience and religion were denied by acts of genocide against Buddhists in Tibet and by other systematic acts designed to eradicate religious belief in Tibet.

Article 19 : Freedom of expression and opinion was denied by the destruction of scriptures, the imprisonment of members of the Mimang group and the cruel punishments inflicted on critics of the regime.

Article 20 : The right of free assembly and association was violated by the suppression of the Mimang movement and the prohibition of meetings other than those called by the Chinese.

Article 21 : The right to democratic government was denied by the imposition from outside of rule by and under the Chinese Communist Party.

Article 22 : The economic, social and cultural rights indispensable for the dignity and free development of the personality of man were denied. The economic resources of Tibet were used to meet the needs of the Chinese. Social changes were adverse to the interests of the majority of the Tibetan people. The old culture of Tibet, including its religion, was attacked in an attempt to eradicate it.

Article 24 : The right to reasonable working conditions was violated by the exaction of labour under harsh and ill-paid conditions.

Article 25 : A reasonable standard of living was denied by the use of the Tibetan economy to meet the needs of the Chinese settling in Tibet.

Article 26 : The right to liberal education primarily in accordance with the choice of parents was denied by compulsory indoctrination, sometimes after deportation, in communist philosophy.

Article 27 : The Tibetans were not allowed to participate in the cultural life of their own community, a culture which the Chinese have set out to destroy.

Chinese allegations that the Tibetans enjoyed no human rights before the entry of the Chinese were found to be based on distorted and exaggerated accounts of life in Tibet. Accusations against the Tibetan "rebels" of rape, plunder and torture were found in cases of plunder to have been deliberately fabricated and in other cases unworthy of belief for this and other reasons.

The Status of Tibet

The view of the COMMITTEE was that Tibet was at the very least a *de facto* independent State when the Agreement on Peaceful Measures in Tibet was signed in 1951, and the repudiation of this agreement by the Tibetan Government in 1959 was found to be fully justified. In examining the evidence, the COMMITTEE took into account events in Tibet as related in authoritative accounts by officials and scholars familiar at first hand with the recent history of Tibet and official documents which have been published. These show that Tibet demonstrated from 1913 to 1950 the conditions of statehood as generally accepted under international law. In 1950 there was a people and a territory, and a government which functioned in that territory, conducting its own domestic affairs free from any outside authority. From 1913-1950 foreign relations of Tibet were conducted exclusively by the Government of Tibet and countries

with whom Tibet had foreign relations are shown by official documents to have treated Tibet in practice as an independent State.

Tibet surrendered her independence by signing in 1951 the Agreement on Peaceful Measures for the Liberation of Tibet. Under that Agreement the Central People's Government of the Chinese People's Republic gave a number of undertakings, among them: promises to maintain the existing political system of Tibet, to maintain the status and functions of the Dalai Lama and the Panchen Lama, to protect freedom of religion and the monasteries and to refrain from compulsion in the matter of reforms in Tibet. The Committee found that these and other undertakings had been violated by the Chinese People's Republic, and that the Government of Tibet was entitled to repudiate the Agreement as it did on March 11, 1959.

On the status of Tibet the previous inquiry was limited to considering whether the question of Tibet was a matter essentially within the domestic jurisdiction of the Chinese People's Republic. The Committee considered that it should confine itself to this question and it was therefore not necessary to attempt a definitive analysis in terms of modern international law of the exact juridical status of Tibet. The Committee was not concerned with the question whether the status of Tibet in 1950 was one of *de facto* or *de jure* independence and was satisfied that Tibet's status was such as to make the Tibetan question one for the legitimate concern of the United Nations even on the restrictive interpretation of matters "essentially within the domestic jurisdiction" of a State.

Purshottam Trikandas, Chairman

Arturo A. Alafriz
K. Bentsi-Enchill
N. C. Chatterjee
Rolf Christophersen

T. S. Fernando
Ong Huck Lim
R. P. Mookerjee
M. R. Seni Pramoj

INTRODUCTION

In May 1959 the International Commission of Jurists announced that, on the basis of information submitted by a member of the Commission, Mr. Purshottam Trikamdas, on events in Tibet, a preliminary report on Tibet would be prepared and published by the Commission. Accordingly, the preliminary report, *The Question of Tibet and the Rule of Law* was published in July 1959. The Commission further announced its decision to constitute a Legal Inquiry Committee on Tibet with the following terms of reference :

“ To continue the previous inquiry by Mr. Purshottam Trikamdas and his colleagues and to collect and obtain evidence in the form of documents, interviews, commentaries and statements for the preparation of the final report;

“ to examine all such evidence obtained by this Committee and from other sources and to take appropriate action thereon and in particular to determine whether the crime of Genocide—of which there is *prima facie* evidence—is established and, in that case, to initiate such action as is envisaged by the Genocide Convention of 1948 and by the Charter of the United Nations for suppression of these acts and appropriate redress.”

The Committee consisted of the following, drawn from judges and former judges, practising lawyers and professors of law :

1. Purshottam Trikamdas, Senior Advocate, Supreme Court of India, Chairman of the Committee.
2. Arturo A. Alafritz, Attorney-at-Law; President of the Federation of Bar Association of the Philippines.
3. K. Bentsi-Enchill, Secretary Ghana Bar Association; Lecturer in Law.
4. N. C. Chatterjee, Vice-President, Supreme Court of India Bar Association.
5. Rolf Christophersen, Secretary General of the Norwegian Bar Association.
6. Mr. Justice T. S. Fernando, Judge of the Supreme Court of Ceylon.
7. E. Maung, former Justice, Supreme Court of Burma, former Minister for Judicial and Foreign Affairs.

8 R. P. Mookerjee, Dean of the Faculty of Law, Calcutta University; former Justice, Calcutta High Court.

9. Ong Huck Lim, Member of the Bar Council, Federation of Malaya; former President, Bar Committee of Penang.

10. M. R. Seni Pramoj, Attorney-at-Law; former Prime Minister of Thailand.

11. Lord Shawcross, Q.C., former Attorney-General of England. Lord Shawcross resigned in October, 1959, due to unforeseen personal and professional commitments, and Dr. E. Maung resigned in May, 1960, on becoming a member of the Government of Burma.

An announcement was made in the press that the Committee had been appointed and the Chairman appealed for the assistance of all persons with knowledge relevant to the Committee's inquiry. The Dalai Lama and some of the leading Tibetans in India were requested to supply any relevant information in the form of statements in writing. The Committee is pleased to acknowledge with gratitude the co-operation of the Dalai Lama and His Holiness's great kindness in answering so many questions which were put to him.

The authorities of the Chinese Republic refused to permit members of the Committee to enter Tibet to make investigations. A copy of the relevant correspondence is appended to this Report.¹

A large number of statements was submitted to the Committee by Tibetan refugees. Of these a representative cross-section was selected and the Chairman and a barrister from the headquarters of the Commission examined these and other witnesses. Only statements obtained by direct examination are used as evidence in this Report, and where such evidence is substantiated in the written statements submitted to the Committee, reference is made by number to the statements concerned. Otherwise such statements are not used in this Report as evidence and are not published.

The Legal Inquiry Committee met in New Delhi and Mussoorie in November, 1959. The International Commission of Jurists was represented by Mr. E. S. Kozera, the Administrative Secretary, and by Dr. D. Thompson, Lecturer in Law in the University of Manchester. The Committee interviewed the Dalai Lama and members of his *kashag* at Mussoorie.

The final meetings of the Committee were held in Geneva in June, 1960. The Committee agreed upon its conclusions and particularly wished to record its gratitude to Dr. Thompson for preparing the draft of this Report. The thanks of the Committee are especially due to the Secretariat of the International Commission and to the

¹ See Appendix IV, pp. 334-6, *infra*.

staff both in Geneva and in New Delhi, who spared no effort in making this Report possible.

This Report is based on publications in the official Chinese and Chinese-controlled Tibetan press and radio, statements by Tibetan refugees, accounts of the recent and contemporary history of Tibet by authoritative writers and on published official documents. The previous inquiry conducted by the International Commission of Jurists dealt with three topics: the question of genocide, the question of the human rights of the Tibetan people and the question of Tibet's status in international law. The Committee was authorized to continue that inquiry and therefore construed its terms of reference as a continuation within the framework of that previous inquiry.

THE EVIDENCE RELATING TO GENOCIDE

INTRODUCTION

Genocide is regarded almost universally as the gravest crime of which any person or nation can be accused. For this reason the member States of the United Nations agreed in 1948 on a Convention for the Prevention and Punishment of Genocide. It is believed that genocide is a crime under international law as a general principle of law recognized by civilized nations—one of the sources of international law—and whether or not enforcement machinery is available against the Chinese People's Republic is of secondary concern in this Report. What does matter is whether their representatives in Tibet have committed what almost every other nation in the world regards as the most abhorrent crime known to international law.

Article II of the Convention reads as follows :

“ In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group as such :

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.”

Among the human groups who are thus protected by this Convention there are in effect three different ways of classification. There appears to be no significant difference between a racial group and an ethnical group and the three groups thus become national, racial and religious.

This Article does not necessarily represent the definition applicable to genocide under international law independently of the Convention,

but as the International Court of Justice has pointed out, *obiter*, in an advisory opinion, “the principles underlying the Convention are principles which are recognized by civilized nations as binding on States, even without any conventional obligations.”¹ The underlying general principle is in Article I, that “Genocide, whether committed in time of peace or in time of war, is a crime under international law.” Delegates from a number of States doubted even whether it was necessary to declare that in the operative part of the Convention and thought that it was sufficient to state this in the preamble only.² Guidance on what genocide means is provided by Resolution 96(1) of the General Assembly of the United Nations, where it is described as “a denial of the right of existence of entire human groups”, and compared with homicide “which is the denial of the right to live of individual human beings”.³

The question which the Committee had to consider was whether in Tibet the right of existence of any human group has been denied. If it has, a violation of a general principle of international law has been committed by acts of genocide, and the best working guide to methods which are recognized as acts of genocide would be the definition in Article II of the Convention for the Prevention and Punishment of Genocide. The denial of a group’s right to exist in principle predicates that an attack on a group must be made because it is that particular group, and this insistence is made by the inclusion of the words “group *as such*” in Article II. Once the general principle is established methods directed to that end may reasonably be regarded as criminal under international law, and the destruction of a group by killing is the clearest instance of such a method. Whether or not all the methods enumerated in Article II represent crimes under international law it is not necessary to say, but the Committee came to the conclusion that killing members of a group, or preventing procreation within the group, or transferring children from the group by force are methods which, if committed with the intent to put an end to the existence of the group, or to destroy it as such, according to the different terminology employed, are acts which civilized nations condemn as genocide. On the other methods enumerated in Article II the Committee held as a matter of construction that they could not apply to the facts as disclosed by the evidence before them.

The Committee accordingly approached the question using the definition in the Convention as a guide to what would be condemned as genocide by civilized nations. It is not necessary to express any

¹ *Advisory Opinion on Reservations to the Convention on Genocide*, International Court of Justice Reports, (1951), p. 15.

² See *United Nations Economic and Social Council, 1948: Report of the Ad Hoc Committee on Genocide, April 5 to May 10, 1948*, p. 4.

³ December 11, 1946.

opinion on the question whether all the acts specified in Article II are crimes under international law.

The evidence placed before the Legal Inquiry Committee satisfied them that the Chinese in Tibet intended to destroy as such a religious group, namely Buddhists in Tibet. (This is more properly described as part of the entire group of Buddhists. Since this point of view does not affect genocide the statement in the text is used in the interests of brevity and clarity.) There was strong evidence of killing and the forcible transfer of children with the destruction of this group in view. The intention as evidenced was to destroy Buddhists in Tibet but the Committee was not satisfied, despite evidence of widespread killings and the forcible transfer of children, that these acts were committed against the Tibetans simply because they were Tibetans. Violation of their right to exist as a religious group was proven; violation of their right to exist as a national, ethnical or racial group was not. The dividing line is that a Tibetan who would not give up his religion was killed or ran the risk of being killed; he could never give up being a Tibetan. It is in that light that acts recognized as acts of genocide must be regarded, and strong evidence points to religion as the distinguishing factor. The only distinguishing mark of a religious group is its faith and belief. In the case of Tibet the eradication of that faith and belief was the desired result; where this result is achieved a religious group is destroyed. Acts of genocide such as killing members of the group were part of this design to eradicate the religious faith of which those killed were adherents, and it is not necessary in order to prove such a design to show that those who have as a result been compelled to abandon or have chosen to abandon that same faith have also been killed. The man who no longer adheres to his religious faith no longer belongs to the religious group, and as such he is outside the category of persons whom it is sought to destroy.

The evidence shows that conspicuous religious figures have been killed in an attempt to induce others to give up their faith. It also shows that large numbers of the new generation of Tibetans are being transferred by force to an environment where the old religion of their parents cannot reach them. These acts are part of a general design to eradicate religious faith in Tibet, and by so doing to destroy the religious group. In brief, acts condemned as genocidal have been committed to destroy Buddhism in Tibet, and the intent is that there shall be no Buddhists left there.

The evidence shows four principal facts :

(a) That the Chinese will not permit adherence to and practice of Buddhism in Tibet;

(b) that they have systematically set out to eradicate this religious belief in Tibet;

(c) that in pursuit of this design they have killed religious figures because their religious belief and practice was an encouragement and example to others;

(d) that they have forcibly transferred large numbers of Tibetan children to a Chinese materialist environment in order to prevent them from having a religious up-bringing.

These four facts reveal, it is considered, an attempt to destroy the Tibetan part of the Buddhist religious group by two methods which fall specifically within the terms of Article II of the Convention for the Prevention and Punishment of Genocide, and are also considered to represent a crime under international law independently of that Convention.

THE INTENT TO DESTROY BUDDHISM IN TIBET

1. Chinese statements from Chinese sources

The evidence available from Chinese sources themselves reveals an intention to put an end to the ancient religious practices and institutions of Tibet and to allow only that degree of freedom of religious belief which would be compatible with complete acceptance of communism, in short, none at all.⁴ The policy of freedom of religion which was assured by Article 7 of the Seventeen-Point Agreement can best be explained by references to Chinese publications and statements relating to Buddhism or religion generally :

“ A Buddhist must join hands with the people . . . to resolutely uphold the Party’s leadership, to follow the road of socialism, to throw himself into practical life, to be inspired with an enthusiastic love towards our mother country and the people . . . and to endeavour to change our mother country into a rich and happy one before he can speak of the future of Buddhism.”⁵

Another report states :

“ Touching on the relationship between religion and politics, comrade Ulanfu said :

“ In the past, lamas served the old society, that is, feudal rulers. Society has now changed. The people of Inner Mongolia, together

⁴ See p. 16 *infra*.

⁵ *Buddhists of the Socialistic New China, in Modern Buddhism*, October 30, 1959 by Shirob Jaltso, Chairman of the Chinese Buddhist Association.

with the people of the whole country, are taking the road to socialism. Whom are the lamas serving now? What road should they take? All those who do not want to become the enemy of the people must take the road to socialism.”

“What we need is socialist thinking, and all non-socialist thinking must undergo socialist transformation. The viewpoints of the lamas are different from socialist thinking, but they must accept socialist transformation, rid themselves of non-socialist thinking, and establish socialist thinking and viewpoints.”⁶

The essential point in these two statements is that “the road of socialism” is something which all Buddhists must accept; lamas in particular, who are the repositories of wisdom in the Buddhist religion, must accept “socialist transformation” of their thought. The conditions on which the Chinese People’s Government allows religious freedom are here stated clearly and they are stated with even greater frankness in *Philosophical Research* on February 15, 1958 :

“Without the leadership of the Chinese Communist Party there can be no socialism and no new China. We therefore demand that the religious people support the Chinese Communist Party and the People’s Government and travel the road to socialism. Only by following such a force can religious undertakings obtain protection and can there be a future for religious people.”

Official spokesmen have indicated in some detail what this obligatory road to socialism entails for a Buddhist generally, and particularly for nuns, monks and lamas :

“To follow the socialist road, one must not waver but must go ahead whole-heartedly and single-mindedly; he should not walk the road outwardly only, still less should he secretly do anything unsocialistic . . . There are two aspects of the socialist transformation of lamas. First there is the transformation of the human character. That means the study of politics, participation in productive labour, thought remoulding and a change of stand. Then there is economic transformation, which takes two forms, (1) co-operativization, and (2) state-private joint ownership.”⁷

“The attitude of the Government towards religion is that anyone is perfectly free to worship any religion; but whether one is a

⁶ *The Necessity and Method for Socialist Reformation of Lamas*, a talk given by Ulanfu at a forum of lamas of Silingol League, Inner Mongolia, reported in *Kwang Ming Jih Pao* (Peking), August 14, 1958; Ulanfu spoke as Vice-Chairman of the Nationalities Affairs Commission.

⁷ Ulanfu, *op. cit.* For an attempt to justify the change of character in terms of Buddhist doctrine see Shirob Jaltso, *op. cit.*

believer or non-believer, he must support the socialist system, follow the socialist path and support the leadership of the Communist Party. No word or action designed to oppose or sabotage socialism will be tolerated. For sabotage of socialism is not a contradiction among the people, but one between the people and the enemy.”⁸

“Anybody who dons the cloak of religion but in effect engages in anti-Party, anti-people and anti-socialist activities or other activities undermining socialism will certainly be opposed by the people of various nationalities in our country, or even be punished under the laws of our state.”⁹

The possibility of a head-on collision between Buddhism and dialectical materialism on ideological grounds alone is clear enough. The statements by Tibetan refugees themselves reveal the extent of that collision and the methods used by the Chinese to achieve this “socialist transformation.”

The problem of reconciling communism and religion is recognized as impossible by the Chinese Communist Party. In an article which contains not only the usual allegations about exploitation under the guise of religion, the writer goes on to explain the ideological conflict, giving seven reasons why “the world view of religion is reactionary, anti-scientific, anti-socialist and anti-communist.” This problem of reconciling freedom of belief with the necessity for a communist society in thought word and deed is thus resolved:

“Since religion originated from the presence of certain oppressive natural and social forces in our midst, *it can only be weakened gradually to its total eradication* through eliminating classes in human society, raising the people’s political consciousness and cultural level, and strengthening mankind’s power of control over nature as science marches on. For the realization of this objective, the working class must be called upon to unite and rally round it the broad masses of the labouring people, and hand in hand go into the revolutionary struggle and embark on socialist and communist construction. Moreover, the working class must place above everything else the common interest of the entire labouring people and not *let the matter of religion interfere with this solidarity.*”¹⁰

Tibet has frequently been described as a theocracy, and one secular aspect of organized religion in Tibet must be considered

⁸ *Ibid.*; the reference is to Mao Tse-tung’s speech “On Correct Handling of Contradictions Among the People.”

⁹ *To Stand Firm Against Rightists and Wicked Elements in the Religious Circle of the Hui People* (Moslems in Shantung, Honam and Ahnivei), *National Unity* (Peking) June 14, 1958 Editorial.

¹⁰ *Nationalities Unity* (Peking Monthly), March 6, 1959; *Communists Are Thorough-Going Atheists*, by Chu Ching. Italics supplied.

at this stage. The landed properties of the monasteries could clearly not survive communist transformation of the country, and Chinese publications have laid great stress on allegations of severe oppression by the monasteries of Tibetan serfs. Recent Chinese statements and publications have devoted considerable space to a picture of ruthless oppression in the name of religion. Forcible expropriation of monastery property is not necessarily directed against religious belief, and violent denunciation of monks and lamas on the ground that they were alleged to be exploiting the masses does not necessarily mean that religious principles were attacked. Indeed, it could be said that if monks and lamas were using their religion to exploit the masses, the design to weed out this undesirable feature would perform a service to true religion. However, the picture painted by the Chinese of exploitation in the name of religion is not acceptable as a true account of the system in Tibet and expropriation of monastery property was carried out for purposes wider than that of "democratic reform." The evidence relating to this aspect of events in Tibet will be considered later.¹¹

A distinction must be drawn between attacking those who abuse their religious status and religious principles in themselves. An ideological conflict arose between atheistic materialism and a body of spiritual doctrine; this conflict was something quite different from a clash over the defence of private property. The attack by the Chinese on principles as distinct from persons supposedly abusing those principles, indicates that they were attempting to destroy religious belief itself. Among publications issued by the Chinese, extracts from a Tibetan language newspaper have already been cited in the preliminary report published by the International Commission of Jurists,¹² and they are reproduced here for convenient reference :

November 12, 1958

Page 1, Headline: (Translated into English from the original copy.)

"The autocratic feudal system must be uprooted after the religious persecution."

Col. I:

"Ever since the introduction of Socialism the religious reactionary leaders under the banner of religion and nationalism, have carried on an armed resistance against the reform."

¹¹ On this question see pp. 24-39 *infra*.

¹² *The Question of Tibet and the Rule of Law*, July 1959, pp. 40-43. The newspaper was the *Karzey Nyinrey Sargypur*, published in Eastern Tibet.

Col. II:

“ Even now the lamas holding the power of the monasteries conspire with the rebel bandits, guide their strategy and maintain it (rebellion).”

Pages 2 and 3 carry a series of accusations against the incarnate lamas and monastic leaders of exploiting the masses with religion as their instrument and of engaging themselves in antistate activities.

Page 4, Col. II:

“ God and the Gods are the instrument of exploitation. The rosaries of the incarnate lamas are meant for their exploitation of the masses.”

November 16, 1958

Page 1, Col. I:

“ The conference of the Pioneers of the Regional Collective Farming (a Communist Organisation) in its deliberations pointed out the great mass of evils of the reactionary religious leaders and autocratic feudal lords, describing them as evils greater than a mountain. The position of the reactionary religious leaders is interlinked with that of autocratic feudal lords. They are engaging themselves in conspiracy. They put obstacles in the way of the liberation of the working people, hence they are the rocks on the path of progress. Unless they are destroyed completely liberation is not possible.”

Page 3, Col. III:

“ Resistance against religion and reform is different. They (deputies) realised the difference between the exploitation by religion and autocratic feudalism, and also that the Chinese communist party is the real protector of religious freedom. They have the deep understanding that those, who, under the guise of religion, resist reform, are the ones who undermine religion and are the enemy of the people.”

November 18, 1958

Page 1, Headline:

“ The campaign for Four Liquidations must be carried out. We shall not stop till we reach our goal.”

(The four liquidations are) :

- “ 1. Liquidation of rebellions;
2. Liquidation of illegal elements (those who are opposed to communism);

3. Liquidation of the privileged class;
4. Liquidation of exploitation.”

Page 1, Col. II:

“ If the Buddhists who resist the reform are uprooted and autocratic feudal exploitation brought to an end, only then can the socialistic reform be carried out successfully.”

Page 2, Col. I:

“ The monasteries always conspire with the feudal lords and dairy owners, some of them even with the imperialists and Kuomintang reactionaries. They (the monasteries) made attempts to set up a provincial government so as to divide the motherland. The reactionary clique of the numerous monasteries directed and conducted armed rebellions against reform in order to safeguard the feudal interests. They imposed religion on the masses.”

Col. II:

“ There are 390 monasteries in Karzey District which are engaged in lawlessness and sabotage. All the monasteries are reactionaries under religious guise. They are all instruments of exploitation, the stronghold of autocratic feudal lords who stand in the way of progressive socialistic production and they are the centre of rebellions against the reform. If they (the monasteries) are completely destroyed, then the autocratic feudal oppression and exploitation can be destroyed.”

Col. II:

“ All the crimes and guilts of the monasteries must be exposed. The masks of the reactionary leaders who pretentiously assumed to be kind are in reality cruel as wolves. They must be exterminated. The masses must be informed through a much more intensified campaign about these crimes.”

“ Faith in religion and the determination to protect it must be checked.”

Page 4, Col. I:

“ The nude figure of . . . Gedor (Nandavajra—the Eternal Bliss) and Jekchey (Vajraberava—the Eternal Destroyer of Passions) with their female counter-parts are the invention of the reactionary Lamas.” (These deities are the chief tutelary deities of Mahyana Buddhism.)

November 19, 1958

Page 2, Col. I and II:

(The following statement is alleged to have been made by Thupten Choying—a member of the Pioneers of the Collective Farming Society.)

Mr. Thupten Choying :

“ When I first thought that the happiness of all lies in religious life, I approached Sang Lama of Ribuk Sakya monastery. He poisoned my mind by saying that if you devoted yourself to meditation and spiritual exercises with a pure conscience, you would have visions and you would attain spiritual insight. Even if you did not attain it in this life you would accrue the merits in your next life. Thus, I was misled into the darkness. I have followed the tradition by attending on my own tutor, by devoting myself to pilgrimages, spiritual exercise, to reading Kajor and Tanjur (Tripitika—the Buddhist scriptures), to concentration and meditation but nothing happened to me.”

Page 3, Col. I:

“ Each of all the great lamas is worse than the other.” (Here charges made against many great lamas, all of whom were either arrested or killed). The names are :

1. Kathok Mocktsa Rimpoche.
2. Peyui Gompai Rimpoche.
3. Ketsang Rimpoche.
4. Zongsar Khentse Rimpoche (escaped to India).
5. Gongkar Tulku Rimpoche.
6. Khenpo Arichodup Rimpoche.
7. Garthar Medo Rimpoche.

Col. III:

“ God and the Gods are all false inventions for deceiving people. The reactionary lamas and the leaders of the monasteries use them as their instrument and carry on their objective of exploitation of the masses.”

Page 4, Col. I:

“ The economic and cultural backwardness and the sparse population (of Tibet) was due to the poisonous effect of religion.”

November 20, 1958

Page 2, Headline:

“ Reading the Scriptures cannot eliminate poverty. Faith in God cannot bring any good fortune.”

Page 3, Col. III, Headline:

“ If you do not believe in God and Gods you can doubtless be happy.”

November 22, 1958

The full text of the article printed on this date is printed below. It is this article which contains a grossly distorted account of the life of Buddha.¹³

Among these extracts there can be seen, in addition to the attacks on exploitation, an attempt to convince the Tibetan people of the futility of religion itself. The fantastic account of the life of Buddha is the most striking feature of these extracts. Even by Chinese standards of religious freedom, as described above, it is difficult to reconcile the protection of freedom of religion with these attacks on the basis of a belief.

The long article on November 22, 1958 gives an even more revealing insight into the Chinese attitude to religion; it is entitled: *The Black Wickedness of the Deceiving Reactionaries Belonging to Religious Establishments is Quite Intolerable*. The writer purports to be an ex-monk who “reveals” the appalling immorality and class oppression in the monasteries and exhorts the people to put an end to this. The account of the life of Buddha appears in this article. Monks and lamas generally are denounced as “more ferocious than wild animals. There is not one who has not violated a woman and not one who has not violated the young monks. They are all like beasts.” The most significant passage in the article is at the end:

“ We must fight determinedly and destroy completely, reducing them to atoms, the forces of these monasteries and clerical houses and all such self-appointed potentates. If we scatter this great mountain of self-appointed potentates, who tread on the necks of ordinary folk, we shall be able to establish from now on the final happiness of ordinary Tibetan people under communist guidance. If there are still those who talk about Gods, the God I believe in is communism.”

¹³ An English translation of this document is printed as an Appendix to this Chapter at pp. 59-63, *infra*.

This is by far the most virulent attack on the practitioners of religion in Tibet that is available from Chinese sources. The fact that the writer purports to be Tibetan and the fact that the article is in Tibetan do not disguise the fact that its very publication in a country controlled by the Chinese People's Republic makes it a document bearing the *imprimatur* of the Chinese authorities.

Apart from its crudities and its violent denunciation of the monks and lamas, the document is important because of the last-quoted extract. It amounts to an explicit exhortation to wipe out the monastic institutions of Tibet. There is no unequivocal exhortation to achieve this by committing acts of genocide, but there is a clear indication of a desire and an intention to destroy religion as organized in Tibet. The reasonable inference, which is in fact clearly borne out by Tibetan evidence,¹⁴ is that the monks and lamas were unwilling to accept the "road to socialism"¹⁵ and that this, in view of the veneration of monks and lamas, was a cogent reason for the Chinese seeking to put an end to monastic religion. Even in the Chinese publications, it is clear that the attack on religious houses was something much more fundamental than economic reform. What the Chinese People's Government was seeking to do by this time, according to their own publications, was to break up the monasteries.

Tibet is perhaps the only country where this policy could have such devastating effect. An unusually high proportion of the population are in monasteries, and the great lamas—reincarnated souls of those who have attained wisdom—are revered by the population in a way which finds no parallel elsewhere. It would be no exaggeration to say that if the lamas and monks ceased to function in Tibet because they were exposed as the evillivers described in that article religion would probably grind to a standstill. The Chinese authorities, having found that the monks and lamas did not accept communism, openly declared in this article their intention to destroy their influence on the masses. In this way, it may be inferred, they sought to destroy religion in Tibet, and, in view of the attack on Buddha himself, to destroy even private belief and worship.

It is against this background that the treatment of lamas and monks by the Chinese must be considered, and the Tibetan evidence on this matter tells a tragic story of murder, torture and degradation. The treatment of Tibetan laymen who clung openly to their religious beliefs is also important. The entire campaign against religion in Tibet shows a firm intention to stamp out the religious group there. If in the course of that campaign any of the methods recognized by civilized nations as genocide are used, there is an established case of

¹⁴ See pp. 24-44, *infra*.

¹⁵ See pp. 15-16, *supra*.

genocide. There is abundant evidence to show that such means were used, and this evidence will be considered in Sections 2 (b) and (e) of this Chapter.

2. Chinese acts and statements from Tibetan sources

The most authoritative Tibetan source of evidence on statements showing an anti-religious sentiment by the most authoritative of all Chinese spokesmen is the evidence given by the Dalai Lama himself. In an interview with the Chairman of the Committee he said :

“ The day before we left Peking in 1955, viz., February 12, 1955, we had an interview with Mao. He told us that religion was something bad. He said two things had to be considered : 1) that the progress of the country would be set back; and 2) the population would decrease. He considered that a poison had been instilled into Tibet by Manchus by propagation of religion. I made no comment. ” ¹⁶

When giving an account of the acts committed by the Chinese, many Tibetan refugees also recounted the reasons given by the Chinese at the time. These statements are extremely important, and, although sometimes different reasons are given in different parts of Tibet for activities directed against religion, the paramount reason which emerges from these statements is the intention to destroy religion. Various means were employed, and it is considered not merely permissible but essential to examine the whole range of Chinese anti-religious activity in this context. In this way it can be judged whether these acts constitute evidence of an intent to destroy a religious group as such.

The methods employed culminated finally in the deliberate killing of lamas and leading monks, and even devout laymen, with the openly avowed intention of breaking religious belief in Tibet. Evidence of the various Chinese statements of purpose in connection with such specific acts is reproduced in this Chapter, but first evidence relating to the general intent to destroy religious belief will be reviewed.

(a) *Evidence of a systematic design to destroy religious belief*

In this category are to be found acts and statements by the Chinese which make it clear that they aimed to destroy religious belief in Tibet. The methods are not necessarily those recognized as genocide, but they are relevant evidence on the question of intent vis-à-vis the religious group. A variety of methods were used, varying from propaganda to arrests and forced labour, and the result has been the

¹⁶ See p. 289, *infra*.

large-scale elimination of religious life and worship in Tibet. In particular, monasteries and their inmates have been secularized. This evidence is reproduced below :

Ba, Jeuba, 1954 : “ Even the poorer class who refused to give up religion lost everything. Monks were not allowed to come into his house to read the Scriptures because it was customary to make offerings to them. When they said prayers or lit butter-lamps or went to the monastery to offer butter-lamps the Chinese were watching them and told him that they were abusing property for religious purposes and his property was taken from him. He was convinced that there was no religion under communism.” ¹⁷

Lhundup-Dzong, near Lhasa, 1952 : “ The peasants had to provide accommodation for the Chinese. The largest available room was the chapel, with an altar and images. When he went there to pick up loads he saw the Chinese throw down the images, which were collected in a corner by the people. The Chinese abused the images, cursing in their own language, and he himself was cursed when he picked up the images.” ¹⁸

Sakya Monastery, near Shigatse, March-December, 1959 : Statement No. 4 should be read in its entirety.¹⁹

Derge Meshe, Kham; 1956 : “A meeting was called at Derge Meshe. Representatives only were asked to go from the monasteries and the witness and two other monks attended the meeting in the village, which was below the monasteries. There were about 200 people present at the meeting, most of whom were from the lowest classes and had been under Chinese indoctrination for about four months previously . . . The Chinese said at the meeting that monasteries and lamas, landlords and capitalists must be eliminated . . . He was kept under house arrest for six days and then taken to a second meeting. There he and two other monastery representatives were degraded and insulted in public by the local riff-raff and the Chinese. They were told that all the monasteries were exploiters and they were kicked and spat upon and fingers were poked in their eyes.” ²⁰

Rigong, Amdo, 1957 : “ In 1957 priests and lamas were arrested. All the high lamas from thirty-five monasteries seemed to have been arrested and he estimates that the total would be about five hundred. The Chinese had said that there were five hundred yellow or red bandits (this reference is to the different religious sects) who were blocking the road to progress and later the arrests were announced. Among them were three very high lamas : Shar Kalden Gyatso,

¹⁷ Statement No. 1; see p. 221, *infra*.

¹⁸ Statement No. 3; see p. 224, *infra*.

¹⁹ See pp. 225-6, *infra*.

²⁰ Statement No. 5; see p. 226, *infra*.

Arrok Dorji Chung and Sharong Karpo. These three were described as the main obstacles. In public they were humiliated by having their hair pulled and their shoes removed and by being beaten. This was done by Tibetans and by Chinese women, the Tibetans acting under the threat of death. The Chinese then said that there were three principal persons opposed to socialist progress :

- 1) The Dalai Lama,
- 2) Shar Kalden Gyatso and
- 3) Ghoongthang Japel Yang, the head lama of Labrang Tashikeyel.

The three lamas who had been humiliated were then made to kneel down on the gravel and they were asked “ Since you are lamas did you not know that you were going to be arrested? ”— the reference being to the supposed powers of prophecy. Three pits were dug and the lamas were placed inside. The public were then made to urinate on them. The Chinese then invited the lamas to fly out of the pit. Then they were taken off to prison and they were chained together around the neck and made to carry human dung in baskets. He saw them himself and saw them followed by Chinese soldiers carrying guns. He heard that the three lamas had been sent to Sining and Landrow. He knows that they were taken from one place to another in order that they could be displayed doing this to the local people. He was informed by a friend that the five hundred arrested lamas had been sent to Sinkiang. The source of his information was from a friend of his who in turn heard it from a collaborator.” ²¹

Kham, 1956: “ After the Khamba revolt he heard from two lamas from the Kham area that monasteries were bombed and shelled. Where monasteries had not resisted the inmates were arrested and sent wherever the Chinese ordered. Religious relics if valuable were taken to China, otherwise they were thrown away.” ²²

Derge, Kham, 1956: “ In 1956 the Chinese started taking monks and lamas to China. Orders were issued that they were to go from Palzom Monastery. In the first place two abbots went. One returned, the other did not. The abbot who returned was away for about three months. He had been told by the Chinese that monastic institutions would come to an end and that they should accept communism. He had been lectured intensely and told not to follow Buddhism and also that all property should be given to the Chinese. Then he was told to go back and tell the monastery inmates that if they did not obey force would be used. The abbot who returned, who was the senior of the two, had no knowledge of what happened

²¹ Statement No. 7; see pp. 229-30, *infra*.

²² Statement No. 8; see p. 231, *infra*.

to his colleague, since they had separated on arrival. The abbot did not order the monastery to give up religion, nor was the monastery prepared to do so. The Chinese then came and took away one lama, Kunga Pasang, and twelve monks. It was rumoured that they had been killed but there is no confirmation of this. They were taken away in 1956 and they had not returned when the witness left in 1957. Before Kunga Pasang was taken away, he was dishonoured and humiliated in public. According to the Chinese he had been accumulating wealth and exploiting the people etc. and so he was made to eat grass and harnessed like a horse. Then the Chinese told the poor people to ride him and beat him. He was ridden by Tibetan women. The witness did not see this but was so informed by a (named) man who did see it. Other lamas were being arrested and he therefore ran away. He himself never talked directly to the Chinese but sent his representative (name supplied). The Chinese told this man that they would not protect religion, that they should have no faith in God and that if the monasteries did not obey Chinese orders the religious system would be abolished. They made no threat of death.”²³

Amdo, 1951 : “ An incarnate lama called Kusho Gya was arrested. He was taken to Sining and imprisoned there. The Chinese referred to the bandits in the mountains but said that the real bandits were the lamas and monks, who obtained their wealth through robbing the people. Mountain bandits had no wealth, but the monks and lamas had. The Chinese said that he died in prison, whereupon the people accused the Chinese of killing him. This the Chinese denied and invited the people to fetch his body but they did not do so. The other four lamas in this part of Amdo were taken by the Chinese and disappeared.”²⁴

Nangsang, Ba, 1955 : “ Together with all the district leaders he was summoned to Tachenlu to attend a meeting. There they were told that they must have reforms and move towards socialism. There were three principal enemies to be destroyed :

- firstly, all the high lamas;
- secondly, the monks : they should abandon their religious life and work and monks as such should be abolished for the reason that they do not marry and therefore the race does not increase;
- thirdly, all district leaders should be abolished because they were oppressing the peasants and treating them cruelly.

The leaders told the Chinese that they could not do this and that there was supposed to be freedom of religion and the other freedoms

²³ Statement No. 9; see p. 232, *infra*.

²⁴ Statement No. 10; see p. 233, *infra*.

guaranteed by the Seventeen-Point Agreement. They said that it would be better to cut off their heads. He himself belongs to Nangsang monastery which is authorized by His Holiness himself and he could not therefore do the things which the Chinese requested. On their next visit to Tachenlu they found the Nyacho monastery almost deserted with only old monks living like beggars. Of the remainder most were sent to the Chinese army, some towards Kamtse in the direction of Lhasa. Some thirty were living with women outside the monastery, some of them working in the fields and others running shops together with their women-folk. Since these monks were from the yellow-hat sect where celibacy is the rule he considers it unthinkable that they did it freely. They were threatened with beheading if they did not live with the women. He was present when the Chinese issued this order and he was told that since he had been drawing Chinese pay as a Khotang (117 Chinese dollars a month) he should keep quiet about what he had seen. In fact, upon his return to his village, he informed the high lamas and monks of what was happening and told them that the Chinese were out to destroy religion.”²⁵

Tachenlu, Ba : “ Four monasteries were broken up in Tachenlu — i.e., most of the monks were gone and all the valuable images were taken away.”²⁶

Lhasa and Losalling, 1955-6 : “ Communist schools were opened in Lhasa in 1955-56. The first school was opened in Sayshing, then in Tonchilingka, Jara, Marulingka and Chagzolingka. Some of his friends went to these schools. Two (whose names he gave) told him what went on at Tonchilingka. Most of the lessons were in Chinese but some were in Tibetan. They were taught reading and writing in Chinese. There was some communist indoctrination but he was not told how much time was devoted to this. The Chinese devoted great publicity and propaganda to these schools and everyone was encouraged to go. One was influenced by pro-Chinese to go and learn Chinese. They were taught that belief in religion was useless and that it was better to work than to become a monk. Two more of his friends were persuaded to go to Sayshing. No force was used . . . On the question of religion his only experience was that the Chinese told them that religion was wrong but went no further. They were told that they believed in a God whom they could not see, whereas the Chinese only believed in what they could see.”²⁷

Ba, 1955 : “ All the images from the four monasteries in his district were taken away. The Chinese began to tell the people that there

²⁵ Statement No. 11; see pp. 234-5, *infra*.

²⁶ *Ibid*.

²⁷ Statement No. 12; see p. 236, *infra*.

is no God. He himself and about one hundred and seventy other people were kept in prison for a month for the purpose of indoctrination. They had asked for protection of religion and were told that their minds had to be changed. They had to listen to anti-religious arguments and lectures together with propaganda against property holding. They were told that under communism they were all one big family and that there was no such thing as a Tibetan or a Chinese. They had about an hour for eating and rest and were allowed normal sleep. After twenty-nine days they were given the choice of being sent to China for further indoctrination or marking a document undertaking that they would be faithful to communism. He himself marked such a document and was released.”²⁸

Yatung, November 1959 : “ Kagu monastery in their district had very few monks left. Most of the monks were working in the fields and were sent to live in their own homes. Two were imprisoned accused of robbing the people. The lama from the monastery left for India in about September, having heard of the arrests and ill-treatment of lamas elsewhere in Tibet.”²⁹

Dzarangbo Monastery, Western Tibet, 1958 : “ The abbots and other leaders of the monastery were called by the Chinese and told that they were deceiving the people, that there was no God and that offering butterlamps was a waste of food.”³⁰

Choday Monastery, Shaykar, Western Tibet, March-July, 1959 : “ The Chinese came to their monastery on March 23, and told them there was no longer a Tibetan government and that His Holiness had been abducted by reactionaries. All arms in the monastery should be surrendered. Four months later the Chinese came to stay. Abbots and leading monks were taken away in trucks and they later heard from people in Shigatse that they had been taken there. These abbots and monks had first been asked to a meeting where they were declared to be collaborators with the reactionaries, and were bound and imprisoned. Five days later three leading lamas and thirteen senior monks were arrested and put to work on the vegetable gardens and on carrying loads of dung and bricks. One of the witnesses then escaped. The remainder of the inmates of the monastery, including the other two witnesses, were gathered in the debating-park, where they were questioned on their activities since the age of eight. They were not allowed to enter the monastery and lived in the debating-park. About six weeks later the images in the temple were taken away by the Chinese if valuable and the remainder were destroyed. One monk died in prison about

²⁸ Statement No. 13; see p. 238, *infra*.

²⁹ Statement No. 14; by four men from Yatung; see p. 239, *infra*.

³⁰ Statement No. 15; see p. 240, *infra*.

three months after the arrest of the abbots and four old monks died of starvation. There were no executions.”³¹

Tatsang Monastery, Amdo, 1956 : “ In May 1956 there were only one or two old or crippled men still in the monastery. The rest had been taken to build roads at the end of 1954 and were still building roads when he left. The only incarnate lama in the monastery had escaped to Sera in 1956. Road building was the less severe of the two different treatments meted out to the inmates of the monastery. He and the lama and other abbots were made to carry human dung to the fields. For about two and a half weeks he was placed in cold water up to the waist when he denied having hidden gold in the monastery. He now feels little sensation in his legs. All the gold had already been taken early in 1956. His hands were locked together and bound by a sort of chain which tightened whenever he moved. Eventually his skin was pierced and he bears two scars on his right wrist about a quarter of an inch apart and half an inch long. Many times a gun was pointed at the back of his head and he was threatened that he would be shot if he did not tell where he had hidden the gold. Valuable images were taken away and those of little value were thrown into the water by the monks and lamas on the orders of the Chinese. The Chinese said that they would find out whether the images could swim and explained to the people who had been called to witness this that the images were merely to deceive them.”³²

Khay, near Gyantse, 1959 : “ Monks were engaged on road construction and they told him that they came from Tsechur Neynying and Tsantra monasteries. Nuns from Lhenkey monastery were also there. He was also told that there were just one or two monks in the monastery, with Chinese occupying the main temple building, with the monks out at work . . . They were told by the Chinese that freedom of belief was confined to the mind but that monks must not stay in monasteries without working. They could say their prayers when they were working. Images were thrown out of the monasteries and prayer-books were burned. Those that were too heavy to throw out were left in a heap. The burning of butter-lamps was forbidden and when he was caught burning a butter-lamp by the Chinese they took the lamp from him and pretended to feed the images, asking whether they could eat or drink. He was not punished.

“ The old system had to be completely eradicated and the PLA and the Tibetans should together dig up the roots of the tree, viz. the old system. In this tree was a red snake and a black snake, the red being the monks and lamas, the black the rebels. The snakes

³¹ Statement No. 16, by three monks; see pp. 240-1, *infra*.

³² Statement No. 18; see p. 242, *infra*.

should be eradicated (this is not the same Tibetan word as killed) and the people should follow communism.”³³

Geru, Gyantse, 1959 : “ The Chinese complained about the Tibetans burning butter-lamps before images, saying that images could not drink water nor eat food. The Chinese brought meat and bones into chapels and there burned it instead of incense.”³⁴

Chodey, Ba, 1956 : “ They had to give up monastery property and private property. Anything that was of no use to the Chinese was burned or otherwise destroyed. They were told that if they still adhered to their religious practices they would have no food. The first anti-religious propaganda began in 1954, when they were told that they were reactionaries and followers of Chiang Kai-shek unless they gave up their religion, and that all reactionaries would be arrested and imprisoned. In the beginning of 1956 about thirty lamas and monks were arrested and imprisoned. The reason given for their arrest was that they had told the Chinese that they would have to ask for the agreement of their fellow-monks on the question of reform. They were made to kneel on broken glass and stones and to rest their elbows on them. When they were questioned on their willingness to accept the reforms they said that they personally were prepared to do so, but that they could not speak for the others. Then they were released.”³⁵

Shay-Donkphok Monastery, near Shigatse, October, 1959 : “ When the Chinese came in October they assembled the laymen, the village leaders and the monks in the Dzong. They said that the rebellion had been put down and that now the people must learn communism . . . They must oppose religion and the officials of the Tibetan government or of the *Panchen* Lama and the landowners. (He insisted firmly and absolutely that the Chinese said Panchen and not Dalai.) Those who had not been involved in the revolt would be liberated peacefully but the rebels would be treated more severely and some would be shot. It had been written in Chinese newspapers that there was to be freedom of religion but the Tibetans had not, they were told, properly understood them. It was no use worshipping God; there was no religion in communism; there was a vast difference between the top people with their privileges and the rank and file. Religion was just for the exploitation of the people and had deceived the people. When they had been taught by the Chinese they would come to realize this and the people would not come to make offerings and gifts to the monks. The monks were not to be permitted to accept gifts. They should now marry and cease to be monks. They were to be given shares of land which they should work in order to feed

³³ Statement No. 19; see p. 243, *infra*.

³⁴ Statement No. 20; see p. 244, *infra*.

³⁵ Statement No. 24; see p. 249, *infra*.

themselves. Some of the monks asked if they could remain in the monastery and work. The Chinese replied that this showed that they were not properly instructed since Sera, Drepung and Ganden (the three big monasteries of Lhasa) had now been so well taught that no monks were left in them. Some monks married under the threat of force; they were given time to choose a wife but force would be used if they had not done so when the land reforms were carried out. About twenty monks went to live with women, two of whom lived with Chinese women and became Chinese employees, apparently well fed. He does not know whether force or the threat of force had been used against the women but his impression was that the women did not look particularly happy. The Chinese said that women could come into the monastery or the monks go out. Real freedom would mean that they could bring in the women. One monk and a Chinese woman went to live in the Dzong but he did not see them in the monastery. In the district there were ten monasteries in all, five being quite near a place where assemblies were held. From these five monasteries the monks had left but in the more distant ones they were still there. From a friend of his, a monk who was supposed to be attending indoctrination there, he was told what happened. The property of the monastery was confiscated and the doors were sealed. All the important documents and debt books were burned before an assembly of the people. This friend, who was a prayer-reciter, was attending indoctrination where the Chinese said that they had invaded the moon and the sun and hoisted their flag but found no God there. There was no hell and if they would produce the keepers of hell the Chinese would destroy them with their artillery. This man attended indoctrination for a month and ten days . . .

Indoctrination was still going on in the monasteries when he left to go to his own home. He believes that most of the monks and lamas left because they could not stand this process, and that no monks and lamas were left in his monastery. The last few had to do menial work, collecting sand, with indoctrination in the middle of the night. When he left he saw that there was no use in staying, because all the monasteries were closed. He attended indoctrination in the village Dzong and lived there. No one was allowed to leave. There were two big buildings, one to eat and sleep, the other for lectures. A message was received from the Chinese who were carrying out indoctrination in the monastery that there were only three monk students left and asking him what he proposed to do with them. He obtained permission to go to the monastery where he found no monks there but that the young students were living in the village below. The Chinese were living in the monastery. When he visited the village he heard from the villagers more details of the indoctrination, since the village people as well as the monks had had to attend the indoctrination in the monastery. They were told that there was an oppressive estate ruling the people and someone

else was ruling that estate. They must think who was ruling the oppressing estate. The people said it must be the Dalai Lama. The Chinese were very pleased with this and remarked that the people had been well-instructed. Since he was the biggest ruler he was the biggest oppressor. Those on each side of the border had to realize who the top oppressor was on their particular side, the Panchen Lama on the one and the Dalai Lama on the other (the border between the areas of authority of the two lamas respectively ran through this part of Tibet). This particular remark about the Panchen Lama and the Dalai Lama he himself heard at indoctrination meetings.”³⁶

Phembo, near Lhasa, 1952 : “ Many times the monks protested that they were not allowed to work but they were told and the Chinese said this to him also that the work was to be done both by monks and lay for the improvement of the country. If they persisted in this attitude their names would be taken. They had heard that a leading monk from Sera had been arrested for protesting.

“ Beginning in about 1952 the Chinese from time to time entered monasteries and private houses, where they would point to images and offerings and say that they were quite useless. Instead of wasting butter on butter-lamps they should eat it. They were told not to carry rosaries. When a meeting of monks was being held in Phembo the Chinese arrived and made fun of the images, saying that in modern times religion was useless and that work was the only way to improve society. He knows of no arrests of lamas or monks in Phembo.”³⁷

Lhasa, September 1959 : “ He was sent to Lhasa to attend a meeting. There high officials and lamas and nobles were being publicly beaten by beggars and blacksmiths. He explained that in the social structure of Tibet blacksmiths are regarded as very inferior. The Chinese were telling them that they must repay the oppressors and that they were to become the masters. Some later told their friends that they regretted having done this. He himself heard threats uttered at the meeting that if they did not do what they were told they would be accused of being reactionaries and would themselves be beaten and imprisoned. The lamas had been brought from the three big monasteries and the surrounding monasteries. The meeting was told that His Holiness was a reactionary who had left for a foreign country. Although he had been happy in Tibet he had left after listening to rumours. No suggestion was made that he had been taken by force. No mention was made of any possible replacement. A Chinese woman sat on his throne which had been brought out and put on his hat, saying that if the gods could harm her let them do it. All the monks and lamas except the very old were set to work. He saw one collapse in Lhasa through carrying mud and stones.

³⁶ Statement No. 25; see pp. 251-2, *infra*.

³⁷ Statement No. 27; see p. 255, *infra*.

“ In about December he obtained leave from a Chinese officer to visit Sera and he also visited Drepung. The real purpose of his visit was to go with his wife to pay homage in the monastery but since the Chinese had forbidden this he gave as his reason his wish to find out whether his wife’s relative had been killed there in the recent trouble. Permission was then given. When he arrived there he saw only one or two old lamas. All the halls where offerings were made were locked. He spoke to those who were left behind. They had no knowledge of his wife’s relative. They said that they were forbidden to accept food from the peasants and that all the young lamas had been taken away to China. The Chinese themselves said that some monks had been taken to China for indoctrination.

“ In Lhasa, where he saw monks working for the Chinese, they told him that the Chinese had encouraged them to marry as an alternative to work, imprisonment and hard labour. If they married they would be in the good books of the Chinese and could go to China, leaving their women behind.” ³⁸

Lhasa, January 1960 : “ The beggars were made to kill dogs, skinning them in front of the cathedral where their bodies were burned. The significance of this was apparently that this was done instead of burning incense. Old people were starving. On the holy days of the 8th, 15th and 30th of every month, requests to light butter-lamps inside the cathedral were granted, whereupon the Chinese put them out by spitting on them. Extinguishing butter-lamps is regarded in the Tibetan religion as a great sin and a bad omen.” ³⁹

Yatung, February 1960 : “ The Chinese had occupied Donkar monastery. The abbot and the oracle were imprisoned and on the day he arrived he saw them degraded in public by people from the poorer classes. The abbot’s shoes were put on his head and then they stamped on his head and told him to show his miraculous power. In Tibet places where His Holiness had stayed were not afterwards occupied and were usually made into chapels. Some articles belonging to His Holiness were left behind in such places. In such a chapel in Yatung Chinese were living and one of the pro-Chinese Tibetans put on the Dalai Lama’s shawl and hat and the Chinese told the people to worship him since he was just the same as the Dalai Lama.” ⁴⁰

Yatung, December 1959 : “ When he left, no religious ceremonies at all were held and monk’s prayers at death were forbidden. There is a Tibetan ritual for driving out devils and the Chinese prohibited this on the grounds that it was a waste of expenditure unless they could be shown the devils. The person who came to pray for the

³⁸ Statement No. 28; see pp. 256-8, *infra*.

³⁹ *Ibid.*

⁴⁰ *Ibid.*

purpose of driving out the devils was normally fed by the person who had called him and given a small offering. The monks were stopped from going to people's houses to say prayers. In Kargu monastery there had formally been about sixty monks but there were only six when the witness left. Religious belief as such was never discussed." ⁴¹

Yatung, January 1960 : "The monastery property had been taken over by the Chinese and most of the monks had gone. At first a number of monks were taken off in trucks and the rest fled.

"A meeting of the people was called at which monks were vilified and humiliated. The people were told to speak out against the monks and were threatened with torture if they did not. The people said the monks should work for their food and that if they merely prayed they should not be fed. Previously they had been content to supply the monks with their food. Then they accused the monks of stealing. Those who did not raise their hands in agreement were told that they would be identified with the monks. He did not speak but raised his hand in agreement. The lamas had all fled. The monks were told in front of the people that they should live with women and were threatened with death if they refused. Whilst this was going on the monks were kept before a table with their heads bowed in submission. No one was allowed to visit the monks in custody. Monks who had been released told him of the conditions of their imprisonment. Their legs and hands were chained and they were kept in a pit up to their heads. He was not told how they were fed. When he left Yatung there were about five or six monks left in the monastery.

"When property was confiscated the Chinese came carrying guns and there was no resistance. This happened in about December 1959. The people were told that the Dalai Lama was a reactionary who had left Tibet after having opposed the reforms. At first they had been told that he was abducted by rebels, and that the Chinese would call him back but afterwards the Chinese said that since his arrival in India he had been issuing statements against the Chinese. They should not therefore call him His Holiness any longer. He cannot remember when this was said." ⁴²

Damchu, Polto, in Kwambo, 1953-4 : "A special group came to his district for propaganda purposes. Individual Chinese captains said that religion was of no use, and also every Chinese he met told him this. They were told that the images were useless and could not even get up if they fell down. The iron would be of much more use if made into knives, and the images could not feed them or help them when they died . . ."

⁴¹ Statement No. 29; see p. 258, *infra*.

⁴² Statement No. 30; see pp. 258-9, *infra*.

“... A young lama aged about twenty-five, who generally lived in a hermitage, was called to Po-Tano and sent to school there. The Chinese wanted to send him to China but the people opposed this and it was apparent that they were prepared to use force. He was kept in a room with three or four women for about a year but says that he did not have sexual relations. Then he stayed with a woman from the poor class (name supplied) and was threatened with deportation to China if he did not have sexual relations with her. The woman was also taken there against her will. They slept together and after they left the school he knows no more. He has no knowledge of them since October 1958. At the time when this happened he was living in this district and he used to see this when he came on leave from the school to see his parents. The lama himself told him what had happened although he said the Chinese had warned him not to talk about this.”⁴³

Drepung Monastery, Lhasa, March-April 1959 : The Statement made by the three monks from Drepung, one of the three great monasteries of Lhasa, and an institution of the greatest importance, should be studied in its entirety.⁴⁴

Tashigomang, Amdo, April 1958 : “ Tashigomang was surrounded by Chinese troops in early 1958. The head lama, Jayang Shapa, who was about thirteen years old, was transferred to his residence and separated from his tutor. The tutor was locked up and no one was permitted to see him or the head lama. He learned this from the nomads around the monastery when he was fighting against the Chinese in the area, but then they had to retreat. About three days’ journey from the monastery, scouts were sent to find out what was happening. They reported that the monastery property was being taken away and a few of his friends reported that they saw the monastery being shelled. Not much damage was caused. Earlier, some of the forces from the NVDA had been into the monastery for provisions, and the Chinese shelled the monastery by way of reprisal. Some of his friends in the NVDA saw clay images being thrown into the river by Chinese soldiers. Then the Chinese took over the monastery and occupied it. Of the young monks some were conscripted as Chinese soldiers and some were sent for indoctrination in some of the older colleges. He does not know what happened to the older monks, but they were still inside the monastery. He learned this from three of his friends who were staying near the monastery in houses. (He gave the names of his friends). These three also saw valuable images being dragged through the streets ...

“ The witness was servant to a lama (name supplied) and showed a photograph of this lama which he carried in a locket. In 1958,

⁴³ Statement No. 32; see pp. 260-1, *infra*.

⁴⁴ Statement No. 33; see pp. 261-3, *infra*.

his master was told to attend a meeting in Tromdu and from there he was not allowed to return. About a dozen attendants, including the witness, accompanied their lamas to this meeting, but only two were allowed to stay. The witness never saw his lama again. The Chinese then called an assembly and told the people that the lama had been arrested, that he had been deceiving them, and accused him of being a leader of this revolt. The witness said that his lama had not, in fact, been involved in the rebellion and was a very holy man. Some fighters, however, had been in his monastery in Tsenyi.

“ Photsang, Thenken, and Talung, also lamas, were called and arrested. The same announcement was made about them at the same meeting. Two were from the same monastery as his lama and Thenken came from Amdo Rigong. Tashigomang was the main monastery and it was here that the lamas were assembled. Thenken was arrested at Rigong. He believes that most of the leading lamas were taken away, but he has no direct knowledge. He did not witness the execution of any lamas. He heard the Chinese announce at the meeting that all lamas were wicked and were deceiving the people and that there could be no progress unless they were destroyed. They then said that they would destroy the lamas. He understood them to mean that the lamas would be killed.”⁴⁵

Doi-Gyatsang, Amdo, 1956-8 : “ Many lamas disappeared. In the local monastery, all the lamas were gone and only a few monks were left. In Lhasa, in 1959, friends who had left Doi in 1958 brought him a letter from his father, telling him that his uncle had been taken away by the Chinese and asking him to burn offerings at Lhasa. These friends told him that there were no lamas left in Doi. In the whole area there were thirteen monasteries.”⁴⁶

Schachung Monastery, Halung, Amdo, 1957 : “ The Chinese came to his monastery and asked for 200,000 Chinese dollars. The monastery could not supply this and the Chinese demanded anything made of metal, precious or otherwise. They took all the tea cauldrons and other utensils of brass and copper and the butter-lamps. The images were not taken. All the grain stock was taken and the monks were promised a ration. However, nothing was given except that a little was given to the monks from the poorer classes. Monks from more well-to-do families among whom the witness was included were given nothing and forced to do hard labour, cultivating dry land and bringing water from a distant waterfall. Whilst they were engaged on hard labour, their food was supplied from home and they also received half-a-pound of flour a day. The land which was being brought under cultivation was monastery land which was normally

⁴⁵ Statement No. 34; see pp. 263-4, *infra*.

⁴⁶ Statement No. 36; see p. 268, *infra*.

used for purposes of meditation. The monks worked from dawn to dark without a break, having to keep on working whilst eating. Peasants also were working alongside the monks. If the workers showed no cut or blister, they were accused of not working hard enough. If their allotted plot was not complete, no ration was given. The child of his youngest sister died of starvation whilst the mother was working.

“At a meeting in his monastery, the Chinese told the monks to go and live with a woman, because the population was so small. Up to the time of his leaving, no monks had done so.”⁴⁷

Doi-Gyatsang, Amdo, 1953 : “In Trasang monastery the images were taken out and prayer-books were destroyed. Monks were made to work on the land. If they refused to work they were left in a room without food for four or five days and told that God would provide. These details were announced in a meeting where the people were also told not to use butter-lamps because they were a waste of food. Up to the time of his leaving Doi (April-May 1957) the monks were still in the monastery. The head lama was arrested and was accused of deceiving and exploiting the people.”⁴⁸

Yelung, Tegye, 1956-8 : “There were three big monasteries in the area, Dzogchen, Gyarang and Shiehing. The heads of these monasteries were arrested and all the monks, about seven hundred, were summoned to a meeting at Gonchen and there they were arrested. He was in the district at that time but did not see this. He heard of it from the people in the village.”⁴⁹

Shawar, Amdo : “There were thirteen monasteries in the district. Only one man was left in each monastery and the remainder of the monks were taken away for road work. The Chinese told the people that religion was useless. The monks were idlers who were eating the food of the people. The people should ask their gods for food and clothing and see the result.”⁵⁰

Doi, Amdo, 1955 : “All the monks were sent out to work. The monks’ properties were confiscated. The head lamas were arrested and the Chinese soldiers publicly humiliated them over and over again by riding on them. They were kept in prison and were still in prison when he left in 1957. He saw monks who were taken to the fields, yoked together in pairs, pulling a plough, under the supervision of a Chinese who carried a whip.”⁵¹

⁴⁷ Statement No. 37; see pp. 268-9, *infra*.

⁴⁸ Statement No. 39; see p. 272, *infra*.

⁴⁹ Statement No. 42; see p. 274, *infra*.

⁵⁰ Statement No. 43; see p. 275, *infra*.

⁵¹ Statement No. 44; see p. 276, *infra*.

Shiva Monastery, Amdo, 1955 : “ They saw many Chinese inside (the monastery) and horses had been taken inside the temple. The Chinese brought women inside, but the monks refused to take them. These were Khamba women who were brought in groups surrounded by armed Chinese. Scriptures were turned into mattresses and also used for toilet paper. A monk named Turuklu-Sungrab asked the Chinese to desist and his arm was cut off above the elbow. He was told that God would give him back his arm. The Chinese told them there was no such thing as religion, the practice of which was a waste of one’s time. Because of religion people did not work.” ⁵²

Lhasa, 1957 : “ He began to teach under the Chinese in a primary school in 1957. There was very little response from the Tibetan boys to the opening of schools because they expected indoctrination. The Chinese, however, assured them that they would have classes for religious instruction. At first forty-five minutes was set aside for religious instruction but this period was gradually reduced and finally eliminated. During the religious instruction the labour teachers tried to drag the boys out for manual work. The young boys refused to go, throwing sand at their teachers. The boys even said that if there was no freedom of religion they would refuse to attend the classes in future.

“ The Tibetan teachers in this school were given compulsory instruction in communist dialectics and politics. During these lectures a Chinese officer, Tang Shao-tang used to tell the Tibetan staff that all their prayers would not bring them bread to eat. He himself had once been religious and had prayed day and night but did not obtain the much needed bread. As a communist he did receive his bread and to him the bargain was not unprofitable. The Chinese began openly to denounce religion.” ⁵³

Chodey-Tsang, Ba, 1956 : “ The witness had run away from the monastery and a few monks and abbots had remained behind. The people who were left behind in the monasteries were told that no action would be taken against those who returned and as a result some four to five hundred including the witness returned. Then the Chinese promised the group of thirty with whom the witness came back that they could live the life which they had lived previously and gave them money and tea. The remainder of the four to five hundred then returned. When they returned they saw that the tea cauldrons in the monastery had been destroyed and religious pictures had been defiled. Five monks were arrested and sent to forced labour. It was impossible to collect monastery dues.” ⁵⁴

⁵² Statement No. 45; see p. 278, *infra*.

⁵³ Statement No. 47; see p. 279, *infra*.

⁵⁴ Statement No. 49; see p. 281, *infra*.

Chamling Monastery, 1956: "The witness escaped. One of his companions who met him later told him that two of the high lamas had been captured and murdered, one by being buried alive. A hermit lama named Gayshitimi, who was highly respected by the people, was forced to carry two hundred and twenty maunds of rice a day over a distance of three miles. As this was physically impossible the Chinese mocked him and said that he should do it with his supernatural powers. Subsequently he was imprisoned and the witness did not see him again." ⁵⁵

Among the other Statements submitted to the Committee, a large number recount acts and statements by the Chinese which fall into this category of general intent to destroy religious belief in Tibet. They may be referred to under various categories of such acts.

(i) The stripping of religious images and other acts of sacrilege in monasteries :

Statements : 1, 11, 13, 21, 23, 25, 30, 38, 73, 75, 101, 109, 112, 125, 131, 136, 139, 141, 156, 160, 162, 177, 178, 192, 194, 215, 224, 237, 259, 260, 265, 266, 269, 270, 271, 273, 275, 280, 292, 300, 312, 318, 374, 398, 404, 413, 425, 443, 450, 556, 579, 587, 591, 604, 639, 720.

Statements : 1, 2, 13, 19, 20, 23, 28, 56, 62, 64, 71, 76, 92, 101, 112, 133, 139, 148, 160, 162, 177, 178, 311, 389, 527, 579, 591.

(ii) The conversion of temples into barracks or armouries :

Statements : 1, 3, 13, 50, 73, 112, 129, 140, 165, 178, 280, 471.

(iii) Encouragement or compulsion of lamas and monks to marry :

Statements : 10, 55, 76, 87, 101, 109, 111, 113, 122, 126, 133, 163, 184, 192, 193, 203, 215, 224, 229, 237, 238, 259, 338, 368, 377, 387, 391, 398, 450, 528, 541, 560, 565, 573, 578, 581, 592, 616, 635, 638, 639, 663, 681.

(iv) Forced labour and military conscription of monks and lamas :

Statements : 21, 25, 111, 131, 136, 140, 142, 162, 163, 165, 203, 215, 252, 255, 268, 292, 312, 540, 556, 560, 601, 604, 618, 637, 656.

The evidence reproduced above clearly indicates a general intent to destroy religious belief in Tibet. The propaganda by the Chinese, and their activities in ransacking the monasteries, leave no doubt as to their ultimate goal. The ingenuity in devising the varied tactics itself indicates that there was an over-all plan. Calling upon lamas to perform superhuman feats or otherwise exposing them to ridicule

⁵⁵ Statement No. 50; see p. 282, *infra*. The escape related to the monastery and its bombardment by the Chinese.

was an important part of this plan. Of particular interest is the compulsory labour which was exacted from the monks. Forced labour was quite usual for both religious and lay, and it is clear that the Chinese had many tasks for Tibetan hands to perform. The question arises whether the needs of production motivated the policy of forcing the monks to work, or whether a more profound reason was behind it, viz. an attempt to break their religious life by compelling them to perform acts contrary to their religion.

The talk by Ulanfu to the Buddhists of Inner Mongolia probably contains the real reason :

“ There are two aspects of the socialist transformation of lamas. First, there is the transformation of human character. That means the study of politics, participation in productive labour, thought remoulding and a change of stand.”⁵⁶

Then again, the attempts to persuade lamas and monks to have intercourse with women, despite occasional attempts to explain this by the need for increased population, are probably better explained by the desire to break them of their religious ties and to discredit them in the eyes of lay believers. The public attempt to discredit the old lama, Losang Choden, in this way is particularly striking.⁵⁷ The article which exhorted the Tibetans to “ destroy completely and crush to atoms the forces of these monasteries and clerical houses ” had attacked them violently as centres of sexual vice, and the basic policy is again clear to see.⁵⁸

Then there is the statement of the witness who said that marriage was an alternative to productive labour, although this was clearly exceptional.⁵⁹ There is the fact that the monks were in many cases compelled to leave their monasteries as well as being engaged in manual work, and the monasteries were closed as centres of devotion.

Finally, it may be mentioned that the type of work in which leading religious figures were engaged was of the most menial, and therefore in the circumstances the most humiliating. In the light of these facts the proper inference is that the imposition of forced labour and forced marriages was for the purpose of breaking the religious faith of those in religious orders and of those accustomed to look to them as examples.

Many monks and lamas were killed resisting the Chinese, no doubt at least in part for religious reasons, but it is felt that these killings should not be treated as genocidal. An at least equally

⁵⁶ See p. 15 and note ⁷ *supra*.

⁵⁷ See p. 44, *infra*.

⁵⁸ See p. 21, *supra*.

⁵⁹ See p. 33, *supra*.

probable explanation was that it was done by way of suppression or reprisal, which is not consistent with the specific intent of genocide. Evidence of such acts is therefore considered elsewhere in this Report.⁶⁰

(b) *The intention by killing to destroy a religious group*

Tashigomang, Amdo, 1958 : “ He did not witness the execution of any lamas. He heard the Chinese announce at the meeting that all lamas were wicked and were deceiving the people and that there could be no progress unless they were destroyed. They then said that they would destroy the lamas. He understood this to mean that they would be killed.”⁶¹

Derge, Kham, 1957 : “ Whilst he was in the hills, he saw lamas gathered from the monasteries in the district and estimated that in the course of fifteen days about one thousand lamas were executed in public. He said that he had a clear view of this from the slope of the hill where he was hiding . . . The reason given for the execution of the lamas was that they exploited people in the name of religion and that, since they received so many offerings from the people by deceiving, they should be eliminated.⁶² . . . He said that he saw five (lamas) strangled by a rope, with a heavy image of Buddha providing the necessary force . . . He saw Dzorchen Rimpoche, one of the most famous lamas in Kham, tied down to four pegs and slit all the way down the abdomen. The accusation made against the lamas was of deceiving and exploiting the people.”⁶³

Doi-Gyatsang, Amdo, 1954 : “ Two men named Chopel Gyaltso and Dolma Kyap were also arrested by the Chinese. They were not particularly wealthy, but were very devout. They frequently made religious offerings. The Chinese said to them that they were a bad example to the people because they gave to religious causes and had nothing left for the communists. The people were called together to witness their fate. A board was attached to their backs, displaying their names over their heads. The Chinese announced that these were two people who had faith in religion and had given all their wealth to the lamas. As such they were useless to the communists and letting them live would affect young people’s minds by bad example. They were to be shot and the same fate would await those who did the same. At this time, the two men were tied to a tree. Then they were set free and taken to the edge of a trench and there shot in the back of the head. The people were told that if they had no patriotic feeling for the Chinese and if, clinging to

⁶⁰ See pp. 131-2, *infra*.

⁶¹ Statement No. 34; see p. 264, *infra*.

⁶² Statement No. 35; see p. 266, *infra*.

⁶³ *Ibid*.

religion, they gave money to the lamas, this would happen to them.⁶⁴ . . . Men in the first three grades (i.e. upper and middle-class and local leaders) numbering about five hundred were arrested. The people were summoned to a large field where about three hundred men from these three strata were brought. The Chinese announced that these people were blocking the road to reform, that they had faith in religion and that they must be eliminated, since otherwise they would affect the minds of the younger people. They were to be shot and anyone from the bottom two strata (i.e. the poor classes) would be shot if he had similar views. Children also would be asked if they had faith in religion and if they had they would be shot. If they had any money this should be offered to the Chinese and not to the monks and lamas. If anyone was ill, the doctor should be sent for and not a monk. The remaining two hundred people would be put to work and not shot, because they were not such serious cases as the other men. These three hundred were lined up and shot, one by one, in front of the people. After a solemn warning that he must tell the truth, the witness reasserted and was emphatic that the Chinese threatened to kill anyone who adhered to his religious belief.”⁶⁵

Doi-Gyatsang, Amdo, 1953-4: “In 1953 or 1954, he saw one high lama having his brains blown out. This lama was called Alag Gya. Lama dresses were then put on to ordinary laymen who were made to act as if they were lamas and to dance in ridicule of the lamas. The Chinese then told the people that religion was useless and that they should instead love Mao Tse-tung. The people were called to see and hear this, including the shooting of the lama.”⁶⁶

Rawa, near Litang monastery, 1956: “The Chinese called the people together and killed two lamas before them. Both were shot at but they did not die. Then boiling water was poured over one and he was strangled. The other was stoned and hit over the head and shoulders with an axe. The Chinese said that they were exploiters of the people, and the time had come to see whether they could save their own lives, let alone those of the people. These two lamas were both from Litang. The first was named Nori-Gen and the second No-sog-Gen; both were ex-abbots.”⁶⁷

Malung, near Litang, 1958: “Phuntsog Norbu, a lama-hermit, was locked up without food and water for five days. The Chinese accused him of being an exploiter and he was told that God would provide him with sustenance. This happened at Malung, two days’ journey from Litang. During those five days the lama died and the

⁶⁴ Statement No. 39; see p. 272, *infra*

⁶⁵ Statement No. 39; see p. 273, *infra*.

⁶⁶ Statement No. 36; see p. 268, *infra*.

⁶⁷ Statement No. 26; see p. 254, *infra*.

Chinese summoned people, among them the witness, to come and see the corpse. They were told that God had done nothing for the lama.”⁶⁸

Nansang, Ba, 1958 : “ In 1958 the Chinese began to press the monks to live with women. One girl from a mill told him that the Chinese had offered one hundred Chinese dollars if she could persuade a monk to have intercourse with her, and so on *per capita*. She was upset by this proposal and asked him not to repeat what she had told him. (Her name was given.) The Chinese ordered monks to live with girls and in one monastery he heard that forty or fifty were living with girls. This was in Nansang Gompa. According to his information the monks were threatened with death. He obtained this information from a monk from this monastery, (name given). This monk left the district about five months after the witness, who met him in the Kongpo area. He actually saw monks being killed.

“ Just above Nansang Gompa was a small hermitage where the protecting images were kept. A monk stayed there to say prayers. This man, Derkong Chozey, was told by the Chinese not to stay there saying prayers but to get married and go to work. This went on for many days. The witness met this monk when he went to the hermitage to make religious offerings and the monk told him that he would not obey the Chinese, even if they killed him. In September 1958, the Chinese went to the hermitage and took away all the religious articles. Those of metal were taken away for use, those of clay were broken and the prayer books were burned. They then took the monk and told him that he was of no use to them. The people were then called by the Chinese and the monk was machine-gunned in full view of the crowd.”⁶⁹

Nyarong, Amdo, March 1955 : “ The Chinese then told the monks that they were all spoiled and that they ought to marry. Those who refused to marry were put into prison and he himself saw two lamas, Dawa and Naden, who were among them, crucified by nails and left to die. A lama named Gumi-Tensing was pricked through the thigh with a pointed instrument like an awl and the thickness of a finger. He was tortured in this way because he refused to preach against religion. The Chinese called his fellow lamas and monks to carry him. They also took part in torturing him and he died. He does not know whether they were forced to do so or not. After this many monks and villagers ran away. As far as he knows no monk agreed to marry and he heard that twelve others had been crucified. The crucifixions were carried out in the monasteries and he heard of

⁶⁸ *Ibid.*

⁶⁹ Statement No. 13; see pp. 238-9, *infra*.

this because fugitives came back at night to find out what was happening. Sometimes the monks came out to see them.”⁷⁰

Datsedo, Kham, 1951 : “ The lamas were accused of being yellow robbers and red thieves . . . and with deceiving the people and living on them. About twenty of the more important were shot by the Chinese for these reasons. Among them were Change Geshe, abbot of Ngamchoe, the prayer leader of that monastery and the abbots and prayer leaders of Yakyong and Sakya.”⁷¹

Zava, Lingthang : “ In his district there are about twenty small monasteries. The head lamas of all these monasteries were arrested and killed. No reason was given but the Chinese had previously said that they would not allow religion and prayers. This he heard in the meetings which were frequently summoned to point out the futility of religion and it was also said in the monasteries. He himself was at the meetings. He actually saw a lama, Jempe Kangmo Jruku, being killed. He was beaten and forced to carry heavy loads. The Chinese said that all he did was to pray and to take money from the peasants.”⁷²

Jeuba, Ba, 1954 : “ Before he left Jeuba he was among people called to an assembly in front of a Chinese building near the monastery of Phuntsog Ling, which housed about five hundred. A number of women of bad character lined up and monks and lamas were brought to face them. One of the women, Karma Lhadzum, a woman from the poorer class, a notorious liar who had been well fed and given money by the Chinese, confronted an old lama, Losang Choden, and accused him of having had intercourse with her; therefore he should marry her. The lama denied this and pleaded that he should not be forced to marry but would prefer execution. The Chinese made him kneel on his bare knees on broken stones for fifteen minutes and then on thorns for an hour. The Chinese and the women slapped him and pulled his ears and pricked his head with sword-points. He and ten other lamas were imprisoned and handcuffed, with their legs chained. Next day the old lama was brought out and beaten again for about two hours, after which he died.”⁷³

Instances have been given where religious teaching and observance were the Chinese reasons, as reported by Tibetans, for killing lamas, monks, or devout laymen. There are in addition numerous instances where such people were killed without reasons being stated and also cases where reasons were given which there is reason to feel are not the real reasons. For either or both these reasons such cases are

⁷⁰ Statement No. 45; see p. 278, *infra*.

⁷¹ Statement No. 46; see p. 279, *infra*.

⁷² Statement No. 40; see p. 273, *infra*.

⁷³ Statement No. 1; see p. 222, *infra*.

not self-evidently sufficient evidence of killing done with the intent to destroy a religious group as such. But inferences of this intent may be drawn in a number of such cases, and it is important to consider the basic Chinese policy in this context. The intent to uproot religion has already been considered and evidence of the technique can be found in the statement made by a former collaborator who became disillusioned after working with the Chinese :

“ In December 1958 he joined the Chinese communist party. One of the executives of the Kham area party addressed fifty-eight of them, including the new members; according to him there were two classes in this world, and those of the capitalist class and those of the wealthy had used religion as their main weapon of defence. Therefore for communism to succeed the very foundations of that great bulwark of capitalist defence must be uprooted. They were trained on how to spread communism among the people. Religion was the main target to be destroyed and secondly the people should be completely freed from allegiance to any superstitious practices. The tactics must, it was emphasized, be practised in such a manner that the party could not be accused of following these tactics and people must not be given the opportunity to find causes for holding the party or China at all responsible.” ⁷⁴

The significance of these instructions is twofold. Firstly, they make clear the general intent of the Chinese communist authorities towards religion; secondly, they indicate that the destruction of religion must not be done openly as such. This was Kham in 1958 after the Chinese had faced a re-opening of hostilities by the Khambas. It is therefore reasonable to infer that in many cases the killing of monks and lamas would be carried out for reasons other than those stated, which would attempt to cover up the original and probably real reason, viz. that they practised and believed in their religion, and in the case of the lamas taught it. A number of attacks on monasteries appear to fall into this category. The conduct of Chinese troops inside monasteries reveals an intention to destroy them as centres of the devotional life and of Buddhist learning — as the stripping of temples shows. These are matters quite unrelated to the purely secular side of monasteries, which was ostensibly the feature of the social and economic structure that the Chinese wished to change. It is considered that the pillage of the monasteries is more closely connected with the execution of lamas and monks as part of an anti-religious design than is the avowed reason, refusal to hand over arms, etc. *A fortiori*, where no reasons are given the inference is justified that they were attacked *qua* lamas.

Evidence falling into these categories is considered below.

⁷⁴ See Statement No. 52, p. 284, *infra*.

Sakya monastery, near Shigatse, 1959 : “ Five (inmates of the monastery) died after a public beating, among whom were Chisa Chonam, the purser of the monastery, Shirob Gyatso, an attendant of a lama who refused to beat his own master, and a man named Kunga Gyaltzen.”⁷⁵

Drepung monastery, Lhasa, 1959 : “ They (i.e. the inmates of the monastery) were told that a reactionary would be brought to the assembly hall, and that they must all accuse him of his misdeeds. Those who would not were collaborators and liable to be imprisoned. One of the leading monks from their section, Bati-Jigme, was then brought in. The Chinese said that he had collaborated with the Khambas and that he was responsible for the abduction of His Holiness. They should all accuse him of this. He had also, they said, given one hundred and fifty loads of grain to the Khambas without the knowledge of his fellow-monks. Some monks were given Chinese dollars and tea-bricks and told to make these accusations and to beat him. About four or five did this. The Chinese then said that Jigme was a reactionary and asked these monks whether he should be executed or imprisoned. Only two spoke and they said that he should be imprisoned. They were accused by the Chinese of being unjust, since Jigme should be executed, and these two were arrested and taken away. The Chinese asked the remainder what they thought and they said that he should be executed. The Chinese then said that it was useless to kill him at once and that he should first be interrogated. First he was to be beaten. He was made to bend down and the Chinese invited the monks to come forward with allegations of ill-treatment. None were made and Bati-Jigme was taken away . . . They witnessed no executions but were told that in another section one of the leading monks had been beaten to death and they saw where he was buried.”⁷⁶

Meshe, Derge, Kham, 1956 : “ One day a meeting was called and all the head lamas and well-to-do people, with the leaders of small towns and villages, were brought to the meeting. The meeting was told that reforms would take place and they were told to surrender all arms, even those of the monasteries, which were regarded as religious symbols . . . When the Tibetans pleaded that the religious symbols and food should be excluded the Chinese surrounded them and took away everything. They were still not satisfied and demanded what was supposed to be hidden. When the Tibetans replied that they had hidden nothing, a large number of monks, lamas and people from the well-to-do and middle classes were arrested. He estimated that five hundred lamas and monks were arrested . . . Fifty of the monks and lamas arrested were executed, some being thrown into the river, some shot and others hanged.”⁷⁷

⁷⁵ Statement No. 4; see p. 225, *infra*.

⁷⁶ Statement No. 33, by three monks from Drepung monastery; see p. 262, *infra*.

⁷⁷ Statement No. 48; see p. 280, *infra*.

Yelung, Tegye : “ He himself saw lamas and monks being killed by the Chinese. Truku Dreme, a high lama from his own village, who was 75 years old, was arrested and accused of having a lot of money. The Chinese pulled his hair and poured boiling water over his head. He died as a result. The people were called to witness this.” ⁷⁸

Tashigomang, Amdo, 1958 : “Amchok monastery was flattened by bombs except for one small building. He was fighting in the area and actually saw this happen. One or two of his friends were inside the monastery and had fired from there. Fifteen of the inmates escaped from the monastery and joined them, telling them that the rest were dead. The monks themselves were not engaged in the fighting. Nyolri, Paldo and Karing were also destroyed. Nyolri was four to five days’ journey from Amchok, and the witness saw the destruction of this monastery when they were retreating. In this case none of his friends had entered the monastery and there had been no firing. Friends told him that Paldo had been completely destroyed in the same way, and they had seen it happen. These three monasteries were all in one line.” ⁷⁹

Ranyak monastery, Gaba region : “ In the Gaba region he was told that the Chinese took out the images and prayer books in Ranyak monastery and made the people walk over them. High lamas were made to work and then bound with some kind of electric cable and left to die. Some were compelled to live with women. A very respected and learned lama named Chashoo Tulku was buried alive. His information came from the leader of a group of muleteers who had heard this account from a Tibetan who was riding with a Chinese transport column who told it to the man who brought back the mules. They later searched for the body at the spot indicated and found it. He reported the story and the discovery of the body to the leader of the muleteers.” ⁸⁰

Among the other Statements submitted to the Committee, a large number allege that monks and lamas were put to death, sometimes by such methods as burning alive or vivisection :

Statements : 13, 20, 21, 22, 40, (about 3,000 monks), 41 (28 monks), 52, 70, 76, 87 (300 burned to death), 128 (650 monks), 131, 133 (one), 136 (2 incarnate lamas, 28 monks), 142 (50 monks), 160 (one), 163 (one monk), 184, 188 (200 monks), 189 (450 monks), 192, 193, 197, 202 (an incarnate lama, 55 monks), 212 (one monk), 224, 229, 237, 426, 267, 273, 280, 291, 302, 305, 312, 335, 346 (200 monks and 2 lamas), 373, 382, 390, 398, 404, 406, 408, 409, 413, 416, 428, 436, 445, 448, 452, 474, 482, 492, 508, 512, 537 (abbot),

⁷⁸ Statement No. 42; see pp. 274-5, *infra*.

⁷⁹ Statement No. 34; see p. 264, *infra*.

⁸⁰ Statement No. 23; see p. 249, *infra*.

540, 550, 573, 595, 597, 598, 610, 612, 620, 635, 636, 644, 660, 663, 674, 694, 695, 696, 706, 708, 720.

Conclusion on Article 2(a) of the Convention for the Prevention and Punishment of Genocide: On the evidence, it is considered that the forces in Tibet of the Chinese People's Republic intended to destroy, as such, that part of the Buddhist religious group which existed in Tibet. Many methods were practised in order to eliminate religious belief and practice, and among those methods putting to death the leading exponents, in particular the lamas, was done in order to induce other believers to abandon their religious beliefs and practices, that is, in pursuit of a general intent to destroy the religious group as such. It is therefore considered that such killings were contrary to Article 2(a) of the Convention and a crime under international law independently of the Convention.

(c) *Destruction by inflicting grievous bodily or mental harm*

The evidence quoted above also shows that serious bodily harm was inflicted on members of the group as such. Floggings,⁸¹ public degradations⁸² and starvation for the purpose of showing divine failure to provide nourishment⁸³ are all examples. There is no doubt that these acts were committed with the intent to eliminate, by duress or propagandist demonstration, religious belief in Tibet, and the question arises whether such acts amount to genocide. It is considered that Article 2(b), which refers to "serious bodily or mental harm" envisages harm which involves some physical destruction of people rather than the extinction of ideas. It would, for example, be difficult to see how the other human groups, national, racial or ethnical, could be destroyed by the methods revealed by this evidence. In the case of a religious group as such, the only common characteristic is ideological, but, bearing in mind the general conception of genocide as one of the denial to human groups of the right to exist, the Legal Inquiry Committee is of the opinion that the destruction by physical harm of ideas, as distinct from the destruction of the group that holds those ideas, does not amount to genocide.

Conclusion on Article 2(b) of the Convention for the Prevention and Punishment of Genocide: It is not considered that the evidence of physical harm inflicted on members of the religious group as such justifies in law the conclusion that such acts were done with the intent to destroy the group within the meaning of the Convention. It is not necessary to consider whether Article 2(b) represents generally applicable international law relating to genocide.

⁸¹ See pp. 25, 32, 46, *supra*.

⁸² See pp. 24-6, 33, 34, 37, *supra*.

⁸³ See p. 42, *supra*.

(d) *Inflicting conditions of life calculated to bring about physical destruction*

A similar problem arises in connection with Article 2(c), which refers to :

“inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.” The interpretation of this part of Article 2 is a matter of no small difficulty, but the evidence reveals, apart from the killings, which are contrary to Article 2(a), no attempt *physically* to destroy the group, and it is not proven that the conditions of life which were inflicted on the Tibetans were directed to this end.

Conclusion on Article 2(c) of the Convention for the Prevention and Punishment of Genocide: There is no evidence of acts contrary to this part of Article 2 of the Convention. Again, it is not necessary to consider whether this part of Article 2 represents generally applicable international law.

(e) *Measures designed to prevent births*

There is no doubt that the belief is widespread among the Tibetans that the Chinese deliberately sterilized large numbers of them in an attempt to prevent them from propagating their own race. Such acts are specifically defined as genocide by Article 2(d) of the Convention for the Prevention and Punishment of Genocide, and in the view of the Legal Inquiry Committee are accepted as acts of genocide by civilized nations, thus becoming part of international law. The facts which gave rise to this belief took place in the Amdo region in 1955-56, and the Legal Inquiry Committee have no reason to doubt the *bona fides* of those who believe that they have been sterilized. It cannot, however, be accepted as proven that the witnesses who claim to have been sterilized have in fact undergone this treatment. Expert medical evidence on the details given is that the treatment described is not in accordance with any known method of sterilization. Searching clinical investigation of Tibetans who claimed to have been sterilized produced no proof that this had been done. On the question of *bona fides* it should be said that the Tibetans who claim to have been sterilized were all prepared to undergo any medical examination and to answer any questions, and in fact did so. Answers given to questions for which witnesses were unprepared were consistent and the inconsistency of the facts described with known methods of sterilization indicates either honesty or a case so badly prepared as to be unworthy of credence. The Committee took the view that the statements were honest.

No woman who claims to have been sterilized was available among the refugees. However, expert gynaecological advice was

obtained on the details supplied by their husbands. There is no evidence of sterilization carried out in accordance with known medical methods of sterilizing women.

It is not necessary to speculate on what actually happened. The usual reason alleged to have been given by the Chinese for their medical treatment does not appear to be the true one, whatever that may have been. The improvement of the intelligence and physical strength of the Tibetans was the usual reason given, according to Tibetan statements. At any rate, whatever happened was confined to the Amdo region, and was not done elsewhere. For these reasons the Legal Inquiry Committee cannot accept the evidence on which the allegation of sterilization is based as proof of sterilization carried out in an attempt to destroy the Tibetan race.

One typical statement by a man which also relates to his wife is reproduced below :

“ In March 1956 he was told by the Chinese that he needed treatment that would make him more intelligent and which would be beneficial to his brain. A blood specimen was taken from his arm at his home and he was told that treatment would be needed for his physical health. Blood specimens were to be taken and as far as he knows were taken from all persons between the ages of ten and sixty and these specimens were taken to the hospital. At the hospital the day after the blood specimens were taken he was completely undressed, placed on a chair and his genital organs were examined. Then a digital rectal examination was carried out and the finger was agitated. He then ejaculated a whitish fluid and one or two drops fell on a glass slide which was taken away. After this a long pointed instrument with handles like those of scissors was inserted inside the urethra and he fainted with pain. When he came round the doctors gave him a white tablet which it was said would give him strength. Then he received an injection at the base of the penis where it joins the scrotum. The needle itself hurt but the injection did not. He felt momentarily numb in the region until the needle was removed. He stayed ten days in hospital and then a month in bed at home. Other than being told not to disclose anything he was given no instructions. In hospital he was given a white tablet every other day (he insists that it was only every other day). Prior to this treatment he had been in good health. He had suffered no discomfort in the genital organs and had seen no sores. He had been married for only two years and prior to this treatment had had very strong sexual feelings and insisted that he regularly performed the sexual act three or four times a night. Afterwards he had no sexual desire at all. He attempted once to have intercourse with his wife but had no desire and no erection. This happened three or four months after the treatment. He was very upset and did not try again. He stayed with his wife for about a year, during

which time they slept together, but he felt no sexual attraction and never had an erection. He never had erotic dreams or nocturnal emissions. He now feels weaker and suffers from lapse of memory. His vision is unchanged but he sometimes suffers from giddy spells. His voice, which apparently was formerly a good singing voice, had become more high-pitched and when he happened to sing afterwards people remarked that he sang like a goat.

" His wife was sent for on the same day as he was. Samples of blood had been taken from her on the same occasion as from him. Her account to him was that she was undressed and tied down. Her legs were raised and outstretched. Something very cold which became painful was inserted inside the vagina. She saw a kind of rubber balloon with a rubber tube attached, the end of which was inserted inside the vagina. This balloon was squeezed and his wife felt something very cold inside her. This caused no pain and only the tube and not the balloon was inserted. She remained conscious throughout. Then she was taken to bed. The same procedure was carried out every day for about a week. Then she went home and stayed in bed for about three weeks. For the next two months she remained very weak. She had no sexual feelings even on the occasion when they attempted intercourse and they discussed this with each other. His wife's menstrual cycle had been normal prior to this treatment but during the year that he was with her she did not menstruate. His wife drew attention to this and said that she felt very strange about this cessation of the menstrual flow. She did not mention that she felt giddy but did complain of weakness up to the time of his leaving. They were, however, very badly fed and lived largely on wild plants." ⁸⁴

(f) *The forcible transfer of children to another group*

There is no doubt on the evidence that large numbers of children, many being tiny babies, have been taken under force or the threat of force from their homes and transferred from Tibet to China. In Eastern Tibet, and in the areas which are part of China, they have been transferred to parts of China where they are remote from a Tibetan environment. In other cases children have been taken probably in accordance with their own wishes but contrary to the wishes of their parents. Evidence of such transfers is given below.

At exactly what age the term "child" ceases to be applicable to young people is not specified in the Genocide Convention. In view of the fact that the Chinese seem to have used the age of fifteen as a dividing-line in many cases, only those below that age are here regarded as children. There are in fact many instances of young people over

⁸⁴ Statement No. 2; see p. 223, *infra*. Other such Statements published in this Report are Nos. 34, 36, 37, 38, 39, 44.

that age being taken, but they are excluded from consideration as acts of genocide. It may be that the forcible transfer of such young people would be regarded as genocide under international law, but the Legal Inquiry Committee did not feel that methods other than those specified in the Convention can as yet be regarded as acts of genocide according to generally accepted international law. The evidence relating to the forcible transfer of children is reproduced below :

Jeuba, Ba, 1954 : “ Forty-eight babies below the age of one year were taken to China in order, the Chinese said, that their parents could do more work. Many parents pleaded with the Chinese not to take the babies. Five soldiers and two civilians with a few Tibetan collaborators came into the house and took the babies from the parents by force. Fifteen parents who protested were thrown into the river by the Chinese and one committed suicide. All the babies came from the middle and upper classes.” ⁸⁵

Doi-Dura, Amdo, 1954 : “ From 1954-55 onwards all the children below fifteen were to be taken to China. Parents were warned that this was the order of Mao Tse-tung and that the penalty for refusing was execution. No one dared to oppose. No one has heard of or from the children who were taken away, at least up to the time when the witness left. The names of some of the children are as follows : Sonam Tsering, aged 13, male, Kesang Tashi, aged 14, male, and Khamegya, aged 13, a girl.” ⁸⁶

Doi-Dura, Amdo, 1956 : “ From 1956 onwards all babies were to be taken away ten to fifteen days after birth. All births had to be reported and medical staff went to the houses and took away the babies. This process was carried on continuously up to the time of his leaving. The people were told that the new-born babies belonged to the communists and were to be looked after by the Chinese. No indication was given of where the babies were to be taken but they were not at the local hospital. Parents whom he knew who had their babies taken away include Chagmo-gya and Digmochi.” ⁸⁷

Gyaldrong, Taktse, near Lhasa : “ From his district in which there were from three to four thousand families the Chinese wanted fifteen children between the ages of ten and twenty to go to China for education. At first everyone refused but finally ten people agreed and the Chinese accepted ten as sufficient. These ten left in 1955 and their parents were told that after three or four years they would return. When he left in March 1959 none in fact had returned. No babies were taken.” ⁸⁸

⁸⁵ Statement No. 1; see p. 222, *infra*.

⁸⁶ Statement No. 2, see p. 224, *infra*.

⁸⁷ *Ibid*.

⁸⁸ Statement No. 3, see p. 224, *infra*.

Amdo, 1956 : “ After the land reform in Amdo people were starving and there was not enough food for the children. The Chinese then told them to send their children to China to school where they would be fed. Then they sent the children because they had no food for them.” ⁸⁹

Losalling, near Lhasa : “ He did not witness any forcible taking of young people to China. The situation was that boys went to China against their parents’ wishes but in accordance with their own.” ⁹⁰

Ba, 1956 : “ Boys and girls were to be sent to China for indoctrination. Parents were called to a meeting. If they were faithful to communism they would allow their children to go but refusal meant that they were unfaithful. Those who were against the scheme were threatened with ill-treatment, imprisonment and receiving no food. They were also to be sent to China. A few parents requested that their children be not sent. These were physically maltreated and the people were called to witness. Groups of beggars who had become pro-Chinese beat them with their flat hands and pulled out their hair. They were not fed. After this most of them agreed and he knows of no-one who still refused. The children were then sent away, it was said to China. About one hundred were sent altogether, between the ages of ten and twenty-five. He thinks that there was a proportion of three to one in the age group ten to seventeen. Children under ten were sent for indoctrination to the Chinese headquarters in Ba. They were collected from different families in one village. The Chinese asked for fifty, leaving the Tibetans to arrange for themselves where the children were to come from. This happened before the older people were sent to China.” ⁹¹

Tatsang, Amdo, 1951 : “ Beginning in 1951 children from eight to fifteen began to be sent to China. The youngest of these were shown cinemas and theatres and told that they would see more of this in China. The children wanted to go but many parents refused. If the child was willing to go and the parents were unwilling to let him the Chinese told the parents that they had no right to interfere. If neither the child nor the parents were willing the parents were taken before a public meeting and denounced as reactionaries but no other steps were taken. The Chinese said at first that the children would be gone only for a few days in order to see films but the children did not return.” ⁹²

Tatsang, Amdo, 1956 : “ The Chinese began to take away newborn babies telling the people that babies would interfere with their work.

⁸⁹ Statement No. 10, see p. 233, *infra*.

⁹⁰ Statement No. 12, see p. 236, *infra*.

⁹¹ Statement No. 13; see p. 238, *infra*.

⁹² Statement No. 18; see p. 242, *infra*.

Anyone who refused would be executed. The brains of the parents were rotten and the children's brains should not be the same. Cripples and aged people were kept separate from the rest of the people and were very badly fed." ⁹³

Lhasa, 1954 : " At first the Chinese had small schools in Lhasa where the children spent most of their time playing, seeing films and theatrical productions and some were given a monthly allowance. The children were then told that if they went to China there would be even more games, theatres and films and that they would be better educated. The decision was for the children to take and parents had no right to intervene. Many parents objected and pleaded with the Chinese not to take the children. However, many children chose to go. Persons who went to China for education were in the age group twelve to twenty and he estimates that about three thousand in all went from Lhasa and western Tibet. They were to return after two or three years. He had no knowledge of any being returned up to the time when he left. The transfer to China began in 1954-55. The children wrote to their parents and again he saw the letters which were sent from China. In the beginning the children said that they were having difficulties because they were engaged in hard labour working in the fields. They were taught communism and the Chinese language with politics as the main subject. At this stage there appeared to be no censorship. Letters later spoke of their happiness and the excellent education which they were receiving. Some Lhasa people visited China taking clothes etc. for the children. They came back with the information that letters from the children were censored and that the children requested their parents not to write anything anti-Chinese in their letters because if they did so their children suffered. At no time either before or after the censorship did the children mention films, theatres or games. No force was used against parents who protested but none protested strongly. He attributes this to a fear of imprisonment or ill-treatment because they had already seen instances of this from the Chinese. After 1953 it had become quite common for people to be ill-treated." ⁹⁴

Rawa, near Litang, 1957 : "In 1957 a list of children was made and the people were told that all below the age of ten belonged to the communists and that they were to be well educated. No mention was made of their coming back to their parents. He knows of two children who went in this way to China in 1957. His daughter aged eleven was on the list but did not go. One Tibetan collaborator, Sonam Tseten, the father of two, sent his children willingly." ⁹⁵

⁹³ Statement No. 18, see p. 242, *infra*.

⁹⁴ Statement No. 22; by Mimang leaders; see pp. 247-8, *infra*.

⁹⁵ Statement No. 26, see p. 255, *infra*.

Phembo, near Lhasa, 1954 : “ In 1954 about a dozen children between the ages of thirteen and fifteen were sent away by the Chinese for education, supposedly to Lhasa. The parents afterwards tried to find out their whereabouts, but could not find them in Lhasa or elsewhere.” ⁹⁶

Damchu, Polto, in Kwambo area, July 1950 : “ At that time, i.e. 1950, truckloads of children were being taken to China after being collected by the Chinese. One school was opened in Po, but the next two collections of children were for China. The people pleaded with the Chinese not to send the children to school as they were needed for work. The Chinese said however that they wanted everyone below the age of twenty-five. About 125 were collected from four districts. In some cases the children were assembled at the ration office and then selected. When some parents refused to take their children, the Chinese went to the house and took them. Two of his relatives, a nephew aged six and a niece aged ten were taken away from their house in this way and the witness was in the house when this happened. The children were taken forcibly and placed on lorries. He saw them crying with fear. To his knowledge no children have returned, and this happened in about July 1950.” ⁹⁷

Doi, Rigong and Maharka, Amdo, 1956 : “ The Chinese announced that all the babies would be taken away so that the mothers could work and would have sufficient to eat. In his previous experience in Doi, there had been no shortage of food. Babies between the ages of approximately one to seven months were taken one by one from their parents, and he himself did not know where they went. People who visited China came back and told the parents that they had seen babies in China in big houses with nurses looking after groups with ten or fifteen children to a nurse. All the babies were taken from these three villages, according to his information. He himself was a monk at the time, that is, 1956; his information in Doi came from his mother and his younger brothers, who told him this when he visited them, and he met people from Rigong and Maharka in Doi who told him that the same had happened in their villages. The babies were not taken by soldiers but by the medical workers, presumably by the medical orderlies in the Chinese clinic. He does not know how frequently this was repeated. Up to the time when he left, no babies had been returned. He did see a few babies in the beginning of 1957.” ⁹⁸

Derge, Kham, 1958 : “ Lower-class children were sent to China and his own two children, a son aged ten, and a daughter aged seven at the

⁹⁶ Statement No. 27; see p. 256, *infra*.

⁹⁷ Statement No. 32; see pp. 259-60, *infra*.

⁹⁸ Statement No. 34; see pp. 264-5, *infra*.

time, were taken in the middle of 1958. The Chinese said they were taking children between the ages of eight and ten, but he does know that newborn babies were taken away in the beginning of 1958, and this continued all the time he was there. He heard no reason for the removal of the babies, but as far as his own children were concerned, the Chinese said that they would be well educated. At first they said that the children were in Derge, but they were not there and he heard they had been taken to Szechuan (China). He asked the Chinese not to send them, but the Chinese refused to listen. He himself was not directly threatened, but he had seen one old woman who refused to send her son shot before several hundred people, including himself. After this, no one refused.”⁹⁹

Garang, Amdo, 1955 : “ When his daughter was seven years old, the Chinese announced that children below the age of fifteen could not be educated in the Amdo region and must go to China. Parents need not worry, the children would be well educated. He did not wish his daughter to go, but he dared not protest, because the Chinese wanted the people to agree, under threat of being shot. They were not supposed to weep because this showed disagreement with the Chinese policy. He subsequently heard no news of her or from her. In Garang babies were taken away, also in 1958. The reason given was that they were to go to learn communism and to come back in order to lead in the development and progress of their country. No one dared to protest. Babies were taken while they were still being breastfed. The only case of which he has personal knowledge is that of a baby being taken from its mother, Tsenmowa.”¹⁰⁰

Doi-Gyatsang, Amdo, 1955 : “ The Chinese announced that small children around the ages of four to six were to be taken away for indoctrination. They obstructed the work of the parents. The witness had no idea of the total number thus taken but from his village, consisting of about seventy families, some twenty children were taken. In 1955, newborn children were taken by the medical staff (according to the witness, the doctors arrived in the village in 1956 in connection with the treatment described). If they were not taken, they said, the mothers would not be able to work. The nurses would look after them for two or three years and then they would be sent to school. The witness said that it was impossible to protest, in view of the executions which everyone had seen awaited those who opposed the Chinese. The children whom he knew who were sent away in 1953 and 1954 are as follows : Tamtrin Tsering, boy aged 6; Nyonkogya, girl aged 4; Nangyal, girl aged 4; Kunthar, boy aged 6; Takla, boy aged 5; Tangzin, girl aged 4; Tselogyia, boy aged 5. And the babies taken away from people whom he knew were as

⁹⁹ Statement No. 35; see p. 266, *infra*.

¹⁰⁰ Statement No. 38, see pp. 270-1, *infra*.

follows : Mothers : Tseringkey, one baby; Nyimingmogya, one baby; Warik, one baby; Ochock, one baby. When he left Doi in April or May 1957, none of these children had returned.”¹⁰¹

Doi-Gyatsang, Amdo, 1953 : “ From 1953 onwards the Chinese began to separate children from their parents, beginning with the older children. They said that the children would have to be separated from their parents since their parents were religious and superstitious. Those up to the age of six were to be taught in the town itself and those from seven to fifteen were to be taken to China. His own daughter, aged four, was taken from him in 1954 and although he was in the town for three years after this neither he nor his wife was permitted to see the child. His brother’s children, aged nine and eleven, were taken away to China and he does not know what happened to them. His brother was in prison at the time. From 1956 onwards, children were taken away soon after birth.”¹⁰²

Derge, Kham, 1956 : “ About three or four thousand people between the ages of fifteen and fifty were sent to China from Derge district. Only about thirty or forty returned and these were apparently well trained and well trusted people. Adult males below the age of fifty were enlisted in the army or in labour gangs. A number of children were taken away to China against the wishes of their parents who were unable to protest. His own two daughters, aged seven and nine at the time, were sent in 1956 and he has not seen them since.”¹⁰³

The usual reasons given by the Chinese for taking away children were either that they were to be educated or that they obstructed their parents’ work. In some of the evidence reproduced above it is clear that in many cases the children were receiving no education at all in China. If it were a matter of looking after children whilst their parents worked, one would have thought that it was scarcely necessary to send them to China. The main reason for the transfer of the children appears to be that the Chinese wished to remove them from parental influence, and in a few instances there are explicit references to the necessity of preventing the children from having a religious upbringing.¹⁰⁴ In any event the effect of transferring large groups of young children to the environment of a communist society from one that is deeply religious would have the result of producing a new generation that was far removed from Buddhism, whether the children ever returned to Tibet or not. And that, as has been seen in other evidence, would be in conformity with the basic design to wipe out religious belief in Tibet.

¹⁰¹ Statement No. 39, see p. 273, *infra*.

¹⁰² Statement No. 44, see p. 277, *infra*.

¹⁰³ Statement No. 48, see p. 278, *infra*.

¹⁰⁴ See Statements 18 and 44 at p. 53 and *supra*.

Some of the reasons given for taking the children, i.e., for education or to allow their parents to work, do not, in the light of what happened in many cases, appear to be the true reasons. Where education was given it would scarcely be more liberal than that given in Tibet, which was predominantly communist and Chinese.¹⁰⁵ In these circumstances, it is considered that at least part of the objective was to cut off the Tibetan children from religious influence and teaching, thereby to further the destruction of Buddhism in Tibet.

Among the other Statements submitted to the Committee a large number allege the removal of children. In many cases the age is not specified, and the list of such Statements is as follows :

Statements : 10, 11, 13, 17, 24, 47, 69, 83, 88, 92, 104, 107, 76, 122, 132, 148, 158, 163, 178, 182, 132, 436, 189, 201, 204, 215, 228, 229, 237, 239, 265, 275, 280, 294, 245, 338, 372, 381, 429, 433, 436, 441, 443, 492, 525, 558, 580, 590, 603, 604, 614, 617, 678.

Only Statements Nos. 47, 69, 83, 88, 92, specifically allege that these children were taken to China, and in very few Statements is there evidence of force or the threat of force. On these two points the Statements from which evidence is quoted in this Report is much more specific; the other Tibetan statements, however, corroborate on the fact that large numbers of children were taken away from their parents, and it is not difficult, in view of the evidence reviewed above, to see why such transfers were made.

Conclusion on Article 2 (e) of the Convention for the Prevention and Punishment of Genocide : Bearing in mind that it was a basic policy in Tibet to destroy religion, and that this policy was in some cases openly avowed to be behind the transfer of children to China, it is considered that the transfer of children to China against the wishes of their parents and by the use or threat of force was an act contrary to Article 2 (e) of the Genocide Convention and also an act of genocide under generally applicable international law.

¹⁰⁵ For details of such education, see pp. 119-30, *infra*.

**APPENDIX
TO
THE EVIDENCE RELATING TO GENOCIDE**

**The black wickedness of the deceiving reactionaries
belonging to religious establishments is quite intolerable**

1. The poisonous countenances of those reactionary potentates of monasteries and temples are revealed. They are seen for what they really are. These reactionary lamas, wearing the cloaks of religion are more deadly poisonous than poisonous snakes, more ferocious than wild animals.

Although the government has given them instruction and guidance for several years, they have left the proper track and hope to carry out their former evils.

They rob and oppress and cause suffering to the great number of ordinary hard-working folk.

Religion as a tool which serves the ranks of oppressors

2. The deliberations of a council of men come from the district controlled by the Abbot Thub-bstan Chos-dbyings of rDor-brag Monastery in Dar-mdo.

We have thought the matter out and it is clear that there is not even a hair's breadth of substance in deluding religious faith. Religion is a tool which enforces service to the orders of self-constituted potentates. Religion does not give a hair's breadth of advantage to ordinary hard-working folk. If you want to know how religion began, you must know that the founder of the religion was Shakyamuni, who was the son of an Indian king Soddhodana. At that time there were many kingdoms in India, and the kingdom where Shakyamuni was born was the largest and most beastly of these kingdoms. It was always oppressing the neighbouring smaller kingdoms. When Shakyamuni was ruling, all the people of his kingdom were opposed to him and afterwards the neighbouring kingdom joined with them and rose against him; eventually Shakyamuni was defeated, but he escaped from the midst of the surrounding armies. As he had nowhere to go, he went to a forest hermitage, and having meditated, he invented the Buddhist religion. Thus having induced regrets and weaknesses into the strong hearts of the people, he came back again to impose his authority on ordinary folk. This is clearly the beginning of religion. Just look at these 'incarnations' (tulku) of the monasteries and temples of our country, at

these abbots and other reactionary lamas with control in the monasteries. They are mostly self-appointed potentates from the families of land-owners and nomad chiefs. They are themselves land-owners and nomad chiefs. From my own experience I know that in the case of that self-appointed potentate of *Dar-mdo rDzong*, known as *Wa-Tshi-ca* (minister of the chieftain *Icags-la*) all his children except for one who is a layman, are 'incarnation-lamas'. The former 'incarnation' of *Ri-khug*, the 'incarnation' of *rDor-brag* Monastery and others are all of the family of *Wa-tshi-ca*. On the one hand they use religion as their tool, deceiving and robbing people, guarding the customs of their self-appointed tradition. On the other they rely on the power of the land-owners whose positions are maintained by those reactionary monastic potentates, so that they are ever increasing the power that derives from their religion. Thus they oppress and rob people and cause them to suffer. For example, formerly in the case of *rDor-brag* Monastery in *Dar-mdo*, the chieftain *ICags-la* and *Wa-tshi-ca* had their way of doing things, for they had great collections at festival times. They said the chieftain was of divine descent and that his position had been established by the gods in the beginning and, putting together fiendish talk such as this, they deceived the people and forced them into a deliberately imposed servitude which could never be changed. By this talk of gods and demons at *rDor-brag* Monastery and the power of self-imposed potentates the hold of their religion greatly increased. Previously *rDor-brag* Monastery exercised royal prerogatives in *Mi-nvag* and seized forcibly twenty-four freeholds; every year they robbed the ordinary people of more than 10,000 bushels of grain in levies. At the same time the bailiff of the monastery would visit in the chieftain's name all the grazing grounds of *Dar-mdo* and collect forcibly the butter, cheese, etc. of the nomad people. As a result of the land-labourers and the nomads having to pay so much in taxes, they were afflicted with cold and hunger, wealth was wasted and lands were lost. When you consider all this, these reactionary monastic rulers are seen as the tools which serve the order of self-imposed potentates and robbers. It is true that in some small monasteries there are 'incarnation-lamas' born of the families of ordinary hard-working people, but there is a like factor which inevitably gets control over them. If you ask what this factor is, know that there is the matter of beautiful youthful mothers of these 'incarnations' and of the bailiffs and treasurers who have the power in the monasteries and make others obey their laws. The bailiff and treasurer of the monastery become spokesmen for the young 'incarnation' saying that they are his teachers and guides. Bringing his mother to the monastery, they make her into their concubine and, bringing along his father, they force him into their service. As for the young 'incarnation', except for his own body, he has not a hair's breadth of power. These reactionary potentates of the monasteries make profit for themselves by talking about gods and talking about demons

and so they deceive ordinary people. They say 'We will place all living beings under heaven in a state of bliss' and after a man has died they say 'He must be led to the Land of Bliss'. Thus they talk endless fine-sounding and deceiving words. In actual fact these are all devilish words for the deceiving of people. I myself was a lama for ten years. I read a lot of religious texts, but except for seeing 'Land of Bliss' written on the monastery walls, I did not in fact even dream a good dream about the place. Furthermore some of these reactionary lamas will tell you that 'incarnation-lamas' can work magic and that that is enough to account them gods. But who has seen with his own eyes a magic-working incarnation-lama? I myself from the beginning until now have not seen one. For example, at *rDzong-phu-tsha-rong* in Dar-mdo there was formerly a lama named *Shes-rab Rin-po-che*, who was supposed to be able to produce magical appearances, and some foolish people had great faith in him. I myself have been to him. People used to say that he was a Buddha come in human form and so he is not entering *Nirvana*. Indeed! When he was 50 years old, he went mad, jabbed a spike into himself and took his own life. So this talk about 'incarnation-lamas' being divinely wise, is it not all lies? What is still more poisonous, having become self-appointed masters and robbed and oppressed ordinary people generally, when a man is about to die and can scarcely draw breath, those reactionary lamas would bring him back, saying 'You failed to accumulate merit in your former life. You must have faith in religion with all your heart. (Give all that is asked of you) and you will be happy in your next life'.

But who knows about a man's future life? Who knows about his former life? Who knows what sort of world he had come from? All this is just serving the ranks of these robbers. Does it not amount to telling ordinary people to run to the service of these robbers and put themselves in subjection to their laws?

If one told all about these shameless inhabitants of monasteries, one would never finish, if one talked day and night. Many people have recounted how inside as many monasteries as there are, in those retreats of reactionary potentates, there is not one who has not violated a woman and not one who has not violated the young monks. They are all like beasts. Those reactionary potentates of some monasteries have organised their black wickedness in a regular fashion. I myself have seen such things with my own eyes in one big monastery. When the chief lamas go to the disciplining ceremony, which takes place once a year, they take along all the young monks of good appearance, and they not only ill-treat them, but they force them to serve as prostitutes (male ones). To those who make a lot of money in this way, they give a ceremonial scarf and benediction and he is praised in the whole assembly of monks. As for those who do not want to serve as prostitutes or only make a little money in this way, they

strip their clothes off, paint their buttocks black and put them on show outside the monastery. All the money that the young monks make by prostituting their bodies is shared between those reactionary lamas.

.....

Afterwards they can set about learning religion. When the time comes, they have to practise the "Secret Mantra". Those monks of the monasteries think that the "Secret Mantra" is the supreme essence of religion. But this inner meaning about the essence of religion is all a confusion of the mind. These men meditate upon nothingness for a whole day long and then they meditate, conceiving of themselves as representing the unity of male and female divinities (Vajrabhairvara). (These are paintings of naked male and female divinities in embrace).

.....

These reactionary potentates who live inside the monasteries are always saying 'Lamas who wear the red garments of religion are superior beings—Women are very low creatures'. Indeed! We men are all born from the wombs of women, so what justification is there in calling them low?

[The two short passages omitted on this page are not quite clear because of unfamiliar vocabulary, which is presumably of a particularly coarse kind, judging from the general sense. The first passage says that the supposed relationship of 'Uncle' and 'Son' between older and younger monks is but a cover for homosexual acts and refers to a resulting disease.

The second passage answers the anticipated charge, that since the writer has been a monk, he must himself have been involved in such acts. He concedes this, saying that he was led to experience all that went on in the monastery, and knowing it, he is determined to destroy it all.]

All the subject-matter which has been resumed above, which I have been making clear, this is what is evil and low. Such are these reactionary lamas who delude ordinary people and tread on their necks, wearing the clothes of religion, they oppose all novelty and change. They make no exertion the whole day long, but induce others to look after them. From their evil acts their hands are soiled with the red, warm trickling blood of hard-working people.

So speaking generally, we say that deceptive religious faith is the tool of those who serve the ranks of the oppressors. As for the religious texts they read, they are incantations. As for the gods they have faith in, they are Vajrabhairava (a terrifying protective

divinity) and suchlike male and female forms in embrace. As for the rites they perform, these are rites of slaying men and burning houses. They are oppressors who tread on the necks of ordinary folk. As for these six human heads dripping with red blood, which were arranged as offerings today,* these are proof of the wickedness of the acts of the reactionary potentates of the great monastery of *sDe-dge*, the most famous within this area. So we must fight determinedly and destroy completely, reducing them to atoms, the forces of these monasteries and clerical houses and all such self-appointed potentates. If we scatter this great mountain of self-appointed oppressors, who tread on the necks of ordinary folk, we shall be able to establish from now on the final happiness of ordinary Tibetan folk under Communist guidance.

If there are still those who talk about gods, the god I believe in is Communism. If I be asked why, it is because Communism will bring us a life of happiness. So, cleaning up the frontiers from these reactionary monastic potentates, I shall continue to follow Communism, as long as I live.



* Presumably a reference to a local event at the time of writing.

HUMAN RIGHTS AND PROGRESS

INTRODUCTION

A major controversy has centred around two questions in connection with human rights: (1) Whether, before the entry of the Chinese forces in 1951, the Tibetans enjoyed fundamental rights; and (2) whether they enjoyed such rights after the arrival of the Chinese. According to Chinese publications, and to works by those politically sympathetic writers who have been permitted by the Chinese to enter Tibet,¹ that country suffered a cruel, oppressive regime with no rights and freedoms, and the Chinese brought freedom and progress to a dark and backward society. According to the Tibetans, they were a contented but technically backward society, and the Chinese brought a reign of terror and wholesale violation of their basic human rights. Some of those rights were guaranteed by the Seventeen-Point Agreement, and will be discussed in that context.

The basic questions thus become essentially simple. All sides agree that bloodshed has taken place; all sides agree that some Tibetans have been severely treated in respect of both person and property. Have these been simply the growing pains of a nation progressing towards a communist millenium; or are they the imposition of a totalitarian system which material progress could never justify? The third and fundamental question is whether the material changes have in fact brought an improvement in the living standards of the ordinary man.

Examination of the Universal Declaration of Human Rights, 1948, immediately shows that the rights there proclaimed concern both civil and economic rights. The classic civil liberties find their place side by side with social and economic rights. In this scheme of things expediency, even in the interests of economic and social progress, can never justify the steady and deliberate use of violent

¹ E.g., Marius Magnien, *Le Tibet Sans Mystère*; Anna Louise Strong, *Tibetan Interviews*; Alan Winnington, *Tibet*.

means and the systematic violation of other human rights. Neither State ownership nor collective ownership is in itself a denial of human rights : what matters is how State ownership or collectivization is achieved and what it seeks ultimately to achieve. Such procedures are not *per se* inconsistent with the Rule of Law, provided that they are freely effected by democratic means and by acquisition at a fair rate of compensation. Indeed, if the democratically expressed wish of the people is that their economic and social interests require such a transformation, subject to these conditions, this transformation could be as much part of the Rule of Law as is personal freedom.

The International Commission of Jurists requested its Legal Inquiry Committee on Tibet to consider the question of human rights from this point of view, and in particular to pay attention to the social and economic changes in Tibet in so far as they concern the social and economic rights of the Tibetan people. Firstly, some attempt must be made to depict the Tibetan society of 1950, the society which the PLA came to liberate in order, *inter alia*, that the Tibetans could “develop their political, economic, cultural and educational work.”²

Chinese accounts have described Tibet as it used to be in very harsh terms. The references are legion, but perhaps the basic account is that contained in *Concerning the Question of Tibet*,³ where the system of serfdom is explained :

The Dark, Backward, Cruel Serf System in Tibet

“The darkest, most backward and cruel serf system in the world still exists in Tibet, a region of about 1.22 million square kilometers, a beautiful land, exceedingly rich in natural resources. The serf system consumes the blood and sweat of the Tibetan labouring people and impedes their economic and cultural development.

Who Owns the Land in Tibet?

“Tibetan society may be divided in the main into two big classes : the feudal lords and the serfs. At present, out of a population of 1.2 million people in Tibet the number of feudal lords and their

² The Preamble to *the Agreement on measures for the Peaceful Liberation of Tibet*, May 23, 1951.

³ *The Dark, Backward, Cruel Serf System in Tibet*, *op. cit.*, pp. 213-221; *The Rebirth of the Tibetan People Cannot be Halted*, by Chang Lu; *op. cit.* p. 222, at pp. 232-234.

government functionaries is less than 5 per cent, while the peasants account for 60 per cent, herdsmen 20 per cent, and lamas 15 per cent. There are, in addition, a small number of handicraftsmen and merchants. It is the feudal lords and their officers, less than 5 per cent of the total population, who control the chief means of production in Tibet—all the agricultural and non-agricultural lands including mountains, waterways, pastures, forests. Shackled by the serf system and exceedingly backward farming technique, the level of agricultural production in Tibet is extremely low, each person averaging only 150 catties of grain a year. Actually all the land in Tibet belongs either to the local government of Tibet, or the aristocracy, or the monasteries. Each of these three big landowners owns about a third of Tibet's land.

Serfs, Tillers of the Soil, Lead a Miserable Life

“The Tibetan local government is not only the biggest feudal landlord in Tibet, but also the instrument of dictatorship of the serf-owners. It has political power and control of the army, both of which are to maintain the interest of the privileged class. It has land under its direct control which is called *zhungchi* or official manors. Besides, the Tibetan local government has power over the land of the aristocracy and of the monasteries either to confiscate it or grant it to others. The aristocracy also owns land which is called *gerichi*. The aristocracy of Tibet consists of about two or three hundred families of whom twenty or thirty have decisive political control of the Tibetan government. Yuto, Shagob-ba, and Pala, who revolted against the motherland and fled to Kalimpong in India, are among the wealthiest families of the aristocracy. Each family keeps a special band of men to take charge of its manors. All the monasteries in Tibet own land which is called *chhoechi*. The upper-strata lamas, besides owning private manors, have control over all the income derived from the land of the monasteries. Each monastery also keeps a special force to take charge of its manors.

“The tillers of the soil of Tibet are all serfs who are attached to the land. They do not have a single inch of land themselves. They can only till the land assigned to them by the feudal lords. The serfs have to spend two thirds or even three quarters of their time to work on the land of their owners without compensation so as to enable the feudal lords to lead extravagant, parasitic lives. The amount of land assigned by the feudal lords to each serf household ranges from several *ko*⁴ to 40 *ko*. The amount seldom exceeds 60 *ko*.

⁴ *Ko* is a measure of weight varying from place to place. Generally speaking 1 *ko* is equal to about 27 pounds. Thus 1 *ko* of land would be a plot of land on which 27 pounds of seeds can be sown.

“ The serfs fall into three strata—*chapa*, *tuichiung* and *langsheng*. The *chapas*, the highest strata, comprise about 45 per cent of the serfs in Tibet. They are given a piece of land to till by the feudal lords but have to do compulsory labour for the landowners on the one hand and for the Tibetan local government on the other. Over 70 per cent of the *chapas* live in poverty and an overwhelming majority of the remaining 30 per cent also live on their own labour. According to an investigation of Penang Dzong, only about 1.5 per cent of the *chapas* are somewhat similar to the sub-tenant landlords in interior China before the land reform. They either do not work at all or only take part in the auxiliary labour, but rent the land, which they have rented from the feudal lords, to serfs for cultivation.

“ The *tuichiungs* (those having no social position and considered as low-caste) are bankrupt and impoverished *chapas*, who have run away from the land. They account for 45 per cent of the serfs in Tibet. The amount of land they till is small and the cattle and farm implements they own are few. They are poorer than the *chapas* and their social position is also much lower.

“ The *langshengs* are household servants who work for the feudal lords all their lives without pay and their children do not belong to them, but when they grow up must continue to serve their masters as their parents did. The *langshengs* are serfs who are in the lowest position in the Tibetan society of serfdom and their living conditions are the poorest of all. In fact their status is very close to slavery.

“ Serfs enjoy no freedom. If the feudal lords transfer their estates to other people, the serfs are also transferred to the new owner, together with the cattle and farm implements. If the serfs want to leave the land, they must get permission of their owners. If they run away, they will be fined heavily and punished cruelly once they are caught. Rifles, leather whips and leather palms (a flat piece of leather the size of a palm, used for beating) are some of the instruments of torture used to subdue the serfs on the feudal estates. Serf-owners and their stewards enjoy the supreme power over the serfs whose lives are entirely at their mercy. They can whip and flog them, hack their noses and limbs, gouge out their eyes and even put them to death by slow torture. The serfs' children, as soon as they are born, are registered in a book and listed as future serfs.

“ All the comparatively larger flocks of livestock in Tibet belong to the feudal lords and the animals are tended by the serfs who are attached to the grazing areas and cannot leave at their own free will.

“ The serfs in Tibet, whether on the farms or in the grazing areas, are all leading miserable lives and, understandably, they have no enthusiasm for increased production. When they can no longer stand the suffering, their only alternative is to flee to other places at the risk of great dangers. Therefore, large tracts of land throughout Tibet are left uncultivated each year.

“ The serfs who flee to other regions to offer their services to new feudal lords are known as *yenhohu* among the *tuichiungs*. They have no fixed compulsory service on the new estates. They render about ten days’ *yenho* service every year for the landowner, and the rest of the time they can work as hired labourers. They enjoy only partial freedom, for they can move about freely on condition that they pay the corvee tax. This partial freedom has been won by the serfs through struggle in the form of running away from their former masters.

Forms of Feudal Land Rent in Tibet

“ There are two different forms of land rent in Tibet. The main form is the labour rent. The other is a combination of labour rent, money rent and rent in kind. There are also a few cases where the rent is paid entirely in kind.

“ Labour rent weighs down like a huge rock on the labouring people, allowing them no possibility to get to their feet.

“ The feudal lords usually divide their land into two parts. They retain the best land which accounts for about 70 per cent of all their land, for direct management. The rest is allotted to the serfs. All the farm work on the land directly run by the feudal lords is undertaken by these serfs without compensation. As a rule any serf who has a family of four or tills about 10 *ko* of land must send a member of his family to work for his feudal lord all the year round. Apart from the field work, the serf must cut grass, thresh and mill *chingko* (barley) and do other odd jobs for the feudal lord. The grain the feudal lords get usually comprises from 65 to 85 per cent of the total crops yielded from their land. Whenever the feudal lords want a certain work to be done, it is invariably assigned to their serfs. The serfs must work by rotation as household servants for their feudal lords, building houses, carrying grain and other things. All this is done without pay.

“ The serfs must also do unpaid labour service for the Tibetan local government. A considerable part of the land owned by the three kinds of big landowners is put entirely in the service of the local government. Such land is called *cha kang* land in Tibetan. (*A kang* ranges from 40 to 80 *ko* of land). Any serf who has been given *cha kang* land must offer services and pay rent to the local government. One of the services is called *tukang*. It chiefly refers to transport, more familiarly known as *wula*. The serfs should offer free service of their own draught animals to carry all persons and goods with the certificates issued by the Tibetan local government; do construction work for the local government without pay; provide food, lodging

and transport for travelling officials, messengers and army men of the Tibetan local government; and supply the Tibetan local government everything it needs, such as butter, *chingko*, firewood, fodder and paper. The maximum amount of *tukang* service to be performed by a family in a year is equivalent to the work that can be done by 500 persons and 400 animals in a day, in addition to the products and money that are required, the minimum amount requires a person working 200 days and an animal working 100 days, in addition to the necessary products and money. Another service is called *makang* service, which means military service in lieu of land rent. Anyone who cultivates a *kang* of the *makang* land must send a certain number of his family to serve in the army and supply part of the food and clothing they needed.

“ Ordinarily land rent in kind amounts to a third of the income derived from land. (The ratio of crop division between the feudal lords and the serfs is sometimes fifty-fifty and sometimes forty-sixty.) The rent in kind paid by the serfs includes, besides farm products, the following: handicraft articles, such as the serge made from yak hair of which the serf has to hand to his lord a definite amount every year; *tsamba*, a kind of Tibetan food made of roast *chingko* (barley) mixed with tea and butter; and bags. Many of the serfs are handicraftsmen themselves. They have to pay rent in kind too. If, for example, they are potters they pay with pottery articles; if they are makers of wooden bowls they pay with wooden bowls.

“ Besides what has been said above there are money-lenders demanding usurious rates of interest. Corvee tax is sometimes also required of the serfs. All those things are a drain on the blood and sweat of the Tibetan working people.

“ The Tibetan local government, aristocracy, and monasteries all do business of lending money at usurious rates of interest. After liberation the rates of interest have been lowered, the interest charged by the former being 10 per cent and that by the latter two 16 to 20 per cent. In Tibet 80 or 90 per cent of the serfs are in debt. Owing to high and compound interests the serfs are often unable to pay their debts. Sometimes the amount of debt a serf owes his lord may rise to more than 10,000 *ko* (about 250 tons) of grain, and there are cases when debts may remain unsettled for more than 100 years. The feudal lords often take advantage of the serfs' inability to pay their debts for generations to tie them to the soil.

“ Corvee tax differs in amount in various places. It also differs in accordance with the physical prowess and technical skill of the serfs. The amount of this tax ranges from 2 or 3 taels of silver a year to 8-10 taels. But in some cases it may be as high as 150 taels a year. A serf is obliged to pay this tax when he is 18 years old and is not free from the obligation until he is sixty.

The Heavy Shackles Will Soon be Broken

“ The “ Resolution on Tibet ” adopted on April 28, 1959 by the First Session of the Second National People’s Congress pointed out : “ The existing social system in Tibet is an extremely backward system of serfdom. The degree of cruelty which characterized the exploitation, oppression and persecution of the labouring people by the serf-owners can hardly be paralleled in any other part of the world. Even those who have repeatedly expressed ‘ sympathy ’ for the Tibetan rebels cannot explain why they are so enthusiastic in backing up such a backward system. The Tibetan people for a long time have firmly demanded the reform of their social system. Many open-minded people of the upper and middle social strata have also come to realize that without reform the Tibetan people will never get the chance to enjoy a prosperous life. With the putting down of the rebellion started by the reactionary elements of the former local government of Tibet who are opposed to reform, conditions have been provided for the smooth realization of the desire for reform of the broad mass of the Tibetan people. The Preparatory Committee for the Tibetan Autonomous Region should, in accordance with the Constitution, the aspirations of the broad mass of the Tibetan people and the social, economic and cultural characteristics of Tibet, carry out democratic reforms in Tibet step by step and free the Tibetan people from suffering so as to lay the foundations for the building of a prosperous, socialist new Tibet.” The dark, backward, and cruel serf system which has been heavily pressed upon the Tibetan labouring people will be gradually changed, and the serfs will be emancipated. The people throughout our nation will be happy and delighted over their rebirth which they will soon achieve.”

The Rebirth of the Tibetan People Cannot be Halted

“ ... The serfdom of Tibet is more brutal, more obscurantist and more reactionary than the social system in Europe of the Middle Ages. Under this cruel evil system of exploitation, all land and other means of production in Tibet are owned by the nobles, monasteries and the local government. In Tibet, there are altogether between 200 and 300 households of nobles; over 20 of these are big serf-owners, while only seven or eight rank as the biggest serf-owners. Government-owned land may be distributed to the nobles and monasteries, and land owned by the nobles and monasteries may be given as gifts between them, used as alms and mortgaged, but it cannot be bought or sold. It is through ownership of these lands that the Tibetan serf-owners have imposed their vicious system of exploitation

and oppression on the serfs of Tibet. They allot their serfs a small portion of land so as to chain them more firmly to the land. Each year a serf has to give two-thirds or even three-quarters of his time to unpaid labour service on the land of his overlord. The overlord provides him with seed only, while draught oxen, farm tools and labour power must all be contributed by the serf. Spring sowing, summer cultivation, autumn harvesting and winter storing are all done by the serfs. When they work on the land of their overlords they have to provide their own food, and as a rule they work under the whips of the stewards. They have no personal freedom. If they attempt to run away and are captured, heavy punishment is inflicted on them, they may have their eyes gouged out, their noses cut off or their hands and feet amputated. As soon as a child is born to a serf it is registered by the nobles as their property. To suppress the resistance of the serfs, the nobles have set up prisons with implements of torture on many of their estates. They may give serfs away to another as a gift together with their estates, or mortgage them, hand them over as alms or even may take them as a part of a marriage dowry.

“ The serfs are liable to be drafted for heavy labour for the nobility, the monasteries and local government of Tibet. The serfs have to provide free lodging for passing officials of the local government, get them fresh mounts, make them offering of beef, mutton, buttered tea, garden peas or *tsamba* and, in addition, to send young women to wait on them. They are also responsible for the transport of food supplies for the army and other materials of the local government by contributing their own services and beasts of burden without pay. They must repair and build houses for the local government without remuneration. Besides these services to the local government serfs belonging to the nobility and monasteries are also burdened with various odd jobs imposed on them by their masters such as repairing houses, bringing in rents in kind and other goods, carrying water, collecting or cutting firewood, tending horses and other household chores. Little time is thus left to them to work for themselves and much of their “ own ” land is thus left untended.

“ They are often driven into debt in order to survive. According to an investigation made in the four *dzong* (counties) of Longtang, Katse, Linchou and Pangto to the north of Lhasa, all 166 serf households in Pangto are in debt; 185 of the 215 households in Katse are in debt; and 40 of the 50 households in Longtang are in debt. Roughly about 90 per cent of all serf households are in debt. Twelve owed a debt of 10,000 *ko* of grain; 14 owed over 5,000 *ko*; 159 owed over 1,000 *ko*; 106 over 50 *ko* and 266 over 100 *ko*. These debts were inherited; some, it is said, ran back 120 years, or had been incurred in their grandfathers' time.

“ The former local government of Tibet represented the dictatorship of the serf-owners. The serfs are not allowed to take any part

in politics; they are never allowed to remain seated in front of the nobility, nor to intermarry with members of the nobility; even the style of their dress is prescribed; they are not allowed to dress like the nobility, and cannot use certain expressions in conversation. In the religious world, poor lamas coming from families of serfs or herdsmen are not allowed to take part in political life, and are oppressed and exploited by the upper ranks of the clergy . . .”

The serfs are called farmers by Tsung-lien Shen and Shen Chi-liu⁵ who say that in contrast with the nomads they are a “ more settled and less fortunate people . Tied down to the land they cultivate, and living in bondage to the nobility and landowners, the farmers are physically shorter than the nomads and lead a more cramped spiritual life.” The authors go on to describe the farming system, which is of poor land indifferently cultivated, and of poor quality cattle.

Whatever the system was, the changes brought about and the way in which they were brought about have been described by Tibetans who have fled from Tibet. This account will be given in relation to the Seventeen-Point Agreement and need not be repeated here.⁶ Many statements have been made by these serfs, as they have been called. The inference to be drawn is that the Tibetan people, although they were said to be suffering under a harsh and arbitrary rule, did not want the Chinese reforms, and in fact resisted them strongly. Quite apart from questions of democratic government, it is difficult to believe that such opposition could have been aroused had the system been simply as described by the Chinese and their sympathizers. It is not difficult specifically to refute a number of Chinese accounts of life in Tibet, but two simple facts are sufficient to cast grave doubts on their truth :

(1) The circumstances in which these accounts were published were that the Chinese were attempting to explain to the world why an uprising had taken place in Tibet. They were concerned to show that it was a handful of exploiters clinging to their privileges. A glance at the occupational classification of those who have fled from Tibet is sufficient to refute this.

(2) So many of these accounts of the background to the uprising are full of distortions and falsehoods.⁷

The International Commission of Jurists received an unsolicited memorandum from Mr. T. Shakabpa⁸ which is reproduced as a

⁵ *Tibet and the Tibetans*, p. 130.

⁶ See pp. 172-99, *infra*.

⁷ See Chapter Four and pp. 133-8, *infra*.

⁸ For a brief note on Mr. Shakabpa, see p. 129, *infra*.

document in the Appendices to this Report.⁹ Concerning serfdom he had this to say :

“References have also been made to the question of serfdom in Tibet. It must, therefore, be pointed out that serfdom does not exist in Tibet in any form whatever. As in other Asian countries, the land ultimately belongs to the State and has for long been granted, partly in large estates, to persons who have rendered distinguished services to the State and to monasteries; and these in return pay revenue, mostly in kind, and also render services. The monasteries serve the State by prayers and religious ceremonies; the other landlords by acting as officials and conducting the administration. The largest portion of the land is, however, held by peasant proprietors who pay revenue direct to the Government and have no other obligation of any kind. On the large estates of monasteries and landlords the tenants themselves hold separate lands for the support of their families. They either pay rent in kind to the landlord or place at his disposal the services of one member of the family either as a domestic servant or as an agricultural labourer. The other members of the family have complete freedom. They are entitled to do any business or follow any profession or join any monastery or work on their own land. In 1909 the 13th Dalai Lama issued a Regulation conferring on all tenants the right to appeal directly to him in cases of mal-treatment or suppression by a landlord.”

The Legal Inquiry Committee and the International Commission of Jurists are deeply indebted to Mr. Hugh Richardson for making available material which is to be used in his forthcoming book.¹⁰ Mr. Richardson was British Trade Agent, Gyantse, and Officer-in-Charge, British Mission, Lhasa, 1936-40; 1946-47; Indian Trade Agent, Gyantse, and Officer-in-Charge, Indian Mission, Lhasa, 1947-50.

“In theory all land in Tibet belonged to the State, from which the noble landlords and great monasteries held large estates. In return the nobles paid revenues to the State, largely in produce of various kinds, and also by service—it being their duty to act as officials of the government. Estates could be, and not infrequently were, resumed; but generally, once a great family was established in certain properties, they acquired a hereditary right to them. The monasteries, which owned even larger estates than the nobility, made their return by prayers and rites for the welfare of the State.

⁹ See pp. 314-7, *infra*.

¹⁰ The book will deal with the history of Tibet. For a detailed sociological study of Tibet see Pedro Carrasco, *Land and Polity in Tibet*.

“On those great estates the peasants who held a stretch of land free of rent had to cultivate the rest of the landlord’s farmland and also to provide various services—free transport, work on roads, a member of the family to serve in the army and so on. In addition to the peasants on the big estates there was a number of small-holders who held land directly from the government.

“Tibetan economy was not based on cash and a very small proportion of the dues from the peasants to the landlord, or the landlord to the government, were money payments. Even communist writers have had to admit that there was no great difference between rich and poor in Tibet. The richest Tibetan noble would cut a poor figure, in terms of wealth, compared with a moderately well-to-do businessman in Calcutta or Bombay. The land-owner was a kind of patriarchal head of a household, and, in spite of the customary deference shown him by his subordinates, there was no gulf fixed between them. In such a society the idea of payment by service was normal; and the services, like all other relations between government and landlord and landlord and peasant, were governed by custom. The guardian of custom was the Dalai Lama to whom every Tibetan had the right to appeal. But it can be understood that the difficulty and expense of exercising that right, especially by someone who might live several weeks’ journey from the capital, allowed the landlord considerable latitude. Still, there was another factor which prevented the landlord from exceeding the dictates of custom. A constant shortage of labour gave the peasant the ultimate sanction of running away. Conditions of work were by all appearances easy. The Tibetan, although certainly not an idler, did not give the impression of being overburdened with work or with care.”

“The picture of Tibetan life that emerges may seem archaic to western eyes but it deserves to be judged in its proper perspective, by its practical effect on the Tibetan people. It should be recalled that western travellers, from the earliest pioneers in the XVIIth century, have described the Tibetans as easy-going, kindly, cheerful and contented. It is impossible to reconcile the unanimity of that evidence with current allegations that the people are down-trodden, oppressed and exploited; and it should be added that in 13 centuries of recorded history, although there have sometimes been complaints and even insubordination against rapacious officials, there has been no instance of general agrarian discontent—let alone anything like a popular rising against the government. It must be concluded that the Tibetans accepted their long-established way of life and their social inequalities not merely with passivity but with active contentment.”

On the question of arbitrary and brutal punishments, numerous Chinese allegations have been made, of which the gravest is that of the exhibition held in Peking in 1959, with implements of torture

alleged to have been used in a monastery prison in Szechuan,¹¹ paintings of tortures and brutal executions, together with photographs of persons mutilated by their lords. One or two accounts suffice to show the type of allegation :

“The first room bore the prosaic title—‘Before the Social Reform.’ This was a veritable chamber of horrors. Here was exhibited the contents of a private prison in a monastery in Szechuan. There were handcuffs of many sizes, including small ones for small children; there were instruments for cutting off noses and ears, and other instruments for breaking off the hands. There were instruments for gouging out eyes, including a special stone cap with two holes in it that was pressed down over the head so that the eyes bulged out through the hole, in which position they were gouged out and hot oil was poured into the sockets. The victim usually died, but not always. There were also pictures of blinded victims that survived. There were instruments for slicing off knee-caps, after which boiling oil was applied there also. Other instruments sliced off the heels or hamstrung men, making permanent cripples. There were instruments for sealing the forehead with a red-hot brand. There were various kinds of whips for flogging, with wooden paddles, or with ropes or wires. There were special instruments for disembowelling.”¹² . . . ” Here was a large close-up photograph of a herdsman, speaking at the big mass meeting, with arms uplifted to show that the hands were long since broken off at the wrist. But the strong face spoke now neither of pain nor of horror but only of judgment as the man said : ‘This lord took away my wife and I never again saw her. He beat off my hands when I opposed him. He also beat off the hands of my younger brother, who was weaker than I and who died of shock and loss of blood. My sister died of terror. My old mother is ill ever since ,’¹³

To this kind of allegation Mr. Shakabpa replied :

“In view of certain recent statements it is also necessary to point out that the existing laws of Tibet do not recognize any cruel or inhuman punishment of criminals. In 1898 a law was enacted with the sanction of the 13th Dalai Lama which not only abolished capital punishment but also prohibited any kind of physical mutilation as a punishment of criminals except in cases of treason and conspiracy against the State. There may have been cases of infringement of this law in the past, but these were very exceptional and all such infringements were severely dealt with by the central authorities at Lhasa.”

¹¹ This is a Chinese province, partly inhabited by Tibetans, but not under the authority of the Tibetan Government.

¹² *Tibetan Interviews*, pp. 91-92.

¹³ *Ibid.* p. 96.

Mr. Richardson's account in his forthcoming book is as follows :

“ Formerly lawful punishments included mutilations such as the cutting off of a hand or foot and putting out the eyes. Such penalties were never lightly inflicted but were decreed only in instances of repeated crime. Flogging was and still is the principal punishment. The most spectacular and gruesome punishments of which there is record in Tibet were those inflicted with all the refinements of torture at public executions by the Chinese when they ‘ restored order ’ in 1728 and 1751. Even in the XIXth century although the power to inflict mutilation existed in theory it was only rarely put into effect; and in 1898 all such penalties were forbidden by a decree of the XIIIth Dalai Lama except for the crime of treason. It is possible that in the more remote districts mutilation and torture were occasionally and illegally inflicted by district officials or by landlords, who enjoyed magisterial powers over their peasant; but the climate of Tibetan opinion, which advances, even though the progress may appear slow, has become increasingly averse from the punishments of that sort.” ¹⁴

In these different types of accounts it is clear that someone is not speaking the truth. The mass exodus of Tibetans of humble station shows that life in Tibet for these refugees was at least preferable to the life which the Chinese have introduced there. This is inexplicable if the previous conditions were as described by the Chinese and by writers whose political outlook is sympathetic to communism. In these circumstances the Legal Inquiry Committee accept the statement by Mr. Shakabpa and the description by Mr. Richardson. Further facts and comment on the previous life in Tibet are now given. The Legal Inquiry Committee regard this account as an objective and factual description of the former way of life of the Tibetan people. The Committee is indebted to Mr. Marco Pallis for this account.

Life in Tibet before the Chinese Occupation

The Tibetan economy was self-contained prior to the 1950 invasion. There was enough surplus food to meet such occasional emergencies as hailstorm damage, a poor harvest etc. Surplus was mostly stored in monasteries or in the big houses and was given out to meet any sudden need, which, however, did not occur very often. After the invasion there followed immediate shortages coupled with an unprecedented rise in prices all round. This caused much dissatisfaction among the people.

¹⁴ According to Bell, *The People of Tibet* (1928), pp. 64, 86-87, the great lords could inflict mutilation with the permission of the Government of Tibet.

The structure of society was feudal, and also theocratic in the extreme degree known to history. The policy of the Government as well as the manners and customs of the people were powerfully coloured by the Buddhist ethic. The system in vogue must be judged on the facts and without the intrusion of prejudice resting on the use of certain labels (such as feudal, mediaeval, traditional etc.) or else on the absence of other, to us, familiar labels. A primary aim, as acknowledged by all ranks, was the effective conservation of the Buddhist tradition and its institutions, of which the monastic order was the normal trustee. Every family wished to dedicate at least one member to the Church, and the sense of participation was strong among all social strata.

The material condition of the people compared very favourably with that of most other Asian countries and even with that of some European countries—to say nothing of those things that can neither be weighed nor measured nor assessed in terms of money.

In respect of the three basic needs of food, housing and clothing the Tibetans were well provided, on simple lines; by this criterion their “standard of living” cannot fairly be described as low. An underfed Tibetan was practically non-existent. Houses were solidly built. Clothes were made of excellent homespun, warm, hard-wearing and pleasant to see.

Naturally a society of this type will not develop the kind of welfare services that are to be found in modern industrialised countries. People were accustomed to stand on their own feet. They were neighbourly towards each other, but they did not fear solitude if circumstances imposed it on them. Physically and psychologically they were sturdy. Institutions such as hospitals did not exist in Tibet but health on the whole was good, disease and its fear was not in the centre of the picture. To cope with certain accidental happenings, such as a sudden epidemic, was quite evidently beyond the local resources. In recent times, with the increase of trade and travel, venereal disease had become a serious scourge and it could only be combatted by having recourse to foreign medical aid.

Though Tibetan institutions continued to work pretty well down to the moment of the Chinese invasion, it had for some years past been evident that increasing contacts with the modern world were producing strains and problems unknown in the past. The feudal system of land tenure, for instance, was being affected by the fact that so many members of the landowning families, when not in Lhasa, preferred to go down to India rather than spend their time, as formerly, on the estates. Thus slowly but surely the contact between feudal owners and tenants was being disrupted and this, as the more far-seeing Tibetans were coming to recognise, would soon bring changes in the system of land-tenure. This does not mean

that the feudal system had worked badly in the past, which is quite contrary to the observed facts. The picture of Tibetan society as made up of unhappy "serfs" exploited by rapacious landlords which communist propaganda has tried to present to the world has been far too easily believed simply on the strength of tendentious epithets cunningly introduced and oft-repeated. Tibetan society obviously was not faultless, but whatever need for reform there may have been, as a result of the inevitable process of change, this certainly did not amount to a "crying need".

The average Tibetan, over and above his native sturdiness, is cheerful, honest, kindly and full of personal initiative. He is notably unquarrelsome. Dislike of regimentation in any shape is a marked trait of his character.

Treatment of animals, both domestic and wild, in Tibet is unsurpassed anywhere in the world and indeed rarely equalled.

The State of the Monastic Order: Considering the number of monks in Tibet the average, religiously speaking, is creditable. The Order included, even recently, quite a number of saintly members whose influence, both visible and unseen, helped to keep the Buddhist ideal alive. Apart from these more exceptional men, who "lived" their own teaching in a high degree, there were many really good monks, men who combined a virtuous life with scholastic learning. The general run of monks was fervent and conspicuously benevolent. Naturally the Order contained many very simple people who were content to be monks but who, in most respects, might be classed as religiously passive. While the monastic community undoubtedly had its "bad hats", men of a self-indulgent or avaricious temperament, it is far-fetched to suggest that these traits were predominant either among senior Lamas or in the generality. Saints and villains apart, the average showing of the Tibetan clergy is far from discreditable judged by any reasonable standard.

The Monastic Order also provided about half the officials; viewed as a whole the monk-officials (Tsetung) were in no wise inferior to the lay in ability or conscientiousness, though here again human differences must be allowed for, in Tibet as elsewhere.

Schools in Tibet under the old arrangements: There was, of course, no "educational system" in the modern sense; not, anyway, as far as the laity were concerned. Monastic training was highly organised, on the other hand, on much the same lines as in mediaeval Europe. As far as the people at large were concerned, schools existed in or near most of the big houses maintained by the local landowners. These schools, where elementary instruction was imparted free, were founded in the first place for the children of the landowning family, a monk being brought from the local monastery to teach them.

Any other children who cared to attend were welcome and many did, in fact, take advantage of the opportunities thus offered. It was always a "family affair", on benevolent lines.

Punishments: Under the old laws penalties for crime did include mutilations etc. but these were abolished by the Dalai Lama (in 1898) except in cases of treason. In spite of this, outlying Governors did occasionally sentence offenders in this way. The same probably applies to the small semi-independent principalities not under the jurisdiction of Lhasa, in parts of Chinese Kham, for instance. These were often well governed and highly contented, but this would not preclude the retention, here and there, of punishments that had become obsolete in Tibet proper.

The last case of mutilation (blinding) for treason was that of Lungshar soon after the death of the XIIIth Dalai Lama. No such reversion to old-time practice took place at the time of the Reting affair, early in 1947. Li's statement that Reting was blinded is untrue, though he was probably quietly murdered in prison.

Flogging by feudal landowners. The right to flog a delinquent tenant did exist and monastic authorities likewise had the right to flog an offending monk. Penalties were customary as to their nature and degree. If someone went too far there would be an outcry and Lhasa would intervene. How far one could or could not go rested on general acceptance.

Ulag: Obligatory service, is often tendentiously rendered as "forced labour" thus distorting its real character. This was a useful and customary service, without which the traditional administration could hardly have functioned. Chiefly, this service consisted in the providing of transport (by pack animals or porters) over one of the regular stages, by the local villagers, for the passage of travelling officials. This was part of the service owed to the State and prior to 1940 it did not have to be paid for. About this time, however, the Government issued ordinances saying that transport had to be paid for.

It is worth noting that the Chinese during their occupation of Tibet 1904-1910 exploited the right of « Ulag » enormously, creating thereby a serious grievance. This was because the Chinese, unlike the Tibetans, were not amenable to the "unwritten law" of traditional custom in this respect.

In the case of Tibetan officials it is fair to say that "Ulag" was occasionally abused; but it is also fair to say that the peasants supplying the transport had their own ways of getting out of providing more than was customary and equitable, and this was perfectly understood by all concerned.

Alleged “exactions” by Governors of districts. Every governor had his traditionally accepted perquisites, which came to him in lieu of salary and it was a matter of customary knowledge, common to the Governor and his subjects, as to how far he could go. “Oppression” was not practised in Tibet according to the usual meaning of the word.

Instructions to officials going out on a journey stressed his obligation to observe the limits imposed by custom. (See Sir Charles Bell “People of Tibet” on “tsa-tsig”, page 38.)

THE APPROACH TO HUMAN RIGHTS

It is proposed to examine the more fundamental human rights in the light of the available evidence, using the *Universal Declaration of Human Rights* as the framework. This *Declaration*, which was made by the General Assembly of the United Nations on December 10, 1948, has no binding legal force but from the simple fact that it was so made it must be taken to represent generally agreed standards of civilized behaviour. These standards have not yet, however, been translated into positive legal obligations in the absence of a binding Convention, such as, for example, the *Convention on Human Rights and Fundamental Freedoms*, more popularly known as the *European Convention on Human Rights*, which was signed at Rome in 1950. Except in so far as particular rights in the *Universal Declaration* have become protected by agreement with the Chinese People’s Republic, as in the Seventeen-Point Agreement, or that State has committed acts which are violations of law irrespective of conventional obligations, as in the case of genocide, no accusation of a violation of *law*, as distinct from standards of civilized behaviour, can be made against the Chinese People’s Republic in respect of human rights. Accusations that a particular State has violated human rights are, however, relevant in the General Assembly of the United Nations and, indeed, a resolution calling for the restoration of human rights to the Tibetan people was passed by the General Assembly in October 1959. Because human rights are the legitimate concern of the supreme world organ, the United Nations, evidence of violations of the human rights of the Tibetan people is reproduced below :

TIBETAN ALLEGATIONS OF VIOLATIONS OF SPECIFIC ARTICLES IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

Article 3: “Everybody has the right to life, liberty and security of person.”

The killing of religious believers has already been discussed in this Report.¹⁵ Reference will also be made to cases in which village and district leaders have been executed.¹⁶ The reforms in 1956 and again in 1959 have been carried through, and the execution of persons of the higher classes was one of the tactics employed.¹⁷ Other cases are given below to show that persons have been deliberately killed either for other reasons or for no apparent reason :

Sakya Monastery, near Northern Sikkim, 1959 : “ A man named Jinba, who looked after the chapel and was under arrest, was watching the humiliation of these people from a window. He jumped from a window and tried to run away. The Chinese captured him, stabbed him in many places and cut his throat.”¹⁸

Near Lhasa : “ A soldier in his regiment, a man named Gokay, was sent by his regiment to look after some ponies and was camping about ten to fifteen miles from Lhasa. The Chinese accused him of being a rebel and shot him. At this time there was no rebellion near Lhasa, although the Khamba revolt had begun. Gokay was not a rebel and did not look like a Khamba. The witness’s father, a senior officer, saw the body of the deceased with several bullet wounds. When a complaint was made to the Chinese they finally admitted that Gokay had not been a rebel.

“ Phorbu Tsering, aged sixteen, was coming along a road when he encountered a fracas between Chinese soldiers and Chinese civilians. He was shot in the course of the disturbance and when the matter was raised with the Chinese they said that he was coming with a knife. The boy was in fact unarmed.”¹⁹

Diggong, Metogongkar, 1957 : “ A man named Saratsang with his family came from Kham at this time. His friends were dead and they were on their way to Lhasa to make offerings for the souls of the departed. Their property, which was being kept in the monastery, was seized and three people guarding their mules were killed. These could have been servants or members of the family, as the Chinese themselves said. According to the Chinese they were rebels.”²⁰

Doi, Amdo, 1951 : “ In 1951 the Chinese killed all former soldiers and supporters of the Kuomintang. Dolmagya, the headman of the Amdo district, was amongst those killed. They were made to carry boards which proclaimed that they had been working for the Kuomintang and torturing peasants and asking for public opinion

¹⁵ See pp. 41-8, *supra*.

¹⁶ See pp. 173-5, *infra*.

¹⁷ See pp. 190-5, *infra*.

¹⁸ Statement No. 4; see p. 225, *infra*.

¹⁹ Statement No. 6; see p. 227, *infra*.

²⁰ Statement No. 8; see pp. 231-2, *infra*.

whether they should be shot. The witness agreed and thinks that other people agreed because if they did not they would be considered Kuomintang sympathizers. In all about 120 people were shot. The witness knows of no case where peasants had been tortured by these people.”²¹

Losalling, near Lhasa : “ When the Chinese were indulging in target practice, real bullets passed very near to anyone or animals who happened to be around. He spoke to some cattle boys when he was visiting his friends’ house and was told that they had seen two men shot in this way and their bodies thrown into the river. The Chinese also shot at wild birds, opening fire without any warning. If people were hit they were left. He saw a woman killed in this way when she was on her way to water the field.”²²

Dzarangbo, Western Tibet : “ His own father was shot in the presence of his mother, himself and the other children. His father was a captain in the Tibetan army and was branded as a reactionary by the Chinese. He was shot on the spot in his own house. His father was not a wealthy man and had very little land.”²³

Chomcho, Garang : “ Choda Ngotang, a leader from Tochagop district, had openly accused the Chinese of not keeping their promises in 1951 that they would return to China after capturing the Kuomintang troops who had fled to Tibet, and he also complained that the Chinese had taken property from the people and had sent children to China. His lips were cut off and four days later he was executed. Ahoshi Damo, the wife of a district leader, was burned alive in public for the same reasons and also for refusing to send her daughter to China, and alleging that the Chinese had abused the Tibetan religion. Other people executed for more or less similar reasons were Tsering (middle class), Gonpo Tsering (middle class), Tarshin Chen (a wealthy person), Nyarong (middle class), Shosum (poor class but outspokenly anti-communist), Kachan (a trader), Mashantang (poor class but outspokenly anti-communist), Wangkho (a wealthy person), Pema and Ngashey (women), Ahgyap, Wandak, Ahcho, Zasing, Dorji, Phuntsog Tashi, Kundupa and Chungro, all either wealthy or from wealthy families, and Shirap, Ahzin and Ahlo (poor class but outspokenly anti-communist). Thargay was buried in pitch up to the chest and died. Thargay was a wealthy person. A man named Phurpa was tortured to death by sticking needles into his body.”²⁴

Daung, Ba, 1957 : “ In 1957, after a public beating of humiliation in Daung, about fifteen people were privately executed by the Chinese.

²¹ Statement No. 10; see p. 233, *infra*.

²² Statement No. 12; see p. 237, *infra*.

²³ Statement No. 15; see p. 240, *infra*.

²⁴ Statement No. 17; see p. 241, *infra*.

At this time the witness was wounded and was hiding in Chitung where one of his relatives came to see him and told him what had happened. Relatives of these people went out at night to where they had seen the Chinese digging and found the decapitated bodies. Among these people were two women, named Tsosungnang Tsedolma and Daung Ahdunchi, and two men, named Tsogung Tseten and Lepa.”²⁵

Shay-Donkphok, near Shigatse : “ After the first humiliation about eighty were left in his group. Twenty or so had been first humiliated and then taken away to prison. The remainder were to be humiliated in their turn. These first twenty or so had been pushed, kicked and had their hair pulled before an assembly of the people. People came to do this from the group. There were five from the wealthy class, seven or so village headmen, a monk and a lama among these people. Three died whilst he was watching. One was a wealthy man named Palden, one was a district officer, Tenzing, the other a village headman, Nema Gyalbo. These three had undergone this treatment every other day, and after the third time died.”²⁶

Po-Tano, Kwambo : (Name supplied) was his elder brother. He told the Chinese when they asked for three thousand children to be sent to China that 125 had already been sent and that it was impossible to send any more. The children were needed for the cultivation of the land. He was arrested and told he was very rude. After being taken before a high Chinese official he was put to death, in Po-Tano. The family asked for news and for his body if he was dead. They were told that the body had been buried and they were asked what they wanted to do with it, eat it? One of the road-workers saw him being skinned to death. Nine months later the Chinese indicated the spot where he was buried and his bones were returned to the family.”²⁷

Dakang Nangkhe and Chadza, Amdo, 1953 : “ The village headman, over some thirty families, Kau Ngampo, had harboured soldiers of the Kuomintang in his house for one night, and then the soldiers had left. He was accused of being an agent of the Kuomintang, and he and his son were shot in the back of the head in the presence of the people. This man’s brother-in-law was also arrested among some thirty people, and in his case the reason given was that on searching his house on an earlier occasion, the Communists had found some spindles used for rolling brocades. These, the Chinese said, were used for pleasure and indicated exploitation of the people. He was asked to produce rich brocades, but he had none and explained

²⁵ Statement No. 24; see p. 250, *infra*.

²⁶ Statement No. 25; see p. 253, *infra*.

²⁷ Statement No. 32; see p. 260, *infra*.

that the spindles were left from brocades sold some time previously on a business trip to China. He was then executed together with his brother and son, who were accused of being reactionaries. The Chinese said that the extermination of such people was necessary in order that communism should flourish. These incidents took place in Chadza village, near to his monastery. He was visiting at home at the time and was present at the meeting.”²⁸

Datsedo, Kham : “ One day the Chinese collected a number of nomads and told them that a group photograph would be taken. Having collected them they shot them all; the number of persons killed was given as ninety-seven.”

“ One twelve year old girl, the daughter of Yangtunpa, was told by the Chinese that her father was an imperialist agent and she was made to shoot him.”²⁹

A large number of Statements submitted to the Committee told of killings, sometimes of one individual, sometimes of large numbers. In most cases no reason is attributed to the Chinese in the Statements, and such accounts are therefore referred to here simply as killings.

Statements 2, 5, 7 (c. 194 persons), 10, 16, 18 (60 persons), 19 (60 persons), 20 (90 persons), 24, 33 (2 persons), 36 (his own brother, and 65 persons), 40 (100 women and children), 41 (200 persons), 56 (a woman and child), 59 (c. 100 persons), 65 (1 person), 68 (50 persons), 76, 80 (1 person), 82 (thousands), 87 (300 monks burned to death), 91 (7 or 8 persons), 93 (5 shot), 97, 108, 111 (15 persons and (2,000 persons), (5 persons), 123 (Physician of Dalai Lama, poisoned), 125 (an incarnate lama), 126, 127 (one), 130 (500 persons), 137 (9 persons), 138 (30 persons), 142 (800 men and women), 149, 156 (1 person), 161, 162, 163, 176, 185 (120 persons), 188 (100 persons), 189, 208 (1 person), 210 (80 women), 214 (8 persons (12 persons), 215 (2 persons), 219 (11 persons), 223 (1 person), 229, 230, 235 (20 persons), 236, 245, 254 (40 persons) (4 leaders) (1,500 persons), 261, 266 (13 persons), 272, 273, 275 (8 persons), 282, 287, 292, 299 (100 persons) (600 persons), 300, 301, 302, 316, 318, 324, 332 (82 persons), 337, 342, 352, 354, 358, 359, 367, 368, 370, 373 (muslims), 375, 377, 378, 392, 413, 417 (one person), 422 (one person), 429, 433, 435 (50 persons), 436, 442, 443, 446 (100 persons), 450, 455 (women buried alive), 456, 459, 461, 470, 471, 473, 475, 484, 485 (the two leaders Lobsang Tashi and Namgyal Dorje), 498, 526 (892 persons, and Chinese published it in the newspapers), 530, 547, 550, 559, 565, 575, 579, 594, 603, 609, 610, 612, 637, 639, 673, 683 (one), 687, 688, 691, 696, 698, 703, 722.

²⁸ Statement No. 37; see p. 268, *infra*.

²⁹ Statement No. 46; see p. 279, *infra*.

As far as liberty and security of the person is concerned, there are numerous accounts of arbitrary imprisonments and other acts against the security of the person, both motivated by various reasons. Those which were carried out for anti-religious reasons have already been referred to,³⁰ and those connected with the reforms are reviewed later in this Report.³¹ Others are cited below :

Ba-Jeuba, 1954 : “ Some women were raped in his village before he left to join the Khambas. One evening when his brother’s son had been called to a meeting and his brother was up in the hills with the nomads attending to the cattle, four Chinese arrived at his brother’s house where his wife was alone. This house was next door to his. The Chinese, three soldiers and one civilian, entered about 7.00 p.m. one night in 1954 just before he left. After they entered he heard a disturbance and then weeping and cries. Looking through the window he saw his brother’s wife’s shouts being stifled by a towel. Two Chinese held her hands and another raped her, then the other three raped her in turn and left. He did not try to intervene because the soldiers were armed. Nor did his brother complain to the Chinese authorities because he dared not. He was told that many women had been raped in his village and finally the people held a meeting and decided to complain. Ting-Wai, the commander in Jeuba, said that he was about to be transferred and that they should report to his successor. Taw-ye said that it was not his responsibility and that they should go to the police department. In the police department Lew Chu-tang promised to instruct the soldiers to behave themselves and at the same time told them that the people were not to keep dogs any more because it was a waste of food. The Chinese killed the dogs which were regarded as edible and the Tibetan people had to kill the others. He heard of no attempt to punish the offenders and the raping continued. A complaint was made again but no reply was received. Then the people were called together and reprimanded for not killing all the dogs.”³²

Metogongkar district, 1957 : “ In 1957 Derge Simpon Tsang, a Khamba tribal leader, was passing through Diggong with about twenty-four people and 150 ponies loaded with goods. He was on his way to Lhasa for a pilgrimage but stayed in Diggong for about a year, intending to continue the following spring. He had left Kham nine months earlier. Another leader named Lokratsang arrived with fifteen people in 1958. Both groups were on the grazing grounds and the witness visited them, spending two days there. The Chinese arrived and confiscated everything from Lokratsang. They took off about nineteen men (three more from Lhasa were

³⁰ See Chapter One.

³¹ See Chapter Four.

³² Statement No. 1, see pp. 221-2, *infra*.

with them) to Palding garrison, and said they were to be sent to Lhasa, but no one knew where they were actually sent. Another party of forty Khambas was arrested at this time. In the witness's experience all Khambas were being arrested on sight and even people who looked or dressed like Khambas were arrested. Later on this happened even in Lhasa where they therefore joined the NVDA."³³

Lhasa and district, 1952-4 : " Then they heard that there was a right of appeal to the United Nations and in 1952 they sent one of the witnesses to India in order to appeal. However, in company with a man (name supplied), he was caught by the Chinese at Tanak Rinchentsi. He was arrested and beaten with rifle-butts before he said a word. Then he was asked where he was going and he said that he was going to hand over an estate on behalf of his monastery. Both were imprisoned in a house with guns trained on them and dressed in Chinese clothes. The next day he was taken to Shigatse where he was locked in a room next-door to the bathroom (Tibetan interpreters use this expression for a lavatory). The windows were blocked and for one month and ten days he was handcuffed and the only method of attending to the calls of nature was to use a tin in the dark. The only reason given by the Chinese was that he had not been a good worker. He was then transferred from Shigatse to Lhasa under escort in Chinese dress with the usual Chinese cover over the mouth and also dark glasses. He thought that the purpose of his wearing Chinese dress was to prevent the Tibetans from recognising him as one of them. In Lhasa he was kept for one night at Norbulingka and then transferred to Makasarba, the biggest of the Lhasa garrisons. His hands and feet were manacled, but after two hours the chains on his feet were removed and he was taken to Yapshi Langdum, which was close by. Then his feet were chained again and he was left to lie all night without bedding on a concrete floor. If they moved their head or limbs they were beaten with rifle-butts. Next day they were taken to a small room on the ground-floor where again they were not allowed to move their heads; they were forbidden to scratch their lice. A tin was brought to enable them to perform their natural functions. The Chinese questioned him repeatedly and wanted him to write a statement that the Mimang was illegal and false. This he refused to do and never did although he was imprisoned in all for nine months. Five more leaders and members were arrested in the same year in Drepung monastery, according to one witness. Their feet were chained and they were tied by their wrists at the back and raised from the ground by their wrists. Another four, including this witness, were arrested and kept in Tromsikang in Lhasa, from where they were taken to the Chinese residence in Yuthok. There Chang Ching-wu (Chinese political representative in Lhasa)

³³ Statement No. 8; see p. 231, *infra*.

told them that Mimang was an illegal movement and wanted to know what these rising prices were, of which they complained. They told him that the price of a bushel of grain had risen from 22 sangs to 225, that fuel had similarly risen in price, and that these rises were attributable to the Chinese. The supplies had gone from the granaries and the people were suffering. Chang Ching-wu said that the Chinese bought their food, paying in silver coins, and they replied that if there was no food even gold was of no use. Chang Ching-wu asked him why he said that Tibetans were different from the Chinese and he replied that the languages were different. Chang Ching-wu then asked him for proofs that the people were different and asked him to indicate the boundary between Tibet and China. The witness replied that it was the white pagoda in Amdo. Another Chinese official who was present said that this was impossible but that there was a white pagoda in Kamtse which could be the boundary. Then Chang Ching-wu asked him whether he remembered the Ambans. His reply was that he knew that a long time before there had been Ambans in Tibet, but that they were not there to deal in politics or internal affairs. At this Chang Ching-wu became very angry and sent him to Tromsikang, where he was imprisoned. Later he was called for questioning to the finance office near Lhasa cathedral. There he was questioned by three Chinese officers. They had heard that the Mimang were intending to send a delegation to foreign countries and to the United Nations. He replied that since there was no response from the Chinese to their appeals, there was no alternative but to appeal to the United Nations. He was taken back into custody and questioned again in 1953, five months later, when the questions and answers were the same. The Chinese then told him that it was wrong to appeal to foreign countries and that if they wished to appeal they could go to China to do so. He was told to think this over and was taken back to prison. He spent a year and nine months in prison and he had to be fed by his family. All three of these people were in custody in different rooms and were questioned separately but along the same lines. They then appealed that they had no means of maintenance and had had to sell some of their property to feed themselves, and asked to be released in order that they could fend for themselves. Then the Chinese released them on their own surety and on condition that they did not leave Lhasa.”³⁴

Salungshe, Ba, 1956 : “ He heard of many cases of rape by the Chinese during the fighting. The brother of one woman told him that many Chinese soldiers had taken her away. When she returned her face was swollen and she was in bed for a month. She had been raped by at least seven men, there being ten soldiers in the group. The

³⁴ Statement No. 22, by leaders of the Mimang group; see pp. 245-6, *infra*.

woman's name was Kesang Tsomo, who was unmarried and about 22 years old." ³⁵

Phembo, 1953: "After the first New Year festival a pamphlet had been distributed which was anti-communist. These three monks were looking at it when they were arrested by the Chinese. For refusing to hand over the pamphlet they were taken to prison in Surkhary in Lhasa, where one was freed. Of the other two he has no knowledge. He obtained this story from the one who was set free." ³⁶

Chinese allegations have been made that the "rebels" killed, tortured or raped the Tibetan population. These allegations are considered later in this part of the Committee's Report.³⁷

Article 4: "No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms."

The system of forced labour may well be described as servitude, but it is considered that this Article is concerned primarily with bondage and traffic in human chattels. There is no evidence that forced labour took this form, and the evidence on this topic will therefore be cited under Article 23 (1).³⁸

Article 5: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

The treatment of monks and lamas, and of the wealthier classes and, indeed, of any one who stood in the way of the Chinese, all fall in many cases within the scope of this Article. What is described as "humiliation" in many statements falls specifically within the terms of "degrading treatment". Over and over again this kind of treatment was inflicted, whether for the purpose of "strengthening class-consciousness", notably in connection with the reforms; or for the purpose of showing that lamas had no miraculous powers and otherwise to destroy public faith in them; or for the purpose of removing local leaders and arousing public hatred against them. Much evidence has already been reviewed in these contexts, where it was a means, though not the only means, to the end of establishing a communist society in Tibet.³⁹

In many cases the way in which people were put to death was a cruel form of execution, and reference may be made to the executions

³⁵ Statement No. 24; see p. 250, *infra*.

³⁶ Statement No. 27; see p. 256, *infra*.

³⁷ See pp. 133-8, *infra*.

³⁸ See pp. 117-8, *infra*.

³⁹ See pp. 24-41, *supra* (monks and lamas); pp. 190-9, *infra* (upper and middle-class); pp. 173-5, *infra* (local leaders).

of a number of people in these categories.⁴⁰ The killing of people for other reasons was also done in many cases in particularly cruel ways, and some of the evidence already set out under Article 3 may be referred to.⁴¹ Among the Statements submitted to the Committee, the following tell of torture inflicted on the Tibetans :

Statements 3, 10, 17, 22, 25, 44, 56, 59, 60, 70, 72, 73, 76, 77, 81, 87 (tying very tight till man dies) (making a person freeze to death, kept naked in the cold), 107, 109, 111, 125, 126, 133, 139, 140, 156, 180, 181, 188, 192, 202, 203, 205, 210, 211, 213, 214, 216, 224, 237, 306, 261, 271, 273, 287, 300, 305, 324, 356, 367, 368, 370, 373, 374, 386, 391, 394, 397, 404, 405, 438, 450, 457, 470, 471, 474, 483, 497, 510, 531, 541, 543, 544, 550, 565, 574, 587, 595, 613, 616, 617, 632, 638, 646, 648, 689, 703, 718, 720.

Article 9 : “ No one shall be subjected to arbitrary arrest, detention or exile.”

Evidence of arbitrary arrests and detention has been set out under Article 3.⁴² Arbitrary exile in the sense of forcible removal to another country is considered as under Article 13.⁴³

Article 12 : “ No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.”

Many accounts by Tibetans tell of arbitrary interference with privacy, home and family. Most, however, are part of a much graver programme of activity, such as an anti-religious drive,⁴⁴ or arrest,⁴⁵ or rape,⁴⁶ or the taking of children.⁴⁷ The interference with family life has been considered in connection with the transfer of children from their parents⁴⁸ and the indoctrination which they received.⁴⁹ Reference may also be made to the twelve-year-old girl who was made to shoot her own father.⁵⁰

⁴⁰ See note 39, *supra*.

⁴¹ See pp. 81-5 *supra*.

⁴² See pp. 86-9 *supra*.

⁴³ See pp. 91-3 *infra*.

⁴⁴ See pp. 24-39 *supra*.

⁴⁵ See note 42, *supra*.

⁴⁶ *Ibid.*

⁴⁷ See pp. 51-8, *supra*.

⁴⁸ *Ibid.*

⁴⁹ See pp. 51-8, *supra*. and pp. 119-30, *infra*.

⁵⁰ See p. 85 *supra*.

Article 13 : “ (1) Everyone has the right to freedom of movement and residence within the borders of each State.

“ (2) Everyone has the right to leave any country, including his own, and to return to his country.”

This Article envisages freedom of movement, freedom to stay where one wishes, and freedom to enter and leave the country. Assuming that from 1951-59 Tibet became part of China,⁵¹ or even that for the purposes of this Article it so remains, forced transfer from Tibet to other parts of Tibet, or from Tibet to China, is contrary to this Article. The Legal Inquiry Committee was requested by the International Commission of Jurists to verify the allegations made in newspaper reports of mass transfers of both children and adults from their homes in Tibet.⁵² Overall statistics are obviously impossible, and it is idle to attempt to fix figures. In substance, however, such reports are, in the opinion of the Committee, essentially correct. The evidence on the forcible transfer of children has been considered in Chapter One⁵³. Evidence of the transfers of adults and young persons is cited below :

Ba-Jeuba, 1953 : “ About twenty-two boys around eighteen and nineteen years of age and two girls were taken to China in 1953. Some parents appealed to the Chinese not to do this, but unsuccessfully. They were told that they had no right to decide for their children, who must themselves decide. Some of these young people said that they did not wish to go.”⁵⁴

Ba : “ Boys and girls were to be sent to China for indoctrination. Parents were called to a meeting. If they were faithful to communism they would allow their children to go, but refusal meant that they were unfaithful. Those who were against the scheme were threatened with ill-treatment, imprisonment and receiving no food. They were also to be sent to China. A few parents requested that their children should not be sent. These were physically maltreated and the people were called to witness. Groups of beggars who had become pro-Chinese beat them with their flat hands and pulled out their hair. They were not fed. After this most of them agreed and he knows of no one who still refused. The children were then sent away, it was said to China. About one hundred were sent altogether, between the ages of ten and twenty-five. He thinks that there was a proportion of three to one in the age group ten to seventeen.”⁵⁵

⁵¹ See pp. 161-5, *infra*.

⁵² *The Question of Tibet and the Rule of Law*, p. 63.

⁵³ See pp. 51-8, *supra*.

⁵⁴ Statement No. 1; see p. 222, *infra*.

⁵⁵ Statement No. 13; see p. 238 *infra*.

Lhasa : “ He knows personally a number of people who went to China for instruction, of whom he gave the following examples : Yishi, a relative, Kalsang Yangzom and Nima Tsam, who were female, and Lounghok and Karma, who were male. Stories had been heard of ill-treatment of those who refused to go, and according to him these people went through fear of what would happen to them if they did not.” ⁵⁶

Lhasa, 1955 : “ In 1955 he saw two young women taken by force from their house. They were neighbours of his. One (name supplied) aged about 21, was forcibly taken from her house by two Chinese soldiers and taken to the Chinese military barracks on the other side of Lhasa. Up to the time when he left Lhasa early in 1958 she had not returned to her home, although she came into town weekly dressed as a Chinese and always accompanied by Chinese. Another girl (named), aged about 18, from another family, used to work in the Chinese military headquarters. One day she did not return home and was found to be still working there. She did not return. Her friends were later told by some of her fellow workers that she was to be sent to China against her wishes and that she asked for her parents to go and plead with the Chinese. The Chinese rejected the pleas of the parents and said that she must go to China for education . . . Many parents objected and pleaded with the Chinese not to take the children; however, many children chose to go. Persons who went to China for education were in the age group twelve to twenty and he estimates that about three thousand in all went from Lhasa and western Tibet. They were to return after two or three years. He had no knowledge of any being returned up to the time when he left. The transfer to China began in 1954/55.” ⁵⁷

Amdo, 1951 : “ In 1951 young people from fifteen to twenty-five began to be sent to China for education. When these people had been educated Tibet could become autonomous. At the time when he left Amdo the Chinese had claimed at a meeting that all the young people had gone, but he himself says only that most of them had gone. Progressive increases in the number of young people going to China were announced at periodic meetings.” ⁵⁸

Amdo, 1956 : “ In 1956 a meeting of young people between fifteen and twenty-five was called and they were given a lecture on how to serve communism. They were given uniforms and arms and posted as soldiers to different parts of Tibet or China.” ⁵⁹

Ba-Nangsang : “ On their next visit to Tachenlu they found the Nyacho monastery almost deserted, with only old monks living like beggars.

⁵⁶ Statement No. 6; see p. 227, *infra*.

⁵⁷ Statement No. 22, by leaders of the Mimang group; p. 247 *infra*.

⁵⁸ Statement No. 18; see p. 242, *infra*.

⁵⁹ *Ibid*.

Of the remainder most were sent to the Chinese army, some towards Kamtse in the direction of Lhasa . . . Three hundred men were taken away towards Thagay and Litang as soldiers.”⁶⁰

Polto region, Kwambo, 1950 : “ At that time, i.e. 1950, truck-loads of children were being taken to China after being collected by the Chinese. One school was opened in Po, but the next two collections of children were for China. The people pleaded with the Chinese not to send the children to school as they were needed for work. The Chinese said, however, that they wanted everyone below the age of twenty-five. About 125 were collected from four districts. In some cases the children were assembled at the ration office and then selected. When some parents refused to take their children, the Chinese went to the house and took them . . . To his knowledge no children have returned, and this happened in about July, 1950.”⁶¹

Derge, Kham : “ Young monks were sent to China together with people from the village.”⁶²

Shawar, Amdo : “ The witness belonged to the middle class. She and her husband had two adopted children, aged 17 and 21, who were taken away by Chinese soldiers and not seen since.”⁶³

Derge, Kham : “ About three or four thousand people between the ages of fifteen and fifty were sent to China from Derge district. Only about thirty or forty returned and these were apparently well-trained and well-trusted people. Adult males below the age of fifty were enlisted in the army or in labour gangs.”⁶⁴

Nakchu, near Lhasa : “ A number of children were then collected and their parents were told that they were to be sent to China for education. From his village fifty-four boys and girls between the ages of fourteen and eighteen were taken away . . . Although this happened in 1952, the witness’s son did not return. All the parents opposed sending their children to China and he believes that they in fact allowed them to go under the threat of force.”⁶⁵

Three of the Statements submitted to the Committee allege deportations of this kind :

Statements 24, 25 and 252.

⁶⁰ Statement No. 11; see p. 234, *infra*.

⁶¹ Statement No. 32; see pp. 259-60, *infra*.

⁶² Statement No. 35; see p. 265-6, *infra*.

⁶³ Statement No. 43; see p. 275, *infra*.

⁶⁴ Statement No. 48; see p. 280, *infra*.

⁶⁵ Statement No. 53; see pp. 284-5, *infra*.

Article 16 (2): “ Marriage shall be entered into only with the free and full consent of the intending spouses.”

The evidence relating to the forced marriages of monks, whose religious vows forbade marriage, has been reviewed in Chapter One.⁶⁶ There is also evidence alleging that Tibetan women were compelled to marry Chinese immigrants, or that they were at least compelled to live with them as a wife :

Amdo, 1957 : “ In 1957 Chinese immigrants were “ attached ” to Tibetan families. Thirty-five men were sent to live with Amdo families where the husband was either dead or away. In an assembly where this policy was announced Dorje-tso, whose husband was away, was told along with several other women to live with a Chinese. He does not know whether the women submitted voluntarily, since meetings, except for the purpose of discussing doctrine, were not allowed. He believes it unlikely that Dorje-tso would like this particular man because her husband had had to run away after Chinese torture.”⁶⁷

In view of the lack of a clear indication in this statement whether Tibetan women were compelled to live with Chinese settlers as a wife, it is not considered safe to accept this as satisfactory proof.

Article 17: “ (1) Everyone has the right to own property alone as well as in association with others.

“ (2) No one shall be arbitrarily deprived of his property.”

In very few societies is it known for private ownership to be completely suppressed.⁶⁸ Thus, even in the more extreme cases where virtually everything was taken from Tibetans, either by way of reprisal or collectivization, something was usually left. Thus, for example, the clothes actually worn were not taken away, and household articles were left.⁶⁹

The essence of this Article is in the right not to be arbitrarily deprived of property; it must be extremely rare in any society for private ownership to be totally forbidden by law. Much evidence will be cited on the way in which reforms were carried out.⁷⁰ The

⁶⁶ See pp. 24-41, *supra*.

⁶⁷ Statement No. 10; see p. 233, *infra*.

⁶⁸ Thus, e.g., the Constitution of the USSR recognizes specific rights of private property for members of collectives. See Articles 7 and 10. See also Articles 8-10 of the Constitution of the People's Republic of China, 1954, where “ the state protects ” various rights of private ownership.

⁶⁹ See, e.g., Statement No. 43; p. 275, *infra*.

⁷⁰ See pp. 179-99, *infra*.

usual conditions under which property can justly be acquired against the wishes of the owner are through the freely expressed will of the majority and on payment of fair compensation. Neither of these conditions was satisfied in the evidence cited in connection with the Seventeen-Point Agreement.⁷¹ Neither in providing for the needs of the PLA, nor in carrying out the reforms did the Chinese respect either of these two principles, which in addition to being generally accepted standards of governmental behaviour, were written into their own Seventeen-Point Agreement by Articles 7, 11 and 13,⁷² in respect of Tibet itself. In a subsequent section of this Report attention will be focussed on specific aspects of these Articles of the Seventeen-Point Agreement. Evidence shows in addition the arbitrariness of the seizure of property, without payment, in the execution of the reforms. There are of course, two distinct stages, the reforms in Tibetan-inhabited parts of China and Eastern Tibet and the reforms in Western Tibet.

(i) The first reforms :

Ba, 1955 : “ He is 40 years old and was a peasant with a small plot of land which he regards as sufficient for his family needs but nothing more. He had between thirty to forty livestock.

“ In 1955 the land reforms were proposed. Four monasteries and the people of the district expressed opposition to these reforms and told the Chinese that they were prepared to resist them. All the land was to be taken and divided, the Chinese were to collect all the grain. All arms and personal belongings were to be taken except what they were already wearing. The Chinese took all his land and all his livestock except for one cow, one ox and six sheep. The produce of the cow had to be handed over to the Chinese. He was left only a small piece of land representing about a quarter of what he originally had. The remaining portion was given to the poor people and the beggars. He received nothing, but would have regarded the transaction as perfectly lawful if he had been paid. From 1955-57 the property of the monasteries and of the landlords and all species of wealth were confiscated. Those who hid anything were punished in the following way : they were at first imprisoned, then they were made to stay in trenches where they were fed only once a day. They were told they must suffer for their love of wealth. He saw about forty to fifty people sitting in a trench and it was said that altogether three to four hundred were treated in this way, including all who opposed these reforms. They were kept in the trenches all the time and the people were not permitted to go to them. He knew some of the people who were punished in this way, and after they had gone there he never saw them again. He left the area in

⁷¹ See note 70, *supra*.

⁷² See pp. 215-8, *infra*.

1958, at which time these people were still under guard. He explained that the reason why he was able to see them was that at first people were taken to see them as a warning not to oppose reforms or to hide their property. The Chinese said when taking away some of the property that it was for the purpose of constructing factories. Up to the time he left he saw nothing of this.”⁷³

Ba-Chodey, 1956 : “ A big meeting was then held in the village of monks and villagers. They pleaded that if the reforms had to be carried out then the property should be distributed equally among the people. The Chinese replied that this could only be done later on but gave no reason. When he left to join the NVDA the monks were still in the monastery. The Khamba uprising had already begun and the people refused to give up their property. The monks refused to surrender their property except for the purpose of distribution and attacked the Chinese with small arms and swords. Then the Chinese opened fire on the monastery with machine-guns and then planes bombed it. About two thirds of the monastery buildings were destroyed. Then he joined the Khambas.”⁷⁴

Litang, 1956 : “About February 1956 the Chinese stayed in the monastery for a few days and then left. They searched for property in the monastery and took away what they wanted, viz. silver goods and the mattresses belonging to the monks . . . The witness escaped and from the riverside saw the monastery shelled and bombs dropping around the monastery. This all took place later in 1956.”⁷⁵

Litang, 1956 : “ In 1956 the Chinese surrounded Litang monastery whilst a special ceremony was going on, and the witness together with other outsiders were attending the ceremony inside the monastery. The Chinese told the monks that there were only two possible ways : socialism and the old feudal system. If they did not surrender all their property to socialism the monastery would be completely destroyed. The monks refused. A local headman began to leave the monastery to return, but was fired upon and went back. The following morning machine-gun firing began. The firing continued and hand-grenades were thrown. For sixty-four days, with the witness still inside, the monastery was besieged. The Chinese charged the walls and the monks fought with swords and spears. On the sixty-fourth day planes bombed and machine-gunned the monastery, hitting the surrounding buildings but not the main temple. That night about two thousand escaped and two thousand or so were captured. He stayed behind and was captured.”⁷⁶

⁷³ Statement No. 13; see 237-8, *infra*.

⁷⁴ Statement No. 24; see p. 249, *infra*.

⁷⁵ Statement No. 23; see p. 248, *infra*.

⁷⁶ Statement No. 26; see p. 254, *infra*.

Litang, 1956 : “ By 1956 there were three thousand troops who had built a fortress in front of the monastery and trenches surrounding the monastery. After the first refusal to surrender arms nothing happened. On the second refusal the Chinese surrounded the monastery and told them that they must either surrender their arms and properties and be liberated or force would be used. A delegation was sent to the Chinese authorities asking them to respect their own promises of not interfering with Tibetan religion and customs. The delegation was informed that the monastery must decide immediately to adhere to the Chinese demand. That night the bombardment of the monastery began and fighting continued for sixty-four days. Fighting went on, with the Chinese attempting to charge the high strong walls of the monastery, and then the aerial bombardment of the monastery began on the sixty-fourth day and the inmates of the monastery tried to flee. About two thousand, including both laymen and women, were killed in the fighting. The witness escaped.” ⁷⁷

Shawar, Amdo, 1955 : “ When the Chinese arrived they gave them money and treated them well for about a year. Later they took away arms and ammunition including those from the monasteries. This happened in about 1955 and the taking was forcible. The money that was at first given to the poor was Chinese money but later money was taken from the rich and given to the poor.

“ The witness belonged to the middle class. On their farm they had five regular employees who were paid and additional help was engaged for the harvest. Her farm was taken from her in 1955 together with the standing crops and livestock. She was left only with household articles and the clothes she wore.

“ A week later meetings were called where the wealthy people were summoned and questioned about their wealth. Everything was taken from them. Her husband was taken away and she has not seen him since.

“ The population was divided into five groups, according to their financial position. It was the people from the upper three groups who were taken away. To her own knowledge the Chinese drowned seven wealthy people in a pond. The Chinese alleged that they had hidden their money and when they denied this they were drowned. The farms, livestock and implements were distributed among the poor.

“ After the arrest of her husband the Chinese asked her to hand over her property. She had nothing left and said so. Then the Chinese started pricking her with pointed instruments and scissors

⁷⁷ Statement No. 50; see p. 282, *infra*.

on her back and chest. When her condition was bad they took her to hospital and brought her back when she had improved. Then they started it all over again. This was done to many of the wealthy women and to some men. She showed numerous and extensive scars all over her back and chest. She also had a scar on her cheek which she said was caused by snipping her cheek with scissors. About one year later she ran away.”⁷⁸

Doi, Amdo, 1954 : “ In about 1954 they decided to deal similarly with the third class, viz. the middle class. They arrested the men of that class and imprisoned them and their property was confiscated. The members of the families of all these classes were made to work as labourers and they were very badly paid.

“ Until 1955 the monasteries were left alone and their property was untouched but the people were not permitted to make any offerings . . . Then in 1955 all the monks were sent out to work. The monks’ properties were confiscated.

“ In 1957 the Chinese sent for him and told him that since he belonged to a well-to-do family he must have hidden some property. He was told that unless he produced 2,000 Chinese silver dollars within forty-eight hours he would be executed. He escaped that very night and after four months reached Lhasa.”⁷⁹

Datsedo, Kham : “ The business people were forced to join a co-operative controlled largely by the Chinese. The heavy payment of taxes took away the capital of most of these business people. They were accused by the Chinese of hiding their property and on this accusation the Chinese began to arrest the traders. Traders were told to give up their property and he himself was arrested and tortured in various ways for three months. After this he was released and the Chinese Commander allowed him to sell all his property and he was told to leave.”⁸⁰

Meshe, Derge, 1956 : “ One day a meeting was called and all the head lamas and well-to-do people with the leaders of small towns and villages were brought to the meeting. The meeting was told that reforms would take place and they were told to surrender all arms, even those of the monasteries, which were regarded as religious symbols. Food supplies and clothes, ponies and mules together with their saddles were also demanded. When the Tibetans pleaded that the religious symbols and food should be excluded the Chinese surrounded them and took away everything. They were still not satisfied and demanded what was supposed to be hidden. When

⁷⁸ Statement No. 43; see p. 275, *infra*.

⁷⁹ Statement No. 44; see pp. 276-7, *infra*.

⁸⁰ Statement No. 46; see p. 279, *infra*.

the Tibetans replied that they had hidden nothing a large number of monks, lamas and people from the well-to-do and middle classes were arrested. He estimated that five hundred lamas and monks were arrested. There were four hundred monasteries in Derge district including the great monastery of Derge which had about one thousand seven hundred inmates. Officials, well-to-do traders and other wealthy people lost their property and were told that their property was required for the rationing and stores department.”⁸¹

Other allegations of confiscation of property are contained in the Statements submitted to the Committee: the forced surrender of grain and agricultural property:

Statements 2, 22, 30, 57, 66, 69, 75, 93, 94, 191, 268, 280, 311, 323, 325, 341, 373, 378, 410, 436, 471, 504, 519, 520, 532, 564, 572, 587, 603, 614, 620, 639, 660, 662, 684, 697.

The confiscation of monastery property:

Statements 2, 3, 6, 10, 14, 21, 35, 36, 43, 65, 86, 101, 105, 109, 112, 129, 139, 149, 160, 170, 178, 213, 229, 263, 290, 306, 261, 266 (for non-payment of taxes), 270, 329, 357, 358, 367, 436, 444, 447, 465, 471, 485, 493, 514, 516, 563, 665, 614, 621, 623, 635, 638, 686, 688, 694, 716.

(ii) The reforms of 1959

Some of the evidence referred to in Chinese sources should be referred to at this stage.⁸² These Chinese accounts show the method by which these reforms were achieved and also what they were. Tibetan statements will also be quoted on this point.⁸³

In both cases, that is, the earlier reforms and those following the uprising of 1959, it is clear that the acquisition of property under the Chinese reforms was not the result of the freely-expressed wish of the people, nor were they carried out by purchase at a fair price. In the case of the 1959 reforms these conditions and others were also imposed by the Seventeen-Point Agreement. The reforms proposed by the Dalai Lama⁸⁴ would have satisfied at least the second of these conditions and would have had the additional merit of being done by the Tibetan Government but these were rejected by the Chinese authorities.

There are other cases which were not connected with the reforms, which are also relevant on the question of property rights:

⁸¹ Statement No. 48; see p. 280, *infra*.

⁸² See especially, pp. 182-90, *infra*.

⁸³ See pp. 190-9, *infra*.

⁸⁴ See pp. 179-80, *infra*.

Gyantse, 1958 : “ In Gyantse there was a small house where the belongings of the soldiers were kept. This was taken over by the Chinese. They learned from a corporal in their regiment that a civilian representative of their regiment had taken over the property. In 1958 this man was arrested by the Chinese and accused of holding property of the reactionaries. The belongings of the soldiers were taken by the Chinese and no news was heard of what happened to the regimental representative.” ⁸⁵

Rawa, near Litang, 1952 : “ In 1952 intensive communist propaganda began. An officer, Mo Tu-rin, told them that a list of their property had been made and that they should surrender this property. Later another officer, Lo Vi-pen, told them that they must contribute help to stop the United States from dropping an atom bomb on the Chinese. Out of his total livestock of eighty-five animals he had to contribute twenty-five instead of money.” ⁸⁶

The way in which the PLA supplied itself in Tibet may also be included in this category.⁸⁷

It is therefore considered that the manner and extent of the seizure of property in the Tibetan-inhabited parts of China and in Tibet itself were both a denial of the right to hold private property individually and, in the case of the monasteries, to hold it in association with others, and also an arbitrary deprivation of property without reasonable compensation and the free consent of the majority of the Tibetan people.

Chinese allegations have been made that it was the rebels who plundered and looted. This allegation is considered later in this part of the Report.⁸⁸

Article 18: “ Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”

It is sufficient for the purposes of this Article to refer to Chapter One, where the campaign against religion is considered. Suffice it here to say that freedom of thought, conscience and religion were denied, together with freedom to teach, practice, worship and observe religious tenets.

⁸⁵ Statement No. 6; see p. 228, *infra*.

⁸⁶ Statement No. 26; see pp. 253-4, *infra*.

⁸⁷ See pp. 203-8, *infra*.

⁸⁸ See pp. 133-8, *infra*.

Article 19: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

The destruction of the scriptures in the monasteries was, it is considered, plainly directed towards preventing the dissemination of religious doctrine. The interrogation of members of the Mimang movement and their detention on the ground of their views as expressed to Chinese interrogators is another example.⁸⁹ The cruel punishments inflicted on those who criticized the Chinese have already been reviewed, and reference may be made to such Statements.⁹⁰

Article 20 (1): "Everyone has the right to freedom of peaceful assembly and association."

In one sense, the Tibetans could never complain that they were not allowed to assemble. All over Tibet, the summoning of the people to meetings was a characteristic feature of the Chinese rule, whether for indoctrination,⁹¹ announcement of reforms,⁹² or to witness the execution and/or the degradation of leaders, lamas, etc.⁹³ or to take part in trial by the mob.⁹⁴ If however they sought to convene their own meetings, they were not permitted to do so.

Lhasa, 1952: "At a meeting of the people of Lhasa in 1952 (the witnesses) were elected to assist the leaders of the Lhasa district. The Chinese refused to accept them, telling them that they were foreign spies and also pointing out that the people were not allowed to assemble, since they did so under the instructions of foreign imperialists."⁹⁵

Article 21: "(1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

(2) Everyone has the right to equal access to public service in his country.

(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures."

⁸⁹ See pp. 87-8, *supra*; Statement No. 22.

⁹⁰ See pp. 89-90, *supra*.

⁹¹ See e.g. Statements Nos. 25 and 33, cited at pp. 30-2, 35, *supra*.

⁹² See e.g. Statements Nos. 11 and 13, cited at pp. 191-2, *infra*.

⁹³ See e.g. Statement Nos. 7, 7 and 14, cited at pp. 24-25 *supra*, and 173, *infra*.

⁹⁴ See e.g. Statements Nos. 25 and 33, cited at pp. 30-2, 35, *supra*.

⁹⁵ Statement No. 22, by Mimang leaders; see p. 244 *infra*.

Tibet, before the arrival of the Chinese, could not be described as a democracy, as envisaged by this Article. A good summary of Tibet's erstwhile system of government is given by Ginsburgs and Mathos.⁹⁶ It can scarcely be described as elective government, and its essentially theocratic and feudal nature must be borne in mind. It has been described, somewhat picturesquely, as "a government of the God, by the God, and for the God."⁹⁷

On the other hand, it was a government of Tibetans, and with the arrival of the Chinese it soon ceased to be so. This aspect will be considered in connection with the Seventeen-Point Agreement, where the relevant constitutional developments are reviewed.⁹⁸ Which system was the more just and beneficial to the Tibetan people is not of immediate relevance and is considered later in this Chapter.⁹⁹

Article 22: "Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international cooperation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality."

This Article is at the very heart of the question of human rights. The achievements of the Chinese under this Article must always be recognized, but not over-estimated. An account of the economic, social and cultural development of Tibet must be given, as far as possible from the Chinese and the Tibetan side. Whether what was done in the way of progress attenuates in any way the severity of the violations of other human rights is a matter of value judgment. The Committee hold the view that the classic freedoms, especially that of life and liberty, can and must be preserved in a society undergoing rapid social and economic development and adheres to that ideal, attaching equal importance to both aspects. Progress in Tibet will be considered under the three headings of economic, social and cultural.

(i) Economic

A brief account of Tibet's economy is given in an official Chinese publication, *China Youth*, in 1959.¹⁰⁰

⁹⁶ *Tibet's Administration in the Transition Period 1951-54, Pacific Affairs*, Vol. XXXII, No. 2, p. 162 at pp. 163-9. For a fuller and more picturesque account, see *Tibet and the Tibetans*, by Tsung-lien Shen and Shen-chi Liu; Part Four. The best account is by Richardson in his forthcoming book.

⁹⁷ Tsung-lien Shen and Shen-chi Lui, *op. cit.*, p. 98.

⁹⁸ See pp. 176-9, *infra*.

⁹⁹ See pp. 103-17, *infra*.

¹⁰⁰ *New Life of the Tibetan People*, by Ch'en Hsi; April 16, 1959.

“ The products of Tibet are not only abundant but also of large variety. Main agricultural products include Ch'ingko (a kind of wheat of inferior quality), barley, wheat, maize, peas, paddy and rapeseed; herdsmen usually have large herds of cattle and sheep, and sometimes camels and horses. As regards minerals, deposits are very rich; but the former Tibetan local government had always forbidden the tapping of mines for the fear that mine-digging might destroy the “ earth-pulse ” of Tibet. Because of this, prior to liberation Tibet was still an untapped treasure where mineral deposits had not been excavated or even surveyed on any large scale.

“ After Tibet was peacefully liberated, prospecting teams under the leadership of the Central People's Government have conducted many surveys there and found so far more than 20 kinds of minerals including coal, iron, copper, salt and alkali. The virgin forest in Tibet, which is also an important resource of the motherland, consists of Chinese fir, pine, cypress, birch and other trees of important economic value. Living in the forest are over 100 kind of wild animals, such as tigers, leopards, bisons, antelopes, muskdeers, bears, sables, otters and foxes, some of which supply valuable furs, others furnish precious medicines while still others are meat providers. Tibet also produces a large variety of medicinal herbs, such as fritillary, rhubarb and mint. It has two famous handicraft products, namely, rugs and incense. The rugs, knitted with yak's hair and sheep's wool, are very beautiful and long-lasting; the incense, which is made from the roots or stems of certain fragrant plants, gives a sweet-smelling aroma when burned.

“ The economy of Tibet can generally be divided into agriculture and animal husbandry; in output value, the ratio is 3 to 1. Agriculture comes first, animal husbandry second and handicraft third.”

Mr. Richardson's account is as follows :

“ Although the Tibetan peasant or herdsman, with his thick homespun clothes and usually unkempt appearance, may not have given an impression of material prosperity, want, destitution or starvation were very rare in Tibet. The people were notably sturdy and enduring; and the standard of living of a Tibetan peasant, although stern and comfortless, could reasonably be claimed to be higher than in many other parts of Asia.

“ On a wider scale, Tibet as a whole lived in economic balance with its neighbours. Tibetans produced their staple food and wove woollen cloth to wear. Requirements from outside were principally tea-bricks, porcelain and silk from China; iron, copper, cotton textiles, broadcloth, rice, sugar and miscellaneous household goods mainly from India. Tibetan exports of wool, skins, borax, etc. to the value of perhaps £250,000 brought more than enough foreign exchange to pay for the imports.

“The mineral resources of Tibet, although sometimes assumed to be great, were never properly surveyed nor was any attempt made to exploit them before the Communist invasion. Gold was mined rather haphazardly in west Tibet and was also produced by washing the sands of several rivers of the east; it is known that small quantities of coal, iron and copper were present but mining was considered to offend Tibetan religious principles and to impair the essence of the soil . . .”

. . . “The greater part of the population are farmers and herdsmen; but every Tibetan—noble, monk, villager, nomad or muleteer—is an instinctive trader and this propensity combined with the custom of going on leisurely pilgrimage to the distant holy places of India has done much to reduce the mental isolation of the people. A scattering of professional trading firms in the towns provides the nucleus of a small, prosperous middle class in which might be included the stewards who manage the estates of the great landlords, the lower ranks of the administrative service of the government, and the senior warrant officers of the army.”

The Dalai Lama thus described living standards before the Chinese arrived :

“It is unfair and untrue for the Chinese Communist Government to state that the majority of the Tibetan people are serfs and that very few Tibetans possessed any properties. I do not mean to say that there is no poverty in Tibet; indeed there is, as there is poverty in many countries of the world, but the number of destitutes is not so large. The Communist Chinese Government have grossly exaggerated the number of the poor people in Tibet. Considering the population of Tibet, I feel that the number of poor people there will constitute only a very small percentage. Many Tibetans may appear to be in straitened circumstances outwardly, because they, due to the rough condition of living, the climate and terrain, are not well-dressed. Their shabby outward appearance does not necessarily prove that they are either poverty-stricken or are serfs. Some of these persons may be reasonably well-off. There was an instance of a very shabbily dressed person actually having made donations to a group of almost 20,000 monks.

“I shall briefly refer to the living conditions of the common mass of the people of Tibet. Almost every Tibetan engaged in an agricultural occupation, however poor he may be relatively, has in his possession a minimum of 5 to 6 cattle and about 30 sheep. The land that is available to him for cultivation is of an extent that would give him an annual yield of 100 to 150 “khaes” of barley approximately equivalent to 40 to 60 maunds ($2\frac{1}{2}$ khaes are approximately equal to one maund). The well-to-do farmers obtain an annual yield of a few thousand khaes of barley plus cash saving of about 10 to 20

thousand rupees in Indian currency. A Tibetan who may be commonly described as a "nomad" may possess anything upto 1,000 yaks and 10,000 sheep. There is no need for me to mention the living standards of the Government officials, the lamas, business people, "nomad" chiefs, village heads etc., all of whom are in a position to have a comfortable living. If China claims that the majority of Tibetans are utterly poor, then I would like to state truthfully that since about 1955, no less than ten thousand Chinese Communist military personnel and about forty thousand Chinese civilians have depended on the Tibetans for their livelihood." ¹⁰¹

Economic progress is described in detail at the time of the events leading up to the establishment of the PCART in 1956. In his report to the State Council on March 9, 1955, Chang Ching-wu reported, *inter alia*, on economic progress: "People's banks and trading companies had been set up in Lhasa, Shigatse and other places. The people's banks granted interest-free loans for agriculture and animal husbandry. Low interest-rate loans were made to handicrafts and commerce. The trading companies had included contracts with Tibetan merchants to purchase wool and other local products, develop commerce and transportation and organized the exchange of commodities. Waste land had been reclaimed by PLA personnel. They helped the Tibetans build water conservancy projects and popularized new farm tools and methods to raise production. . . They had set up experimental agricultural and stock-breeding farms that were models for the area. Completion of the Sikang-Tibet and Tsinghai-Tibet highways brought closer relations between Tibet and other parts of China . . . They created favourable conditions for the political, economic and cultural development of the Tibetan region. Post and telegraphic centres had been opened in Lhasa and other major centres." ¹⁰²

Another news despatch of the same day announced the impressive construction projects approved by the State Council on March 9, 1955 ¹⁰³ and yet another the development of transport.¹⁰⁴

Periodic reports describe a vigorously expanding economy. In February 1955 it was announced that state trading companies in Sikang and Tibet had supplied Tibetans with 20,000 million yuan (about 290,000 pounds sterling or 3,480,000 Swiss francs) of tea, cotton cloth and other goods. At the same time the state had purchased great quantities of wool through local Tibetan merchants.¹⁰⁵

¹⁰¹ Answer given orally to the Legal Inquiry Committee at Mussoorie, India, November 14, 1959. An account of the old Tibetan economy is given by Carrasco, *op. cit.*, pp. 4-10, 212-214.

¹⁰² NCNA, Peking, March 12, 1955.

¹⁰³ *Ibid.*

¹⁰⁴ *Ibid.*

¹⁰⁵ NCNA, Lhasa, February 20, 1955.

Agricultural experiments in the growing of hardy vegetables at the Agricultural Experimental Farm at Lhasa were reported.¹⁰⁶ From January to September 1956, it was announced, about 200,000 tons of goods had been sent to Tibet via the Kangting-Tibet and Tsinghai-Tibet highways, but a shortage of vehicles, personnel and maintenance facilities was reported.¹⁰⁷ Power-stations had been built in Lhasa, Shigatse and Chamdo,¹⁰⁸ and the one at Shigatse planned to train Tibetan electrical workers.¹⁰⁹ Vast afforestation attempts near Lhasa and the repair of construction of three kilometers of irrigation channels were reported.¹¹⁰ The first production of pig-iron in Lhasa, by means of a local-type blast furnace, was reported in January, 1959.¹¹¹ In February, progress in west Tibet was reported. Banks, post offices and department stores had been set up on the Ari plateau and new buildings with 7,000 square metres total floor space had been constructed. Virgin land was producing crops and an experimental farm was soon to be opened. "Many peasants, nomads and craftsmen have been given loans by the state bank, and the poorer people have been given relief both in cash and kind."¹¹²

The resumption of production after the uprising, and the strides that were made, were announced in various official reports in 1959. In one of these the relief given by the Chinese in the Loka area was described :

" Authorities have helped people to rehabilitate : over 150 tons of grain, over 70,000 tea bricks, large quantities of salt and yak butter have been supplied to poor Tibetans in this area, in the form of relief or at low prices."¹¹³ In the same area :

" Hundreds of tons of seeds have been loaned to the poor peasants and those with no draft animals have been helped to solve their difficulties. The PLA units have also helped the peasants to transport manure, repair irrigation ditches, till the land and repair houses destroyed by the rebels."¹¹⁴

Production soared, according to the Chinese accounts, despite the disruption caused by the uprising. A radio broadcast in December 1959 announced record production.¹¹⁵ A news despatch from

¹⁰⁶ *Ibid.*, April 26, 1955.

¹⁰⁷ *Ibid.*, September 22, 1956.

¹⁰⁸ *Ibid.*, May 23, 1958.

¹⁰⁹ *Tibet Daily*, Lhasa, November 17, 1956.

¹¹⁰ *Ibid.*, March 10, 1958.

¹¹¹ NCNA, Peking, January 17, 1959.

¹¹² *Ibid.*, February 20, 1959.

¹¹³ *Ibid.*, June 22, 1959.

¹¹⁴ *Ibid.*, June 2, 1959.

¹¹⁵ Peking, in English, December 27, 1959.

Lhasa in November 1959 described the brisk activity of the State trade agencies.¹¹⁶ The development of handicrafts was described in the same month in a despatch on the same day.¹¹⁷

On November 23, 1959, the free distribution of iron tools was announced :

“ Tibetan peasants and herdsmen have received more than 200,000 free iron tools from the State since this spring. They include walking-ploughs, harrows, hoes and wool shears. In some places short-term classes were set up to give the peasants training in using walking-ploughs. According to the Preparatory Committee for the Tibet Autonomous Region, the iron tools, at a cost of about one million and a half yuan,¹¹⁸ were ordered in 1955, following a State Council decision in March of the same year. They were manufactured to suit the local conditions in Tibet. But as a result of obstruction by the former Tibet Government and the upper strata reactionary clique in Tibet, the tools lay idle in the warehouses for four years. Only after the quelling of the rebellion were they issued to the peasants and herdsmen.”¹¹⁹

Big new developments in agriculture continued to be reported :

“ Tractors supplied by the Preparatory Committee for the Tibet Autonomous Region have begun to open up virgin land in the relatively warmer Takun area of Tibet where a new farm covering 700 hectares is being set up. This is one of a number of State farms that are being set up to build up Tibet’s agriculture and livestock breeding and help the Tibetan peasants improve their farming. The Agriculture and Livestock Department of the Preparatory Committee for the Tibet Autonomous Region has sent a group of technicians to Chushul and Dhatse to help make a survey for two farms. The agricultural experimental farm on the western outskirts of Lhasa is to be incorporated with the newly established Lhasa livestock breeding farm. The joint enterprise will be gradually built up as Tibet’s biggest experimental farm, covering agriculture, forestry, animal husbandry, side occupations and fishery. Some *hsien* in other parts of Tibet are preparing to establish smaller farms to help the peasants by spreading good farming experience.”¹²⁰

Trade continued to expand.¹²¹

¹¹⁶ NCNA, Lhasa, November 18, 1959.

¹¹⁷ *Ibid.*

¹¹⁸ About £21,500 or 258,000 Swiss francs.

¹¹⁹ *Ibid.*, November 23, 1959.

¹²⁰ NCNA, Lhasa, December 2, 1959.

¹²¹ *Ibid.*, December 18, 1959.

The trebling of traffic on the Tsinghai-Tibet highway was reported by Peking radio on November 24, 1959. The beginning of construction on a new power-station near Chamdo was announced.¹²² Yet another despatch from Lhasa was broadcast by Peking radio, and the large-scale assistance was described :

“ People in the Tibet area received many-sided assistance from the rest of the country in the past year. Large quantities of rolled steel, machinery, cement and other building materials have been pouring in from all over China to the construction site of the Lhasa hydro-electric power station and many other construction sites in this city.

“ Skilled industrial workers and experts in farming, animal husbandry, public health, water conservancy, transport and other fields have arrived from Peking, Shanghai and Kiangsi, Honan, Szechuan, Kansu, Chinghai and other provinces to share their knowhow with the Tibetan people. Many Tibetans working in the factories in Lhasa are now operating machine tools produced by plants in Dairen and Shenyang. Hundreds of new “ liberation ” trucks are seen on the highways in the area.

“ Many Tibetan peasants are now, for the first time in their lives, using all kinds of iron farm tools specially made for them by factories in other places. The southern provinces have sent huge amounts of tea. Grain and consumer goods, including cloth, have also been sent to Tibet in large quantities.

“ The Tsaidam Basin, formerly a desolate area, now has more than 20 different industries including coal, chemicals, porcelain, glass, machine-building and mining industries. More than 300 plants and mines have been built in the area, growing from small undertakings worked by simple local methods. About 200 factories and mines, administered at county level, have turned out more than 2,000 products.”¹²³

The introduction of still more new farm implements was announced in March 1960 by Peking radio,¹²⁴ and the threefold increase in low-interest agricultural loans as compared with 1959 was reported in February.¹²⁵

These descriptions of progress in Tibet paint a glowing picture of industry, agriculture, construction and trade. Familiarity with the reports of feverish activity in China itself leaves one in no doubt that the Chinese and Tibetans in Tibet are working very hard indeed and that Tibet's economy has been and is being developed consider-

¹²² *Ibid.*, December 25, 1959.

¹²³ *Ibid.*, broadcast on January 21, 1960.

¹²⁴ NCNA, Peking, March 11, 1960.

¹²⁵ *Ibid.*, February 17, 1960.

ably. There is no doubt that production has risen, and the essential question is whether this has improved the standard of living of Tibetans generally. According to refugees it has even declined.

Tibetan accounts speak of shortages, high prices, and state trading at ruinous prices. They also point to the fact that the Chinese themselves wanted Tibet's output and this may well explain the necessity for increased production :

Lhasa, 1952 : " Another four, including one witness were arrested and kept in Tromsikang in Lhasa, from where they were taken to the Chinese residence in Yuthok. There Chang Ching-wu (Chinese political representative in Lhasa) told them that Mimang was an illegal movement and wanted to know what these rising prices were, of which they complained. They told him that the price of a bushel of grain had risen from 22 sangs to 225, that fuel had similarly risen in price, and that these rises were attributable to the Chinese. The supplies had gone from the granaries and the people were suffering. Chang Ching-wu said that the Chinese bought their food, paying in silver coins, and they replied that if there was no food even gold was of no use . . . About 1,000 Tibetans from Lhasa were engaged in agricultural work. Agricultural work was the main occupation of the Tibetans under the Chinese." ¹²⁶

Phembo, 1953 : " In 1953 there were still difficulties with the Chinese over irrigation for the fields. There were about thirty small villages in Phembo, all agricultural, with only one water supply consisting of an irrigation ditch. The Chinese had been using this for their vegetable field and the Tibetan fields were beginning to dry up. The people gathered and appealed to the Tibetan district officer, who sent them in turn to the Chinese. The Chinese promised to give prompt orders to make water available to the Tibetans. The witness then attempted to take water for this field whereupon Chinese soldiers chased him off with a gun. About thirty families had to move away because there was no water for their field." ¹²⁷

Lhasa, 1960 : " . . . Old people were starving." ¹²⁸

Gyantse, 1960 : " The ration for able-bodied people was fifteen pounds of barley flour a month. Most people were starving and anybody caught selling barley flour was imprisoned. Tillers of the soil were allowed to keep only one third of their crops, the remainder being handed over to the Chinese." ¹²⁸

Yatung, 1960 : " When he left, conditions in Yatung were that barley and buckwheat had been taken by the Chinese and since he had

¹²⁶ Statement No. 22, by leaders of the Mimang group, see pp. 246-7, *infra*.

¹²⁷ Statement No. 27; see p. 256, *infra*.

¹²⁸ Statement No. 28; see p. 257, *infra*.

nothing to eat he left for India arriving in Sikkim. His land and livestock were taken away and it was said that a cooperative system was to be set up.”¹²⁹

Doi, Amdo, 1950-58 : “ Formerly in Doi the New Year was celebrated for fifteen days; when he went back he found people working right up to the New Year itself. Usually they did not work in the cold season, but now they did. People were not allowed to take food to friends and relatives. The whole allocation of food for one year was 400 gyama, and the rest of the produce was taken by the Chinese. It was impossible to buy grain in the area. Previously, there was more than sufficient grain for consumption and it was used as a medium of exchange to buy clothing and so forth. Extra work was bringing under cultivation all the uncultivated land and work went on from dawn to sunset, sometimes, after a meal, into the night. The crops were taken by the Chinese and no money was paid. If the people did not work, grain was deducted from their yearly allocation.”¹³⁰

Doi, Amdo, 1957 : “ In 1957, people were made to work for the progress of the country. Uncultivated land had to be brought under cultivation, and after work indoctrination classes and lectures were held, and they were told what they had to do the next day. They were badly fed on husks of wheat, oil-cake and chopped leaves. There was no payment in money. When he left Doi, this was still continuing.”¹³¹

Datsedo, Kham : “ The business people were forced to join a cooperative controlled largely by the Chinese. The heavy payment of taxes took away the capital of most of these business people. They were accused by the Chinese of hiding their property and on this accusation the Chinese began to arrest the traders. Traders were told to give up their property and he himself was arrested and tortured in various ways, for three months. After this he was released and the Chinese Commander allowed him to sell all his property and he was told to leave.”¹³²

Chekudu, near Lhasa : “ With the permission of the Chinese authorities and with a document from them saying that no tax would have to be paid he went to purchase wool at Chekudu and after he had purchased his wool the local authorities there exacted a very heavy tax. He was told that he could not take the wool to India. In that case he said, he would take it to Lhasa but he was told that he must take it to Chinghai. When he refused he was arrested and kept in prison for seven days. During these seven days he was questioned

¹²⁹ Statement No. 30; see p. 258, *infra*.

¹³⁰ Statement No. 34; see p. 265, *infra*.

¹³¹ Statement No. 39; see p. 273, *infra*.

¹³² Statement No. 46; see p. 279, *infra*.

daily and was accused of having been sent by an American to purchase the wool. This was absolutely untrue. Finally a large number of people from his district assured the Chinese that he was an ordinary trader and he was released on giving an undertaking that he would take the wool to Lhasa and sell it to a Tibetan. Very heavy taxes were imposed on imports from India, and he was never permitted to come to India to trade. He was encouraged to trade in China but he always sold his wool in Lhasa. Eventually he was sent to purchase wool which he did not want to buy and which he brought to Nakchu. He was then told he must send the wool to Chinghai, and he was compelled to hand it over to the Chinese, who put it in their own trucks. Heavy taxes were imposed on the wool and he was told that one truck was lost. He had to go to Chinghai along with the wool and there he was paid in Chinese paper currency which was of no use to him. He brought some crockery back and the result of this whole transaction was that he was virtually ruined. He continued to do small business.”¹³³

Before the Chinese arrived Tibet was able to provide for its needs¹³⁴ and, as the Chinese have shown, it was seriously underdeveloped in terms of its own resources.¹³⁵ Those resources are now being developed, under Chinese direction, and in order, it appears, to provide for the needs of the large influx of Chinese settlers and the PLA itself. Scarcities can only be explained by the greatly increased population of Tibet. There are periodic references in Chinese reports and articles to the necessity for increased production.¹³⁶ What that meant is that Tibet's resources must provide for the needs of the many Chinese sent to Tibet as well as for its own people.¹³⁷ The economic progress made in Tibet has little merit in these circumstances and the evidence shows that for the time being at any rate the standard of living of the Tibetans has fallen in the most basic of all necessities, namely, food.

(ii) Social

The Chinese press and radio have reported great developments in medical services, which were very rudimentary before they arrived. In 1955 a news despatch from Lhasa reviewed progress :

¹³³ Statement No. 53; see p. 285, *infra*.

¹³⁴ See Richardson, *op. cit.*, p. 110, *supra* and the Dalai Lama's statement at pp. 104-5, *supra*.

¹³⁵ See Ch'en Hsi, *op. cit.*, p. 103, *supra*.

¹³⁶ See, e.g., the agricultural directive calling for a 10-15% increase in 1960, NCNA, Lhasa, December 12, 1959.

¹³⁷ In a speech in Lhasa in 1956, Chen Yi said "that he was confident that Tibet would contribute greatly to the construction work of the great motherland." *Lhasa Meeting Closes on May 1*, NCNA, Lhasa, May 1, 1956. See also the Dalai Lama's statement at p. 105, *supra* and his oral answer at pp. 300-1, *infra*.

“Health Work Develops in Tibet Region.—Over five million *yuan* has been allocated by the Central People’s Government to develop the health work in the Tibet region during the past four years. This was revealed at a regional health conference of leading members of Tibet’s health organizations and representatives of the Ministry of Public Health that closed here last week.

“The conference noted that during the past four years hospitals have been built in Lhasa and Chamdo, two leading cities on the Sikang-Tibet Plateau. In addition, clinics and mobile medical teams have given timely service to the patients in small towns and remote areas. Incomplete statistics show that free medical treatment and inoculation reached 963,000 people.

“In the same period, 170 Tibetans have been trained as medical workers. The Central People’s Government has sent more than 400 doctors and nurses from other parts of the country to the region.

“Plans were drawn up by the conference to establish more clinics and mobile teams and train 50 to 80 Tibetan medical workers in the coming two years.”¹³⁸

Further improvements in the health service were reported in 1956.¹³⁹ Whether the treatment given to the Tibetans, which they thought was sterilization, was in fact beneficial, it is not possible to say with assurance.¹⁴⁰ A sweeping social reform announced by the Chinese was the liberation of serfs and slaves.¹⁴¹ It was also decreed that all lamas should be given freedom of person, which meant that they were entirely free to leave monasteries if they wished.¹⁴² The cleaning up of Lhasa’s “district of disaster” was reported in November, 1959¹⁴³ and it had now become “the district of happiness.” Housing construction in Lhasa was reported, 30,000 square metres between May and November 1959; it was estimated that the housing construction since 1951 surpassed the whole of Lhasa city before that date (“pre-liberation days”).¹⁴⁴

Some of these reports must be viewed with scepticism. There is no reason to doubt that the medical facilities introduced by the Chinese have brought great benefits. The liberation of serfs and slaves is, however, a relative claim. The Chinese picture of human

¹³⁸ NCNA, Lhasa, September 15, 1955.

¹³⁹ *Ibid.*, April 23, 1956.

¹⁴⁰ See pp. 49-51, *supra*.

¹⁴¹ The Panchen Lama is reported as saying on October 14, 1959, that 360,000 serfs and 20,000 slaves had already been emancipated: *Peking Review*, October 20, 1959, p. 8.

¹⁴² See Strong, *op. cit.* pp. 192-3.

¹⁴³ NCNA, Peking, November 15, 1959.

¹⁴⁴ *Ibid.*, November 13, 1959.

bondage and oppression in pre-1959 Tibet is, as has already been pointed out, seriously exaggerated and in some respects quite false.¹⁴⁵ Feudal services were abolished and the peasants were given their own land to farm. But they were not allowed to keep their produce and the Tibetans' statements show collectivization rather than a system of peasant ownership.¹⁴⁶ Moreover, their labour, both in quality and quantity, became directed by the State, and some Tibetans left Tibet for this reason. How far the position of an ordinary Tibetan peasant or, as the Chinese have it, "liberated serf", was one of freedom after the social reform, is open to serious question. There are many signs that he became one of a regimented army of workers like those of the Chinese People's Republic.¹⁴⁷

The forced labour of the monks and lamas has already been considered.¹⁴⁸ Earlier instances of forced labour in connection with the transport of supplies have also to be considered,¹⁴⁹ and in connection with the road-building will be examined later.¹⁵⁰ There is relatively little direct evidence from refugees of regimented labour after the reforms, but the regimentation by the Chinese before that time gives a fair indication of what would happen after the failure of the uprising. Statements on this later period are quoted below :

Yatung, 1959-60 : "One witness left because the Chinese told him to stop his work as a muleteer and to start digging the land. He did not wish to do this and preferred to leave Tibet."¹⁵¹

Tangay district, 1959-60 : "Road-building groups were organized and for this purpose all between the ages of eighteen and sixty were to be taken, whether man or woman, religious or lay."¹⁵²

Lhasa, 1960 : "Conditions then were that ... his earnings were approximately one sixth of his previous earnings. He belongs to the artisan working class. If anything was left after meeting their own needs it was their patriotic duty to return the supplies to the Chinese, otherwise they would be punished."¹⁵³

Gyantse, 1960 : "The ration for able-bodied people was fifteen pounds of barley flour a month. Most people were starving and any-

¹⁴⁵ See pp. 65-81, *supra*.

¹⁴⁶ See pp. 109-11, *supra*.

¹⁴⁷ For an account of forced labour there see *An Economic Survey of Communist China (1956)*, by Y. L. Wu, pp. 316-40.

¹⁴⁸ See Chapter One, *supra*.

¹⁴⁹ See pp. 203-8, *infra*.

¹⁵⁰ See p. 118, *infra*.

¹⁵¹ Statement No. 14; see p. 239, *infra*.

¹⁵² Statement No. 21; see p. 244, *infra*.

¹⁵³ Statement No. 28; see p. 257, *infra*.

body caught selling barley flour was imprisoned. Tillers of the soil were allowed to keep only one third of their crops, the remainder being handed over to the Chinese.”¹⁵⁴

Yatung, 1960 : “ Conditions in Yatung were that barley and buckwheat had been taken by the Chinese and since he had nothing to eat he left . . . His land and livestock were taken away and it was said that a co-operative system was to be set up. Old people over sixty were given light manual work for six hours a day at least as a condition of their being fed.”¹⁵⁵

The new social freedom was not, apparently, as free as the accounts would have one believe. But the feudal characteristics of the old system must not be overlooked. An account of the old system, given by a “runaway serf” who studied at the Central Institute for National Minorities, is published in Anna Louise Strong’s *Tibetan Interviews* :

“ Lachi was a small slight girl in a green dress with pale pink lining at the neck, with eyes clear and direct under thin bands of hair. She was thirteen when she ran away to join the army, in the Batung area, even before the battle of Chamdo. She has thus had nine years’ knowledge of the new ideas, but she herself had ideas when she began.

“ My parents belonged to a big serf-owner, but he did not need their work, so he let them work for a small landowner who had only thirty workers. To get this permission they gave gifts to the big owner every year and also whenever he had a wedding in his family. If he does not like their gifts, he does not permit them. Any time he wants from them free work he orders it. For him they do work without pay.“

“ Is there anything at all the big owner gives them for working?“

“ He gave them the use of a piece of land,” replied Lachi, “but this land was far away and of bad quality. My parents had no means to work it. So they got permission to work for the small master. It is not very hard to get this permission if the small master lives near by . . . because then the big master can always give orders if he wishes. It is hard to get permission to work a long distance away.”

“ We had a big family, twelve people, my father and mother, three brothers, five sisters, an uncle and a cousin. Most of them worked in the fields but my mother was a house servant. Their master would not accept me to work (she was ten at the time) because

¹⁵⁴ *Ibid.*

¹⁵⁵ Statement No. 30; see p. 258, *infra*.

he could not use so many. So I worked for another landowner, a woman. The small master paid us some grain, some tea, some salt and a little money but always far below need. So sometimes we got other work in cutting hay or wood for other people who paid us money."

"Did your parents work for the small owner long?" I asked.

"Ever since I remember," said Lachi, "we worked for the small owner for grain and we worked sometimes for the big owner without pay."

"Did you ever get any education?" I asked.

"By custom serfs had no right to education," replied Lachi. "But the big serf-owner had a tutor in his family for his children. This tutor was progressive. Secretly he taught some serf boys in his own room. If this were known, he would lose his job and perhaps even worse would happen. He did not teach me for I could not go to his room. He taught my elder brother to read and write a little: my brother taught a little to me. I did not even learn the whole alphabet. But I learned there was such a thing as education and that there could be a different life than ours."

"What freedom had the serfs, if any?" I asked.

"No freedom," she replied. "The serf must get permission to go anywhere, even for a short absence. The serf must get permission to marry. If he marries, he may be separated by his owner from his family, if the owner wants him to work in another place. The owner can do anything to the serf, even torture and death. That serfs were killed by owners was not unusual. Serfs also were sold."

"If serfs married," I asked, "did the owner have the right of the first night of the bride?" Lachi had never heard of such a custom, so I explained it. She shook her head.

"With us it was a different way. All pretty serf girls were usually taken by the owner as house servants and used as he wished."

"As concubines?" I asked.

"Not concubines," said Lachi. "Concubines have rights. These were just slaves without rights. The owner uses as he wishes and throws away. Marriage is not permitted between owner and serf. Married serfs can be separated as the owner wishes. The boy child goes with the father and the girl with the mother."

"What happens to children of women serfs by the owner?"

"Lachi replied that such children were usually serfs. "But it may happen that a bright boy is liked by the father, who adopts him. Then the mother has no right to him for he becomes the owner's son."

“Lachi’s younger brother was known as a ‘bright boy,’ though both parents were serfs. He was offered a chance in the monastery.”¹⁵⁶

Even on the supposition that this is a correct account of life in Chamdo, and on this the Committee reserved its doubts, it still remains open to question whether the social reform brought improvement in the social conditions of the lower-class Tibetans. The account given in various parts of this Report ¹⁵⁷ shows a complete negation of fundamental freedoms, and a severity of treatment which is not matched in any credible account of feudal Tibet.

The “liberation” of monks and lamas from involuntary confinement in the monasteries, is demonstrably false in its description of monastery conditions. One of the witnesses who made a statement was in fact a monk who had left voluntarily.¹⁵⁸ Several witnesses specifically denied that the open immorality and brutal punishments described by the article entitled, *the Black Wickedness of the Deceiving Reactionaries Belonging to Religious Establishments is Quite Intolerable* ¹⁵⁹ were to be found in monasteries.¹⁶⁰

On the other hand, there is a great deal of evidence by Tibetans that lamas and monks were driven out of their monasteries. This has already been reviewed in Chapter One. There is no doubt on this evidence that the Chinese, far from introducing free choice to leave to those who did not wish to stay, used violent means and harassing by incessant indoctrination in order to rid the monasteries of their inhabitants.

The “district of disaster” in Lhasa is a small point. Two witnesses from Lhasa were unable to think where this district might be.¹⁶¹ It is, however, not impossible that such a district existed, and if it did, there is no reason to doubt that the unbridled gambling, fornication, raping and carousing there described would be stopped under Chinese rule. The tremendous housing construction in Lhasa is of some considerable significance. Many Tibetans had been transferred from Lhasa,¹⁶² and Chinese were living in the Potala and the Norbulingka.¹⁶³ This in itself indicates a sizeable influx of Chinese, since these were mainly the functionaries, and the doubling of Lhasa’s housing at a time when Tibetans were being sent or taken

¹⁵⁶ *Op. cit.*, pp. 23-25 : “I” is the author, Anna Louise Strong. Cf. Carrasco, *op. cit.*, pp. 108-9.

¹⁵⁷ See the references in notes 145, 147-9, *supra*, on social conditions.

¹⁵⁸ See Statement No. 34, p. 263, *infra*.

¹⁵⁹ See text at pp. 59-63, *supra*.

¹⁶⁰ See Statement No’s 23, 25, 27, 33, 45.

¹⁶¹ See Statements No. 6 and No. 22; pp. 228-247, *infra*.

¹⁶² See especially Statement No. 22; p. 247, *infra*.

¹⁶³ See Statement No. 28; p. 256, *infra*.

away is a clear indication that the housing needs were created by the growing Chinese population in Lhasa. The feverish building reported can, therefore, scarcely be regarded as an advance in the social conditions of the Tibetan people.

(iii) Cultural

Progress in cultural conditions is discussed in connection with education.¹⁶⁴ The destruction of religious symbols and images, and of the Scriptures, has been referred to in Chapter One, and that in itself is part of an attempt to destroy that particular culture, one with which atheistic communism found coexistence impracticable. "Cultural genocide", as this has been termed, is a matter of human rights which some States would prefer to regard as genocide.¹⁶⁵

Conclusions

The overall picture is one of increased production, improved communications, the building of houses, hospitals and power stations, the abolition of feudal incidents and a general drive towards materialistic progress. The basic question is for whom and for what, and the account of living conditions in Tibet indicates that the material progress in Tibet is being absorbed by the Chinese, even at the cost of the previous living standards of ordinary Tibetans. Moreover, the price paid for the development of Tibet has included genocide against the Buddhist religious group,¹⁶⁶ and also the large-scale violation of the most basic of human rights.¹⁶⁷ Against this there is little to commend in such improvements as have been claimed in the economic, social and cultural life of Tibet.

Article 23 (1) : "Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment."

There is abundant evidence on the question of forced labour, much of which has already been set out. In particular, the forced labour to which monks and lamas have been subjected should be referred to,¹⁶⁸ also the way in which the PLA supplied its requirements,¹⁶⁹ and the labour exacted from children sent to China, ostensibly for education.¹⁷⁰ Further evidence is set out below :

¹⁶⁴ See pp. 119-30, *infra*.

¹⁶⁵ Notably the USSR and other countries of the Soviet bloc.

¹⁶⁶ See Chapter One.

¹⁶⁷ See the previous human rights discussed in this Chapter.

¹⁶⁸ See Chapter One, pp. 24-40, *supra*.

¹⁶⁹ See Chapter Four, pp. 203-8, Article 13 of the 17-Point Agreement, 1951.

¹⁷⁰ See pp. 127-8, *infra*.

Metogongkar, 1953-55 : “ In 1953-55 road construction was going on in the Metogongkar area and 500 people were sent from Taktse-Dzong. He went there to take supplies which had to be provided by the Tibetan people. The rates of pay were about 12 annas a day (i.e. 65 Swiss centimes or 1/1d. sterling). Six people died of exhaustion on this project and he gave the names : Chophel, Namgyal, both male; and Buti, Tsering, Keyzom and Dolkar, all women. Seven people committed suicide by jumping into the river.” ¹⁷¹

Shuendongkar, near Lhasa : “ Two hundred and fifty labourers were drafted for work from Shuendongkar, a small district just over five miles from Lhasa with a population of 5-6,000 people. All available transport was taken and travellers were made to leave their own loads and begin work for the Chinese.” ¹⁷²

Doi, Amdo, 1952-54 : “ The members of the families of all these classes (landlords, capitalists and middle class) were made to work as labourers and were very badly paid.” ¹⁷³

Nyangtih, Kungpo : “ About twenty people from his village were compelled to work on the highway which was being constructed from Chamdo to Lhasa.” ¹⁷⁴

Article 24: “ Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.”

It is sufficient to refer to evidence already reviewed in this Report,¹⁷⁵ which shows that conditions under which the Tibetans were made to work were in many cases very harsh indeed.

Article 25: “ (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.”

The matters considered in Article 22 should be referred to in connection with this Article.

¹⁷¹ Statement No. 3; see p. 224, *infra*.

¹⁷² Statement No. 12; see p. 236, *infra*.

¹⁷³ Statement No. 44; see p. 276, *infra*.

¹⁷⁴ Statement No. 51; see p. 282, *infra*.

¹⁷⁵ See notes 167-173, *supra*.

Article 26: “ (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) Parents have a prior right to choose the kind of education that shall be given to their children.”

The progress in educating the Tibetans is dealt with in some detail in the Chinese accounts of events in Tibet. Education was basically of two kinds—education of children of school age and the education of young men and women. School education of children will be considered first :

“Lhasa Middle School Opens—The Lhasa Middle School has already opened on April 2, 1959. Students of Tibetan, Hui and Han nationalities in Lhasa municipality came to school in their new clothes to greet the beginning of the new school term. The school opening ceremony was attended by Hui I-Jan, member of the Preparatory Committee for the Tibet Autonomous Region, who congratulated the students on the beginning of a new term and encouraged them to study hard and elevate their level of awareness. During the previous period, as a result of the disturbances caused by the rebels, the school was unable to open. Now the students are extremely happy over the quick opening of the school after the quelling of the rebellion.” ¹⁷⁶

On June 2, 1959, it was reported that :

“A new era has opened for the 300,000 children in Tibet. Children of many serfs and slaves have enrolled in schools for the first time and more than 1,000 children have become young pioneers since the putting down of the rebellion and the smashing of the Tibet reactionary regime.” ¹⁷⁷

In August 1959, Peking announced in an English language broadcast :

¹⁷⁶ *Jen Min Jih Pao* (People's Daily, Peking), April 4, 1959.

¹⁷⁷ NCNA, Lhasa, June 2, 1959.

“ *Schools in Tibet*—The former serfs of Tibet and their children are beginning to hold pens and books in their hands. Primary schools and night schools have been springing up ever since the suppression of the rebellion four months ago. The first schools in Tibet were set up by the CG after liberation, but they were inaccessible to the people in general as the former Tibet local government put up many obstacles. Now the residents’ committees in Lhasa, helped by the Military Control Committee of the PLA, have already established 19 primary and night schools, enrolling 2,000 workers, pedlars, former beggars and children. Schools have also made their appearance in distant villages.” ¹⁷⁸

And again,

“ *Growing Number of Schools in Tibet*—Since the quelling of the Tibet rebellion, scores of private (sic), elementary and evening schools have been set up. There was not even one regular school in Tibet before its liberation, although the country has had a written language for over 1,300 years. After the liberation the CPG set up a number of schools but due to obstruction and sabotage by the Tibetan local government, the working people were still barred from these. Now with the assistance of the Military Control Commission, the Lhasa residents’ committee has set up 19 elementary and evening schools attended by 2,000 children and workers. Village schools have also been established and large numbers of poor serfs are attending for the first time in their life.” ¹⁷⁹

It was also stated in this report from Lhasa that in these new schools in various villages :

“ large numbers of poor serfs and *langsheng* are attending school for the first time in their life.” ¹⁸⁰

Anna Louise Strong has filled in a background of details :

“ The swift growth of primary schools was perhaps the first sign of the change that came with the quelling of rebellion. Two primary schools had previously been established in Lhasa by the Central Government but had never been filled, for upper class parents feared the *kasha*’s disapproval while serf children courted a blow on the head from the master’s overseer if they were caught carrying books. As soon as the rebellion was beaten, fifteen hundred registrations poured into these schools, far more than they could handle. A third primary school was quickly opened to care for the surplus.

¹⁷⁸ NCNA, Peking, August 6, 1959.

¹⁷⁹ NCNA, Peking, August 8, 1959.

¹⁸⁰ *Langsheng* are household servants.

Six hundred applications at once were made there, again more than the school could take. Plans were under way for a fourth school but meantime fourteen 'special schools' were set up by the Lhasa people themselves, some part-time, some full-time, in which youths of twenty sat side by side with seven-year-olds to learn to read and write. By June this number was to grow to twenty-three special schools, and a total of five thousand people attending school in Lhasa, where before the rebellion there had been only a thousand pupils." ¹⁸¹

By January 20, 1960, the number of schools was given as "more than 150" and it was added that "around 7,000 serfs and their sons and daughters have become literate." ¹⁸²

A detailed report was given by the NCNA on April 15, 1960:

"Sons and daughters of peasants and herdsmen all over the Tibet Plateau are going to school every day for the first time in history. 1,100 primary schools with more than 33,000 pupils have been set up in Tibet since the quelling of the rebellion. In Lhasa, there are now 228 primary schools with 8,400 pupils. Nine out of every ten school-age children in the city area are enrolled in schools.

Formerly there were no schools in the agricultural and pastoral areas of Tibet and for generations the children of serfs and slaves had no chance to study. The children of former serfs and slaves, now fully able to show their intelligence, have made rapid progress in their studies, learning to read and write in the Tibetan language and to master its elementary grammar in a few months. Some pupils have even taught their parents to read in the evenings.

Over 300 primary schools with some 5,000 pupils have mushroomed in the Loka area. Many schools have also been set up in Chamdo, Lingtze and Shigatse. On the vast grasslands in the northern Tibet and in the Ari area over 100 primary schools have recently been established. The schools satisfy the long-dreamed wishes of the Tibetan people. In the course of their establishment, many residents have voluntarily offered houses as school buildings and good Tibetan felt, desks and chairs for school furniture. They have also helped to build classrooms, dormitories and playgrounds. Classes have been held on a widespread scale to train primary school teachers." ¹⁸³

On the same day Yang Hsiu-feng, Minister of Education of the CPG, reported in a speech to the NPC that over 1,100 primary schools

¹⁸¹ *Tibetan Interviews*, pp. 177-178.

¹⁸² NCNA, Peking, reporting a speech by Tsu-Ko Tun-Chu-Tsai Jen on the occasion of the founding of the Lhasa City People's Government.

¹⁸³ NCNA, Lhasa, April 15, 1960.

with more than 39,000 pupils had been set up in Tibet “ since the quelling of the rebellion.” Lhasa had 226 primary schools with 8,400 pupils and 90 % of Lhasa’s children of school age were attending school.¹⁸⁴ The slight statistical discrepancy between the two reports is of no great consequence. Some idea of the tremendous rate of progress which was claimed can be obtained from these figures. In 1956 the total number of primary schools in Tibet was given as twenty-seven.¹⁸⁵ On January 20, 1960, it was given as “ more than 150 ”.¹⁸⁶ This figure was apparently conservative, and it was officially stated on April 15, 1960, that “ over 1,100 primary schools ” had been set up since the quelling of the rebellion.¹⁸⁷ Since April, 1956, the number of persons undergoing primary education had risen from over 2,000 to over 39,000.¹⁸⁸

According to these reports enormous progress had been made in primary education, which, in view of widespread illiteracy, seems to have included adults also. In addition there was an education programme for adults in the evenings, and also for the training of young Tibetans in both Tibet and China. Aims and progress in these activities are again described in some detail. The spread of literacy was, of course, fundamental. Progress can be followed through the Chinese reports :

“ Young Tibetan men and women from Lhasa, Shigatse and Gyantse and various counties and districts of Tibet have enrolled in training classes in the past three months. Some students from these classes will go to the Central Institute for National Minorities in Peking for Advanced Studies.”¹⁸⁹

By April 25, 500 had been selected “ from various places in Tibet and sent to the Central National Academy to study ” (Peking).¹⁹⁰ “ 315 young Tibetans from Tibet and the neighbouring Chamdo area have left for Peking and Chengtu to study in the two institutes set up in these cities for the minority nationalities. They include teachers of primary schools and young people from peasant and herds-men’s families.”¹⁹¹

In 1956 the fifth training class for Tibetan administrative personnel was opened in Shigatse.¹⁹² In December 1957, progress in Yatung was reported :

¹⁸⁴ NCNA, Peking, April 15, 1960.

¹⁸⁵ *Construction in Tibet*, Current Affairs Handbook, Peking, April 25, 1956.

¹⁸⁶ See p. 121, *supra*.

¹⁸⁷ *Op. cit.*, note 184, *supra*.

¹⁸⁸ *Ibid.*

¹⁸⁹ NCNA, Lhasa, April 2, 1955.

¹⁹⁰ *Construction in Tibet*, Current Affairs Handbook, Peking, April 25, 1956.

¹⁹¹ NCNA, Lhasa, September 11, 1955.

¹⁹² NCNA, Lhasa, April 3, 1956.

“ Over 50 members of the Yatung Association of Patriotic Youth and other youth in society have made progress in their self-studies. Since the Central Government’s policy of not carrying out democratic reform in Tibet within the next six years, many youths had left Yatung to further their studies in interior parts of the motherland. Hence, the youth here had stopped their studies for a while. Yet, when conditions ripened, reforms would definitely be carried out in Tibet. Everyone should therefore redouble efforts in studies in order to partake in various construction work in Tibet in future. Otherwise they would lag far behind those who went to study in the interior of the motherland.”¹⁹³

In August, 1958, a detailed account was given of the Tibet Public School and the Tibet (Young Communist) League School. These two were set up by the CCP Tibet Work Committee and the Young Communist League Work Committee “in order to cultivate cadres to build a new Tibet.” The “absolute majority of them” were children of Tibetan herdsmen. The account goes on :

“ On the railway line from Sian to Lanchow there is an old city—Hsienyang. Looking towards the north, railway passengers can see many new buildings half hidden among the green trees. This is the site of the Tibet Public School and the Tibet (Young Communist) League School. In order to cultivate cadres to build a new Tibet, the CCP Tibet Work Committee and the Young Communist League Work Committee have founded these two schools in this surrounding wherein it is most suitable for the younger generations of the Tibetans to study.

“ Entering the school gate, one can see a big athletic ground surrounded by green trees and beautiful flowers. Behind it are a group of eight tall buildings and many one-storey houses, totalling more than 90,000 square metres in floor space. Two of the tall buildings are most attractive : one is the teaching hall, with over 40 large and well-lighted classrooms; the other is the well-equipped laboratory mansion. What especially attracts people’s eyes is the big auditorium built with steel frames, which can accommodate more than 3,000 people for a meeting or a cinema show.

¹⁹³ “ At present these two schools have a total of nearly 4,000 students, teachers and staff. Of this number, 3,069 are Tibetan and Hui students of both sexes who came here last autumn from the highland; the absolute majority of them are children of Tibetan herdsmen.

“ Counting from 1959, the students in these two schools will study for five years : three years for general culture and the last two years for a specialized profession. Political study and labour educa-

¹⁹³ *Tibet Daily*, Lhasa; December 17, 1959.

tion will be important courses throughout the five years. In the three years of cultural study, during which period the subjects of Tibetan language, Han language,¹⁹⁴ arithmetic, common knowledge and physical education will be taught, it is expected that the students will reach the level of first year in junior middle school. In the last two years, the schools will open classes for various special trades, or will send those excellent students to further their studies in technical schools in the inland, in order to enable them to gain definite professional ability. As regards political study, it includes class education, Marxist-Leninist viewpoint on nationalities, and education on current affairs and policies. Through these studies, the students will preliminarily understand the reason of the revolutionary struggle, learn the basic knowledge in construction and form the habit of caring about big events at home and abroad. At the same time, the above courses will be supplemented by labour education, and the students will be constantly organized to participate in physical work, such as beautifying the surroundings of the school or helping the farming cooperatives in production. Though most of the students are accustomed to work, yet labour education will enable them to still more profoundly understand the glory of labour and the meaning of "labour creates everything", and thereby to further elevate the level of their political thinking. It is therefore to be expected that after five years these over 3,000 children of the Tibetan people will become the newborn strength in the building of a new Tibet."¹⁹⁵

A bulletin on political education in Lhasa describes the use to which literacy was being put among the adults :

"The citizens of Lhasa are becoming more and more enthusiastic in the study of politics and culture. According to incomplete statistics, citizens in the urban area of Lhasa established 42 spare-time political and cultural schools, over 230 study teams, and five elementary schools during the past six months. The number of participants in political and cultural studies reached 5,000. Over 90% of them were serfs and poor citizens who did not have an opportunity to study.

"Because these working people never had a chance to receive schooling in the past under the serf system, they all study very hard. Some illiterate students learned to read and write Tibetan in a little over six months. In Tungcheng ward of Lhasa a group of 950 people were praised as active students.

"Now many newspaper reading rooms and cultural reading rooms are being set up by Lhasa citizens to keep informed of govern-

¹⁹⁴ I. e. Chinese.

¹⁹⁵ *Nationalities Unity*, Peking, Monthly, August 6, 1958 : *Future Builders of Tibet*, by Ni Chien.

ment decrees and policies as well as the progress of the reconstruction of the country. Meanwhile, discussion sessions are also being organized by the citizens' councils to familiarize the masses with the achievements attained in the fatherland during the past ten years as well as the government policies concerning democratic reform in Tibet." ¹⁹⁶

A similar reference was made also in November 1959 to learning to read newspapers in the spare-time schools in Lhasa. ¹⁹⁷

By February 8, 1960, NCNA was able to report on progress in "elementary classes set up in Tibet during the past few months", where "preliminary training" was given in agricultural techniques, veterinary surgery, medicine, primary school teaching, water conservancy, new farm implements, and truck-driving." ¹⁹⁸

Meanwhile, in May 1959, it was announced that 200 young Tibetan graduates were leaving Peking from the Central Institute for Nationalities. They were to return to take part in building up Tibet. ¹⁹⁹ They had studied there since 1954, ²⁰⁰ and were received by Chairman Nao Tse-tung before leaving. ²⁰¹ It was reported on August 8 by Peking Radio that another 200 were leaving, having been persuaded to defer their departure when 100 others left in May, in order that they could complete their studies. ²⁰² It would seem that the number of students who left in May is doubtful. Anna Louise Strong gives the number who arrived in Lhasa early in June as "over 1,500". ²⁰³

Among adults, as well as among children, it is clear that there was a great deal of emphasis on political education, or as some would term it, indoctrination in communism.

An account of what was taught in children's schools and spare-time classes is also available from Tibetan sources. There the age of those who went to China is often considerably lower than appears in the Chinese statements, and reference should be made on this point to Chapter One. ²⁰⁴ What both the children and their elders were taught in the drive towards education is of present relevance :

Ba-Jeuba, 1954 : "Children were encouraged to submit their parents to indignities and to criticise their parents if they did not conform

¹⁹⁶ NCNA, Peking, November 10, 1959.

¹⁹⁷ NCNA, Peking, November 6, 1959.

¹⁹⁸ NCNA, Peking, February 8, 1960.

¹⁹⁹ NCNA, Peking, May 20, 1959.

²⁰⁰ *Ta Kung Pao*, Peking, May 16, 1959.

²⁰¹ *Ibid.*

²⁰² NCNA, Peking, August 8, 1959.

²⁰³ *Tibetan Interviews*, Peking, p. 185.

²⁰⁴ See pp. 50-8, *supra*.

to the Chinese ways. Indoctrination had begun. One indoctrinated youth saw his father with a prayer wheel and rosary and began to kick him and abuse him. The father began to hit the boy, he fought back and a number of people came to stop this. Three Chinese soldiers arrived and stopped these people from intervening, telling them that the boy had a perfect right to do this. The boy continued to abuse and beat his father who then and there committed suicide by jumping into the river. The father's name was Ahchu and the boy's Ahsalu, aged about eighteen or nineteen.

“ Compulsory indoctrination had been introduced in 1952. Two lists were prepared for two schools, one for children between the ages of ten to fifteen and one for young people between fifteen and twenty-five. No one dared to protest because they were told that if they did they would be reactionaries and they were already aware of what happened to a reactionary, namely execution. His son, aged twenty-four, had to go. About twenty-two boys around eighteen and nineteen years of age and two girls were taken to China in 1953. Some parents appealed to the Chinese not to do this, but unsuccessfully. They were told that they had no right to decide for their children, who must decide for themselves. Some of these young people said that they did not wish to go.”²⁰⁵

Lhasa, 1955-56 : “ Communist schools were opened in Lhasa in 1955/56. The first school was opened in Sayshing, then in Tonchilingka, Jara, Marulingka and Chagzolingka. Some of his friends went to these schools. Two whom he named told him what went on at Tonchilingka. Most of the lessons were in Chinese but some were in Tibetan. They were taught reading and writing in Chinese. There was some Communist indoctrination but he was not told how much time was devoted to this. The Chinese devoted great publicity and propaganda to these schools and everyone was encouraged to go. One friend was influenced by pro-Chinese to go and learn Chinese. They were taught that belief in religion was useless and that it was better to work than to become a monk. Two more of his friends were persuaded to go to Sayshing. No force was used.”²⁰⁶

Yatung, December 1959 : “ The Chinese opened one school which was attended by a few children, some of whom ran away. No-one from his family went. At school they were taught to sing songs and were indoctrinated, but were not taught reading or writing. One child in his village was taken to the Chinese by his parents in accordance with the Chinese orders. They have no idea what happened to him afterwards and wherever they inquired they were told he was somewhere else. This boy was about sixteen years old.”²⁰⁷

²⁰⁵ Statement No. 1; see p. 222, *infra*.

²⁰⁶ Statement No. 12; see p. 236, *infra*.

²⁰⁷ Statement No. 30; see p. 259, *infra*.

Garang, 1955 : “ In Garang babies were taken away. The reason given was that they were to go to learn communism and to come back in order to lead in the development and progress of their country.” ²⁰⁸

Lhasa : “ Chinese schools were opened in Lhasa where children and young people were indoctrinated and began to defy parental authority. He was called but did not go. One of his younger brothers (name supplied) attended one of these schools. He was aged about eighteen at this time. About two hours out of eight were devoted to teaching in Tibetan and for the remainder they were taught mainly Chinese writing and communism. There was no religious teaching at all.” ²⁰⁹

Tatsang, Amdo, 1951 : “ In 1951 young people from fifteen to twenty-five began to be sent to China for education. When these people had been educated Tibet could become autonomous. First they were to learn agriculture through modern methods, learn to drive cars and learn communism so they could fight against the American and British imperialists. At the time when he left Amdo the Chinese had claimed at a meeting that all the young people had gone, but he himself says only that most of them had gone. Progressive increases in the number of young people going to China were announced at periodic meetings. Beginning in 1951 children from eight to fifteen began to be sent to China. The youngest of these were shown cinemas and theatres and told that they would see more of these in China. The children wanted to go but many parents refused. If the child was willing to go and the parents were unwilling, the Chinese told the parents they had no right to interfere. If neither the child nor the parents were willing the parents were taken before a public meeting and denounced as reactionaries, but no other steps were taken. The Chinese said at first that the children would be gone only for a few days in order to see films, but the children did not return.” ²¹⁰

Lhasa, 1954-55 : “ . . . She wrote to her parents from China and the witness read her letters to her parents, who were illiterate, and wrote letters for them. She said that for two months she had been sent to Shanghai and then to Shanyang, where she was engaged in hard labour without leave and with no money to pay for a journey home ^{210a} . . . At first the Chinese had small schools in Lhasa, where the children spent most of their time playing, seeing films and theatrical productions, and some were given a monthly allowance. The children

²⁰⁸ Statement No. 38; see p. 271, *infra*.

²⁰⁹ Statement No. 6; see p. 227, *infra*.

²¹⁰ Statement No. 18; see p. 242, *infra*.

^{210a} The girl, whose name had been supplied, had been taken against her own and her parents' wishes for education.

were then told that if they went to China there would be even more games, theatres and films and that they would be better educated. The decision was for the children to take and parents had no right to intervene. Many parents objected and pleaded with the Chinese not to take the children; however, many children chose to go. Persons who went to China for education were in the age group twelve to twenty and he estimates that about three thousand in all went from Lhasa and western Tibet. They were to return after two or three years. He had no knowledge of any being returned up to the time he left. The transfer to China began in 1954/55. The children wrote to their parents and again he saw the letters which were sent from China. In the beginning the children said they were having difficulties because they were engaged in hard labour working in the fields. They were taught communism and the Chinese language, with politics as the main subject. At this stage there appeared to be no censorship. Letters later spoke of their happiness and the excellent education they were receiving. Some Lhasa people visited China, taking clothes, etc. for the children. They came back with the information that letters from the children were censored and that the children requested their parents not to write anything anti-Chinese in their letters because if they did so their children suffered. At no time, either before or after the censorship did the children mention films, theatres or games.”²¹¹

Lhasa, 1957 : “ He began to teach under the Chinese in a primary school in 1957. There was very little response from the Tibetan boys to the opening of schools because they expected indoctrination. The Chinese, however, assured them that they would have classes for religious instruction. At first forty-five minutes was set aside for religious instruction but this period was gradually reduced and finally eliminated. During the religious instruction the labour teachers tried to drag the boys out for manual work. The young boys refused to go, throwing sand at their teachers. The boys even said that if there was no freedom of religion they would refuse to attend the classes in future.”²¹²

Karmebeur, near Lhasa, 1956 : “ In 1956 he had been subjected to indoctrination and was asked to go to China because he was the head of a village and also a lama. He hesitated but was told that he should join the school of racial minorities as he would be useful to the communist party. At that time he was favourably impressed by communist doctrine. Although he was not anxious to stay, he was persuaded to do so.

“ In the school, where he remained for a year and a half, he was taught the history of communism and of the communist history of

²¹¹ Statement No. 22; see pp. 247-8, *infra*.

²¹² Statement No. 47; see p. 279, *infra*.

China with some geography. During the instruction on communism he was told that religion is the right hand of exploiters and feudalists and that religion should be eliminated. At the end of his instruction his opinion was that communism was anti-religious and that the communists sought to exterminate the well-to-do classes and to establish world domination.

After finishing his year and a half of studies he returned to his village.”²¹³

Tibetan leaders²¹⁴ who wrote the Memorandum to Mr. Nehru²¹⁵ said frankly that they had no educational system “in the modern sense of the term,”²¹⁶ and complained that the Chinese system of education was education in communism²¹⁷. There is no doubt that in the training of the future builders of Tibet, the youth, the emphasis was strongly on communist indoctrination, whether it was given in Tibet or China. Many of the young children taken to China were not taken for education at all.²¹⁸ Some of the opposition to children going to school was genuinely based on a wish to keep the children at home working,²¹⁹ which is not the noblest of motives. However, although Tibet had no educational system “in the modern sense of the term”, it is not correct to regard Tibet as a land of ignorance and illiteracy. Mr. Richardson thus describes the old state of affairs :

“The ability to read and write is fairly widespread. Every monk, and they constitute perhaps a tenth of the population, gets that much education; but it cannot be said that all of them carry their studies very far beyond that point. All children of a noble family, boys and girls alike, learn to read and write as a matter of course and can spend their leisure reading Tibetan history, the lives of holy men and so on. A selection of the young nobles goes on to the official school at which the principal emphasis, as it is in all Tibetan schools, is on acquiring a good hand. Other studies are the learning of passages from religious books by heart, becoming acquainted with the formal style of official correspondence and with the rudiments of calculation. Tibetan ideas of mathematics are of the simplest; and government accounts are kept by a primitive form

²¹³ Statement No. 52; see p. 283, *infra*.

²¹⁴ Including: Sitzub Lokangwa, former Prime Minister of Tibet; Mr. Shakabpa, head of the Tibetan trade delegation to India, the United States and other countries, 1946-8, Gyalo Thondup, brother of the Dalai Lama.

²¹⁵ See text in *The Question of Tibet and the Rule of Law*, pp. 150-62.

²¹⁶ *Op. cit.* at p. 152.

²¹⁷ at p. 153.

²¹⁸ See pp. 127-8, *supra*.

²¹⁹ See p. 55, *supra*.

of abacusts using sticks, stones etc. of different kinds in a tray divided into compartments.²²⁰

Similar studies are taught in the school for monk officials but monks in the monasteries have a much more intensive course of education starting with years of memorising religious books and moral precepts and progressing to the study of philosophy, logic and debating—all, of course, within the limits of the religious canon.

In the towns there are schools which any child may attend whose parents can pay a small fee; and it is probable that a considerable proportion of townspeople acquire a modicum of literacy. In the country a land-owner usually sets up a school for his own children; and there the children of his servants, and of the village headman and substantial peasants in the neighbourhood can also learn to read and write and to memorise some prayers—sufficient knowledge to enable them to keep rough accounts, write a letter and read, although not always understand, the sacred books.”²²¹

One thing is clear. The Chinese communist conception of education, even school education, was concerned with using that education to facilitate the acceptance of communism. Reading and writing were taught in order to provide a medium for indoctrination. The curriculum at the Central Institute in Peking is particularly striking.²²²

In these circumstances the advances made in education were in themselves a denial of the right to education as set out by Article 26 of the Universal Declaration of Human Rights.

Article 27 (1) : “ Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.”

Here it is sufficient to see the evidence under Articles 18, 19, 20 and 26.

Article 29 (2) : “ In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.”

This Article is a statement of the traditional distinction between liberty and licence, and again it must be asked, as under Articles 22

²²⁰ Cf. Bell, *The People of Tibet*, p. 204, and generally on education in Tibet, pp. 201-7.

²²¹ This material has been made available from Mr. Richardson's forthcoming book.

²²² See the citation from Statement No. 52, p. 128, *supra*.

and 25, whether the restrictions imposed in the public interest and of the individual interests of others are justified in the case of Tibet. Evidence cited under previous Articles shows, in the view of the Legal Inquiry Committee, that neither of these two interests could be invoked to justify the events which have taken place in Tibet.

The bombing of monasteries was one of the methods used to coerce the inmates into compliance with the Chinese orders on the reforms. This was the most drastic of the steps taken directly in what the Chinese conceived to be the public interest and can in no way be justified on the ground of general welfare. Other bombardments appear to have taken place by way of reprisals, and in some cases by way of military action. The scale of such repressive measures is difficult to justify in the circumstances alleged in the Tibetan statements to have provoked the attacks. Evidence of these kinds of acts is set out below :

Kham, 1956 : “ ... After the Khamba revolt he heard from two lamas from the Kham area that monasteries had been bombed and shelled. Where monasteries had not resisted the inmates were arrested and sent wherever the Chinese ordered. Religious relics if valuable were taken to China, otherwise they were thrown away.”²²³

Ba-Chodey Monastery, 1956 : “ ... The monks refused to surrender their property except for the purpose of distribution and attacked the Chinese with small arms and swords. Then the Chinese opened fire on the monastery with machine-guns and then planes bombed it. About two thirds of the monastery buildings were destroyed. Then he joined the Khambas.”²²⁴

Amdo, 1956 : “ Amchok monastery was flattened by bombs except for one small building. He was fighting in the area and actually saw this happen. One or two of his friends were inside the monastery and had fired from there. Fifteen of the inmates escaped from the monastery and joined them, telling them that the rest were dead. The monks themselves were not engaged in the fighting.

“ Nyolri, Paldo and Karing were also destroyed. Nyolri was four to five days' journey from Amchok, and the witness saw the destruction of this monastery when they were retreating. Like Amchok, it was bombed. In this case, none of his friends had entered the monastery and there had been no fighting. Friends told him that Paldo had been completely destroyed in the same way, and they had seen it happen. These three monasteries were all in one line.”²²⁵

²²³ Statement No. 8; see p. 231, *infra*.

²²⁴ Statement No. 24; see p. 249, *infra*.

²²⁵ Statement No. 34; see p. 264, *infra*.

Jayangshipa monastery, 1957 : “ . . . Four days’ journey from his monastery was one called Jayangshipa. A monk who escaped from this monastery came to his own, Shachung, and told them what had happened. The Chinese had visited the monastery, sold the flour and stopped trade. The monks’ ration was reduced, and when they appealed for more, the Chinese told them they could starve. The monks threatened to fight, and soldiers surrounded the monastery, which was bombed, shelled and machine-gunned. This monastery housed about five thousand monks, many of whom were killed during the bombardment. This took place in 1957.” ²²⁶

Vido-Tratsang monastery, 1957 : “ . . . Vido-Tratsang on the other side of the mountain from his village was destroyed by bombs and shells, and very little left was standing. This happened after his departure for Outer Tibet in 1957 and one of his relatives who came afterwards told him what happened in the monastery after his departure. This relative was a survivor of the destruction of the monastery, and he estimated that about 500 monks had been killed. This relative was killed in the fighting in Tibet in 1959.” ²²⁷

Chode-Tsang, 1956 : “ . . . In his village they ordered all lamas to go to Chinese headquarters. They did not go and the monastery prepared for resistance, collecting arms which they brought from the village in the area. The Chinese ordered the people not to give anything to the monasteries and then attacked the monasteries with rifles and machine-guns. Then the village and the monastery were bombed and the people who were fleeing were machine-gunned from the air. Most of the monastery was completely destroyed but not much damage was done in the village. About thirty people were killed in the monastery.” ²²⁸

Litang monastery, 1956 : The account of the bombing of Litang has already been given in connection with property rights.²²⁹

Many Statements submitted to the Committee told of the destruction of monasteries, but during the examination of witnesses it became clear that this term was being used to indicate physical destruction and also their destruction as centres of devotion but not as buildings.

Monasteries have been destroyed in both senses, but without examination of every single witness it is not possible accurately to separate the two types of act. The evidence set out above gives grounds for holding that opposition or resistance provoked violent suppression or punitive action, and in the view of the Committee

²²⁶ Statement No. 37; see p. 268, *infra*.

²²⁷ Statement No. 38; see p. 270, *infra*.

²²⁸ Statement No. 49; see p. 281, *infra*.

²²⁹ See pp. 96-7, *supra*.

this could not be justified by the situation, which was in itself the seizure of property in violation of the right not arbitrarily to be deprived of private property.

CHINESE ALLEGATIONS AGAINST TIBETANS OF VIOLATING HUMAN RIGHTS

The basic Chinese allegation is that until they “liberated” Tibet the Tibetan people had no human rights. This has already been considered and rejected.²³⁰ In addition, allegations against the Khambas (who were the majority of the NVDA or “rebels”) were made at great length and in considerable detail. Two typical accounts will suffice here. The first is reported to have been made by Dorje-Phagmo, a high female incarnation of the red hat sect, who returned to Tibet after escaping and living for a time in Kalimpong. All that is known of Dorje-Phagmo’s departure from Kalimpong is that she disappeared suddenly, leaving behind personal belongings, and giving as the reason for her departure her intention to make a pilgrimage and to visit the Dalai Lama. She is reported to have been received in Peking by Mao Tse-tung and later to have given a four-hour press interview :

“... Her native place was turned into a lair of rebel bandits in late 1958. The dzongpon (magistrate) appointed by the former Tibet Local Government to Nangkartse *dzong* was the head of the rebel bandits there. At that time, the rebel bandits continually threatened and persecuted this patriotic Woman Living Buddha who had participated in the work of the Preparatory Committee for the Tibet Autonomous Region. They forcibly took away horses and supplies from the monastery and forbade her to hang the portrait of Chairman Mao. They said threateningly to her : ‘ You once worked in the Preparatory Committee and received silver dollars from the Han people. You committed an evil act. Now you must listen to us; otherwise you will be killed.’

“Dorje-Phagmo said that to avoid persecution by the rebel bandits at that time she was obliged to hide Chairman Mao’s portrait behind a Buddhist statue, and to begin a course of ‘Pi-kuan’ (a course of Buddhist meditation) which was scheduled to last for six months. According to Buddhist rules and regulations, in the course of ‘Pi-kuan’, a Living Buddha receives no one except the servants. The rebel bandits, however, continued to bother her at the monastery during her ‘Pi-kuan’ period. Sometimes a group of rebel bandits would go on a drinking spree at the monastery. It was precisely in this period that she one day received from a messenger a threatening letter from Amdolegshad, Commander of the rebel bandits in the

²³⁰ See pp. 65-81, *supra*.

Towadzonggeri area of Loka. The letter said : ‘ In the past, you have committed many evil acts. Now you have fallen into our hands. If you will not repent and change in the future, death will be waiting for you.’

“ Dorje-Phagmo said that at that time the rebel bandits ransacked her parents’ home. The rebel bandits even openly declared that they would kill her father and burn to death her mother. Her parents were compelled to flee to other places. On April 10, 1959, when the rebel bandits were smashed by the PLA in Lhasa and Che-tang, they fled to the Sino-Indian border in large numbers. On that occasion, Dorje-Phagmo was abducted from Sang-ting Monastery by armed rebels. Five or six heinous armed rebel bandits forcibly took her away. Although still suffering from illness, she left her home and monastery with tears in her eyes. After one half-day’s walk, she was joined by a big group of more than 500 men under the command of head rebel bandit Khemey, and was placed in the group. By that time, she could not have escaped even if she had wings on her back.

“ She said that the days she spent with the rebel bandits were nightmares which she would not forget all her life. There was bloodshed everywhere the rebel bandits passed. It would seem that doomsday was there. At that time, she continued, that group of bandits was fleeing day and night toward the Towadzonggeri area. When they heard the outcry of the masses ‘ Chin-chu-ma-mi-yung-ko ’ (‘ the PLA has come ’), they would become panic-stricken and run even faster. Some of the bandits were in such a big hurry that they rode on horseback without any saddle. They committed robberies as they went along, and openly raped women on the highway. They stripped the peasants of their clothes, and took the oxen from the plows to be killed for meat, which they tore off the oxen in the same way as wild beasts would. The road was littered with grain which the bandits had forcibly taken from the people.

” In some localities where the young women went to hide in deep mountains, Doje-Phagmo continued, the rebel bandits would catch elderly women as ‘ substitutes ’. On one occasion, a woman was raped in turn by as many as thirty rebel bandits. She had witnessed countless numbers of crimes committed by the rebel bandits.” ²³¹

Another account by NCNA tells a similar story :

“ In the temples in the Loka area of Tibet, when the rebels were wiped out by the People’s Liberation Army, it was found that the valuables had been plundered and the temples used as places for

²³¹ NCNA, Peking, October 27, 1959.

debauchery by the rebels. A 20-year-old Tibetan woman named Pema was rescued from the Dijulin Temple in Towa Dzong (county), where she had been kept and raped by the rebels for a whole month. The rebels plundered all the gold and silver, valuable Buddhist statues and religious utensils in the Juwutehking Temple. The old abbot of the temple was beaten almost to death.

“The nuns in the Gaisang Choling Monastery in Peda Dzong did not escape from being raped by the rebels. Many nuns were forced to hide in desolate mountains. Everywhere in the Loka area, women told the People’s Liberation Army of the outrages done by the rebels against them. One middle-aged woman in Tagling Dzong, who would not tell her name, said the rebels having raped her, then raped her teen-age daughter before her eyes. In February this year, 10 rebels broke the door into the home of Dzungchou Hsoshu, a Tibetan functionary in the Dzong office of Towa Dzong. The rebels raped his wife in turn while they hung him up, stripped off his clothes and flogged him. The People’s Liberation Army has delivered 40 Tibetan families in a village in Peda Dzong from starvation by granting them relief grain. They had been forced to live on wild birds and weeds in the barren mountains since the rebels had robbed them of everything. The rebels occupied their village as a centre for plundering the grain and property of travellers. One traveller was flogged to death and another bound up and dragged away by the rebels for resisting being plundered. The 11 households in a village of the Towa Dzong near the frontier were robbed of all herds, grain and clothing by gangs of rebels who fled abroad via the village.”²³²

This type of behaviour is specifically denied in several statements by Tibetan refugees who either took part in the fighting or came into contact with the NVDA. Several specific features may be examined. A number of witnesses have given a different account of the events which took place :

Ba-Jeuba : “He came across no incidents of women being raped whilst he was with the Khambas, either by Khambas or by anyone else.”²³³

Near Lhasa, 1959 : “Three of his soldiers saw a number of the local riff-raff disguised as Khambas taking horses from a village about five miles outside Lhasa. The peasants complained to the soldiers, who acted immediately. One was shot, one escaped and one was captured. The one who was captured wore Khamba dress and boots of black velveteen and he said that they had been sent in disguise by the Chinese to rob the peasants. Then the prisoner

²³² NCNA, Loka area, Tibet, May 28, 1959.

²³³ Statement No. 1; see p. 221, *infra*.

was shot by one of his friends named Sonam Wangdi. This took place in January, 1959. At this time, and particularly from December to February, the Chinese were making propaganda that the Khambas were robbing the local peasants. Disguised Khambas were sent in this way to many places. He heard that some forty or fifty went to Ratu, about twenty-five miles west of Lhasa and robbed a village. The villagers sent a messenger to the NVDA to inquire whether they sent such people. The robbers had been seen to enter Chinese military headquarters behind the Norbulingka at night and this report had been sent from Lhasa to Ratu. Some of the robbers spoke the Lhasa dialect (the difference between the dialect from Eastern Tibet and that of Lhasa is so strong that an interpreter from the Amdo region was always necessary when Tibetans from this area were interviewed). Some were recognized as Chinese by the way they spoke and some seemed quite unfamiliar with the dress that they were wearing. The witness was present when this report was made to a captain in the NVDA, by the name of Kunga Samten, whose present whereabouts are unknown. He did not hear reports of rape by these disguised Khambas but he did hear reports of looting and taking mules, horses, etc. The robbers arrived saying that the NVDA needed food and transport animals. Some villagers gave willingly because they were deceived, others did not and their property was taken by force. After the incidents began the people were informed that members of the NVDA who came to request this kind of help would carry a special certificate. When this certificate was not carried the villagers refused to hand over property and force was then used.”²³⁴

Tangay district, 1959 : “ In another meeting they were told that Khambas were robbing the peasants of their grain and livestock. People disguised as Khambas had already been to his village and to others, taking horses, arms and grain, saying that they needed them for the defence army. He realized that they were not real Khambas because they did not come with the certificate issued to genuine members of the NVDA and also because when the NVDA had been to their village the villagers had willingly supplied them with food and fodder for which the Khambas offered to pay. The disguised Khambas had simply taken what they wanted without permission. He has no knowledge of any disguised Khambas being captured. Once in his village people dressed as Khambas took away horses which were later recognized by the villagers among a group of horses put out to graze by the Chinese garrison.”²³⁵

Salungshe and Lharigo : “ He never saw Khambas robbing or looting, but he did hear that the Chinese had done this in Salungshe. If the Khambas retreated from a village the Chinese took everything when

²³⁴ Statement No. 6; p. 228-9, *infra*.

²³⁵ Statement No. 21; p. 244, *infra*.

they came to the village. At Lharigo the Chinese had looted the village before the NVDA arrived there. He heard of many cases of rape by the Chinese during the fighting. The brother of one woman told him that many Chinese soldiers had taken her away. When she returned her face was swollen and she was in bed for a month. She had been raped by at least seven men, there being ten soldiers in the group. The woman's name was Kesang Tsomo who was unmarried and about 22 years old. There were several cases of Chinese taking women from the villages both before and during the fighting. The women were kept for about a year and then they were forced to marry Chinese civilians. He saw some being taken away later and these women had told their relatives that they were being taken to China. These incidents took place in Hasating, Daung and Digilung, to which place it was possible to journey there and back within the day.”²³⁶

Rioo-cha Monastery : “ There is a monastery at Rioo-cha. Some of the people from his village were monks there and they told him that one day about fifty ‘ Khambas ’ came to the monastery, looted it, and arrested two high lamas. They also destroyed a large image. Only when these people entered the monastery was it discovered that they were not Khambas although they wore Khamba dress. They understood no language except Chinese.”²³⁷

The sacking of monasteries has also been described by Tibetan witnesses, who in no case attributed such conduct to the Khambas; invariably it was the Chinese who were alleged to have done so. Most Tibetan witnesses had heard nothing of Tibetan women being raped by either side during the fighting, although one witness gave the account cited above of events in and around Lharigo, in Eastern Tibet.

The account of plunder and rape committed by the NVDA, which consisted largely of Khambas, cannot be accepted for a number of reasons :

1) Chinese accounts of their treatment of Tibetans have been found to be false in a large number of cases and in particular in connection with their own persecution of religious believers :

2) There is no rational explanation why the NVDA should rape their own women, plunder their own villages and sack their own temples and monasteries in the course of their fight to regain Tibet's independence; ²³⁸

²³⁶ Statement No. 24; p. 250, *infra*.

²³⁷ Statement No. 52, see p. 284, *infra*.

²³⁸ But Teichmann in *Travels of a Consular Officer in Eastern Tibet* refers to looting by Khamba warriors in 1904 as they went across Tibet to fight the Young-husband expedition. However, they obeyed the Dalai Lama's order to desist; see *op. cit.*, p. 193.

3) Several separate accounts have been given of deliberate attempts by the Chinese to deceive the Tibetan people into believing that Khambas were robbing and looting;

4) On the most important single factor, the voluntariness of the Dalai Lama's flight, Chinese allegations that he was abducted by the rebels have been unequivocally refuted by subsequent statements and events.

On the last point there are several clear indications that the Dalai Lama left Tibet of his own free will :

1) the world's press has met the Dalai Lama on a number of occasions, and they have all apparently been satisfied that he is in India of his own free will;

2) the Legal Inquiry Committee itself has interviewed the Dalai Lama at Mussoorie and was so satisfied;

3) since the Dalai Lama's departure Chinese propaganda in Tibet has changed from the allegations that the Dalai Lama was abducted²³⁹ to attacks on him as a reactionary.²⁴⁰ Whether or not the Chinese allegation that he was abducted is true is a central issue on the question of credibility, for it forms part of a whole series of allegations against the rebels. The allegation is obviously untrue, and that fact in itself throws a great deal of doubt on the Chinese version of the uprising. It throws doubt in particular on the allegations of atrocities committed by the rebels.

4) Whatever prompted the return of Dorje-Phagmo, the allegations attributed to her in the NCNA report are in the light of these facts, open to serious doubt.

²³⁹ Statements No. 14, 16, 30, 33, 41.

²⁴⁰ Statements No. 14, 20, 28, 30.

THE STATUS OF TIBET *

In 1911 the Manchu dynasty collapsed in China and in 1912 Chinese forces in Tibet were expelled by the Tibetans. In the beginning of 1912 the thirteenth Dalai Lama proclaimed the independence of Tibet and later returned from India. The basic question which arose as a result of these acts was whether the relationship between Tibet and China under the Manchus was a personal relationship between the respective rulers or whether it was a political link which continued after the disappearance of the Manchu Emperors. The Tibetan Government regarded themselves now as completely independent of China, whereas Yuan Shih-kai, the President of Republican China, regarded Tibet as under Chinese authority, as he made clear when on April 21, 1912, he proclaimed that henceforth Tibet was to be treated as a province of China.

To this proclamation the British reaction was vigorous. A memorandum was despatched on August 17 which rejected Chinese sovereignty over Tibet but accepted suzerainty, objected to Chinese interference in Tibet over the past three years and declared that until China agreed to Britain's demands Britain would not recognize the new Chinese Republic and would forbid the entry of Chinese into Tibet via India.¹ Fighting between Tibet and China went on in 1913, with the Tibetans successfully resisting Chinese attempts to advance into Tibet, and finally in May 1913 Britain issued invitations to a tri-partite conference designed to settle the status of Tibet between China, Great Britain and Tibet. Plenipotentiaries of the three countries met at Simla in October 1913 and after several months of negotiations agreement was reached by the Simla Convention, which was initialed by the three plenipotentiaries in April, 1914. The action of the Chinese plenipotentiary was at once repudiated by his Government, and all attempts to obtain Chinese adherence to the Convention were unsuccessful.

* This has been considered in *The Question of Tibet and the Rule of Law*, Part IV. The Committee did not wish to go over again the ground covered in that Report on the period before 1911. Reference may be made to that Report if desired. In the present Report a more detailed study based on more extensive documentation was decided upon for the period after 1911.

¹ See Document No. I, Appendix III, at p. 318, *infra*.

Then on July 3, 1914, the plenipotentiaries of Great Britain and Tibet signed the Convention and issued the following declaration:

“ We, the Plenipotentiaries of Great Britain and Thibet, hereby record the following declaration to the effect that we acknowledge the annexed convention as initialled to be binding on the Governments of Great Britain and Thibet, and we agree that so long as the Government of China withholds signature to the aforesaid convention she will be debarred from the enjoyment of all privileges accruing therefrom.

“ In token whereof we have signed and sealed this declaration, two copies in English and two in Thibetan.

“ Done at Simla this 3rd day of July, A.D. 1914, corresponding with the Thibetan date the 10th day of the 5th month of the Wood-Tiger year.

A. HENRY MCMAHON,
British Plenipotentiary

(Seal of the British Plenipotentiary.)

(Seal of the Dalai Lama.) (Signature of the Lonchen Shatra)

(Seal of the Lonchen Shatra.)

(Seal of the Drepung Monastery.)

(Seal of the Sera Monastery.)

(Seal of the Gaden Monastery.)

(Seal of the National Assembly.) ”

By this declaration both Governments withheld from China a number of important advantages. The most important of these in view of subsequent events was that Great Britain had recognized “ that Thibet is under the suzerainty of China, and recogniz(ed) also the autonomy of Outer Thibet ”.

In the original scheme of things, according to one of the notes exchanged between the plenipotentiaries, “ It is understood by the high contracting parties that Thibet forms part of Chinese territory ”.

Great Britain and Tibet were thus originally prepared to agree that Tibet was part of Chinese territory, but was autonomous under Chinese suzerainty. The Chinese refusal to sign the Convention meant quite simply that Great Britain and Tibet agreed to withhold the recognition of suzerainty, and with it the understanding that Tibet was part of Chinese territory. Vis-à-vis Tibet China was thus

faced with a reversion to the *status quo*, namely the proclamation of Tibet's independence in 1912 by the thirteenth Dalai Lama, with the expulsion of the Chinese from Tibet in the same year. Great Britain, China and Tibet were all represented by plenipotentiaries of equal standing and now the British recognition of Chinese suzerainty over Tibet was withheld by the Anglo-Tibetan declaration of July 3, 1914. Since this was the only territorial claim to Tibet that Great Britain would recognize, the understanding that Tibet was part of Chinese territory necessarily fell to the ground. As Sirdar D. K. Sen has pointed out : " Il est donc manifeste que la convention ne portait aucun préjudice à la situation d'indépendance complète que le Thibet avait atteint après le déchaînement de la révolution chinoise ".²

From the point of view of Tibetan autonomy, the result of the Simla Convention was that Great Britain and Tibet agreed on the relationship of Tibet with China whereas China did not. The obligations which would have been imposed on China to refrain from specified acts were *de facto* imposed through Chinese inability to assert claims over Tibet. The advantages which would have accrued to China were specifically withheld.

A brief summary of autonomy under the bi-partite treaty may be useful : it provides the clearest guide to what Great Britain meant by autonomy.

Article 2 : Britain recognized the autonomy of Outer Tibet but not the suzerainty of China, and undertook not to interfere in the administration of Outer Tibet, not to annex Tibet or any portion of it. China must agree to refrain from converting Tibet into a province and not to interfere in the administration of Outer Tibet.

Article 3 : China must agree to refrain from sending troops or officials or to establish Chinese colonies in Tibet.

Article 4 : The right to send a Chinese high official with a limited escort was withheld. (The Chinese emissaries who subsequently went to Lhasa did so with the permission of the Tibetan Government.)

Article 5 : The only negotiations or agreements permitted to Tibet were those between Great Britain and Tibet which were provided for by previous treaties. Tibet was bound by this undertaking not to carry out any negotiations or agreements with China.

Article 6 : China was a foreign power for all the purposes of Article IX of the Convention between Great Britain and Tibet, 1904.

² *La Situation Internationale du Thibet, Revue Générale de Droit International Public*, 3^e Série, t. XXII, No. 3, 1951 : " It is therefore clear that the Convention in no way prejudiced the position of complete independence which Tibet had attained after the outbreak of the Chinese revolution ".

Article 7 : The old Trade Regulations for British trade in Tibet were cancelled and were to be replaced by new Regulations between Great Britain and Tibet. The stipulation that such Regulations could not modify the Simla Convention without Chinese consent was inoperative because this was a privilege accruing to China which was withheld.

Article 8 : The British Agent at Gyantse was authorised to consult directly with the Tibetan Government on matters arising from the Convention between Great Britain and Tibet, 1904.

Article 9 : No settlement on the frontier between Inner and Outer Tibet was reached, but the frontier between India and Tibet was agreed by the British and Tibetan representatives in March, 1914, and incorporated in this Article of the Convention on July 3, 1914. This boundary can be seen in *White Paper No. II*, published by the Government of India.

Notes : 1. The understanding that Tibet was part of Chinese territory was inoperative because China refused to recognize Tibetan autonomy.

2. The Tibetan Government was under no obligation to notify the Chinese Government of the installation of the Dalai Lama.

3. All officers in Outer Tibet were to be selected and appointed by the Government of Tibet.

4. Outer Tibet was not to be represented in the Chinese Parliament or any similar body.

The logical consequence of the British and the Tibetan position would be, assuming that Britain intended to continue her interests in Tibet, that Britain would deal directly and exclusively with the Tibetan Government in respect of these interests. This is precisely what happened, from 1914 to 1947, the year in which British authority in India came to an end and relations with Tibet became the concern of the Government of independent India. Throughout that period there was no trace of Chinese authority in Tibet and Tibet conducted her own foreign relations with the British Government. Thereafter the Government of independent India also dealt directly with the Tibetan Government until 1950. ³

The previous history of Tibet cannot be ignored ⁴ but despite its considerable importance, the crucial date on which the indicia of independent statehood must be examined is 1950, the year in which the PLA attacked Tibet. First these indicia must be defined. On the basic requirements of statehood there is no need to cite authority :

³ See pp. 158-9, *infra*.

⁴ See the different views of Richardson and Tieh-tseng Li, *The Historical Status of Tibet*, on the historical status.

the famous four essentials are that there must be a people, a territory, a government and the capacity to enter into relations with other States of the world. In addition to these basic requirements it seems to be necessary to stress the element of independence, which means that "the State has over it no other authority than that of international law".⁵ The first two of these requirements are quite obviously satisfied. Whether Tibet is part of China or not, there is a Tibetan people and a territory known as and called Tibet. There was also a Tibetan Government, known to the Chinese communist authorities as the "local government of Tibet", which the State Council of the Chinese People's Republic purported to dissolve on March 28, 1959.⁶ In 1950 that government exercised full authority throughout the territory.

THE AUTHORITY OF THE TIBETAN GOVERNMENT IN INTERNAL AFFAIRS

The far-reaching authority of the "local government of Tibet" is a fact implicitly acknowledged over and over again by both the Republic of China (Kuomintang) and the Chinese People's Republic (communist). For example, Article 120 of the Constitution of the Republic of China, 1947, laid down that "the self-government system of Tibet shall be guaranteed."⁷ This Article appeared in Chapter XI, which related to provinces. This fact is amply evidenced by contemporary observers in Tibet itself. On the earlier period Sir Charles Bell and Sir Eric Teichmann speak with authority. In *Affairs of China* (1938) Sir Eric Teichmann wrote: "Since (1912) no vestige of Chinese authority has survived or reappeared in Lhasa-ruled Tibet"⁸ and "For more than twenty years he (the thirteenth Dalai Lama) ruled as undisputed master of autonomous Tibet; preserving internal peace and order and maintaining close and intimate relations with the Indian Government".⁹ In *The People of Tibet* (1928) Sir Charles Bell pointed out that Chinese authority in Tibet had ceased and that the Tibetans did not regard themselves as subservient to the new regime. He mentioned the fact that a Tibetan mission was no longer sent to Peking.¹⁰ Tsung-lien Shen and Shen-chi Liu¹¹ recount that: "Since 1911 Lhasa (meaning in the context Tibet) has to all practical purposes enjoyed full independence". The facts mentioned in support are that it had its own currency and customs, its own telegraph and postal service, and its own civil

⁵ *Austro-German Customs Union Case*, P.C.I.J., Ser. A/B. 5 No. 41(1931) 45 at p. 47, per Anzilotti J. (Dissenting).

⁶ See p. 176, *infra*.

⁷ See pp. 147-8, *infra*.

⁸ *Op. cit.*, p. 224.

⁹ *Op. cit.*, p. 227.

¹⁰ *Op. cit.*, p. 18.

¹¹ The former left Tibet in 1947; the latter in 1949.

service different from that of any other (sic) part of China, and its own army.¹² M. Amaury de Riencourt, who arrived in Lhasa in 1947, holds that from 1911 to 1950 "Tibet ruled itself in all respects as an independent nation".¹³ At the time that he was there "the Government's writ ran everywhere, people were law-abiding, peace and order reigned, at least in Central Tibet".¹⁴ Mr. H. E. Richardson who, as Officer in Charge of the British and later Indian Mission in Lhasa and also Trade Agent in Gyantse, was resident in Tibet from 1936-40 and 1946-50, has stated that "until the Communist invasion of 1950 (Tibet) enjoyed full *de facto* independence from Chinese control".¹⁵ Heinrich Harrer¹⁶ and Robert Ford¹⁷ who were employed by the Dalai Lama and the Tibetan Government respectively, report no Chinese authority in Tibet whilst they were there prior to the invasion.

During this period of complete freedom from Chinese control the Tibetan Government was engaged in several skirmishes, military and diplomatic, with the Chinese Government of the Kuomintang. At no time did Tibet yield any claim to its own independence, which the thirteenth Dalai Lama had proclaimed in 1912. There are numerous clear-cut instances of this aspect of the Tibetan Government's authority. The relationship between Tibet and China was still formally unresolved but a short period of truce put an end to the fighting between forces of the two sides.¹⁸ But in 1917 fighting broke out again and the Tibetan forces drove the Chinese back beyond the old frontier into the heart of Sikang; a new frontier truce was negotiated in 1918, which, though never ratified, was observed in practice.¹⁹ In 1919 the Chinese made an offer to negotiate, and after the rejection of this offer by the Tibetan Government, it was withdrawn.²⁰ In 1920 the Tibetan Government reluctantly agreed to receive a Chinese mission in Lhasa, but no settlement was reached on the scope of the negotiations.²¹ After the agreement to receive this mission a British mission was sent to Lhasa at the invitation of the Dalai Lama.²²

¹² *Tibet and the Tibetans*, p. 62.

¹³ *Tibetan History*, in *Tibet Fights for Freedom*, a White Book edited by Raja Hutheesing, at p. 5.

¹⁴ *Ibid.*, p. 6.

¹⁵ *Red Star Over Tibet*, p. 8; reprinted from *The Observer*, London.

¹⁶ *Seven Years in Tibet*.

¹⁷ *Captured in Tibet*.

¹⁸ Teichmann, *Travels of a Consular Officer in Eastern Tibet*, p. 46.

¹⁹ *Ibid.*, pp. 51-4, 58; see Map IV between pp. 46 and 47; Aitchison, *A Collection of Treaties, Engagements and Sanads Relating to India and Neighbouring Countries*, (Fifth Rev. Ed.) Vol. XIV, p. 21.

²⁰ Bell, *Tibet Past and Present*, p. 173.

²¹ *Ibid.*, pp. 174-6.

²² *Ibid.*, pp. 3, 190 *et seq.*

In 1929 a "semi-official (Chinese) mission" left for Lhasa "conveying goodwill and friendship and to make a report on conditions".²³ In the negotiations which took place about and after this time, Li sets out a number of documents, and then points out that the failure to reach agreement was on three main points: the definition of Tibet's status in relation to the Central Government, the demarcation of the boundaries and the relation between the Dalai Lama and the Panchen Lama, who was in China after having fled from Tibet.²⁴ From 1930 onwards there was fighting in Kham as the Chinese endeavoured to assert authority there.²⁵ The Dalai Lama claimed, according to Tieh-tseng Li, that Kanze and Nyarong belonged to his jurisdiction.²⁶ There were abortive discussions in 1932.²⁷ By 1933 the Chinese forces made a slight advance to the upper Yangtse river,²⁸ and this remained the *de facto* boundary between Chinese and Tibetan-controlled territory until the communist invasion of 1950.²⁹

One factor which should not be overlooked in assessing Tibetan sentiment at this time is that in the Constitution of the Republic of China, promulgated in 1931, it was proclaimed that Tibet was an integral part of China.³⁰ The Tibetan attitude at this time and thereafter was quite inconsistent with an acceptance of this situation.

In 1933 the thirteenth Dalai Lama died and in 1934 a mission was sent by China "to convey condolences and restore official relations".³¹ When the leader, General Huang Mu-sung, returned from Lhasa, he left behind two councillors as liaison officers.³² Britain immediately wished to send a representative to Lhasa and thereby in the view of Shen and Liu "implicitly relegated China's position to that of a foreign power . . . presumably basing the claim on Article 9 of the Lhasa Convention of 1904".³³ The action by Great Britain could have been based on that particular Article, whereby her consent to foreign emissaries in Tibet was required,³⁴ or more

²³ Tieh-tseng Li, *The Historical Status of Tibet*, pp. 150-1.

²⁴ *Ibid.*, pp. 153-5.

²⁵ *Ibid.*, pp. 156 *et seqq.*; Tsung-lien Shen and Shen-chi Liu, *Tibet and the Tibetans*, p. 51; Royal Institute of International Affairs, *Survey of International Affairs 1949-50*, p. 368.

²⁶ *Op. cit.*, p. 158.

²⁷ *Ibid.*, pp. 162-3.

²⁸ Shen and Liu, *loc. cit.*; Li *loc. cit.*

²⁹ Shen and Liu, *loc. cit.*

³⁰ Escarra, *La Chine et le Droit International*, pp. 229, 234.

³¹ Shen and Liu, *op. cit.*, p. 51; see also Li, *op. cit.*, p. 171; *Survey of International Affairs*, p. 368.

³² Li, *loc. cit.*

³³ *Op. cit.*, p. 52.

³⁴ "The Government of Tibet engages that, without the previous consent of the British Government—(c) No representatives or Agents of any foreign power shall be admitted to Tibet."

probably on Article 8 of the Simla Convention (whereby the Trade Agent at Gyantse was entitled to visit Lhasa regarding matters arising out of the 1904 Convention) and also on the Anglo-Tibetan declaration of 1914,³⁵ which made that Convention a bi-partite treaty between Great Britain and Tibet. Although Shen and Liu thus construe the despatch of a British mission, it should be noted that from 1934-1936 the British trade agent, who was also the Political Officer in Sikkim, merely made a series of visits. A representative stayed temporarily but indefinitely after 1936.³⁶ Of the functions of this Mission, of which he was in charge from 1936-40 and 1946-50, Mr. Richardson told the Legal Inquiry Committee: "The duties of the Officer in charge of the British, and later Indian, Mission at Lhasa after 1936 were principally to conduct the diplomatic business of his government with the Tibetan Government". Shen and Liu remark that the British mission insisted in punctilious detail on keeping their mission equal in size and dignity.³⁷ It is particularly noteworthy that the legal basis for Great Britain's right to send a representative to Lhasa was two purely Anglo-Tibetan agreements.³⁸

In 1938 the fourteenth incarnation of the Dalai Lama was discovered in the Chinese province of Chinghai. According to Chinese writers, nationalist and communist, Wu Chung-hsin, the Chairman of the Commission of Tibetan and Mongolian Affairs, presided over his installation in Lhasa in 1940.³⁹ The account by Sir Charles Bell that the Chinese representative occupied no different position from that of the British⁴⁰ is rejected with the obloquy that the author habitually employs when commenting on the British in Tibet.⁴¹ Sir Basil Gould's own account, on which Sir Charles Bell's is based, does not accept the Chinese version.⁴² Harrer's information is also contrary to the Chinese version, as is that of Richardson.⁴³ According to Li, Wu Chung-hsin insisted on sitting on the same side as the Dalai Lama, and Sir Basil Gould left in protest.⁴⁴ Whatever be the truth of the matter, this fact alone is of little significance as the

³⁵ See p. 140, *supra*.

³⁶ The Committee is indebted to Mr. H. E. Richardson for these facts.

³⁷ *Op. cit.*, p. 52.

³⁸ I.e., the Lhasa Convention, 1904, and the Simla Convention, 1914.

³⁹ Li, *op. cit.*, pp. 178-84; *Tibet is an Integral Part of China*, in *Concerning the Question of Tibet*, Peking, p. 186 at p. 195.

⁴⁰ *Portrait of the Dalai Lama*, pp. 399-400.

⁴¹ *Loc. cit.*

⁴² *Jewel in the Lotus*, p. 234. Sir Basil was in Lhasa for the installation ceremony.

⁴³ Mr. Richardson informed the International Commission of Jurists that, according to the Tibetans, the story was a fabrication. There was a religious ceremony and a lay, the former attended by Wu Chung-hsin, the latter by Sir Basil Gould.

⁴⁴ *Op. cit.*, pp. 183-4.

basis of a claim to have exercised authority in Tibet over the internal authority of the Tibetan Government.

It is possible that at this time the Chinese were able through diplomatic manœuvres in Tibet to take certain steps which would satisfy them that they were gaining ground in Tibet. It is said that the period of a regency which follows the death of a Dalai Lama was traditionally the time when the Chinese were able under the Manchus to exert their authority more than under the rule of a Dalai Lama.⁴⁵ Thus in 1940 the mission to Lhasa was designated as the Tibetan Office of the Commission on Tibetan and Mongolian Affairs,⁴⁶ and according to Li, Wu Chung-hsin called on the Regent to explain the significance of this.⁴⁷ Nevertheless, even by a pro-Chinese Regent, the Chinese were told that, in the state of Tibetan opinion, matters which they wanted to settle could not be settled.⁴⁸

A further point of some considerable importance is that Chinese missions to Lhasa usually preferred not to proceed overland from China, and were thus compelled to proceed via India and required a transit visa from the British authorities.⁴⁹ Mr. Richardson informed the Committee that such applications were granted or refused according to the wishes of the Tibetan Government. Tsung-lien Shen, who was himself Commissioner for this Office in Lhasa, gives no indication of any authority in Tibetan affairs that the Office exercised, and indeed, he said that since 1911 Lhasa had enjoyed to all intents and purposes full independence.⁵⁰ Throughout this period there is only assertion but never exertion of authority by the Chinese.

Perhaps the most important claim made for Chinese sovereignty is that Tibetan delegates participated in the Constituent Assembly in 1946 which approved the Constitution of the Republic of China and that they also sat in the Chinese National Assembly of 1948.⁵¹ The account of Tibetan activities in foreign affairs immediately before, during and after this period makes such participation impossible to understand.⁵² Unmistakable signs at this time that Tibet was determined to exert her own authority in foreign affairs are supposed to coincide with a clear recognition of Chinese sovereignty over Tibet: Article 120 of that constitution makes Tibet a self-governing *province* and it is specifically included in the territory of the Republic.

⁴⁵ *Op. cit.*, pp. 185 *et seqq.*

⁴⁶ See *The International Position of Tibet*, published in the name of the Government of His Holiness the Dalai Lama, at p. 27.

⁴⁷ Li, *loc. cit.*

⁴⁸ *Ibid.*

⁴⁹ Li, *op. cit.*, See also the written answer by the Dalai Lama at p. 294, *infra*.

⁵⁰ Shen and Liu, *op. cit.*, p. 62.

⁵¹ Li, *op. cit.*, pp. 190-1.

⁵² See pp. 150-60, *infra*.

This claim was specifically refuted in a statement to the Legal Inquiry Committee by Dzasak Khemey Sonam Wangdu, who was leader of the delegation :

“ In 1946 the Tibetan Government had sent a goodwill mission headed by Dzasak Rongpal Lhun Thubten Samphel and myself Dzasak Khemey Sonam Wangdu with assistants to offer victorious greetings to Britain, America, and the Kuomintang Government; we travelled via Calcutta to New Delhi, and offered the greetings to Britain and America through their Ambassadors; from there we went by air to Nanking and offered greetings. Due to illness and medical treatment we remained there for a few months. Then we toured several provinces and on our return to Nanking they were having their big assembly. We attended the assembly in order to study the behaviour of the Khamba and Tibetan emigrants who attended the assembly as pretended Tibetan representatives. But we did not recognise or sign the new constitutional law (Shenfa) which was then made.

“ In 1948 our mission in Nanking, namely the Khandon Losum, also attended the Chinese assembly as visitors but no special representative was deputed from Lhasa, and they similarly did not recognise or sign the resolution of the assembly. ”

In *The International Position of Tibet*, which appears under the name of the Government of His Holiness the Dalai Lama, this claim and another such are thus dismissed : “ Similarly the congratulatory messages sent by the government of Tibet to Chiang Kai Shek on his accession to the office of the President of the Republic were taken as a message of loyalty and submission. These are typical tactics of Chinese diplomacy and a souvenir of the diplomatic technique of the Emperors of China who considered every communication from the Pope or the British as evidence of vassalage and submission ”.⁵⁴

It is therefore the view of the Legal Inquiry Committee that throughout the period 1912-1950 the Government of Tibet exercised exclusive authority in domestic affairs within its territory, that it successfully defended its territory against attack under colour of a claim to sovereignty and that vis-à-vis the Republic of China no act was committed or declaration made that compromised its internal independence. It is therefore considered that there was an effective government in Tibet, which owed no subservience whatsoever in internal affairs. It remains to be considered whether that government was similarly free from subservience in its conduct of foreign affairs.

⁵³ See also the Statement of the Dalai Lama at p. 310, *infra*.

⁵⁴ At p. 29.

THE AUTHORITY OF THE TIBETAN GOVERNMENT IN FOREIGN AFFAIRS

There is no doubt that Tibet conducted her own foreign relations in 1913-14. After naming the respective plenipotentiaries at the Simla Conference, 1913-14, the Convention between Great Britain and Tibet, as ultimately the Simla Convention became, recited, in the usual diplomatic formula that the plenipotentiaries, "having communicated to each other their respective full powers and finding them to be in good and due form, have agreed," etc.⁵⁵ Tibet thus appeared as an equal participant at the same conference table as China and Great Britain.

Being thus recognized as a full participant in international negotiations relating, *inter alia*, to boundaries and the grant of extra-territorial facilities to a foreign power, Tibet was clearly conducting her own foreign relations. The signing of the Convention on July 3, 1914, and the simultaneous Anglo-Tibetan declaration meant not only that Tibet was conducting her own foreign relations but also that another State, viz., Great Britain, was prepared to regard her as capable of incurring international obligations. Sitting around the conference table with a Tibetan plenipotentiary is in itself sufficient indication of this. This point has been emphasized by the Government of India in the course of its exchanges with the Government of the Chinese People's Republic on the question of India's frontiers with Tibet.⁵⁶ The strongest insistence on this point is in the Note published on February 12, 1960, where it is also specifically emphasised that the credentials of the Tibetan plenipotentiary "with the right to decide all matters that may be beneficial to Tibet" were accepted as in order by the Chinese plenipotentiary. As the Government of India pointed out, the credentials of the British representative confirmed that all the three representatives were of equal status, and that the Conference was meeting "to regulate the relations between the several Governments".⁵⁷

This treaty was not the first concluded by Tibet acting on her own. Previous instances were the treaty between Tibet and Nepal in 1856,⁵⁸ under which a Nepalese representative was admitted to Lhasa, and the Convention between Great Britain and Tibet signed

⁵⁵ See text at pp. 330-3, *infra*.

⁵⁶ See e.g. *Notes, Memoranda and Letters Exchanged Between the Governments of India and China, September-November 1959; White Paper No. II*, Ministry of External Affairs, Government of India (Hereafter cited as *White Paper No. II*) at p. 38: letter from the Prime Minister of India to the Prime Minister of China, September 16, 1959.

⁵⁷ See *Notes, Memoranda and Letters Exchanged Between the Governments of India and China, November 1959-March 1960, White Paper No. III: Note of the Government of India to the Chinese Government, February 12, 1960*, pp. 85-98, at pp. 94-5, para 31.

⁵⁸ Aitchison, *op. cit.*, pp. 15, 49-50. See the Dalai Lama's statement on this at p. 298, *infra*.

at Lhasa in 1904.⁵⁹ In the preliminary report published by the International Commission of Jurists it was said that the treaty signed by Mongolia and Tibet in 1913 was not ratified by the Dalai Lama,⁶⁰ but the present Dalai Lama has pointed out to the Legal Inquiry Committee that the treaty was in fact ratified.⁶¹ By this Treaty both countries recognized each other's independence.

Then, simultaneously with the signing of the Simla Convention, the Anglo-Tibetan Trade Regulations, 1914, were signed by Great Britain and Tibet alone. Both parties accepted that these replaced the Regulations of 1908, which were signed by all three parties with the Tibetan delegate assisting in a subordinate capacity. This is a clear British recognition that the Tibetan Government alone had full power to replace by agreement with Great Britain and without the consent of China treaties concerning Tibet which had been entered into between Great Britain and China.⁶² Whatever diplomatic formula of "suzerainty" was maintained over the subsequent years, the fact remains that Great Britain at no stage after 1914 dealt with Tibet through the intermediary of China and entered into two separate treaties with Tibet alone in 1914.

The process of dealing directly and exclusively with the Tibetan Government continued under British rule in India. In 1926 a boundary commission consisting of representatives of Tibet, Tehri and Great Britain met at Nilang.⁶³ This would seem to indicate that the Tibetan Government was recognized as having capacity to settle the frontiers of Tibet in negotiations with other States.

In 1942 Tibet insisted that she was neutral in China's war with Japan, and from the documents relating to these negotiations which have been officially published in the United States it is clear that Great Britain did not dispute her right so to insist.⁶⁴ Diplomatic pressure was brought to bear on Tibet, and it was finally agreed that Tibet would permit the transport of non-military goods to cross Tibetan territory to China, with at the same time every diplomatic precaution taken and accepted by Britain, China and the United States that this permission did not, by permitting Chinese

⁵⁹ This Convention is set out in *The Question of Tibet and the Rule of Law* at pp. 110-112. It is officially published in *British and Foreign State Papers, 1904-1905*, Vol. XCVIII, pp. 148-151.

⁶⁰ At p. 87.

⁶¹ See the full text of this statement at p. 309, *infra*.

⁶² The Trade Regulations of 1914 effected certain changes *without* China's consent. E.g., the administration of the trade marts came under the Tibetan authorities directly, and not as hitherto, "under the Chinese officers' supervision and directions" under the 1908 Trade Regulations, Article 3. See *The Question of Tibet and the Rule of Law*, p. 120.

⁶³ *A Note on the Historical Background of the Himalayan Frontier of India, White Paper No. II*, p. 49.

⁶⁴ These are published in this Report at pp. 318-26, *infra*.

infiltration, prejudice Tibet's insistence on her independence. Nor did it prejudice Tibet's neutrality. The British documents have not been published, but sufficient can be seen from the American comments on despatches received from British representatives that Great Britain, whilst vigorously opposed in the interests of the war effort to the Tibetan decision, was equally vigorous in protecting Tibet's right vis-à-vis her relations with China to agree or refuse. The whole series of documents should be studied.

In 1943 the Chinese Ambassador in London requested the Foreign Office of the British Government to clarify its attitude on Tibet. In response the British Foreign Secretary sent the following informal memorandum :

“ Since the Chinese Revolution of 1911, when Chinese forces were withdrawn from Tibet, Tibet has enjoyed *de facto* independence. She has ever since regarded herself as in practice completely autonomous and has opposed Chinese attempts to reassert control.

“ Since 1911, repeated attempts have been made to bring about an accord between China and Tibet. It seemed likely that agreement could be found on the basis that Tibet should be autonomous under the nominal suzerainty of China, and this was the basis of the draft tripartite (Chinese-Tibetan-British) convention of 1914 which was initialled by the Chinese representative but was not ratified by the Chinese Government. The rock on which this convention and subsequent attempts to reach an understanding was wrecked was not the question of autonomy (which was expressly admitted by China) but was the question of the boundary between China and Tibet, since the Chinese Government claimed sovereignty over areas which the Tibetan Government claimed belonged exclusively to their autonomous jurisdiction.

“ The boundary question, however, remained insuperable and, since the delay in reaching agreement was hampering the development of more normal relations between India and Tibet, eventually in 1921 the Secretary of State for Foreign Affairs (Lord Curzon) informed the then Chinese Minister (Wellington Koo) that the British Government did not feel justified in withholding any longer their recognition of the status of Tibet as an autonomous State under the suzerainty of China, and intended dealing with Tibet on this basis in the future.

“ This is the principle which has since guided the attitude of the British Government towards Tibet. They have always been prepared to recognize Chinese suzerainty over Tibet but only on the understanding that Tibet is regarded as autonomous. Neither the British Government nor the Government of India have any territorial ambitions in Tibet but they are interested in the maintenance

of friendly relations with, and the preservation of peaceful conditions in, an area which is co-terminous with the North-East frontiers of India. They would welcome any amicable arrangements which the Chinese Government might be disposed to make with Tibet whereby the latter recognized Chinese suzerainty in return for an agreed frontier and an undertaking to recognize Tibetan autonomy and they would gladly offer any help desired by both parties to this end.”⁶⁵

There is a striking reference by Mr. Eden, as he then was, to the *de facto* independence of Tibet, and in the American documents reference is made to the fact that a British despatch twice mentioned independence and once autonomy as if the terms were interchangeable.⁶⁶

It should be pointed out that the United States adhered to the formula of Chinese suzerainty over Tibet, and found it necessary to communicate this fact to the British Government.⁶⁷ The implication in the context of the whole exchange was that in the view of the United States, the British Government treated Tibet's status as something more than a vassal. In view of the fact that Britain was in direct treaty relations with Tibet, controlled even Chinese entry into Tibet,⁶⁸ and even against China as a wartime ally insisted on the protection of Tibet's autonomy in connection with the supply route,⁶⁹ this assessment by the United States of a probable divergence between the two Governments' conception of Tibet's status appears realistic enough.

In any event the request by the President of the United States to the Dalai Lama to receive the military mission carefully avoided addressing him as a temporal sovereign in order to avoid a diplomatic affront to China.⁷⁰ By this time a group of “pro-British young Tibetans” had established in 1943 a Tibetan Bureau of Foreign Affairs, and, notwithstanding the diplomacy of the United States, the President's emissaries dealt with this Bureau on their mission.⁷¹ This Bureau instructed the Chinese Commissioner in Lhasa to deal with the Tibetan Government through them, but he did not do so.⁷² As far as the Tibetan Government was concerned, it had now set up a foreign affairs ministry, having previously conducted foreign

⁶⁵ *British Foreign and State Papers 1948, Part II*, Vol. 151 (1956) pp. 89-90.

⁶⁶ See p. 321, *infra*.

⁶⁷ See pp. 323, 326, *infra*.

⁶⁸ See p. 147, *supra*.

⁶⁹ See pp. 318-26, *infra*.

⁷⁰ See p. 320, *infra*.

⁷¹ Li, *op. cit.*, p. 189. Mr. Richardson informed the Committee that several applications by the United States Government to arrange entry into Tibet were made to the British mission in Lhasa which made the necessary arrangements with the Government of Tibet.

⁷² *Ibid.*, p. 188.

relations with Great Britain without any intermediary or delegation of authority. They now wished to make it clear that China was a foreign power.

The relations between Tibet and Great Britain appear never to have been formally clarified with China by either party. In 1921 the British Government notified the Chinese Government that they did not feel justified in withholding any longer the recognition of Tibet as an autonomous State under the suzerainty of China and that they intended to deal *with Tibet* on that basis in future.⁷³ The effective part of this Note was that Britain's future dealings with Tibet would be on this basis vis-à-vis Tibet, and the Note was not a formal recognition of Chinese suzerainty. It is clear from the American despatches of 1942⁷⁴ and the informal memorandum of 1943 by Mr. Anthony Eden⁷⁵ that Britain was still withholding from China a recognition of suzerainty over Tibet. What Great Britain did was always to indicate that she was prepared to recognize China's suzerainty only when China agreed to the autonomy of Tibet. China never did.

It may be useful to pause for a moment to re-examine what autonomy meant in the British view. Three times in diplomatic communications it was used interchangeably with either "independence" or "*de facto* independence". It included two separate treaties with Tibet in 1914,⁷⁶ and a frontier conference in 1926.⁷⁷ Also it in fact precluded the entry of Chinese representatives into Tibet except with the consent of the British Government,⁷⁸ which was given or refused according to the wishes of the Tibetan Government. On several occasions the Chinese travelled via India with British transit visas.⁷⁹ From 1936 to 1947, when the mission was handed over to independent India, Britain maintained a mission in Lhasa which, in addition to dealing directly with the Tibetan Government, was introduced for the apparent purpose of preventing the Chinese from gaining a foothold.⁸⁰ If capacity to conduct foreign relations be the deciding factor of Tibet's statehood it is difficult in the light of British relations with Tibet since 1913 to resist the conclusion that British policy was based on the direct conduct of relations with the Government of Tibet; that Government was

⁷³ See p. 151, *supra*; italics *supplied*.

⁷⁴ See the Text of the despatches at pp. 319-26, *infra*.

⁷⁵ See p. 151, *supra*; "(the British Government) have always been prepared to recognize Chinese suzerainty over Tibet but only on the understanding that Tibet is autonomous."

⁷⁶ See pp. 149-50, *supra*.

⁷⁷ See p. 150, *supra*.

⁷⁸ See p. 147, *supra*.

⁷⁹ See p. 147, *supra*.

⁸⁰ See pp. 145-6, *supra*.

in no way subject to the direction of China in foreign affairs, and there is no indication that Tibet was acting under authority delegated by China. Moreover, although by Article 7 of the Simla Convention of 1914, Britain and Tibet would have acknowledged that China was not a foreign power vis-à-vis Tibet for the purpose of Article 9(d) of the Lhasa Convention of 1904 (Anglo-Tibetan),⁸¹ this acknowledgment was withheld from China by the Anglo-Tibetan declaration of 1914.⁸² Tibet's manifested attitude in 1943 if not before was that China was a foreign power. Britain's diplomatic practice in granting transit visas to Chinese representatives only when the Tibetan Government wished to receive them also appeared to treat China as a foreign power vis-à-vis Tibet.⁸³ Moreover a Nepalese representative was in Lhasa throughout this time under Article 5 of the Nepal-Tibet Treaty of 1856.⁸⁴ Reference should also be made to the strong British memorandum of 1912, which made it clear that Britain was not willing to allow China to act other than jointly with Britain in relation to Tibet.⁸⁵

In the light of the subsequent relations it is difficult to see legal obstacles to a formal recognition of Tibet's independence. That recognition was, however, never formally made. But an informal document which uses "autonomy" interchangeably with "*de facto* independence" in relation to an "autonomous State" under the "nominal suzerainty" of China, seems to be speaking of a unit which, whatever loose ties with China might be recognized, was a State by any normally accepted understanding of that term. The "nominal suzerainty" excluded interference in domestic affairs and it should be recalled that the memorandum was sent immediately after Tibet had taken an unmistakable stand against China in foreign affairs and had been supported by Great Britain. If in fact a Chinese high official with escort had been permitted to return to Lhasa by Britain and Tibet it is difficult to see what authority he could lawfully have claimed to exercise after his Government had guaranteed the autonomy upon which Britain insisted in the Simla Convention and consistently thereafter.

The view has been expressed that in 1950 Tibet had "no firm ground in international law for pleading sovereign rights against alien aggression. This situation was the outcome of a British policy which aimed at dealing with Tibet in practice as an independent state while avoiding the offence to China which would be given by

⁸¹ See pp. 327-9, *infra*. It would appear that for Article 9 (a) (b) (c) and (e) China was a foreign power.

⁸² See p. 140, *supra*.

⁸³ See p. 147, *supra*.

⁸⁴ See p. 149, *supra*.

⁸⁵ See Document I, Appendix III at p. 318, *infra*.

formal recognition of its sovereignty”.⁸⁶ This thesis implies, and the author had earlier pointed out the failure of any other State to recognize Tibet, that sovereignty depends upon recognition. But recognition, however useful, is nevertheless not essential to sovereignty, even if it were argued that Tibet were a *de jure* sovereign State.

Since Great Britain was the State involved in this question and her course of conduct would be governed by the British Government's view on this question of international law, it would seem relevant to refer to that view on the question of recognition and the existence of States :

“ . . . Where an entity fulfils the conditions of statehood as laid down in the definition, there is a duty on all other States to recognize it; (b) that there is also a duty on all States not to recognize as a State any entity, which does not fulfil these conditions. Though neither point is free from controversy in current doctrine, His Majesty's Government agree with the draft declaration in considering that (i) the recognition and non-recognition of States is a matter of legal duty and not of policy. Inevitably there is bound to be considerable scope for political judgement in deciding whether an entity fulfils the conditions for recognition as a State. They consider, nevertheless, that the interests of international law require that the sphere, necessarily left to a purely political judgement, should be reduced to as narrow limits as possible and that international relations will benefit by the question of recognition and non-recognition being regarded, as far as possible, as a matter of legal duty and removed to the utmost practical extent from the political sphere; (ii) the existence of a State should not be regarded as depending upon its recognition but on whether in fact it fulfils the conditions, which create a duty for recognition. It should be made clear that recognition of an entity as a State in no way requires the entry into diplomatic, or any other particular relations, with the entity so recognized. Whether a State enters into diplomatic or other relations with another State is, and must remain, a matter for purely political decision. On the other hand, the entry into diplomatic or other relations with an entity does necessarily imply that that entity is recognized as something. Whether it implies recognition *de jure* or *de facto* as a State, or as a belligerent community, or as an insurgent Government, will depend upon the particular facts with regard to the relations so entered upon . . . ”⁸⁷

⁸⁶ Hudson, *Tibet—The International Aspect*, in *Tibet Fights for Freedom*, a White Book edited by Raja Hutheesing, at p. 235.

⁸⁷ U.N. Doc. A/CN.4/2, December 15, 1948, Secretariat Memorandum: *Preparatory Study Concerning a Draft Declaration on the Rights and Duties of States*, 186.

The British Government did not formally recognize Tibet as a State, but as Mr. Hudson has pointed out,⁸⁸ and as the facts themselves indicate, Britain's dealings with Tibet after 1912 were in practice as with an independent State. It is, of course, generally accepted that States exist irrespective of recognition, and the British view is entirely in accord with this. The British view differs from the traditional view in holding that there is a duty to recognize. If Mr. Hudson's assessment of Britain's reason for withholding formal recognition is correct, it was not based on legal grounds. In any event, in view of the facts of the British relationship with Tibet, the absence of formal recognition by Great Britain does not appear decisive in the light of Britain's views as expressed in the Memorandum by Mr. Eden.

It is believed that Briggs summarises the correct view on the existence of a State independently of recognition :

“ Nascent States, however, do not exist in a vacuum. Legal and political relations of varying intensity with neighbouring or more distant States are an immediate or inevitable necessity and practice prior to recognition . . . The practice of States of entering into ‘unofficial relations’ with unrecognized States, of concluding international agreements with them, of respecting their territorial domain, and of respecting their power to govern and to establish legal relationships within that domain, would seem to be predicated . . . upon the possession by the unrecognized community of ‘a measure of statehood’—i.e., of international legal personality.”⁸⁹

It must be rare for this doubtful situation to arise in modern times of diplomatic intercourse, but it must be remembered that Tibet occupied the interest of only three major countries; Russia, China and Great Britain. One of those, Great Britain, had succeeded in sterilizing Tibet's other foreign relations in favour of direct and exclusive British relations by a series of treaties, the real effect of which could be seen after Chinese authority totally disappeared in 1912 and the USSR denounced all treaties concluded by the former Czarist Government. Russia was previously compelled to deal with China by Article II of the “Arrangement concernant le Thibet”, signed at St. Petersburg in 1907.⁹⁰

This obligation and Britain's reciprocal obligation disappeared with the Russian denunciation of Czarist treaties, but Great Britain held a formidable power in retaining a monopoly in Tibetan foreign relations. Article IX of the Lhasa Convention of 1904 reads as follows :

⁸⁸ See. p. 154, *supra*.

⁸⁹ *The Law of Nations: Cases, Documents, and Notes* (1952 ed.), pp. 114-5.

⁹⁰ See *The Question of Tibet and the Rule of Law* at p. 116. The official source is *British and Foreign State Papers, 1906-1907*, Vol. C., pp. 558-9.

“ The Government of Tibet engages that, without the previous consent of the British Government :—

(a) No portion of Tibetan territory shall be ceded, sold, leased, mortgaged or otherwise given for occupation, to any foreign power;

(b) No such power shall be permitted to intervene in Tibetan affairs;

(c) No representatives or agents of any foreign power shall be admitted to Tibet;

(d) No concessions for railways, roads, telegraphs, mining, or other rights, shall be granted to any foreign power, or the subject of any foreign power. In the event of consent to such Concessions being granted, similar or equivalent Concessions shall be granted to the British Government;

(e) No Tibetan revenues, whether in kind or cash, shall be pledged or assigned to any foreign power, or to the subject of any foreign power.”⁹¹

As has already been indicated, there is some ground for thinking that this power has been used against China.⁹² The way to foreign representation in Lhasa or even official visits was exclusively through Great Britain. Nepal, of course, still had a representative in Lhasa by virtue of the 1856 treaty between Tibet and Nepal. China herself was dependent on British transit visas to enable her representatives to go to Lhasa.⁹³

In 1947, immediately before the transfer of power in British India, a Tibetan delegation in India participated as an independent country at the Asian Conference held in New Delhi. Thechi Sampho Tsewang Rigzin and Khenchung Lobsang Wangyal represented Tibet, travelling on Tibetan passports, and flying the national flag of Tibet at the Conference.⁹⁴

Britain's practice up to the time of leaving India was to treat Tibet as an autonomous State, and, if China had accepted the position of Tibet as an autonomous State under the Simla Convention, Britain would in turn have recognized the nominal suzerainty of China. But this nominal suzerainty allowed for Tibet's independent capacity to conduct foreign relations and to enter into treaties. China came to be treated as a foreign power both by Tibet and by the British Government of India, and not until the invasion of 1950 was China,

⁹¹ See *The Question of Tibet and the Rule of Law*, pp. 111-2. The official source is British and Foreign State Papers, 1904-5, Vol. XCVIII, pp. 148-51.

⁹² See pp. 145-6, *supra*.

⁹³ See p. 147, *supra*.

⁹⁴ Statement by the Dalai Lama to the Legal Inquiry Committee at Mussoorie, India, November 14, 1959; see p. 310, *infra*.

this time the Chinese People's Republic, able to exert authority of any kind over Tibet. In these circumstances it is difficult to see how the question of Tibet could be a matter essentially within the domestic jurisdiction of the Chinese People's Republic.⁹⁵

It is not likely that any of the events which took place in either foreign or domestic affairs between the negotiations of 1942-3 and the departure of the British authorities from India in 1947 would alter in any way the British position with regard to Tibet. In the meantime, the Tibetan Government was showing more interest in foreign affairs. The Bureau of Foreign Affairs had been set up in 1943, and a delegation of Tibetan officials, under the leadership of Mr. T. Shakabpa set off to visit a number of countries, including India, Great Britain, France, Italy and the United States, returning in 1948. The delegation travelled on Tibetan passports.⁹⁶ The Chinese Government wrote to the Prime Minister of India, Mr. Nehru, in 1948 expressing the hope that in dealing with the Tibetan delegation the Government of India was not acting in any way detrimental to the sovereignty and territorial integrity of China. The Secretary for External Affairs, Mr. K. P. S. Menon, replied that his Government had no such intention.⁹⁷

In this account given by Li the protest against India was not specifically that the acceptance of Tibetan passports was "detrimental to the sovereignty and territorial integrity of China", and in that case the Indian reply cannot reasonably be construed as a direct repudiation of any such acceptance.

In 1947, with the independence of India, the Tibetan Bureau of Foreign Affairs sent a telegram to the Indian Mission in Lhasa which was forwarded to the Government of India.⁹⁸ Mr. Nehru's account of this is as follows :

"The facts are that our Mission in Lhasa forwarded to us a tele-

⁹⁵ This provision of the Charter of the United Nations, Article 2(7), excluded the competence of the United Nations General Assembly in the view of the British delegate. At least, his remarks on the doubtful international status of Tibet can be relevant only to that provision.

⁹⁶ *The International Position of Tibet*, published in the name of the Government of His Holiness the Dalai Lama, p. 40; Li, *op. cit.*, p. 198. See also the Dalai Lama's Statement at p. 310, *infra*.

⁹⁷ Li, *loc. cit.*

⁹⁸ According to Chou En-lai "The Tibet local authorities ... cabled (Mr. Nehru) asking India to return all the territory of the Tibet region of China south of this illegal line" (the McMahon Line). It is, however, perfectly clear that the Tibetan Bureau of Foreign Affairs did not regard itself as the "local government" of the "Tibet region of China": see the letter from the Prime Minister of China to the Prime Minister of India, dated September 8, 1959, *White Book No. II*, at p. 29, for Chou En-lai's version. The version by Mr. Nehru uses pre-invasion language which is undoubtedly the correct designation of the appropriate ministry in Lhasa at that time.

gram, dated the 16th October 1947 from the Tibetan Bureau. The telegram asked for the return of alleged Tibetan territories on boundaries of India and Tibet 'such as Sayul and Walong and in direction of Pemakoe, Lonag, Lopa, Mon, Bhutan, Sikkim, Darjeeling and others on this side of river Ganges and Lowo, Ladakh, etc. up to boundary of Yarkhim.' It will be seen that the areas claimed by Tibet had not been defined. If they were to be taken literally, the Tibetan boundary would come down to the line of the river Ganges. The Government of India could not possibly have entertained such a fantastic claim. If they had the faintest idea that this telegram would be made the basis of a subsequent claim to large areas of Indian territory, they would of course have immediately and unequivocally rejected the claim. Not having had such an impression, they sent a reply to the following effect: 'The Government of India would be glad to have an assurance that it is the intention of the Tibetan Government to continue relations on the existing basis until new agreements are reached on matters that either party may wish to take up. This is the procedure adopted by all other countries with which India has inherited treaty relations from His Majesty's Government.' It would be unfair to deduce from this reply that India undertook to negotiate fresh agreements with Tibet on the frontier question. When the British relinquished power and India attained freedom on the 15th August 1947, the new Government of India inherited the treaty obligations of undivided India. They wished to assure all countries with which the British Government of undivided India has treaties and agreements that the new Government of India would abide by the obligations arising from them. All that the Government of India intended to do in the telegram mentioned in your Excellency's letter was to convey an assurance to that effect to the Tibetan authorities. There could be no question, so far as India was concerned, of reopening old treaties with Tibet with a view to entertaining, even for purposes of discussion, claims to large areas of Indian territory." ⁹⁹

This Report is not concerned with the border dispute between India and China. The important facts which emerge from Mr. Nehru's letter are 1) that the Government of India was immediately in direct relations with the Tibetan Bureau for Foreign Affairs, and 2) the Government of India regarded Tibet as a country with which they had inherited treaty relations.

In 1948, the Government of independent India accepted Tibetan passports as valid travel documents and does not appear to have repudiated this action in the ensuing correspondence with the Government of China. Britain's former rights in Tibet in respect of the trade agencies and the Mission in Lhasa continued to be enjoyed by the Indian Government. But at this time it was events in Tibet and in

⁹⁹ *White Paper No. II*, p. 39: letter from the Prime Minister of India to the Prime Minister of China, dated September 26, 1959.

China itself which were of critical importance. The advance of the communist armies under Mao Tse-tung led to the final defeat of the armies of President Chiang Kai-shek and on October 1, 1949, the Chinese People's Republic under the Chairmanship of Mao Tse-tung was inaugurated in Peking.

Reaction to these events in Tibet was decisive but not decisive enough. All Chinese representatives in Tibet were expelled by the Tibetan Government in July, 1949, in an effort to make clear that China had no rights over Tibet and a public declaration of Tibet's neutrality was made.¹⁰⁰ The reaction from Peking was to welcome their expulsion *qua* Kuomintang but to deplore their expulsion *qua* Chinese. On November 24, 1949, Radio Peking announced that the Panchen Lama (aged 13) had appealed to Mao Tse-tung to "liberate Tibet" and this "liberation" was announced by the CPG on January 1, 1950, to be one of the main tasks of the People's Liberation Army.

Tibetan feeling at this time was undoubtedly one of independence. *The Statesman*¹⁰¹ reported on December 29, 1949, that, according to reports from Kalimpong, the Dalai Lama was proposing to appoint Ambassadors to India, Nepal, China, the United Kingdom and the United States of America. Whatever the accuracy of this report, the new communist regime in China established a provisional Tibetan Government in Chinghai and declared that the reception of Tibetan missions would be regarded as an act hostile to China.¹⁰²

M. Amaury de Riencourt gives an account of the Tibetan attitude in 1947 on the subject of diplomatic missions. In his view the Tibetans did not appreciate the danger of the growing strength of China. When he stressed the urgency of initiating diplomatic relations with all the great powers and of applying for membership of the United Nations, the Tibetans felt that there was no need for haste and that India would continue the British policy of safeguarding Tibet's autonomy. He found only that Tsarong Shape and some of the younger Tibetans agreed with his views.¹⁰³

It seems that Tibet awoke too late to the danger of a strong China. The subsequent story is well-known. In August, 1950, a Tibetan delegation arrived in New Delhi for talks with the representative of the Chinese People's Republic. The leader, Mr. Shakabpa, travelled on a Tibetan passport, which was inspected by the Chairman of the Legal Inquiry Committee and photocopies were made available

¹⁰⁰ Shen and Liu, *op. cit.*, p. 62.

¹⁰¹ Published in New Delhi and Calcutta.

¹⁰² *Survey of International Affairs 1949-50*, p. 370, citing *Relazioni Internazionali*, January 28, 1950, p. 55.

¹⁰³ *Tibetan History*, in *Tibet Fights for Freedom*, a White Book edited by Raja Hutheesing, at p. 6; see also de Riencourt, *The Roof of the World*.

to the Legal Inquiry Committee.¹⁰⁴ In September the Chinese Ambassador arrived and talks began between his Embassy and the Tibetan delegation. Then the Chinese emphasized that talks could not be held with the mission on foreign soil and the Tibetan representatives agreed to go to Peking. After various delays, with warnings from the Chinese that despatch was imperative, the Chinese forces attacked territory governed by Tibet on October 7, 1950.¹⁰⁵

Events now moved swiftly. On October 19, 1950, Chamdo, in Eastern Tibet, was captured and the Tibetan army was decisively defeated. On October 24 Peking Radio announced that Chinese forces had been ordered to advance into Tibet and the following day the Tibetan delegation left New Delhi for negotiations in Peking.¹⁰⁶ The exchange of sharp Notes between the Governments of India and China followed and then on November 7, 1950, the Tibetan Government appealed to the United Nations, stressing its independence and accusing the new Chinese Government of aggression. Subsequently an appeal was sent to the Security Council.¹⁰⁷

On November 7 El Salvador requested a debate on Tibet in the General Assembly of the United Nations. On a motion proposed by the British delegate and supported by the Indian delegate the matter was adjourned *sine die*. Great Britain advanced the view that Tibet's status was a matter of doubt. The Indian delegate felt that the matter could be resolved by peaceful negotiation.

Then on May 23, 1951, the Agreement on Measures for the Peaceful Liberation of Tibet was signed in Peking. By this Seventeen-Point Agreement, as it is known, Tibet agreed to "return to the big family of the Motherland—the People's Republic of China." The Government of that State gave a number of guarantees to Tibet which considered in Chapter four of this Report. Also in that Chapter evidence of violations of that Agreement are reviewed and the Legal Inquiry Committee came to the conclusion that a number of these guarantees had been violated by the Chinese People's Republic.

In the view of the Legal Inquiry Committee the relations between Great Britain, India and Tibet from 1913 to 1950 lead to the conclusion that the practice of the two former countries was to deal with Tibet as a separate State. The "nominal suzerainty" of China which Britain was always prepared to recognize was never in fact recognized by either Britain or Tibet, and, indeed, Britain undertook with Tibet

¹⁰⁴ See the Statement by the Dalai Lama to the Legal Inquiry Committee on November 14, 1959, at p. 310 *infra*.

¹⁰⁵ The accusations made by the Chinese Government in connection with the delays and the explanations and protests of the Indian Government can be read in *The Question of Tibet and the Rule of Law*, at pp. 132-138.

¹⁰⁶ But the delegation did not leave India.

¹⁰⁷ See p. 164, *infra*.

not to recognize it until China acceded to the Simla Convention of 1914. India assured Tibet in 1947 that she would honour all Britain's erstwhile treaty obligations with Tibet. At this time, in the view of the Committee, the status of Tibet, if it had to be classified in terms of modern jurisprudence was at the very least one of *de facto* independence, founded on the autonomy agreed upon between the plenipotentiaries of Great Britain and Tibet at Simla in 1914, and realised without interruption for thirty-seven years thereafter. In view of the fact that the Committee's terms of reference were considered to restrict the question concerning Tibet's status to that of the competence of the United Nations, the Committee were not called upon to evaluate the precise legal character of the independence which Tibet enjoyed. They held that the question of Tibet up to the conclusion of the Seventeen-Point Agreement was not a matter exclusively within the domestic jurisdiction of the Chinese People's Republic.

With the "return to the big Motherland", assuming the Seventeen-Point Agreement to be valid, Tibet surrendered her independence. In the Trade and Intercourse Agreement Between India and China, April 29, 1954,¹⁰⁸ India recognized that Tibet was "the Tibet region of China". Nepal did the same on September 20, 1956 by the Agreement to Maintain the Friendly Relations Between the People's Republic of China and the Kingdom of Nepal and on Trade and Intercourse Between the Tibet Region of China and Nepal.¹⁰⁹

Then on March 11, 1959, the Dalai Lama's *kashag* proclaimed the independence of Tibet¹¹⁰ and on June 20, 1959, the Dalai Lama himself publicly repudiated the Seventeen-Point Agreement.¹¹¹ If these acts are effective Tibet reclaimed the independence that she surrendered under the threat of invasion. There are thus two points to consider: 1) whether Tibet was acting under duress in the signing of the Seventeen-Point Agreement, 2) whether Tibet's repudiation of that Agreement was justified. If the answer to these questions is affirmative the legal effect of these facts must be considered.

On the question of duress the Legal Inquiry Committee received a Statement from Dzasak Khemey Sonam Wandgu, one of the Tibetan delegation to Peking in 1951:

"In 1951 Shape (Minister) Ngabo and his staffs Khenchung Thubten Lekmon and Rimshi Sampho proceeded from Chamdo via Chengtu to Peking.

¹⁰⁸ For the text see *Foreign Policy of India, Texts of Documents, 1947-58*, Lok Sabha Secretariat, New Delhi, at pp. 85-93.

¹⁰⁹ Copies of this treaty are not available, but it is reported in the joint communiqué of the respective Prime Ministers: NCNA, Peking, October 7, 1956.

¹¹⁰ See p. 167, *infra*

¹¹¹ *Ibid.*

“ From Yatung assistant representative Dzasa Khemey and Khenrung Thupten Tendar with interpreters Taklha Sey and Sadu Rinchen, furnished with necessary credentials as representatives of the Tibetan Government, left for Peking via Calcutta and Hong-kong. When the delegates of the Tibetan Government gathered at Peking, the Chinese Foreign Minister Mr. Chou En-lai invited them to a party and the representatives of both sides were formally introduced.

“ When the negotiations began the Chinese Representative Li Wu Han and other delegates submitted a ten point draft agreement, and delegates of both countries discussed matters for days. In spite of all evidence which we had produced that Tibet was an independent country the Chinese refused to recognise that position. They expanded the scope of the agreement to 17 points which we were compelled to recognise.

2. “ The basic points in the agreement were entirely laid down by the Chinese in accordance with their wish and interest and we had no mutual right to make any alterations. Whenever we tried to emphasise certain points strongly the Chinese were annoyed. One day the Chinese delegate Chang Ching-wu rose with anger and abused us at the Conference table. Similarly, the Chief Chinese representative also became very impertinent and said either we agree to these points in the draft or return(ed) to Tibet within a day or two. He said they would have no objection to our returning to Tibet and the Central Government would simply issue wireless orders to their frontier Military authorities to advance and we need not carry on complicated discussions here.

“ Thus, we were unable to refer the matter to our Government as had been desired and the five delegates were compelled to recognise the agreement. The Chinese threatened that if His Holiness and the Tibetan people (Monk and Lay) did not accept the terms of their (the Chinese) agreement they would be dealt with accordingly.

3. “ Although the official seal of the Commissioner of Eastern Tibet (Domey) and the seals of the delegation were with us, the Chief Delegate Minister Ngabo could not risk using the seal, as it was a forced agreement, and so concealed the fact that they had seals with them. The Chinese however, made us use the seals they had made specially for the purpose and they were later returned to them (Chinese).

“ In the agreement (imperative tones) such terms were used; point one, “ the Tibetan people shall unite and drive out imperialist forces from Tibet, and the Tibetan people shall return to the big family of the motherland ”.

“ Point five; “ the established, status functions and powers of the Panchen Lama shall be maintained. If it was not an imposed agree-

ment they would have used the mutually agreed terms. Therefore such expressions clearly indicate that this agreement was certainly an imposed one.

“Point 15: was especially included in the agreement for the only reason that in case the imposed agreement was not carried out they could use ruthless military suppression on the Tibetan people. It was because of all these happenings that a certain newspaper in Hongkong at that time had rightly described our delegation as having been encircled by the walls of pistols.”

There is also the fact that Ngabo Ngawang Jigme, the commander of the Tibetan forces which were defeated in 1950, was captured by the Chinese. However, the account attributed to him directly contradicts the evidence of Dzasak Khemey Sonam Wangdu :

“Speaking from his personal experience, he utterly exposed as lies the allegations in the so-called ‘statement of the Dalai Lama’ that the Central People’s Government had compelled them to sign the agreement and then disrupted it. He pointed out that the 17-article Agreement on Measures for the Peaceful Liberation of Tibet was signed after ‘detailed discussions on an intimate and friendly basis with the plenipotentiary delegates of the Central Government, which arrived at unanimous opinions satisfactory to both parties.’¹¹²

Ngabo Ngawang Jigme has actively collaborated with the Chinese since 1951, whether freely or otherwise, and his statements are therefore open to doubt on the simple ground that so many Chinese and Chinese-sponsored statements are blatant untruths. His version also fails to explain why the Tibetan Government appealed in 1950 first to the General Assembly of the United Nations and later to the Security Council.¹¹³ It was *after* the failure of these appeals that the “peaceful negotiations” took place.¹¹⁴

On these statements it is accepted as a fact that threats of the violent conquest of their country were made to the Tibetan representatives in Peking, and that, with the possible exception of Ngabo Ngawang Jigme, those representatives signed under the influence of such threats.¹¹⁵ The law on the effect of duress on treaties is, however, the subject of conflicting opinions, and no useful purpose would be served by preferring one or the other.¹¹⁶ However, the Agree-

¹¹² See *Concerning the Question of Tibet*, Peking, p. 83. He was speaking as a deputy at the Second National People’s Congress, April 23, 1959.

¹¹³ See *The Question of Tibet and the Rule of Law*, p. 150, where this is stated in the *Memorandum by Tibetan Leaders*.

¹¹⁴ *Ibid.*, p. 151.

¹¹⁵ For the full list of the representatives, see the text of that Agreement at pp. 215-8, *infra*.

¹¹⁶ The question was discussed in *The Question of Tibet and the Rule of Law*, at pp. 96-7.

ment was formally repudiated in March 1959. On this matter the law is much clearer.

“The classic doctrine on denunciation of treaties is that if one side violates its obligations under a treaty, the injured party ‘may by its own unilateral act terminate a treaty as between itself and a State which it regards as having violated such treaty.’¹¹⁷ This view has been judicially approved in three American cases¹¹⁸ and in one case before the Judicial Committee of the Privy Council,¹¹⁹ the supreme court of appeal for overseas territories of the British Crown. It is essential, as emerges from all of these cases, that the treaty be actually repudiated, for, unless this is done, the treaty remains in force, i.e., it is voidable only.”¹²⁰

In this way Tibet discharged herself of the obligations under the Agreement, the principal one being the surrender of her independence.

It is therefore considered that, in view of Tibet’s resumption of this status, there is no obstacle in the Charter of the United Nations to the matter being raised before and decided by organs of that body.



¹¹⁷ Hackworth, *Digest of International Law*, (1932-34), Vol. V, 346.

¹¹⁸ *Ware & Hylton* (1796) 3 Dallas 199, 261; *In re Thomas* (1874) 23 Fed. Cas. 927; *Charlton & Kelly* (1913) 229 U.S. 447, 473.

¹¹⁹ *The Blonde* (1922) A. C. 313.

¹²⁰ See *The Question of Tibet and the Rule of Law*, p. 99, and the authorities there cited.

THE AGREEMENT ON MEASURES FOR THE PEACEFUL LIBERATION OF TIBET

(THE SEVENTEEN-POINT AGREEMENT)

I. Alleged Violations of the Seventeen-Point Agreement by the Chinese People's Republic

On March 11, 1959 the Dalai Lama's *Kashag* (cabinet), referred to by this Agreement as the Tibetan local government, proclaimed in Lhasa the independence of Tibet. On June 20, 1959 the Dalai Lama repudiated the Seventeen-Point Agreement of May 23, 1951 between his government and that of the Chinese People's Republic.¹ The legal significance of these actions is considered elsewhere in this Report,² and in the first part of this Chapter it is proposed to consider only the facts relevant to the question whether that Agreement was violated by China. In the second part the accusations against the Government of Tibet are considered. The complete text of the Agreement is published at the end of this Chapter.

Article 3: "In accordance with the policy towards nationalities laid down in the Common Programme of the CPPCC, the Tibetan people have the right of exercising national regional autonomy under the unified leadership of the CPG."

When asked in June 1959 what he understood by the "autonomy of Tibet" the Dalai Lama replied: "The autonomy of Tibet is meant to be the right of self-government in internal affairs."³ The Common Programme of the CPPCC,⁴ referred to in Article 3, laid

¹ See *The Question of Tibet and the Rule of Law*, p. 202.

² See Chapter three,

³ *Op. cit.*, *loc. cit.*

⁴ See *The Common Program and Other Documents of the First Plenary Session of the Chinese People's Political Consultative Conference*, (Foreign Languages Press, Peking).

down a number of very specific provisions which do not, however, go explicitly to the length of granting internal self-government. Nor for that matter is there much precision in the General Programme of the People's Republic of China for the Implementation of Regional Autonomy for Nationalities, 1952.⁵ These documents well repay study, but the clearest statement is perhaps to be found in a report made in 1951 by the then Chairman of the Commission of Nationalities Affairs :

“ Any national minority has the right to administer its own internal affairs in conformity with the wishes of the great majority of its own people and of the leaders in touch with the people. It is the right of every national minority to be the master of its own affairs. Assistance must be given to each national minority *in order to facilitate the exercise of this right*. This principle, too, must be adhered to strictly.”⁶

This was a policy statement, which does not find expression in either of the documents referred to, but in the Seventeen-Point Agreement itself, Articles 4, 5, 6 and 11 promise a degree of internal freedom which would completely justify the Dalai Lama's description of autonomy.⁷

The two Programmes referred to both envisage the establishment of autonomous organs, and in accordance with this policy, the Preparatory Committee for the Autonomous Region of Tibet was set up in 1956 with the Dalai Lama as Chairman and the Panchen Lama as Vice-Chairman. Earlier the Chamdo Liberation Committee had been set up in 1951 and the Panchen Kanpo Lija at Shigatse in 1954. These were organs separate from the “ Tibetan local government ” as appears in the State Council order below. The purpose of the new Committee was to prepare for the establishment of the autonomous organs which local autonomous regions are permitted to establish.

The powers and functions of the PCART, as announced in the State Council decision leave no doubt as to its subservience to the Central Government. “ The PCART . . . will be directly under the State Council.” The full text of the announcement is worthy of reproduction here :

⁵ See *Policy Towards Nationalities of the People's Republic of China* (Peking), pp. 1-14.

⁶ *Op. cit.*, p. 30 (Li Wei-han), italics supplied.

⁷ For text, see p. 172, *infra*. On the relation between this national regional autonomy and the Constitution of the Chinese People's Republic, Article 3, see Ginsburgs and Mathos : *Tibet's Administration During the Interregnum, 1954-1959, Pacific Affairs*, Vol. XXXII, No. 3, p. 249, at pp. 249-50.

**“ Decision of the State Council Concerning the
Setting Up of a Preparatory Committee for the
Tibetan Autonomous Region**

*(Passed at the 7th meeting of the State Council
held on March 9, 1955) ⁸*

“ According to the ‘ Agreement between the Central People’s Government and the Tibetan Local Government on Measures for Peaceful Liberation of Tibet ’, signed on May 23, 1951 a military and political committee should be set up in Tibet. However, since the Constitution has been adopted, the military and political committees in all regions have been abolished and, especially, as marked success has been registered in all fields since the peaceful liberation of Tibet for over three years, conditions have changed, which makes the establishing of the military and political committee unnecessary. Therefore, it entirely conforms with the spirit of the Constitution and the concrete conditions of Tibet at present to set up a Preparatory Committee for the Tibetan Autonomous Region. A group to undertake preparations for the Committee has recently been set up, comprising representatives of the Government, representatives of the Panchen Kanpo Lija Committee and representatives of the People’s Liberation Committee of the Changtu Area. Full deliberations have been made and a work report on the concrete plans for the establishment of the Preparatory Committee for the Tibetan Autonomous Region submitted. On the basis of the plans and views brought forward by the above group, the State Council hereby makes the following decisions :

“ 1. The Preparatory Committee for the Tibetan Autonomous Region will have the nature of a state organ, charged with the responsibility of making preparations to establish the Tibet Autonomous Region, and will be directly under the State Council.⁹ Its major task is to prepare for regional autonomy in Tibet, as provided in the Constitution and the Agreement on Measures for the Peaceful Liberation of Tibet and according to the concrete conditions of Tibet. The Preparatory Committee must, therefore, further strengthen the unity between all nationalities and among the Tibetans, step up the training of national minority cadres, and take charge of consultations and overall arrangement for the construction of the Tibet area and any other work which should and can be done, so that responsibilities might be gradually increased, experiences accumulated and conditions created for the formal establishment of the Tibet Autonomous Region.

⁸ NCNA, Peking, March 12, 1955.

⁹ I.e., of the Central People’s Government.

“ 2. The Preparatory Committee shall be composed of 51 persons: 15 from the Tibetan Local Government, 10 from the Panchen Kanpo Lija Committee,¹⁰ 10 from the People’s Liberation Committee of the Changtu Area,¹¹ 5 from the cadres of the Central People’s Government now working in the Tibet area, and 11 others (including those from the major monasteries, religious sects, social dignitaries and public bodies). The Dalai Lama will be Director and Panchen Ngerhtehni and Chang Kuo-hua First and Second Vice-Directors of the Preparatory Committee. The name-list of 41 committee members as agreed and proposed by the preparatory group of the Preparatory Committee will be approved by the State Council first and their appointments will be announced as soon as the names of other committee members are submitted.

“ The Preparatory Committee will have one secretary-general and 3 deputy secretaries-general. Ngabou Ngawang Jigme will be Secretary-General and the 3 Deputy Secretaries-General will be named by the Panchen Kanpo Lija Committee, respectively, for submission to the State Council for approval and appointment.

“ The Preparatory Committee shall set up its Standing Committee, which should be organized at the time of the establishment of the Committee upon the approval of the State Council.

“ 3. Offices to be set up under the Preparatory Committee are: General Office, the Committee for Financial and Economic Affairs, the Committee for Religious Affairs, and the Departments of Civil Affairs, Finance, Construction, Cultural and Educational Affairs, Health, Public Security, Agriculture and Forestry, Animal Husbandry, Industry and Commerce, and Communications.

“ The directors and vice-directors of the above office and committees and chiefs and deputy chiefs of the above departments will be chosen, according to the ratio of cadres proposed, after consultations, by the preparatory group of the Preparatory Committee to the State Council for approval and appointment.

“ 4. Except where it is stipulated in Article 1 of the present decision that they will accept work assigned by the Preparatory Committee, all the three organizations (the Tibetan Local Government, the Panchen Kanpo Lija Committee and the People’s Liberation Committee of the Changtu Area) will be directly responsible to the State Council concerning state administrative matters. Should any of the above three organizations experience difficulties in meeting their

¹⁰ The local administration at Shigatse under the Panchen Lama, set up in 1954. See the Dalai Lama’s written answer on this at p. 293, *infra*.

¹¹ Set up in 1951 in the western half of Szechuan province, largely inhabited by Tibetans. It is also known as Chamdo. See the Dalai Lama’s written answer on this at p. 296, *infra*.

expenditures, they may directly request the State Council for help, at the same time reporting to the Preparatory Committee for record. All the enterprises under the State Council which operate in Tibet will still be led by the various responsible departments of the State Council respectively. However, close coordination should be maintained with the Preparatory Committee, the Tibetan Local Government, the Panchen Kanpo Lija and the People's Liberation Committee of the Changtu Area, to facilitate the work.

“The Preparatory Committee should keep in close contact with the PLA Tibetan Military District Command and render every assistance possible to the Command for the consolidation of national defence and the safeguarding of local security. Matters approved by the State Council to be undertaken by the Preparatory Committee should also be observed and carried out by the PLA Tibetan Military District Command.”

This, apart from the reorganisation of the Chamdo region and the setting up of the Panchen Kanpo Lija Committee, was the first drastic step towards changing the constitutional structure of Tibet. Prior to this time the Chinese policy had been to introduce their own sympathizers and collaborators into the machinery of government in Tibet and to whittle down the power of existing institutions. This process will be referred to later. For the moment the PCART is the institution which is of central importance. It was inaugurated at Lhasa on April 22, 1956 and the first meetings went on for ten days. A strong delegation from Peking, under the leadership of Vice-Premier Chen Yi, came especially for the occasion.

In the original decision by the State Council to set up the Committee, it was announced that there would be fifty-one members, ten from the Local Government of Tibet, ten from the Panchen Kanpo Lija, ten from the People's Liberation Committee of Changtu, five from among the cadres sent by the Central People's Government to work in Tibet, and eleven others (from all principal monasteries, religious sects, prominent personages and public bodies).¹² In the final list there were fifty Tibetan members, including the Dalai and Panchen Lamas and the total membership became fifty-five.¹³ There was thus a solid core of at least twenty members from organs set up by the Chinese in Chamdo and Shigatse, together with the Chinese personnel backed by the State Council, under the direction of which the Preparatory Committee was to work. In these circumstances it is not surprising that the Committee was a façade of Tibetan representation behind which effective power was exercised by the Chinese. The Dalai Lama said of this Committee in his Tezpur statement on

¹² *Ibid.*

¹³ NCNA, Lhasa, April 22, 1956.

April 18, 1959: "In practice, even this body had little power and decisions in all important matters were taken by the Chinese authorities."¹⁴

Article 4: "The central authorities will not alter the existing political system in Tibet. The central authorities also will not alter the established status, functions and powers of the Dalai Lama. Officials of various ranks shall hold office as usual."

Article 5: "The established status, functions and powers of the Panchen Ngoerhtehni (Lama) shall be maintained."

Article 6: "By the established status, function and powers of the Dalai Lama and of the Panchen Ngoerhtehni are meant the status, functions and powers of the thirteenth Dalai Lama and of the ninth Panchen Ngoerhtehni when they were in friendly and amicable relations with each other."

Article 11: "In matters related to various reforms in Tibet, there will be no compulsion on the part of the central authorities. The local government of Tibet should carry out reforms of its own accord, and, when the people raise demands for reform, they shall be settled by means of consultation with the leading personnel of Tibet."

The Chinese conception of "national regional autonomy" is obviously sufficiently elastic to permit of complete Chinese authority exercised through subservient local organs. But the above-quoted provisions of the Seventeen-Point Agreement are not. The creation of the People's Liberation Committee of Chamdo and the Panchen Kanpo Lija, followed by their absorption into the PCART, was an alteration of the "existing political structure of Tibet", contrary to Article 4.

The Dalai Lama himself said with reference to the same Article: "Although they had solemnly undertaken to maintain my status and power as the Dalai Lama, they did not lose any opportunity to undermine my authority and to sow dissensions among my people."¹⁵ Details of the early undermining of the Dalai Lama's authority may be found in *Pacific Affairs*, June 1959.¹⁶ Further details given by Tibetan leaders were included in the preliminary Report by the International Commission.¹⁷

The undertaking in Article 4 that "officials of various ranks shall continue to hold office as usual" was violated on a large scale

¹⁴ *The Question of Tibet and the Rule of Law*, p. 192. See also his observations in his written answers to the Committee at p. 295 *infra*.

¹⁵ *Ibid.*, p. 197; Mussoorie, India, June 20, 1959.

¹⁶ *Tibet's Administration in the Transition Period 1951-1954*, Vol. XXXII, No. 2 *Pacific Affairs*, 162 at pp. 170-2, (Ginsburgs and Mathos).

¹⁷ *Op. cit.*, pp. 23-26.

at the lower level of administration. Several Tibetan witnesses have given evidence that district and village leaders have been executed, or degraded and humiliated. Ginsburgs and Mathos thus describe Tibet's erstwhile system of government: "The whole of Tibet was divided into three levels of local rule: the region; the district magistracy; and the village".¹⁸ Village and district leaders were frequently replaced by persons from the lowest classes who were prepared to work with the Chinese. Evidence of these acts is cited below:

Rigong, Amdo: "The, Chinese demanded that three thousand four hundred people from Rigong district from the wealthy class and land-owners, together with district and village leaders, should go to a meeting in China. He saw the people passing through his village on the road to China. Those who were to go were selected by the Tibetan beggars who later became leaders. These people did not return from China."¹⁹

Nangsang, Ba: "Chakla-Gyabo was a prominent leader who was accused by the Chinese of being a big serf-owner and supporter of Chang Kai-shek and of being the wealthiest man in Tachenlu. He was indeed wealthy as was apparent when the Chinese said they confiscated 3,000,000 loads of barley! The witness was invited to what the Chinese said would be a very good show. Upon his arrival he saw Chakla-Gyabo in prison, shoeless and shirtless, with his wife and children. Fourteen members of the family were thrown into the river. He did not see what happened to Chakla-Gyabo but thinks that he was killed. He protested to the Chinese who said that it was the wish of the people."²⁰

Lower Yatung: "Two of the witnesses witnessed the humiliation of a (named) Headman in Yatung. A number of people had been arrested for not denouncing him. His servants were told that they must have been ill-treated and that they were to accuse him of this of not paying them and of keeping for himself the taxes which he had collected from the people. Another said that this was quite untrue and the other witnesses who also knew the man said that they did not believe it. His hands and feet were chained and he was beaten by his own servants and by people from the poor class. Two of the witnesses then left. One left because the Chinese told him to stop his work as a muleteer and to start digging the land. He did not wish to do this and preferred to leave Tibet. The other said that the Chinese had told him that the land belonged to the

¹⁸ *Op. cit.*, p. 167; see also *Tibet and the Tibetans*, by Tsung-lien Shen and Shen-chi Liu, pp. 112-115.

¹⁹ Statement No. 7; see p. 229, *infra*.

²⁰ Statement No. 11; see p. 235, *infra*.

people but they continued to allow him to reap all his crop. The Chinese collected grain from the people and took from him about one tenth of his harvest.”²¹

Chomcho, Garang : “ For five months the witness had been submitted to indignities in public, sometimes three times a day. He was told in public that he was a reactionary, that his brain had not been cleansed and that he was not willing to accept the road to socialism. In the daytime he was sent to perform hard labour and at night his hands were kept fastened together. They were about one hundred headmen in all who were kept in this way. The wealthy class were kept separately. After five months he was freed and given two weeks to think things over. He was not allowed to talk to people outside his family. The Chinese had by this time confiscated all his property and Chinese officers were living in his house attended by his servants. He himself was living in a small hut near his house. On the last night of his two weeks of liberty he escaped with his wife and child and headed for Golok where his son was in a monastery.”²²

Khay, near Gyantse : “ In Khay he was called to attend what the Chinese said would be a show. Two village headmen had been produced and the people were told that the old system must be rooted out. Their faces were slapped and their hair pulled and they were threatened with execution. Then their property was confiscated and they were sent to Gyantse for imprisonment.”²³

Shay-Donkphok, near Shigatse : “ At a separate meeting of the people the Chinese invited the denunciation of the village leaders. Prior to this the Chinese had been around telling the people what to say and what to do. If they did not do this they were told that they would be subjected to the same treatment. He himself heard this at an indoctrination meeting, which, incidentally, went on every day from dawn to sunset with a break of one hour. At the meeting many complaints were made and the accused people were made to kneel on gravel where they were punched and kicked by the village people, who were told that they could speak either for themselves or for their fathers. Three people died under this treatment.”²⁴

Yatung : “ He was sent to Lhasa to attend a meeting. There high officials and lamas and nobles were being publicly beaten by beggars and blacksmiths. He explained that in the social structure of Tibet blacksmiths are regarded as very inferior. The Chinese were telling them that they must repay the oppressors and that they were to become

²¹ Statement No. 14, by men from Yatung; see p. 239, *infra*.

²² Statement No. 17; see p. 241, *infra*.
The witness was a village headman.

²³ Statement No. 19; see p. 243, *infra*.

²⁴ Statement No. 25; pp. 251-2, *infra*.

the masters. Some later told their friends that they regretted having done this. He himself heard threats uttered at the meeting that if they did not do what they were told they would be accused of being reactionaries and would themselves be beaten and imprisoned.”²⁵

Damchu, Polto : “ In 1950 he witnessed the execution of his village headman, who was caught by the Chinese when attempting to flee. His servants were shot. Then he was kept without food for about a week and was led like a dog with a chain around his neck. The people pleaded for his life but the Chinese accused him of ill-treating the peasants, an accusation which was not supported by the people. All his property was confiscated and he was tied to a tree. Then apparently his life was spared (cf. above) and he was released. But his four children, aged thirteen and under, were taken to China.

“ The district officer of Tuhlung ran away and was captured after about two days. His lips were cut off and he was bound and brought back naked to Tuhlung. The Chinese were not satisfied with his rate of progress; being a fat man he could not walk very fast and he was poked with bayonets to make him walk faster. The witness saw him covered with bayonet wounds. The Chinese tied him to a tree and invited the Tibetans to go and beat him, accusing him of cruelty. They were told not to beat him to death since he would benefit by this. Anyone who had been ill-treated was to beat him but according to the witness this district officer had never ill-treated the people and no Tibetans went to beat him. He was in fact beaten by the Chinese and died after eight days. His lips were cut off after he had begged rather to be shot than tortured.”²⁶

Derge, Kham : “ Village leaders and landlords, upper middle-class, and wealthy people were executed by people from the same background as himself. They were promised that they would take over the properties of the people they executed.”²⁷

In these cases there is nothing to indicate that the political system was being changed. It was the officials who held office in the districts and villages who were being replaced, and pro-communists were being installed. Whatever the purpose, and this is clear enough, these acts were contrary to Article 4 of the Seventeen-Point Agreement. There is also evidence of replacement of local officials who were accused of being Kuomintang supporters and executed. If this allegation was true and they had not “severed their connections with imperialism and the Kuomintang”, the Chinese could justify

²⁵ Statement No. 28; see p. 256, *infra*.

²⁶ Statement No. 32; see pp. 259-60, *infra*.

²⁷ Statement No. 35; see p. 265, *infra*.

their dismissal by Article 12.²⁸ Such cases are not therefore considered here.

The story of the later transformation of the Tibetan political system may now be resumed. In November 1956 the preparatory office of the Tibet Committee of the Chinese People's Political Consultative Conference was set up.²⁹ Chang Ching-Wu explained its task: "The CPPCC was a local organization under the people's democratic united front led by the Chinese Communist Party, and its task was still more widely to unite the various nationalities in Tibet, to help the Preparatory Committee for the Tibet Autonomous Region execute policies and decrees, and to strive together for overcoming difficulties and improving local conditions. He finally gave some instruction concerning the work of this preparatory office, saying that the establishment of this office was both a great political event and an important political task."³⁰ The Committee itself was not set up until December 20, 1959.³¹

On March 28, 1959 the State Council ordered the dissolution of the "Tibetan local government" and transferred its functions to the PCART.³² The Panchen Lama was appointed Acting Chairman of that Committee "during the time when the Dalai Lama is under duress by the rebels." "Eighteen traitorous elements" were relieved of their posts as members and replaced by sixteen others. Six new departments were added by resolution of the PCART on April 9, 1959 and Tan Kuan-san and eight others, whose names were not given were appointed. "Traitor Thubten-Tsegen" was removed and replaced by two other Tibetans. All resolutions were to be submitted to the State Council for approval.³³ On April 28, 1959 the first session of the Second National People's Congress unanimously approved all the measures taken by the State Council.³⁴

In addition the organs set up to implement the reforms should be studied. An account of these is given later in connection with

²⁸ Article 12: "In so far as former pro-imperialist and pro-Kuomintang officials resolutely sever relations with imperialism and the Kuomintang and do not engage in sabotage or resistance, they may continue to hold office irrespective of their past."

²⁹ *Tibet Daily*, Lhasa, November 10, 1956.

³⁰ *Ibid.*

³¹ See p. 177, *infra*.

³² NCNA, Peking, March 28, 1959.

³³ *Jen Min Jih Pao* (People's Daily, Peking) April 11, 1959; NCNA, Lhasa, April 10, 1959; to the General Office, Religious Affairs Commission, Civil Affairs Department, Financial Department, Cultural and Educational Department and Construction Department were added the Public Security Department, Public Health Department, Department of Industrial and Commercial Administration, Communications Department, Department of Agriculture and Animal Husbandry and the Counsellor's Office. NCNA, Lhasa, gave Tan Kuan-San as a member on April 22, 1956.

³⁴ NCNA, Peking, April 28, 1959.

those reforms.³⁵ Suffice it to point out here that the peasants' organizations replaced local government organizations, and that the entire country was also redivided for administrative purposes.³⁶ On July 2, 1959 Chang Kuo-hua announced in Lhasa: "The old regime in the countryside will be abolished and peasants' associations established. These associations will become the basic form of organization to organize and lead the masses to carry out democratic reform. In the period of democratic reform these associations will in effect exercise the functions and power of government at the basic level in the countryside."³⁷ The change in the political system was now complete.

A number of far-reaching decisions were taken on reform in Tibet, but other important changes took place, notably in the establishment of the Tibet Committee of the CPPCC on December 20, 1959 three years after the establishment of a preparatory office for this purpose.³⁸ The Committee is composed of 134 members, fifty-two per cent of whom "are people of the upper strata and religious circles. Representatives of the peasants and herdsmen account for ten per cent".³⁹ The task of the Committee was thus described by Chang Ching-wu: "'The Tibet Committee of the CPPCC will play an important role in Tibet's future political life, with the development of the work of democratic reform. The present People's Democratic United Front in the Tibet Region is expanding, not shrinking, compared with the anti-imperialist Patriotic United Front in the past.' He pointed out that the most important tasks of the Tibet Committee were to continue the consolidation and expansion of the People's Democratic United Front, strengthen political consultative work, and help the people's government complete the democratic reforms and develop production and construction."⁴⁰ The Chairman was Tan Kuan-san, vice-secretary of the Working Committee of the Chinese Communist Party in Tibet and political commissar of the Tibet PLA military area command.⁴¹

The purpose of the CPPCC is political rather than constitutional. As *Jen Min Jih Pao* (People's Daily) put it, "it is not an organization with the character of political power or semi-political power, it is an organization of party character."⁴² Party power, however, can never be ignored in the Chinese People's Republic, and the Tibet

³⁵ See pp. 179-87, *infra*.

³⁶ See pp. 184-5, *infra*.

³⁷ NCNA, Peking, July 2, 1959.

³⁸ See p. 176, *supra*.

³⁹ NCNA, Lhasa, December 21, 1959; Peking, same date.

⁴⁰ *Ibid.* Chang Ching-wu, though not a member, attended by invitation and apparently gave the Committee its orders.

⁴¹ NCNA, Lhasa, December 30, 1959; Peking, same date.

⁴² Peking, December 22, 1954.

Committee of the CPPCC is not the only organ of Tibet which acknowledges its direct submission to the Chinese Communist Party. Thus, after the uprising, the Panchen Lama, on arriving in Lhasa on April 5, 1959 is reported to have said: "Under the leadership of Chairman Mao, the Central People's Government and the Chinese Communist Party Work Committee . . . Tibet will face a bright future . . ." It is no coincidence that an official of the CCP Work Committee became Chairman of the Tibet Committee of the CPPCC. It is also noteworthy that the Panchen Lama was not a member and was touring China when the Committee was set up.⁴³ On his return it was reported by the Peking newspaper of the CCP that he told Chang Ching-wu "with excitement that the visit had enabled them to realise deeply that it was only under the leadership of the Chinese Communist Party and with the support of the Han big brothers that the backward outlook of Tibet could be changed and Tibet could then catch up with the advanced areas and enter into a happy socialist society."⁴⁴

The direct submission of the PCART to the State Council and through it to the Chinese Communist Party is in itself of significance as far as the political system of Tibet is concerned. So too is the establishment of a party organ in Tibet to bring about the right political climate for the changes that were to take place in Tibet. The reference to the CCP Work Committee in the Panchen Lama's statement of April 5, 1959, is also important. This is the Committee of the CCP, which was set up under Chang Ching-wu shortly after the arrival of the Chinese in Lhasa in 1951, with various departments and sub-committees. The working leader of the Committee would appear to be its vice-secretary, Tan Kuan-san, who is political commissar of the PLA and Chairman of the Tibet Committee of the CPPCC. Fan Ming is the assistant secretary.

The frequent references to the leadership of the CCP Work Committee in Tibet leave no doubt that this party organ is a power in the land. The PLA itself is far from being a merely military force in Tibet, and its local commander, General Chang Kuo-hua, is a Vice-Chairman of the PCART. The political commissars of the PLA also occupy leading positions in the constitutional structure of Tibet. Thus, Tan Kuan-san and his deputy Fan Ming are members of the PCART. Fan Ming is also assistant secretary, under Tan Kuan-san, the vice-secretary, of the Tibetan Work Committee of the CCP.^{44a} These are all representatives of either the party organization, the Central People's Government, or both. Fan Ming, when

⁴³ He left for Peking on September 25, 1959 and returned to Lhasa on February 15, 1960.

⁴⁴ *Jen-min Jih-pao*, (People's Daily, Peking), February 21, 1960.

^{44a} See the reported expression of gratitude by the Panchen Lama to the PLA on its part in connection with the reforms of 1959; p. 190, *infra*. Chang Kuo-Hua is also a Deputy-Secretary.

reporting on problems of the nationalities policy to a meeting of the Work Committee, described Tibet's position as "under the intimate concern and correct leadership of the Chinese Communist Party and the Central People's Government, under the direct guidance of the Dalai Lama, the Panchen Erdeni (Lama) and the Tibetan Work Committee of the CCP". The degree of self-government left to the Tibetans cannot have been substantial in these circumstances.

The policy of the Chinese in Tibet, notwithstanding the Seventeen-Point Agreement, has been to pursue "local regional autonomy" by the institutions which they envisaged under Article 3. But such institutions change the political system of Tibet, and alter the status and functions of the Dalai Lama; they are prohibited by Article 4. The autonomy should, in accordance with that Article, have been planned within the framework of the old system of government and quite plainly was not. The evident ascendancy of party organs, as shown over and over again in official statements, can scarcely be reconciled with an obligation to maintain the system of the Tibetan Government and the personal functions of the Dalai Lama. After the abortive uprising of 1959 all pretence of maintaining the system was dropped and the Tibetan Government was dissolved. Sweeping changes were announced and, in the light of the character of the PCART and the Tibetan Committee of the CPPCC, it remains to be seen how far they were likely to represent the wishes of the Tibetan people, as required by Article 11.

After a great deal of emphasis on the necessity for reforms in Tibet, it was announced by Mao Tse-tung on February 27, 1957 that "because conditions in Tibet are not yet ripe, democratic reforms have not yet been carried out there . . . when this can be done can only be decided when the great majority of the people of Tibet and their leading figures consider it practicable." The method of reform envisaged in Article 11 is for the Tibetan Local Government to act free from compulsion and in consultation with leading persons in Tibet. No one disputes the need for reform in Tibet and the Dalai Lama has both stressed the need for reform and stated that his own attempts to introduce reform were frustrated by the Chinese: "I wish to emphasize that I and my Government have never been opposed to the reforms which are necessary in the social, economic and political systems prevailing in Tibet.

"We have no desire to disguise the fact that ours is an ancient society and that we must introduce immediate changes in the interests of the people of Tibet. In fact, during the last nine years several reforms were proposed by me and my Government but every time these measures were strenuously opposed by the Chinese in spite of popular demand for them, with the result that nothing was done for the betterment of the social and economic conditions of the people.

“In particular it was my earnest desire that the system of land tenure should be radically changed without further delay and the large landed estates acquired by the State on payment of compensation for distribution amongst the tillers of the soil. But the Chinese authorities deliberately put every obstacle in the way of carrying out this just and reasonable reform. I desire to lay stress on the fact that we, as firm believers in Buddhism, welcome change and progress consistently with the genius of our people and the rich tradition of our country.”⁴⁵

It is known that efforts were made to introduce reforms in 1955-56 in Szechuan in parts inhabited by Tibetans. It is also known that they were opposed by the people and discontinued.⁴⁶ Shortly afterwards Mao Tse-tung announced that there would be no reforms in Tibet for six years and appropriate measures were taken later in the year.⁴⁷ Meanwhile, the ground for a reversal of policy in Tibet was being prepared. The PCART at its first session had supported the introduction of “democratic reform when conditions were ripe”.⁴⁸

However, in a speech delivered by Chang Kuo-hua to the Eighth Congress of the CCP in Peking on September 20, 1956 there were already indications that the reforms were to be postponed. “The following conditions must be realised before any reforms can be initiated . . . 1) the reform must be demanded by the labouring people and wholeheartedly supported by the upper strata of society: 2) there must be a set of reform measures based on a scientific investigation of the social and economic conditions of Tibet and agreed to by the representatives of all strata of the people: and 3) there must be a certain number of Tibetan cadres. As these conditions do not yet exist, the reform cannot begin for a comparatively long period to come”.⁴⁹

He explained that the “upper strata Tibetans were not prepared to accept the reform, and that their influence on the masses was such that they should be educated to serve the labouring masses.”⁵⁰

After the decision to postpone reforms had been taken, an article in the *Tibet Daily* (Lhasa) was much more frank in its reasons: “Facts have proved that only a few of the upper strata personages support it, while the majority still harbour varying degrees of doubt and are actually against it: and that although a small portion of the masses enthusiastically demand reform, the large portion of the

⁴⁵ Mussoorie, India, June 20, 1959; see *The Question of Tibet and the Rule of Law*, p. 198. See also pp. 314-7, *infra*, for details.

⁴⁶ See pp. 190-6, *infra*.

⁴⁷ Large numbers of Chinese personnel were withdrawn.

⁴⁸ NCNA, Lhasa, May 1, 1956 (the Panchen Lama).

⁴⁹ *New China*, (Peking) November 6, 1956.

⁵⁰ *Ibid.*

masses still lack such enthusiasm.”⁵¹ The reasons for this lack of enthusiasm are apparent in the accounts given by Tibetans of the reforms of 1955-6.

Indeed, the speech which the Dalai Lama made at the inauguration of the PCART poured cold water on the prospects of immediate reform in an effort to allay Tibetan fears: “Present conditions . . . are a far cry from socialism, and we must carry out reforms step by step. When to carry out the reforms and how to reform depends on the development of the work and practical conditions in various respects.”⁵²

Notwithstanding the decision to postpone reform, the PCART approved on December 30, 1957 a resolution abolishing the tax which could be paid by way of commuting feudal services. *Jen-min Jih-pao* (People’s Daily, Peking) published the text on January 12, 1958 quoting from the *Tibet Daily* (Lhasa) of January 8.⁵³ Much was said of the enthusiastic support for this measure.

After the suppression of the uprising of March 1959 the decision was taken to carry out the reforms. In view of the reasons so far given for the delay, the reasons given for this decision are of great interest. On July 17, 1959 the PCART passed the following resolution: ⁵⁴ (The truth of the account of the background to the revolt as stated in the resolution is reserved for later consideration.⁵⁵)

“It is the unanimous opinion of the conference that the social system of Tibet has been a reactionary, dark, cruel and savage feudal serf system, and that only the fulfilment of democratic reform will liberate the Tibetan people, develop the economy and culture of Tibet and provide the groundwork for building a prosperous, happy and socialist Tibet. Democratic reform should be carried out in the area of Tibet. A positive attitude was taken as early as 1951 in the agreement between the Central People’s Government and the former Tibetan local government on measures governing the peaceful liberation of Tibet. However, during the eight years since then, the former Tibetan local government and the upper strata reactionary clique created multiple obstructions to and sabotage of the implementation of the agreement in order to maintain their feudal rule; and consequently it was impossible to fulfil the task of democratic reform.

⁵¹ *Outline of Propaganda for CCP Tibetan Work Committee Concerning Not Implementing Democratic Reform in Tibet Within Six Years*, August 2, 1957.

⁵² *Jen-min Jih-pao* (People’s Daily, Peking), April 25, 1956.

⁵³ In view of these publication dates the date must have been December 1957 as reported in *Jen-min Jih-pao* and not as in *China Youth*, April 16, 1959 where the year 1958 is given.

⁵⁴ NCNA, Peking, July 20, 1959.

⁵⁵ See pp. 208-14, *infra*.

“ During the past eight years, the central authorities have consistently maintained an attitude of patience, education, and waiting with respect to the upper strata reactionary clique of Tibet. The latter, however, never repented or changed; instead they became even worse. On March 10, 1959 they even launched an armed rebellion betraying the fatherland, betraying the people, and undermining national unity. In the wake of the promptly suppressed rebellion and their encounter with shameful defeat, the situation in Tibet entered a new stage of democratic reform.

“ On the one hand, the dens of armed rebellion have been destroyed; the criminal activities of the upper strata reactionary clique which betrayed the nation and harmed the people have incurred the hatred of the broad masses of people; they have become completely isolated from the masses, and the reactionary former Tibetan local government has been disbanded. On the other hand, the broad masses of the working people have risen up to resolutely demand democratic reform : patriotic and progressive upper strata personages have actively agreed with the reform; and local Tibetan functionaries have increased in number. The aforementioned serves to illustrate that conditions are ripe for the fulfillment of democratic reform in Tibet.

“ The central tasks in Tibet at present are thorough eradication of the remnant rebels and proper mobilization of the masses to carry out democratic reform throughout the region. In the opinion of the conference, the guiding principles adopted by the Central People’s Government for the implementation of democratic reform in Tibet are entirely correct. These are the policy of buying up the land and other means of production owned by those landlords who did not participate in the rebellion; consultation from the upper to the lower levels; and mobilization of the masses from the lower to the upper levels.

“ In accordance with actual conditions in the Tibetan area, fulfillment of democratic reform should be divided into two steps. The first step is to amply mobilize the masses for active development of the campaign to oppose the rebellion, to oppose the system of labour service without remuneration, to oppose enslavement, and to carry out reductions in rent and interest rates so as to lay the groundwork for the next step, which is the distribution of the land.

” In order to fulfil the aforementioned tasks, the conference is of the unanimous opinion that it is necessary at present to implement the following policies :

“ 1) In the agricultural areas, the policy of “ he who cultivates will gain the harvest ” will be applied to the land in the three major divisions of manorial owners, including their agents, who took part in the rebellion. The policy of “ two-eight ” ⁵⁶ in the reduction of land

⁵⁶ 20% of the harvest to the landowners and 80% to the peasants.

rent will be applied to the land owned by those in the three major divisions of manorial owners, including their agents, who did not take part in the rebellion. It is also necessary to liberate the "lansheng" (NCNA Editor's Note: A lansheng is a house slave in the service of the Tibetan feudal manorial lord, performing lifelong service generation after generation, without any physical freedom), to abolish indentured labour and to change this to employed labour. Debts of the working people to those in the three major divisions of manorial owners incurred prior to 1958 will be revoked without exception. Debts incurred in 1959 by the working people and owed to those manorial lords who did not participate in the rebellion will have their rates of interest reduced.

"2) In cattle-raising areas, in order to protect and develop livestock production, eradicate the rebels, and rapidly stabilize social order, it is necessary to rely upon the working herdsmen and to unite all forces capable of being united. The cattle belonging to those owners who did not take part in the rebellion will remain under their former ownership. Cattle owned by those manorial lords who joined in the rebellion will be tended by the former herdsmen. The question of debts in the cattle-raising areas will be handled in line with the measures applied to the agricultural areas.

"3) The policy of protecting freedom of religious belief and protecting patriotic and law-abiding temples and monasteries, and cultural remains of historical significance, will be further implemented during democratic reform. In the temples and monasteries, it is necessary to develop the three-point opposition campaign of opposing the rebellion, feudal privileges, and the system of exploitation."

"The policy of buying out will be applied to the land and other means of production owned by patriotic and law-abiding temples and monasteries. The government will provide overall arrangements for the livelihood of the lamas and adopt subsidy measures to solve the problems of those temples and monasteries which are unable to meet their appropriate expenses with their own incomes.

"Sufficient mobilization of the masses constitutes the key to fulfillment of the "three-point opposition", "dual reduction", and democratic reform. In this work, it is necessary to rely upon the poor and employed farmers, consolidate unity with the middle farmers, and unite all persons who are capable of being united; to resolutely attack the rebels and the reactionaries who resist democratic reform; to thoroughly abrogate the feudal serf system; and, on the basis of intensively mobilizing the masses, to organize the associations of farmers or cattlemen. During the period of democratic reform, the associations of farmers or cattlemen at the levels below that of chu will perform the duties and functions of the basic-level administrative authorities in the rural areas.

“ In accordance with the aforementioned policies, the basic regulations of the association of farmers enacted, and the other documents on proposals for redivision of administration districts, and on regulations governing rent and interest reduction so prepared, will be promulgated separately by this committee.

“ This conference has been a conference of historic significance in Tibet. The task before us is great, difficult, and enormous. The secular and ecclesiastic people of Tibet should unite under the party leadership and work diligently in the struggle to build up the democratic and socialist new Tibet.”

The way had been prepared by intensive propaganda on the desire of the Tibetans for reform⁵⁷ and conditions were now presumably ripe for the long-postponed reforms. The most explicit rationalization of the change in circumstances was in *Red Flag*. “ (The reactionaries) have aroused the righteous indignation of the broad masses of the Tibetan people and stirred up the long-suppressed desire of the labouring Tibetans for democratic reform . . . Moreover, the suppression of the revolt and the dissolution of the former Tibetan local government have cleared the way for the introduction of democratic reform . . . From now on, the democratic reform will be gradually conducted by appropriate measures in full accordance with the will of the Tibetan people and the characteristics of Tibet.”⁵⁸

It is interesting to note that this is tantamount to an announcement from Peking that reforms were on the way, and it was six weeks later that the “ successor ” of the “ Tibetan local government ” endorsed the reform programme decided in Peking. In the speech made by Ngabo Ngawang Jigme at the meeting of the PCART he referred to the “ directive of the Central authorities ” on the carrying out of the reform.⁵⁹ Whether conditions were ripe or not, the Seventeen-Point Agreement envisaged that decisions on reform should be taken by the “ Tibetan local government ” and not by the CCP in Peking. The PCART itself, as the successor of that government in the eyes of the Chinese, was given no freedom to decide on reforms; it received its orders from Peking.

On July 22 and 23 the PCART approved plans for carrying out the rent and interest reduction, the plan for the administrative rearrangement of Tibet, and the regulations governing the organization

⁵⁷ E.g., *Tibetan Peasants Demand End of Serfdom*, NCNA, Lhasa, May 7, 1959; *The Seals, Troops and Court Whips of the Tibetan Reactionary Regime*, by Tsung Tsu-tu, NCNA correspondent, Lhasa, May 1, 1959; *Ex-Pariahs Ask for Democratic Reforms*, NCNA, Lhasa, May 17, 1959.

⁵⁸ *No Reactionary Force Can Stop the Rebirth of the Tibetan People*, by Chang Lu, Peking, May 1, 1959.

⁵⁹ NCNA, Peking, July 7, 1959 reporting from Lhasa, same day; *Jen-min Jih-pao* (People's Daily, Peking) July 17, 1959.

of country, district and village peasants' associations.⁶⁰ The laws on peasants' associations and on rent reductions were released on September 18, 1959 after approval by the State Council on September 16.⁶¹ The purpose of the associations is stated in Article 2:

“Peasants associations or peasants and herdsmen associations are voluntary organizations of the peasants or of the peasants and herdsmen. The aim of such associations shall be to organize the peasants and herdsmen for carrying out democratic reform, developing agriculture and animal husbandry, and improving their livelihood, in a gradual manner. These associations shall further conduct among the peasants and herdsmen political education, such as patriotic and anti-imperialist education, education on people's democracy, and education on socialism; help heighten the political consciousness of the people; exercise rights in accordance with the principles of people's democracy; protect the interests of the labouring people; unite people of all circles and levels; solidify unification of the motherland; strengthen national unity; and implement all policies and laws of the government.”

Drastic plans for the administrative reorganization of Tibet were announced by Ngabo Ngawang Jigme on July 3, 1959 but it is not known whether the text has been released⁶²: “The administrative division of Tibet—chikyab, dzong and chi—was in accordance with the feudalistic carving up of manors owned by the three sections of manorial lords. It is absolutely irrational and inconvenient for administrative management. We deem it extremely necessary to readjust the existing administrative division and make a rational redivision in the light of topography, communications, economy, national defence, and other such requirements facilitating administrative management. We intend to divide the whole autonomous region into seven special districts and one municipality; namely: Shigatse, Chamdo, Takung, Loka, Gyantse, Nagchuka and Ari districts and Lhasa municipality.⁶³ The existing 147 dzong and chi administrative units will be merged into 80 counties.” The division along the same lines as the CCP sub-committees explains the rational character of this division. The Tibet Work Committee of the CCP held an enlarged meeting from September 24 to October 18, 1959 to consider progress.⁶⁴ According to *Jen-min Jih-pao* (People's Daily, Peking) on November 13, 1959 the decision on land distribution was taken by this Committee. In the course of the report on this meeting

⁶⁰ Lhasa Radio, Tibet Regional Service in Mandarin, July 24, 1959; re-broadcast on October 25, 1959.

⁶¹ *Ibid.*, September 18, 1959.

⁶² NCNA, Peking, July 7, 1959.

⁶³ These were all sub-committee areas of the CCP Work Committee.

⁶⁴ Lhasa Radio in Mandarin, October 23, 1959; *Jen-min Jih-pao*, November 13, 1959.

reference was made to counties and the " areas " of Loka, Takung, Gyantse, Lhasa and Shigatse. From this it would seem that, apart from Lhasa municipality, the redivision had been achieved by then. The Lhasa People's Government was set up on January 20, 1960, under a decision of the PCART.⁶⁵

On November 28, 1959 the land system reform committee of the PCART was set up : ⁶⁶

" An inaugural rally of the land system reform committee of the Preparatory Committee for the Tibetan Autonomous Region is held in the auditorium of the Preparatory Committee for the Tibetan Autonomous Region at 14.30 on November 28.

" Attending the rally are Chang Kuo-hua, vice-secretary of the CCP Tibetan Work Committee and deputy chairman of the Preparatory Committee for the Tibetan Autonomous Region; Ngabo Ngawang Jigme, deputy chairman of the Preparatory Committee for the Tibetan Autonomous Region; and various members of the Preparatory Committee and responsible personnel of the CCP Work Committee. Some 400 persons representing the Tibetan government preparatory committee, the Tibetan Buddhist Association, and various government agencies and Tibetan circles of Lhasa are present.

" The rally begins with a speech by Ngabo Ngawang Jigme, deputy chairman of the Preparatory Committee for the Tibet Autonomous Region and concurrently secretary-general of the Preparatory Committee. He declares that the land reform currently and widely carried out in all parts of Tibet is a historically significant movement of mass revolution and that inauguration of the land system reform committee is necessary to lead the land reform movements. He reads the namelist of members of the land system reform committee, which includes Chang Kuo-hua and Ngabo Ngawang Jigme. Composition of the Standing Committee is given, consisting of Chang Kuo-hua, Ngabo Ngawang Jigme, and nine others.

" Following the speech by Ngabo Ngawang Jigme, Chang Kuo-hua, vice-secretary of the CCP Tibetan Work Committee and chairman of the land system reform committee, reports on the eight months' progress made in carrying out land reform."

No comment on the composition of this Committee and its functions seems necessary to show how unrelated it was to accepted notions of democratic reform. Chang Kuo-hua referred to this Committee in a speech read by a radio announcer : " To improve its leadership in the reform programme, the third plenary session of the

⁶⁵ NCNA, Peking, January 20, 1960.

⁶⁶ Lhasa Radio, in Mandarin, November 28, 1959.

PCART adopted a resolution setting up a land reform committee under the leadership of the Preparatory Committee.”⁶⁷ To help further “to mobilize people of all strata in Tibet”, the Tibet Committee of the CPPCC was set up on December 21, 1959. The Preparatory Office had been set up in November, 1956⁶⁸ and had then lain apparently dormant until the Preparatory Committee was formally established in Lhasa on October 29, 1959 under Chang Ching-wu.⁶⁹ He does not, however, seem to have become a member of the Tibetan CPPCC itself.⁷⁰ The inertia since late 1956, before the decision to postpone reforms was announced, followed by the rapid organization of this united front political movement in late 1959 when the reforms were under way, would seem further to indicate that political conditions in Tibet were not as ready for the reforms as the Chinese claimed.

There are many references in the Chinese press and on the radio to the enthusiastic reception given to the reforms,⁷¹ but the amount of political mobilization that appears to have been necessary throws considerable doubt on this reported enthusiasm.⁷² The land of rebels was confiscated, in accordance with the decision of the Central Committee of the CCP. Various progress reports and statements were made, of which the principal ones are that of the Panchen Lama on October 14, 1959 to the Standing Committee of the NPC⁷³ and an article by Chang Ching-wu entitled *The Victory of the Tibetan Democratic Reform*.⁷⁴

The progress of reform as at the end of January 1960 was reported by Chang Ching-wu. Reform had begun in 57 counties among 790,000 people : 40 counties, with 610,000 population, had concluded the first step, the reduction of rents. In the same 40 counties land distribution had been completed among 470,000 people. The total number of counties fixed in the redivision announced by Ngabo Ngawang Jigme to the PCART was 80, but in an NCNA despatch from Lhasa on April 25, 1960 the figure was put at 78. Progress reported in that despatch was that up to mid-March reforms had been completely carried out in 52 out of 78 hsien (counties). As far as local government is concerned the despatch may be quoted :⁷⁵

⁶⁷ Peking, Chinese Home Service, December 7, 1959.

⁶⁸ See p. 176, *supra*.

⁶⁹ NCNA, Peking, November 3, 1959.

⁷⁰ See p. 177, *supra*.

⁷¹ Particularly noteworthy is the flood following the resolution of the PCART on July 20, 1959. It was welcomed by “people of all strata in all parts of Tibet” : NCNA, Lhasa, July 24, 1959.

⁷² See *supra*.

⁷³ *Peking Review*, October 20, 1959.

⁷⁴ *Red Flag*, March 1, 1960; pp. 28-34.

⁷⁵ NCNA, Lhasa, April 25, 1960.

“ In those areas where democratic reforms were completed, people’s government administrations at various levels of the administrative district, *hsien*, *ch’u* and *hsiang* have been established on a universal basis. Thus, basically, the wish of the Tibetan labouring people to be the masters of their own house was fulfilled, and the predominant position of the labouring people has been established.

“ Now, the Lhasa Municipal People’s Government has been established, and public offices of commissioners have also been established in Shigatse, Loka, Gyantse, Chamdo, Linchih, Nanch’u, and Oli. People’s governments at the *hsien* level have been universally established in the 78 *hsien* in the entire region; and in 60 percent to 70 percent of the more than 270 *ch’u* and 1,300 *hsiang* in the region government administrations at the *ch’u* and *hsiang* levels have come into being. Leadership posts in the people’s governments at various levels are held by the Tibetan cadres. At present, the entire region has more than 300 Tibetan *hsien* and *ch’u* magistrates and 816 *hsiang* magistrates. Slaves and poor serfs who have now stood up completely on their own feet now hold the leadership positions in the more than 1,200 *hsiang* peasant associations in the region, which are leading the labouring people to gain their independence and engage in production on a grand scale.”

The question at issue is quite simply whether the “ democratic reforms ” were carried out by the Tibetan government in accordance with the wishes of the Tibetans. There is enough in the Chinese statements to indicate that a very intensive political campaign was necessary; there are also ominous threats against “ reactionaries ” who opposed the reforms—a sure sign that opposition existed. Thus the Panchen Lama on the need for vigilance at the second plenary session of the PCART : “ The imperialists and reactionaries will do everything in their power to sabotage socialist undertakings leading the people to happiness and freedom. We must therefore heighten our vigilance.”⁷⁶ The *Tibet Daily* on August 7, 1959 went into some detail on this problem :

“ One important experience we have gained is that we should rely on the masses to deal blows to the reactionaries who oppose the movement. This, in the people’s language, is : ‘ Remove the Stumbling Block and Get Rid of the Wicked Wolf Among the Herd’. The measure to deal blows to reactionaries who oppose the movement is stipulated in the resolution on democratic reform adopted at the second plenary session of the Preparatory Committee for the Tibetan Autonomous Region. The measure relies to a great extent on mobilization of the masses for its success.

⁷⁶ Radio Lhasa in Mandarin, July 17, 1959. This was only a Report.

“ It is quite natural for reactionaries to appear in the course of the movement. (The party?) has pointed out that the revolution in Tibet is a peaceful one, but it is expected that some of the reactionaries will not willingly give up their feudalistic privileges and exploitation and will resist peaceful revolution. The struggle of these reactionaries, however, will be a hopeless one. Since they are unwilling to give up the serfdom and exploitation systems and continue to sabotage the revolution, we must resolutely smash them in accordance with the spirit of the resolution, adopted at the second plenary session of the Preparatory Committee for the Tibetan Autonomous Region, so as to remove this stumbling block from our path. The peasants of the Paiting “ hsika ” (manorial estate - Ed.) in the eastern suburb of Lhasa and of the Shamo “ hsika ” in Tungkan have already done so. These are correct examples. In doing so, the class consciousness of the broad masses of people has been heightened, enabling them to differentiate between themselves and the enemies and thereby greatly facilitating the development of the movement.

“ The fact that numerous reactionaries have been exposed in the course of the ‘ three-antis, two-reductions ’ movement is proof that the people have been deeply inspired by the party’s policy. It indicates that the policy has been accepted by the people and become a force. It also bespeaks the success of the work teams. Now another important thing is to heighten the consciousness of the exposed reactionaries so that the movement may be pushed further ahead.

“ There are two ways to handle reactionaries who sabotage the movement : One is to handle them in such a way as to make the people realize the wickedness of the reactionaries and the strength of unity under the party’s leadership. This will increase the confidence of the people in the movement and encourage them to join the movement with enthusiasm and courage, thus leading the movement to a greater and greater upsurge. Another way is to handle reactionaries in a perfunctory manner. This will neither heighten the consciousness of the people nor powerfully assist the development of the movement.

This perfunctory method goes against the policy of mobilizing and educating the masses. The proper way is to heighten the consciousness of the people and educate the people—this way should be followed by all localities in the course of the movement.” ⁷⁷

Tributes paid to the PLA for their part are also revealing. It is reported that the Panchen Lama, after describing the achievements of 1959 at a rally for PLA activists in Lhasa on February 20, 1960 said that such results were “ chiefly attributable to the Chinese

⁷⁷ Radio Lhasa in Mandarin, August 7, 1959.

Communist Party and the brilliant leadership of Chairman Mao Tse-tung” and were also “inseparable from the entire body of PLA officers and combattants who had taken part in putting down the Tibetan rebellion and initiating democratic reforms in Tibet.”⁷⁸

One may sum up the points from the Chinese sources by saying that they make it abundantly clear that the reforms in Tibet were decided upon in Peking, formulated through the PCART, which was directly under the authority of the State Council and was a subservient instrument, and implemented through the establishment of the Tibet Committee of the CPPCC, a united front organisation with a Chinese chairman, political peasants’ associations, administrative organs set up in conformity with the division of the CCP sub-committees in Tibet, and with the assistance of the PLA. The mode in which the decision was taken and implemented does not indicate that these reforms were carried out by Tibetans at the wish of Tibetans.

A clear picture of the methods employed can be obtained by studying the technique as employed in 1955-56 and finally in western Tibet from 1959 onwards. Tibetan refugees have given accounts of what happened :

Rigong, Amdo : “ In 1956 a number of people were executed by the Chinese for not disclosing their property. The new leaders (i.e. the former beggars) knew that some people had not given up their arms and their property. These were arrested and about six were shot, the remainder being sent for railway construction. An assembly of the people was called to witness the shooting. One man was shot in stages working up the body, there being about nine stages in all. One man was asked whether he would prefer to die standing up or lying down. He preferred standing. A pit was dug and he was placed inside it. Then the pit was filled with mud and compressed. This continued after he had died until his eyes protruded from his head and were then severed by the Chinese. Others (i.e. the remaining four) were made to recount the faults of their own parents, that they were devoted to religion, etc., then these four were shot in the back of their heads. As their brains spattered the Chinese called them the flowers in bloom. These events took place in the village of Ranga Gonchin just below the monastery. The witness was present, having been summoned from his village which was nearby.”⁷⁹

Doi, Amdo : “ About forty people, made up of landowners and other wealthy people, were either killed or deported. They were accused of being serfowners and of living on the poor and it was said that their wealth should be owned by the government for the benefit of the peasants. These people had many servants but were not serf-

⁷⁸ Radio Lhasa in Mandarin, February 22, 1960.

⁷⁹ Statement No. 7; see p. 229, *infra*.

owners. Ten in this category were killed. According to the Chinese the servants were suffering under this regime, but according to the witness all the servants were paid. He himself had no servants but did hire labourers during the spring and autumn seasons and paid them for their work. At assemblies called for the purpose of witnessing executions he saw ten wealthy people and twelve of the landowners, who were in fact village leaders, were also killed. The remaining eighteen persons simply disappeared. The executions were carried out by shooting in the back of their heads.”⁸⁰

Ba : “ From 1950-53 the Chinese convened occasional assemblies where the theme of the talk was that the Tibetans were to have full freedom and respect. The Tibetans were also told that everyone was to be made equal. He was twice called to such meetings, and went. Wealthy people were not allowed to attend these meetings, but there was nevertheless opposition to the proposed reforms. The Chinese then threatened to impose these reforms by military force if there was opposition. Four headmen and two lamas went in a delegation to the Chinese to express their opposition to these reforms. Some of the poor people were in favour of these reforms, but the majority were against.

“ In 1955 the land reforms were proposed. Four monasteries and the people of the district expressed opposition to these reforms and told the Chinese that they were prepared to resist them. All the land was to be taken and divided, the Chinese were to collect all the grain. All arms and personal belongings were to be taken except what they were already wearing. The Chinese took all his land and all his livestock except for one cow, one ox and six sheep. The produce of the cow had to be handed over to the Chinese. He was left only a small piece of land representing about a quarter of what he originally had. The remaining portion was given to the poor people and the beggars. He received nothing, but would have regarded the transaction as perfectly lawful if he had been paid. From 1955-57 the property of the monasteries and of the landlords and all species of wealth were confiscated. Those who hid anything were punished in the following way : they were at first imprisoned, then they were made to stay in trenches where they were fed only once a day. They were told they must suffer for their love of wealth. He saw about forty to fifty people sitting in a trench and it was said that altogether three to four hundred were treated in this way, including all who opposed these reforms. They were kept in the trenches all the time and the people were not permitted to go to them. He knew some of the people who were punished in this way, and after they had gone there he never saw them again. He left the area in 1958, at which time these people were still under guard.

⁸⁰ Statement No. 10; see p. 233, *infra*.

He explained that the reason why he was able to see them was that at first people were taken to see them as a warning not to oppose reforms or to hide their property. The Chinese said when taking away some of the property that it was for the purpose of constructing factories. Up to the time he left he saw nothing of this.”⁸¹

Ba-Chodey : “ In 1956 he had joined the NVDA. His reason for joining the army was the proposed reforms of the Chinese. In 1956 they had to give up monastery property and private property. Anything which was of no use to the Chinese was burned or otherwise destroyed. They were told that if they still adhered to their religious beliefs and practices they would have no food. The first anti-religious propaganda began in 1954 when they were told that they were reactionaries and followers of Chiang Kai-shek unless they gave up their religion, and that all reactionaries would be arrested and imprisoned. In the beginning of 1956 about thirty lamas and monks were arrested and imprisoned. The reason given for their arrest was that they told the Chinese they would have to ask for the agreement of their fellow-monks on the question of reform. They were made to kneel on broken glass and stones and to rest their elbows on them. When they were questioned on their willingness to accept reforms they said that they were personally prepared to do so but that they could not speak for the others. Then they were released. A big meeting was then held in the village of monks and villagers. They pleaded that if the reforms had to be carried out then the property should be distributed equally among the people. The Chinese replied that this could only be done later on but gave no reason. When he left to join the NVDA the monks were still in the monastery. The Khamba uprising had already begun and the people refused to give up their property. The monks refused to surrender their property except for the purpose of distribution and attacked the Chinese with small arms and swords. Then the Chinese opened fire on the monastery with machine-guns and then planes bombed it. About two thirds of the monastery buildings were destroyed. Then he joined the Khambas . . . After the attack on the monastery the Chinese promised that if the monks surrendered there would be no reforms. Some did surrender, thirty of whom disappeared, whilst a hundred were imprisoned. The fighting continued and the reforms were carried out. Fighting was still going on when he left. When he finally left Tibet he had been sent to ask for help from the United Nations.”⁸²

Litang : “ In 1952 intensive communist propaganda began. An officer, Mo Tu-rin, told them that a list of their property had been made and that they should surrender this property. Later another officer,

⁸¹ Statement No. 13; see pp. 237-8, *infra*.

⁸² Statement No. 24; see pp. 249-50, *infra*.

Lo Vi-pen, told them that they must contribute help to stop the United States from dropping an atom bomb on the Chinese. Out of his total livestock of eighty-five animals he had to contribute twenty-five instead of money.

“ During 1954-55 the Chinese collected together all the poorer elements and gave them food, clothing and money. After this these people went around saying that the lamas and monks had been exploiting the people, and also attacking the wealthy class . . . In 1956 the Chinese surrounded Litang monastery whilst a special ceremony was going on, and the witness together with other outsiders were attending the ceremony inside the monastery. The Chinese told the monks that there were only two possible ways : socialism and the old feudal system. If they did not surrender all their property to socialism the monastery would be completely destroyed. The monks refused. A local headman began to leave the monastery to return, but was fired upon and went back. The following morning machine-gun firing began. The firing continued and hand-grenades were thrown. For sixty-four days, with the witness still inside, the monastery was besieged. The Chinese charged the walls and the monks fought with swords and spears. On the sixty-fourth day planes bombed and machine-gunned the monastery, hitting the surrounding buildings but not the main temple. That night about two thousand escaped, and two thousand or so were captured. He stayed behind and was captured. Those captured were gathered together. Holy pictures were stamped upon and then thrown away. The captives were then taken to Chinese headquarters where they were told that they would be executed within an hour. For the next three hours all the tea cauldrons were brought in from the monastery to be used as latrines. No one was in fact executed at this time. The lamas and monks were separated from the others and imprisoned. It was then that the two above-mentioned lamas were executed. The rest were kept in custody for a week, during which lamas and monks were sent to clear up the excreta of the laymen from the village. Women were freed at the end of the week, and the rest were questioned about their part in the fighting and then set free with a warning. He heard that a lama had been crucified and another burned, but had no idea of their names.” ⁸³

Derge, Kham : “ Just before he was called to a meeting in 1957, he had been given rice and pork by the Chinese and later was given clothes by the Chinese at the meeting. He was promised ten Chinese dollars a month and was asked to take part in the denunciation of those who were brought to future meetings. The Chinese told him that the elimination of the wealthy classes and the landlords was the only chance for the poor and that he should accuse those at the meeting

⁸³ Statement No. 26; see pp. 253-4, *infra*.

of exploiting the poor. He estimated that there were about five hundred people doing this in the Yalung district, where this was going on. Many of the nomads were included in this number. Other inducements given were scissors and tools. He himself attended two meetings and took part in the denunciation of the wealthy classes. He had seen the higher classes ill-treated and was afraid for himself and that the Chinese would take his property from him. He was aware at the time that what he was doing was wrong, but he was afraid to say so. Many of the wealthier classes were beaten and even executed.

“ . . . He gave details of the two meetings in which he participated. Village leaders and landlords, upper middle-class and wealthy people were executed by people from the same background as himself. They were promised that they would take over the properties of the people they executed. He was invited to do this and accepted. He was given a gun which he was allowed to keep for the night, but he ran away during that night. After most of the people had been executed, the Chinese denied all responsibility. A further reason he gave for running away was that the Chinese were not honouring their promises of handing over the property of those executed. He also said that almost all of the wealthy classes had been executed and that now the Chinese were starting on the lamas and the monks. Asked if he would have been prepared to do it had the promised property been given to him, he said he would not because he had no reason to do such things.”⁸⁴

Doi-Gyatsang, Amdo : “ Most of the wealthy people were executed in public by the Chinese. About a hundred people were put to death in this way, including, among the people he knew : Lorinthu, Chopel Gyatso, Aluckgya and Shapon. An assembly of people was called together. The people to be executed were accused of exploiting the poor. At the meeting, a number of the poorer classes who had been paid by the Chinese went among the crowd and told them that if they did not agree to the execution of the wealthy people they themselves would be shot. In response to the question whether these people should be shot, the assembly agreed that they should. Some even had to say that their fathers should be shot. He learned this from Lhawang Thondup, who was previously a poor beggar and became a leader in the Doi area. This man figures in Statement 11, and this witness lived less than a day’s journey from the home of the author of Statement No. 11.⁸⁵

Statement No. 39, which has already been cited elsewhere, should be referred to.⁸⁶

⁸⁴ Statement No. 35; see pp. 265-6, *infra*.

⁸⁵ Statement No. 36; see p. 267, *infra*.

⁸⁶ See p. 42, *supra*.

The postponement of reforms in Tibet has been causally connected with the Khamba uprising in 1956, and the methods described above would explain readily enough the resistance of the Tibetans. The technique of inducing acceptance of the reforms was the simple one of violence.

The principal methods used in the 1959 reforms were intensive indoctrination, and the degradation by the mob of prominent citizens; here the working of the party institutions can be seen. The account of the presentation of the reforms in the Shigatse area in 1959 shows the technique of explaining to the Tibetans :

“ When the Chinese came in October they assembled the laymen, the village leaders and the monks in the Dzong. They said that the rebellion had been put down and that now the people must learn communism. There were three ‘antis’ and two ‘forwards’. The ‘antis’ were :

- a) those who had revolted,
- b) the tax and labour obligations called for by the landowners, and
- c) slavery.

The two ‘forwards’ were :

- a) the remission of interest, and
- b) the remission of rent.

This should be studied. They must oppose religion and the officials of the Tibetan government or of the Panchen Lama and the landowners.” (He insisted firmly and absolutely that the Chinese said Panchen and not Daladi). “ Those who had not been involved in the revolt would be liberated peacefully but the rebels would be treated more severely and some would be shot. It had been written in Chinese newspapers that there was to be freedom of religion but the Tibetans had not, they were told, properly understood them. It was no use worshipping God; there was no religion in communism, there was a vast difference between the top people with their privileges and the rank and file. Religion was just for the exploitation of the people and had deceived the people. When they had been taught by the Chinese they would come to realise this and the people would not come to make offerings and gifts to the monks. The monks were not to be permitted to accept gifts. They should now marry and cease to be monks. They were to be given shares of land which they should work in order to feed themselves. Some of the monks asked if they could remain in the monastery and work. The Chinese replied that this showed that they were not properly instructed since Sera, Drepung and Ganden (the three big monasteries of Lhasa) had now been so well taught that no monks were left in them . . .

They were told that there was an oppressive estate ruling the people and someone else was ruling that estate. They must think who was ruling the oppressing estate. The people said it must be the Dalai Lama. The Chinese were very pleased with this and remarked that the people had been well instructed. Since he was the biggest ruler he was the biggest oppressor. Those on each side of the border had to realise who the top oppressor was on their particular side, the Panchen Lama on the one and the Dalai Lama on the other (the border between the areas of authority of the two lamas respectively ran through this part of Tibet). This particular remark about the Panchen Lama and the Dalai Lama he himself heard at indoctrination meetings. Beginning in December 1959 the Chinese announced that all except one from each house must attend meetings. At these meetings about thirty Tibetan collaborators sat on chairs in a tent. Below them were the Chinese, below them were the mass of the people and right at the back were the lamas, who at this time had not yet left the monasteries. The collaborators read out speeches handed to them by the Chinese, the gist of which was that the masses had been victorious and that through the kindness and teaching of the communist party they had overcome the oppression of the local Tibetan government. Now they must realise that the time had come through the kind help of the communist party to overthrow all oppressors, and they must realise the gratitude they owed to the party. Then a speech was made by one of the Chinese who said that the people had assimilated what was taught, that they had discovered that the Dalai Lama and the Panchen Lama were the ultimate source of oppression, which was a fact. The products of the country were to be improved. The existence of too many monks and nuns had slowed down production. The population must be increased. Schools and mechanization were to be introduced and everyone must do his best in the drive to increase production. All debts to monasteries and landlords were remitted and anything deposited as a security could be reclaimed. No rent was to be paid to the monasteries or the landlords. Wealth was to be taken over by the Chinese and the people would be paid sufficient for their needs by the Chinese. They must develop class-consciousness to overcome the wealthy people.”⁸⁷

More direct methods seem to have been used in Yatung, from December 1959 onwards :

“ When he left (at the beginning of February, 1960), conditions in Yatung were that barley and buckwheat had been taken by the Chinese, and since he had nothing to eat he left for India, arriving in Sikkim. His land and livestock were taken away and it was said that a cooperative system was to be introduced. Old people

⁸⁷ Statement No. 25; see pp. 251-2, *infra*.

over sixty were given light manual work for six hours a day as a condition of their being fed. The monastery property had been taken over by the Chinese and most of the monks had gone ... When property was confiscated the Chinese came carrying guns and there was no resistance. This happened in about December 1959.”⁸⁸

This witness was a middle-class farmer.

An artisan described what happened in Lhasa in the late summer of 1959 :

“ He was sent to Lhasa to attend a meeting. There high officials and lamas and nobles were being publicly beaten by beggars and blacksmiths ... The Chinese were telling them that they must repay their oppressors and that they were to become their masters ... He himself heard threats uttered at the meeting that if they did not do what they were told they would be accused of being reactionaries and would themselves be beaten and imprisoned.”

In January 1960, the same witness saw similar incidents in Gyantse:

“ There an assembly of the people was called and a village headman from Mesa was shot. He was called a reactionary and a person who was not a true supporter of communism. All the dogs were shot, the landowners' wealth was confiscated, beggars were installed in their houses and the owners were made to live without food in the cowshed. The beggars were put into official dress and the officials were made to salute them and to drink after them.”⁸⁹

The above evidence contains a number of variations on a technique which seemed to be the strengthening of class-consciousness which the Chinese so frequently mention. These statements also tend to confirm the impression left by the Chinese statements, viz. that there was little spontaneous enthusiasm among the Tibetans for “ democratic reform ”.

Further accounts of how the opposition of “ reactionaries ” was dealt with are given by the Chinese themselves. The reference to raising class-consciousness in the incident at Paiting is significant:

“ The broad masses of farmers in the Paiting area in the Eastern suburb of Lhasa recently launched a campaign against reactionary serf-owner, (Ngo-shang-a-wang?), who undermined the ‘ three-antis, two-reductions ’ movement. In doing so, they have sharpened

⁸⁸ Statement No. 30; see p. 258, *infra*.

⁸⁹ Statement No. 28; see p. 257, *infra*.

their eyes and raised their class-consciousness and subsequently increased efforts in the 'three-antis, two-reductions' movement.

"On July 26, a mass meeting was held in Paiting to expose the reactionary serf-owner (Ngo-shang-a-wang?) who obstructed and undermined the 'three-antis, two-reductions' movement. Because the masses had sharpened their eyes and raised their class-consciousness, they were unable to air all their complaints in one day and requested a further opportunity to continue their complaints. Additional meetings were held on July 27 and July 28 to expose and accuse. According to testimony (Ngo-shang-a-wang?) sent five (ho?) of oats each to 36 langsheng (an indentured servant). He also distributed 15 ounces of yak butter and 9 tea-bricks each to all the langsheng and slaves, as well as cloth and silk. (Ngo-shang-a-wang?) also scattered his other property and deposited it among each langsheng family. At the public meetings, all the langsheng and slaves were highly indignant in pointing out the shameless acts of (Ngo-shang-a-wang?).

"Langsheng (Tsan-Kuo) said: 'When my family was starving you would not even lend us any tsampa. Why do you suddenly give us five (ho?) of oats now? What is your intention?' Other people pointed out: 'The Communist Party is working for us poor people. Why do you want to slander the Communist Party? The Lhasa River bridge, the highways, the hospitals and the schools were all built for us with assistance from the Communist Party. Even now, you are still dreaming of oppressing the people. With the Communist Party supporting us, we are determined to settle accounts with you.'

"At the public meetings, the people raised their voices to demand punishment of this illegal serf-owner (Ngo-shang-a-wang).

"The Paiting work team and the committee to suppress the rebellion accepted the request from the masses and placed the law-breaking serf-owner under arrest to await punishment, in accordance with the stipulation adopted on July 17 by the Preparatory Committee for the Autonomous Region at its second plenary session in the resolution on conducting democratic reform, which provided for a 'resolute attack on the rebels and the reactionaries which obstruct democratic reform.'"⁹⁰

"Shamo Incident—Tungan—Peasants of the Shamo 'Hsika', Tungan County, have exposed the crimes of reactionary serf-owner (I-hsi-to-chieh?) who sabotaged the 'three-antis, two-reductions' movement.

"(I-hsi-to-chieh?) is the owner of the Shamo 'Hsika', he tried to sabotage the 'three-antis, two-reductions' movement when it

⁹⁰ Lhasa Radio in Mandarin, August 7, 1959.

was launched on the Shamo 'Hsika'. First he tried to buy over the poor peasants through deceit by giving them high-grade oats and wine. He gave clothing, blankets and furniture to (a-lai?), (ho-sang?) and two other poor peasants. Under assumed authority, he called the langsheng (indentured servants) to a secret meeting. He said to the langsheng: 'You have all been very good to me. You are my langsheng. I promise to repay you after the movement is over. Step forward to protect me if anyone comes to arrest me.' He further told the langsheng: 'All my property belongs to you. I will grant you ownership if you want it.' But the consciousness of the peasants had been heightened by the work teams, publicity of the movement and the party's policies. The reactionary activities of (I-hsi-to-chieh?) were exposed one by one. They said 'No matter how sly and wicked (I-hsi-to-chieh?) is, he cannot win after all, or hide anywhere under the sun.'"⁹¹

These accounts were broadcast as part of the same transmission as that which explained that the proper way to handle reactionaries is to "heighten the consciousness of the people".⁹² There is no reason to doubt that these incidents took place; they follow the same pattern as that used generally—accusation by the "masses" followed by either humiliation in public or a simpler punishment. In many of the incidents described by Tibetans the "masses" were persuaded to do this by threats, and the probability of the same kind of threats in these incidents is accordingly very strong.

It is clear that the Tibetan people generally had no say in the reforms which took place in Tibet, which were imposed upon them through at first violence, and then in Tibet proper by political teaching through violent methods.

That it was the Chinese who achieved reform and did so by high-pressure indoctrination, sweeping changes in Tibetan institutions and violence, indicates further violations of the Seventeen-Point Agreement, in particular of Articles 4 and 11.

Article 7: "The policy of freedom of religious belief laid down in the Common Programme of the CPPCC shall be carried out. The religious beliefs, customs and habits of the Tibetan people shall be respected and lama monasteries shall be protected. The central authorities will not effect a change in the income of the monasteries."

From the evidence cited in Chapter One it is clear that there was no freedom of religious belief in Tibet. The elaborate Chinese rationalization on what freedom really means is belied by their

⁹¹ Lhasa Radio in Mandarin, August 7 1959.

⁹² See p. 189, *supra*.

open attacks in Tibet on the basis of belief and religious worship. Almost all the references to the reforms in Tibet insist that they were being implemented within the framework of freedom of religious belief, but the Tibetan statements and some of the Chinese statements are plainly inconsistent with this assertion.

The policy towards religion is completely incompatible with freedom of religious belief, as the evidence reviewed in Chapter One shows.

The obligation not to effect a change in the income of the monasteries arises from Article 7. This question figures prominently in the earlier reforms of the Chinese and has already been considered.⁹³ The policy towards monastery property in the reforms of 1959 was thus described in the resolution of the PCART on July 17 1959:

“The policy of protecting freedom of religious belief and protecting patriotic and law-abiding temples and monasteries, and cultural remains of historical significance, will be further implemented during democratic reform. In the temples and monasteries, it is necessary to develop the three-point opposition campaign of opposing the rebellion, feudal privileges, and the system of exploitation.

“The policy of buying out will be applied to the land and other means of production owned by patriotic and law-abiding temples and monasteries. The government will provide overall arrangements for the livelihood of the lamas and adopt subsidy measures to solve the problems of those temples and monasteries which are unable to meet their appropriate expenses with their own incomes.”⁹⁴

The income of the monasteries was formerly provided from governmental and private sources.

“Governmental endowments may include subsidies in kind, funds, real estate, and even magistrate districts: private endowments include alms and donations in money and in kind from members of the congregation or from outsiders. To this we must add interest and dividends on banking and trading operations, in which all the lamaseries freely engage.”⁹⁵

There are three layers of organization, a La-Chi (university board), Dra-Tshang (college) and Kham-Tshen (somewhat like the dormitory).⁹⁶ Each functions as an independent economic unit.⁹⁷

⁹³ See pp. 190-4, *supra*.

⁹⁴ See p. 181, *supra*, for full text and source reference.

⁹⁵ *Tibet and the Tibetans*, by Tsung-lien Shen and Shen-chi Liu, pp. 74-5.

⁹⁶ *Op. cit.* pp. 72-73; the authors' analogy is to western institutions of learning.

⁹⁷ *Op. cit.* p. 74.

Such were the incomes which the Chinese People's Government pledged itself not to change.

Under the reforms these sources of income were drastically altered as being based upon exploitation. According to the account published in the *Peking Review* the Panchen Lama reported to the Standing Committee of the Second NPC on October 14, 1959 :

“ Monasteries are one of the three groups of big manorial lords in Tibet. During the democratic reform, the feudal prerogatives of the monasteries and their system of oppression and exploitation must be abolished. If, after the abolition, the income of the monasteries is insufficient to provide proper subsistence for the lamas, an appropriate subsidy will be provided by the state. We think that state subsidies should go mainly to those lamas who are wholly engaged in scripture reading or who are old, weak or disabled. Those able-bodied lamas should engage in production.”⁹⁸

This promise is basically different from the account given by Tibetans of what happened and also differs in one important respect from that given elsewhere by the Chinese. The curious point is that the Chinese had undertaken not to change the income of the monasteries, when that income was based on “ all the privileges through which the monasteries and temples oppress and exploit the people.”⁹⁹ Reduction of rent and interest—the two reductions or “ antis ” of the reform movement—were precisely changes in the income of the monasteries, and in return “ sufficient subsistence ” was to be provided. “ Able-bodied lamas should take part in production.”¹⁰⁰ Shirob Jaltso, Chairman of the Chinese Buddhist Association, sought to justify the changes in terms of Buddhist doctrine, and explained that subsistence was dependent on labour :

“ Our means of subsistence for cultivating morality and doing religious duties is guaranteed by our own labour.”¹⁰¹

It is clear from this that monks and lamas were dependent on work for their income, in violation not only of the principles of the Buddhist religion,¹⁰² but of le Artic 7 of the Seventeen-Point Agreement.

Statements by Tibetan refugees make this position very plain :

Lhasa, September to December, 1959 : “ All the monks and lamas except the very old were set to work. He saw one collapse in Lhasa through

⁹⁸ *Peking Review*, October 20 1959, p. 8.

⁹⁹ Chang Kuo-hua, as reported by NCNA Peking, July 2 1959.

¹⁰⁰ *Peking Review*, October 20 1959, p. 8, reporting the Panchen Lama.

¹⁰¹ *Modern Buddhism*, Peking, October 30 1959.

¹⁰² On this point the centuries' old doctrine would seem to be more authoritative than the contrary view of Shirob Jaltso.

carrying mud and stones . . . When he arrived (in Sera) he saw only one or two old lamas . . . They said that they were forbidden to accept food from the peasants.”¹⁰³

Jayangshipa and Schachung monasteries, Amdo, 1957 : “ Four days’ journey from his monastery was one called Jayangshipa. A monk who escaped from this monastery came to his own, Shachung, and told them what had happened. The Chinese had visited the monastery, sold the flour, and stopped trade. The monks’ ration was reduced; and when monks appealed for more the Chinese told them they could starve. The monks threatened to fight, and soldiers surrounded the monastery, which was bombed, shelled and machine-gunned. This monastery houses about 5,000 monks, many of whom were killed during the bombardment. This took place in 1957.

“ In the same year, the Chinese came to his monastery and asked for 200,000 Chinese dollars. The monastery could not supply this and the Chinese demanded anything made of metal, precious or otherwise. They took all the tea cauldrons and other utensils of brass and copper and the butter lamps. The images were not taken. All the grain stock was taken and the monks were promised a ration. However, nothing was given except that a little was given to the monks from the poorer classes. Monks from more well-to-do families, among whom the witness was included, were given nothing and forced to do hard labour, cultivating dry land and bringing water from a distant waterfall. Whilst they were engaged on hard labour, their food was supplied from home and they also received half a pound of flour a day. The land which was being brought under cultivation was monastery land which was normally used for purposes of meditation. The monks worked from dawn to dark without a break, having to keep on working whilst eating. Peasants also were working alongside the monks. If the workers showed no cuts or blisters, they were accused of not working hard enough. If their allotted plot was not completed, no ration was given.”¹⁰⁴

Shay-Donkphok monastery, near Shigatse, 1959 : “ The monks were not to be permitted to accept gifts . . . They were to be given shares of land which they should work in order to feed themselves.”¹⁰⁵

Drepung monastery, Lhasa, April 1959 : “ After the monks had been locked up for fourteen days, they were told that they were wasting their time on religion and would either have to join the army or work in the fields. If they wished to stay in the monastery they would receive no food.”¹⁰⁶

¹⁰³ Statement No. 28; see p. 257, *infra*.

¹⁰⁴ Statement No. 37, see pp. 267-8, *infra*.

¹⁰⁵ Statement No. 25, see p. 251, *infra*.

¹⁰⁶ Statement No. 33, by 3 monks from Drepung; see p. 262, *infra*.

It is clear that any kind of subsistence for monks who wished to remain in the monasteries was denied, whilst those who were prepared to leave and work would apparently be given the means to support themselves. The whole design was to break up organized monastic life ¹⁰⁷ and one means employed was to deprive them of their income by making it conditional on obedience to the Chinese. The extent to which monasteries were deprived, not only of their income but of all their property, is shown in other statements which are cited elsewhere.¹⁰⁸

Article 13: "The People's Liberation Army entering Tibet shall abide by all the above-mentioned policies and shall also be fair in all buying and selling and shall not arbitrarily take a single needle or thread from the people."

Article 16: "Funds needed by the military and administrative committee, the military area headquarters and the People's Liberation Army entering Tibet shall be provided by the Central People's Government. The local government of Tibet will assist the People's Liberation Army in the purchase and transport of food, fodder and other daily necessities."

The record of the PLA in providing for its needs is one of violating this undertaking, particularly in the early stages. At the very first, there are indications that the PLA in fact distributed food, clothing and money to the Tibetans, and that they provided the money and clothing themselves.

Nangsang, Ba, 1950 : "To the people in the two lowest grades ... money, food and clothing were given. Except for the food, which was raised from the people, the money and the clothing were brought from China."¹⁰⁹

Ba, 1950 : "The Chinese announced that they would help the poor people materially, and he received one rake."¹¹⁰

There are also indications that money, etc. was given to the Tibetans as an inducement to help in the "strengthening of class consciousness". These gifts are mentioned elsewhere.¹¹¹ The main needs of the PLA were food supplies, fodder, transport and labour for the construction of roads. The story of how these were provided has been told by many Tibetans :

¹⁰⁷ See Chapter One, *supra*.

¹⁰⁸ See pp. 190-4, *supra*.

¹⁰⁹ Statement No. 11, see p. 234, *infra*.

¹¹⁰ Statement No. 13, see p. 237, *infra*.

¹¹¹ See pp. 192-3, *supra*.

Gyaldrong, Taktse district, 1951-55 : “ The Chinese arrived in 1951 and demanded fodder, fuel and food in large quantities. The people said that these quantities were not available. Those who gave only part of what was asked for had their names taken but nothing happened to them. The fodder was given to Chinese mules and camels. A ration office for the Chinese army was set up, using Tibetan supplies. Supplies had to be carried from Phundo to Lhasa and the Chinese requisitioned transport animals for this purpose. Some of the animals died and human beings had to replace them. No transport animals from the Chinese army were used for this purpose. From 1952-55 the peasants were carrying supplies. The animals died from overwork. The normal ride from Phundo to Lhasa was two days with three days’ rest before returning. The Chinese allowed one day’s rest only. Human beings were allowed two days’ rest. Some of the people who were carrying loads had sores but he has no knowledge of human beings dying. The road used was described as passable in both winter and summer. The quota of goods to be carried was 50,000 loads a day from the six districts in the region. In the monastery of Ganden Chokor and from the village the Chinese took all the grain and fodder. Every year they had to give impossible amounts and as a result peasants had to beg for a living. Monks had to walk with the animals and the peasants who were carrying the loads, but were not ill-treated as far as he knows.” ¹¹²

Dzongsar, Derge, Kham, 1951 : In 1951 the Chinese required 2,000 transport animals of which his family had to supply twenty out of their total holding of thirty. All these twenty died. After this people were sent to carry the loads. He personally had to go, together with his elder brother and younger sister, and they worked for about sixteen months. They were very heavily worked and developed sores on their backs. The goods they carried were mostly consumer goods and money. The loads amounted to over one and a half maunds (i.e. 110 lbs), and they covered eight mule-caravan stages (i.e. about 120 miles) in about twenty-four days. The route was from Derge Kholodo to Derge Kamtoka. The goods were sent to Lhasa, according to the Chinese, who took delivery on the river bank at the latter place. Chinese goods had never before been sent in these quantities. During this period about ten people died, mostly after about nine months. The names he can remember are Tsetun, aged 48, Ysewang Dorji, aged 55, Chodun, aged 30, and Tsering Dolma, aged 40. The last three named were women.” ¹¹³

Diggong, Metogongkar, 1953 : “A road was made through their district and before this time there were always sufficient beasts of burden and plenty of fodder. For the road-building about 3,000 maunds of fodder a year had to be supplied. Payment varied but was usually

¹¹² Statement No. 3, see p. 224, *infra*.

¹¹³ Statement No. 5, see p. 226, *infra*.

quite small. Those who had not their own stocks of fodder had to buy it themselves at a greater cost than what the Chinese paid for it. After this there was insufficient food and fodder. The fodder used to last for eight months and now lasted for only six. The fuel position was worse. Fuel had to be supplied to the Chinese who paid about three rupees (2.70 Swiss francs or 4/6d. English money) for $\frac{3}{4}$ of a maund dry and the same amount for one and a quarter maunds wet. It cost the Tibetans about nine rupees to buy these quantities.

“In 1953 road construction began in this area. One thousand people had to be sent and their provisions had to be supplied by the Tibetan people. The Chinese paid, albeit very little, according to the quantity of work done. Monasteries had to provide a certain number of labourers for the road so that monks, who are not allowed to engage in work, had to hire labourers to fulfil their allotted quota. The person who sent the witness to do this work had to supply three bushels of grain a day, plus a pound of butter and every week a bowl of tea and a quarter of a sheep. This work lasted for about six months. Then eight hundred workers were sent to work in the Kongpo area and about four hundred were sent to build an aerodrome at Dam after the completion of the road to Kongpo. The transport charges for provisions became increasingly heavy as the workers went further and further away from the Metokongkar area. Tents and other facilities were provided by the Tibetans.”¹¹⁴

Khamba-Dzong, Gyantse, 1959 : “When the Chinese were building roads on the Khamba-Dzong side, his sheep, cheese and butter were taken. All he received was about 15% of the value of the sheep. This happened in September 1959. The workers engaged in road construction were mostly lay but there were monks also. He saw no lamas. He had to supply transport for the Chinese day and night without payment and had to provide his own food.”¹¹⁵

Rawa, near Litang, 1950 : “Soon the people were asked to supply transport. All of his stock of thirty-six animals were taken and heavily driven, having to cover three mule-stages a day instead of one. They had to carry arms, ammunition, but mostly food towards Chantin in the south. These supplies were provided by the Chinese for their own troops on their way to occupy Chantin. Fifteen of his animals died; human beings had to replace them. His animals were kept for two months and he was working all the time with the animals, carrying loads, because animals died. The loads carried were about seven or eight stones. The distances to be covered were usually regarded as about twenty-five days’ journey, which they had to cover in ten, sometimes eight days. He was promised

¹¹⁴ Statement No. 8, see p. 231, *infra*.

¹¹⁵ Statement No. 20, see p. 243, *infra*.

fifteen dollars per animal but because some of the load was damaged he did not receive this and had to pay the Chinese sixty dollars a trip to cover the damages. They had to supply their own food. Their backs were covered with sores and their hands and feet were frostbitten. Afterwards he spent a month in bed. There were two roads of which the lower one, which was longer, was the only one used in winter because the higher one was too cold and windy. The Chinese insisted they took the higher, quicker road.”¹¹⁶

Phembo, near Lhasa, 1951-55 : “ In 1951 the Chinese arrived in Phembo announcing that they had come to help develop the country and that since they had come a considerable distance and were short of food, the people should provide them with this. It was pleaded that this was a poor part of the country, but they had to give up their supplies. The Chinese promised payment, but they received only one third of the value. The people had to help with transport of supplies from Phundo, one mule-stage away from Phembo, and then on to Lhasa. All transport animals were listed and these had to be provided. Out of his own holdings of about a hundred, he had to supply between sixty and seventy. A quota was fixed as the responsibility of each individual person, and as animals died human beings had to carry on themselves to fulfil this quota. The witness, who said that he was not well, did not himself carry loads, but since he was responsible he fulfilled his quota through his servants and hired help. Monks but not lamas were called upon and those who did not make arrangements through their family for someone to go and carry loads, had to go themselves. The loads amounted to about 80 lbs and in the main consisted of ammunition and food. The reason for the deaths of animals appeared to be that they did not have their usual rest between the stages. Whether human beings had any rest depended on the number available. He knows of no human deaths on this work, which went on for almost four years.”¹¹⁷

Damchu, Polto, Kwambo : “ Some people had to help with the construction of buildings, others had to carry loads. His brother was sent on that construction, he himself went carrying loads. His back is scarred from this work, and the scar itself looks like an abscess scar. He was made to carry loads whilst he had this sore or abscess. He also had to carry on although he was suffering from frostbite on his feet and sores on his hands. He owned three ponies but these died after the Chinese had imposed impossible loads on the animals. After this he and other human beings had to carry the loads themselves. Many people, he said, died on that work, but his brother did not suffer hardship like the rest. His brother was eight months

¹¹⁶ Statement No. 26, see p. 253, *infra*.

¹¹⁷ Statement No. 27, see p. 255, *infra*.

on the road and had to be provided with his food. A daily quota of work was fixed which had to be accomplished. Some people had to work by moonlight to finish their allotted quota. Food was scarce and in general they had to work all day with only one break. His brother told him that there were many deaths . . . He finally added that when he was carrying loads he was unable to move properly. The Chinese soldiers complained of his slowness and he said that he was exhausted and invited them to kill him since he thought it better to die. The Chinese then stabbed him in the groin with a bayonet which left a sizeable scar. This was treated but went septic.”¹¹⁸

Nakchu, near Lhasa, 1951 : “ When the Chinese arrived in Nakchu they declared at a meeting that they had come as friends. They demanded meat for their troops and paid very little for the meat which they received. They demanded transport animals for which they also paid very little. Many of these animals died due to overwork. They were used to transport arms and ammunition to Lhasa. Most of the troops left for Lhasa, leaving about four hundred behind. The Chinese bought up all the animals for their food supplies with the result that there was hardly anything left for the people . . . Nearly one thousand people were taken to work on the highways. Most of the people would ordinarily earn about three Chinese dollars but the Chinese paid them only half a dollar. These people came back after six months but soon afterwards about five thousand were taken to work on the airfields. Firewood and foodstuffs had to be supplied to the Chinese and a price representing less than half the value was paid.”¹¹⁹

Rigong, Amdo, 1951 : “ About three hundred Chinese troops came to their town and behaved in a friendly manner until 1951. Between 1951 and 1954 the wealthy people, the middle class and the monasteries had to give “ loans ” to the Chinese on the pretext that they were fighting a war in Korea. They had two horses, four mules and six dzo (an animal like a cow), which they had to contribute, together with 1,500 silver dollars and most of their clothing. They were also told that they were wasting cloth by having very long sleeves.”¹²⁰

A glimpse of a state of affairs where all was not well, was given by Chang Kuo-hua in a speech to the Eighth Congress of the CCP in Peking on September 20, 1956 : “ During the early stage after liberation, the People’s Liberation Army and Government personnel sent to Tibet failed to adjust the prices in time in their purchases of some daily commodities, and hiring of yaks for transport purposes, thus causing the local people to suffer some damage for a short

¹¹⁸ Statement No. 32, see pp. 260-1, *infra*.

¹¹⁹ Statement No. 53, see pp. 284-5, *infra*.

¹²⁰ Statement No. 55; see p. 286, *infra*.

period of time.”¹²¹ The reference seems to be to some of the incidents described by the Tibetans.

In the light of the statements made by Tibetan refugees it is clear that the PLA used Tibetan resources in a manner contrary to Article 13 of the Seventeen-Point Agreement. In short, they lived on the Tibetans.

2. Alleged Violations of the Seventeen-Point Agreement by the Tibetan Government

After the uprising of March 1959, the State Council of the Chinese People's Republic on March 28 ordered the dissolution of the Tibetan local government.¹²² In speeches, communiques and articles in the press, that Government was accused of having violated the Seventeen-Point Agreement, and the Chinese Premier, Chou En-lai himself made this allegation in a report to the Second NPC on April 19, 1959.¹²³ Ngabo Ngawang Jigme also did so at the same Congress on April 22.¹²⁴ The most specific of the accusations was made by Chi-Hung in *Jen Min Jih Pao* (People's Daily, Peking) on April 23, 1959:

“... In accordance with Articles 1, 3 and 12, the Tibet Local Government should have united the Tibetan people, driven out the imperialist aggressive forces from Tibet and carried out national regional autonomy. In actual fact, however, it worked energetically for a so-called ‘independence’ that aimed at splitting the motherland so as to meet the demands of imperialism and foreign reactionaries. Because of its obstruction, the Preparatory Committee for the Autonomous Region of Tibet made practically no progress in its work. On the other hand the rebellion, which was opposed by all Tibetan people, was started by the Tibet Local Government in collusion with imperialism and foreign reactionaries.

” In accordance with Articles 2 and 8, the Tibet Local Government should have actively assisted the People's Liberation Army to enter Tibet and consolidate the national defences; the former Tibetan troops should have been re-organized step by step into the People's Liberation Army and become a part of the national defence forces of the People's Republic of China. What did the former Tibet Local Government do about these stipulations? Right up to the present it never re-organized any part of the former Tibetan troops into the People's Liberation Army. On the contrary, it all along nurtured schemes for wiping out the forces of the People's Liberation Army in Tibet. The Central People's Government was forbearing

¹²¹ *New China Semi-Monthly*, Peking, November 6, 1956.

¹²² For the text of this order, see *Concerning the Question of Tibet* (Peking), pp. 1-3.

¹²³ *Ibid*, p. 61, at p. 62.

¹²⁴ *Ibid.*, p. 109.

and patiently waited for a change of heart. But finally the Tibet Local Government launched an all-out attack against the forces of the People's Liberation Army in an attempt to turn Tibet into a foreign colony and protectorate.

"In accordance with Article 11, the Tibet Local Government should have carried out reform on its own accord. But what did it do about reform during eight full years? The brutal feudal system remained intact and the people continued to suffer under its sanguinary rule. In the manors of the former Tibet Local Government, the aristocrats and monasteries, the serf-owners were able openly to torture their serfs, to gouge out their eyes, chop off limbs, pull out muscles, skin them, or even roast them alive or batter them to death. The serfs were robbed by the serf-owners of almost the whole fruit of their labour, not to mention deprivation of their civil rights.

"These hard facts fully prove that the former Tibet Local Government did nothing to carry out the 17-article agreement, while the Central People's Government at all times strictly observed it."¹²⁵

Thus, the Tibetan local government was accused of violations of Articles 1, 2, 3, 8, 11 and 12. These allegations are considered below.

Article 1: "The Tibetan people shall unite and drive out imperialist aggressive forces from Tibet; the Tibetan people shall return to the big family of the Motherland—the People's Republic of China."

The gravamen of the Chinese accusation is that the Tibetan local government colluded with imperialists and foreign reactionaries to start the "rebellion". It is striking to note that in the first place the government is not even mentioned in this Article: it is the Tibetan people who "shall unite", etc. Article 1 speaks of driving out "imperialist aggressive forces", but no evidence exists that such forces were to be found in Tibet, before or after the Agreement.¹²⁶ If foreigners were to be found in Tibet after the Agreement, this was a matter for the CPG under Article 14, by which the handling of Tibetan foreign affairs became the responsibility of the CPG.¹²⁷

Article 2: "The local government of Tibet shall actively assist the PLA to enter Tibet and consolidate the national defences."

There is no doubt that the PLA did enter Tibet, and to judge from the highway construction and incursions into Indian territory,

¹²⁵ And see *Sabotage of the 17-Article Agreement*, *Peking Review*, May 12, 1959.

¹²⁶ Tibetan statements specifically assert that there were none; see pp. 294, 298, *infra*.

¹²⁷ See the text of this Article at p. 216, *infra*. See particularly the Statement of the Dalai Lama at pp. 298-9 *infra*.

the national defences of Tibet are adequately consolidated.¹²⁸ The attack on the PLA in the years 1955-59, culminating in the uprising in Lhasa in March of that year is presumably alleged as a violation of the obligation actively to assist in the consolidation of those defences, quite apart from the allegation that it was done in order to turn Tibet into a foreign colony or protectorate. The Khamba uprising, quelled swiftly in 1956 in Szechuan according to Chinese spokesmen at the time,¹²⁹ was attributed to the Dalai Lama's *kashag* in 1959.¹³⁰

Whether or not the Tibetan local government organized the uprising and the activities of the NVDA, no evidence cited in Chinese publications proves this. It is a curious feature of the Chinese allegations that they claim to have been fully aware of the traitorous activities of the *kashag* and yet for some time contented themselves with ordering that body to put down the rebellion which it was itself organizing (sic). The allegation that the rebellion was organized by Tibetan exiles in Kalimpong¹³¹ is itself inconsistent with the allegation against the *kashag*, unless direct collusion is shown.¹³² One is left with the impression that too many accusations were made against too many people. "Imperialists", "bandits of the Chiang Kai-shek clique", "traitorous elements in Kalimpong" and the Tibetan local government are all accused of planning and participating in the rebellion.¹³³ The account of the suppression of the rebellion claims that it was suppressed in Lhasa in two days and emphasizes the smallness of the forces in comparison with the total population of Tibet.¹³⁴ The allegation of the *kashag* directing operations is not substantiated in the Chinese accounts.

Article 3: "In accordance with the policy towards nationalities laid down in the Common Programme of the CPPCC, the Tibetan people have the right of exercising national regional autonomy under the unified leadership of the CPG."

Under this Article "national regional autonomy" is the right of the Tibetan people. In no sense can this be turned into an obligation by the Tibetan local government to give them such autonomy: this was a matter for the CPG, as a glance at the Common Programme

¹²⁸ See Government of India white Papers I-III.

¹²⁹ See *Asian Analyst*, April, 1959, p. 3.

¹³⁰ *Communiqué on Rebellion in Tibet*, NCNA, March 28, 1959. See *Concerning the Question of Tibet*, Peking, p. 4 at p. 7.

¹³¹ *Communiqué on Rebellion in Tibet*, NCNA, March 28, 1959. See *Concerning the Question of Tibet*, Peking, p. 4, at pp. 6-7.

¹³² The evidence printed *op. cit.*, pp. 166-174 falls far short of this, even if the "captured documents" are genuine.

¹³³ See reference in note (130) *supra*.

¹³⁴ *Op. cit.*, pp. 9-10.

of the CPPCC shows.¹³⁵ Any obligation was that of the CPG towards the Tibetan local government, to whom the undertaking was given. The accusation against the latter government was that they worked against the implementation of that autonomy.

It is clear from the Dalai Lama's equation of this autonomy with internal self-government¹³⁶ that the Chinese conception of autonomy was far removed from this. The road to autonomy as proposed by the Chinese was by way of flagrant breaches of Articles 4 and 5 of the Seventeen-Point Agreement, which imposed specific obligations on the CPG¹³⁷. Thus, even if the Tibetan local government did obstruct the proposed autonomy they would be justified in doing so in order to protect their rights and the rights of the Dalai Lama under these Articles. Whether that government did or did not obstruct national regional autonomy is not, therefore, of importance in view of the violations by the Chinese authorities of Articles 4 and 5. The factual controversy is discussed elsewhere and no useful purpose would be served by further pursuit of that question.¹³⁸

Article 8: "Tibetan troops shall be reorganized step by step into the PLA and become a part of the national defence forces of the CPR."

Here the Chinese allegation is that no part of the Tibetan army was ever organized into the national defence forces by the Tibetan local government. An article in the *Peking Review* went further and alleged that :

"the reactionary Tibetan rebel clique actually expanded their troops and time and again schemed to harm and even wipe out PLA units in Tibet."¹³⁹

How the Tibetan army was reinforced and rearmed during the period 1951-59 without Chinese approval is difficult to see. If the Chinese approved it, it is difficult to complain afterwards.

The account given by Ginsburgs and Mathos is somewhat different from this :

"On the integration of the Tibetan armed forces into the Chinese army rapid progress was made. At the beginning of 1952 the Tibetan Military District of the National Liberation Army was created.

¹³⁵ This has been published as a booklet by Peking Foreign Languages Press. See especially pp. 18-19.

¹³⁶ See. p. 167, *supra*.

¹³⁷ See p. 172, *supra*.

¹³⁸ See *The Question of Tibet and the Rule of Law*, pp. 21-34.

¹³⁹ May 12, 1959. Details are given in a news dispatch : NCNA, Lhasa, May 21, 1959.

A Chinese General, Chang Kuo-hua, was named Commander of the District, and two Tibetans, the ubiquitous Kalon Ngaboo¹⁴⁰ and a certain Ndokar Funguog Rabshi, were appointed as his assistants. All other high officers were Chinese. In February, 1952, it was announced by the military headquarters in Lhasa that the integration of Tibetan units with the Chinese Liberation Army had already been successfully completed.”¹⁴¹

Exactly what this meant is uncertain. The Article does not necessarily require absorption into the PLA. A unified command of all forces in the Tibet Military District under Chang Kuo-hua is apparently what happened, and there is no indication that the Chinese pressed for any further integration.

Review of the troops in Tibet seem to treat the PLA and the Tibetan troops as separate units, but there is a significant speech by Chen Yi, Vice-Premier of the CPR, on the occasion of his visit to Tibet for the establishment of the PCART in 1956. The NCNA news report of a review of troops by Chen Yi related that :

“ officers and men of the Tibetan forces and the Panchen’s Garrison Battalion in brand-new uniforms of the People’s Liberation Army, local troops in Tibetan uniforms and fighters of the Chinese People’s Liberation Army units in Lhasa shouted slogans in unison.”

Chen Yi :

“ greeted the Tibetan local troops for *executing the agreement on the peaceful liberation of Tibet*, their cooperation with the People’s Liberation Army units in defending the frontiers of the motherland ” etc.¹⁴²

This seems to indicate that they were considered as sufficiently reorganized in the national defence force, since they had executed their obligations under the agreement.

The Chinese authorities themselves seem, according to an account by a Tibetan soldier, to have regarded the Tibetan army as a separate unit :

“ In 1958 he was told that it was useless to serve the Tibetan government, since it would soon cease to exist, and he was offered higher pay to join the Chinese army.”¹⁴³

¹⁴⁰ Ngabo Ngawang Jigme.

¹⁴¹ *Tibet’s Administration in the Transition Period 1951-1954, Pacific Affairs*, Vol. XXXII, No. 2, p. 162 at p. 173. However, no source is cited.

¹⁴² NCNA, Lhasa, May 1, 1956 (italics supplied).

¹⁴³ Statement No. 6, see p. 227, *infra*.

According to him patrol duties in Lhasa were carried out jointly by the Chinese, until in 1956 or 1957 the Chinese troops carried out patrol duties themselves.

Throughout the Chinese statements prior to 1959 there is no instance of a reproach that the "Tibetan local government" was dragging its feet in the reorganization of the Tibetan army. It should also be noticed that this obligation is not imposed on that government by Article 8. Nor was the PCART empowered to deal with this, either through its original departments or through those created later. With the establishment of the Tibet District Military Command, the Commander, Chang Kuo-hua, was in a position to reorganize the Tibetan army which came under his command, and at no stage does he appear to have complained that he was meeting with obstruction by the Tibetan Government. Moreover, Ngabo Ngawang Jigme was there to help him as a member of the "Tibetan local government".

Article 11: "In matters related to various reforms in Tibet, there will be no compulsion on the part of the central authorities. The local government of Tibet should carry out reforms of its own accord, and, when the people raise demands for reform, they shall be settled by means of consultation with the leading personnel of Tibet."

According to the Chinese allegations the "Tibetan local government" stood in the way of the reforms which the Tibetan people so earnestly desired.¹⁴⁴ This allegation, however, was made in 1959. In 1957 the *Tibet Daily* had reported that the majority of the masses were unenthusiastic.¹⁴⁵ An intensive propaganda campaign was launched and the policy of no-reform for six years, it was reported, was enthusiastically received.¹⁴⁶ The Dalai Lama has stated how his own proposals for land reform were obstructed by the Chinese.¹⁴⁷ It was the Chinese central authorities who announced the postponement of the reforms in 1957, and no complaint was then made against the Tibetan local government. The nature of these reforms and the manner of carrying them out has been described by both Tibetans and Chinese,¹⁴⁸ and it is clear that they were eventually forced through by the Chinese, and not even by the "successor" of the *kashag*, viz. the PCART. In short, all the decisions concerning reforms were made by the Chinese. In these circumstances the Tibetan government cannot be condemned for breach of its obligation to carry out reforms.

¹⁴⁴ See p. 209, and note (125) *supra*.

¹⁴⁵ See pp. 180-1, *supra*.

¹⁴⁶ *Over 1,000 People in Lhasa Attend a Meeting to Hear the Report Concerning 'No Reform for Six Years'*; *Tibet Daily* (Lhasa) August 2, 1957.

¹⁴⁷ See p. 180, *supra*.

¹⁴⁸ See pp. 179-99, *supra*.

Article 12: "In so far as former pro-imperialist and pro-Kuomintang officials resolutely sever relations with imperialism and the Kuomintang and do not engage in sabotage or resistance, they may continue to hold office irrespective of the past."

The Chinese press has taken the view that by "colluding with the reactionaries" the Tibetan local government was in breach of this Article. It is impossible to see any obligation imposed by this Article on any person or government, except that officials who "severed their connections" must not be dismissed. That obligation rested on the Chinese CPG, and was specifically imposed also by Article 4.

Then on March 11, 1959, the *kashag* proclaimed in Lhasa, the independence of Tibet. It was at this stage that, in Chou En-lai's words, they "tore up the 17-Article Agreement". Their proclamation meant that they regarded the "return to the motherland" as no longer binding in view of the violations by the Chinese of the terms of the Agreement by which they returned. It is considered that legally, assuming that Agreement to be an international instrument,¹⁴⁹ they were fully justified in doing so.

¹⁴⁹ See Chapter Three.

APPENDIX TO CHAPTER FOUR

Agreement on Measures for the Peaceful Liberation of Tibet (17-point Agreement of May 23, 1951)¹

The Tibetan nationality is one of the nationalities with a long history within the boundaries of China and, like many other nationalities, it has done its glorious duty in the course of the creation and development of the great Motherland. But, over the last 100 years or more, imperialist forces penetrated into China and in consequence also penetrated into the Tibetan region and carried out all kinds of deceptions and provocations. Like previous reactionary Governments, the Kuomintang reactionary Government continued to carry out a policy of oppression and sowing dissension among the nationalities, causing division and disunity among the Tibetan people. The local government of Tibet did not oppose the imperialist deception and provocation and adopted an unpatriotic attitude towards the great Motherland. Under such conditions the Tibetan nationality and people were plunged into the depths of enslavement and sufferings. In 1949 basic victory was achieved on a nation-wide scale in the Chinese people's war of liberation; the common domestic enemy of all nationalities—the Kuomintang reactionary Government—was overthrown and the common foreign enemy of all nationalities—the aggressive imperialist forces—was driven out. On this basis the founding of the People's Republic of China (CPR) and of the CPG was announced.

In accordance with the Common Programme passed by the Chinese People's Political Consultative Conference (CPPCC), the CPG declared that all nationalities within the boundaries of the CPR are equal and that they shall establish unity and mutual aid and oppose imperialism and their own public enemies, so that the CPR will become a big family of fraternity and co-operation, composed of all its nationalities. Within the big family of all nationalities of the CPR, national regional autonomy shall be exercised in areas where national minorities are concentrated and all national minorities shall have freedom to develop their spoken and written languages and to preserve or reform their customs, habits and religious beliefs, and the CPG shall assist all national minorities to develop their political, economic, cultural, and educational construction work. Since then,

¹ The full text of the 'Agreement of the Central People's Government (CPG) and the local Government of Tibet on measures for the peaceful liberation of Tibet', was signed in Peking on May 23, 1951. The text herein was given by the New China News Agency. See also *Concerning the Question of Tibet* (Peking, 1959), pp. 14-16; *Documents of International Affairs* (London, Royal Institute of International Affairs), 1951, pp. 577-579.

all nationalities within the country—with the exception of those in the areas of Tibet and Taiwan—have gained liberation. Under the unified leadership of the CPG and the direct leadership of higher levels of people's governments, all national minorities have fully enjoyed the right of national equality and have exercised, or are exercising, national regional autonomy.

In order that the influences of aggressive imperialist forces in Tibet might be successfully eliminated, the unification of the territory and sovereignty of the CPR accomplished, and national defence safeguarded; in order that the Tibetan nationality and people might be freed and return to the big family of the CPR to enjoy the same rights of national equality as all other nationalities in the country and develop their political, economic, cultural and educational work, the CPG, when it ordered the People's Liberation Army (PLA) to march into Tibet, notified the local government of Tibet to send delegates to the central authorities to conduct talks for the conclusion of an agreement on measures for the peaceful liberation of Tibet. At the latter part of April 1951 the delegates with full powers of the local government of Tibet arrived in Peking. The CPG appointed representatives with full powers to conduct talks on a friendly basis with the delegates with full powers of the local government of Tibet. As a result of the talks both parties agreed to establish this agreement and ensure that it be carried into effect.

(1) The Tibetan people shall unite and drive out imperialist aggressive forces from Tibet; the Tibetan people shall return to the big family of the Motherland—the People's Republic of China.

(2) The local government of Tibet shall actively assist the PLA to enter Tibet and consolidate the national defences.

(3) In accordance with the policy towards nationalities laid down in the Common Programme of the CPPCC, the Tibetan people have the right of exercising national regional autonomy under the unified leadership of the CPG.

(4) The central authorities will not alter the existing political system in Tibet. The central authorities also will not alter the established status, functions and powers of the Dalai Lama. Officials of various ranks shall hold office as usual.

(5) The established status, functions and powers of the Panchen Ngoerhtehni (Lama) shall be maintained.

(6) By the established status, functions and powers of the Dalai Lama and of the Panchen Ngoerhtehni are meant the status, functions and powers of the thirteenth Dalai Lama and of the ninth Panchen Ngoerhtehni when they were in friendly and amicable relations with each other.

(7) The policy of freedom of religious belief laid down in the Common Programme of the CPPCC shall be carried out. The

religious beliefs, customs and habits of the Tibetan people shall be respected and lama monasteries shall be protected. The central authorities will not effect a change in the income of the monasteries.

(8) Tibetan troops shall be reorganised step by step into the PLA and become a part of the national defence forces of the CPR.

(9) The spoken and written language and school education of the Tibetan nationality shall be developed step by step in accordance with the actual condition in Tibet.

(10) Tibetan agriculture, livestock-raising, industry and commerce shall be developed step by step and the people's livelihood shall be improved step by step in accordance with the actual condition in Tibet.

(11) In matters related to various reforms in Tibet, there will be no compulsion on the part of the central authorities. The local government of Tibet should carry out reforms of its own accord, and, when the people raise demands for reform, they shall be settled by means of consultation with the leading personnel of Tibet.

(12) In so far as former pro-imperialist and pro-Kuomintang officials resolutely sever relations with imperialism and the Kuomintang and do not engage in sabotage or resistance, they may continue to hold office irrespective of their past.

(13) The PLA entering Tibet shall abide by all the above-mentioned policies and shall also be fair in all buying and selling and shall not arbitrarily take a needle or thread from the people.

(14) The CPG shall have centralised handling of all external affairs of the area of Tibet; and there will be peaceful co-existence with neighbouring countries and establishment and development of fair commercial and trading relations with them on the basis of equality, mutual benefit and mutual respect for territory and sovereignty.

(15) In order to ensure the implementation of this agreement, the CPG shall set up a Military and Administrative Committee and a Military Area HQ in Tibet and—apart from the personnel sent there by the CPG—shall absorb as many local Tibetan personnel as possible to take part in the work. Local Tibetan personnel taking part in the Military and Administrative Committee may include patriotic elements from the local government of Tibet, various districts and various principal monasteries; the name-list shall be set forth after consultation between the representatives designated by the CPG and various quarters concerned and shall be submitted to the CPG for appointment.

(16) Funds needed by the Military and Administrative Committee, the Military Area HQ and the PLA entering Tibet shall be provided by the CPG. The local government of Tibet should assist

the PLA in the purchase and transport of food, fodder and other daily necessities.

(17) This agreement shall come into force immediately after signatures and seals are affixed to it.

Signed and sealed by delegates of the CPG with full powers : Chief Delegate—Li Wei-Han (Chairman of the Commission of Nationalities Affairs); Delegates—Chang Ching-wu, Chang Kuo-hua, Sun Chih-yuan. Delegates with full powers of the local government of Tibet : Chief Delegate—Kaloon Ngabou Ngawang Jigme (Ngabo Shape); Delegates—Dizasak Khemey Sonam Wangdi, Khenchung Thupten Tenthar, Khenchung Thupten Lekumun, Rimshi Samposey Tenzin Thundup.

Peking, 23rd May, 1951.

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APPENDIX I

Statements made by Tibetan refugees

Statement No. 1 : A farmer, aged 52, from Ba-Jeuba. He had a plot of land which could be ploughed in two days.

In 1954 he left Jeuba to begin fighting against the Chinese and joined the Khambas, finally becoming a soldier in the NVDA. His reasons for leaving Jeuba and fighting were that the Chinese were confiscating property and he had lost everything, even his drinking cup. Even the poorer class who refused to give up religion lost everything. Monks were not allowed to come into his house to read the Scriptures because it was customary to make offerings to them. When they said prayers or lit butter-lamps or went to the monastery to offer butter-lamps the Chinese were watching them and told him that they were abusing property for religious purposes and his property was therefore taken from him. He was convinced that there was no religion under communism.

He never heard of or saw Khambas robbing or looting. They obtained supplies from villages through the headman and often attacked Chinese transport columns. A number of the discontented poorer classes were sent into villages to spy on the Khambas and these people went into the villages looting. Some were dressed as Chinese, some as Khambas and some as lamas. They received information of this from the village people. He was among a group which captured some of these people. One man who was caught was dressed like a lama carrying a drum. When he was questioned he told conflicting stories and refused to say who he was, even when beaten. Inside the drum Chinese letters were found. Then he admitted that the Chinese had sent him as a spy in order to find out information about the Khamba troops. He was shot. Another said that they had been told to try to persuade the villagers to destroy the rebels.

He came across no incidents of women being raped whilst he was with the Khambas, either by Khambas or by anyone else. However, some women were raped in his village before he left to join the Khambas. One evening when his brother's son had been called to a meeting and his brother was up in the hills with the nomads attending to the cattle, four Chinese arrived at his brother's house where his wife was alone. This house was next door to his. The Chinese, three soldiers and one civilian, entered about 7.00 p.m. one night in 1954 just before he left. After they entered he heard a disturbance and then weeping and cries. Looking through the window he saw his brother's wife's shouts being stifled by a towel. Two Chinese held her hands and another raped her, then the other three raped her in turn and left. He did not try to intervene because the soldiers were armed. Nor did his brother complain to the Chinese authorities because he dared not. He was told that many women had been raped in his village and finally the people held a meeting and decided to complain. Ting Wai, the commander in Jeuba, said that he was about to be transferred and that they should report to his successor. Taw-ye said that it was not his responsibility and that they should go to the police department. In the police department Lew Chu-tang promised to instruct the soldiers to behave themselves and at the same time told them that the people were not to keep dogs any more because it was a waste of food. The Chinese killed the dogs which were regarded as edible and the Tibetan people had to kill the others. He heard of no attempt to punish the offenders and the raping continued. A complaint was made again but no reply was received. Then the people were called together and reprimanded for

not killing all the dogs. His brother's wife was 25 years old¹. When he was with the Khambas he heard from villagers of Ngopowa, on the border of Ba, that Chinese soldiers and civilians had been raping the village women.

Before he left Jeuba he was among people called to an assembly in front of a Chinese building near the monastery of Phuntsog Ling, which housed about 500 monks. A number of women of bad character lined up and monks and lamas were brought to face them. One of the women, Karma Lhadzum, a woman from the poorer class, a notorious liar who had been well-fed and given money by the Chinese, confronted an old lama, Losang Choden, and accused him of having had intercourse with her; therefore he should marry her. The lama denied this and pleaded that he should not be forced to marry but would prefer execution. The Chinese made him kneel on his bare knees on broken stones for fifteen minutes and then on thorns for an hour. The Chinese and the women slapped him and pulled his ears and pricked his head with sword points. He and ten other lamas were imprisoned; they were handcuffed and their legs were chained. Next day the old lama was brought out and beaten again for about two hours, after which he died. The remainder of the lamas were imprisoned and he does not know what happened to them afterwards. One or two of the monks married but the rest refused. He does not know what happened to those who refused.

Children were encouraged to submit their parents to indignities and to criticise their parents if they did not conform to the Chinese ways. Indoctrination had begun. One indoctrinated youth saw his father with a prayer-wheel and rosary and began to kick him and abuse him. The father began to hit the boy, he fought back and a number of people came to stop this. Three Chinese soldiers arrived and stopped these people from intervening, telling them that the boy had a perfect right to do this. The boy continued to abuse and beat his father who then and there committed suicide by jumping into the river. The father's name was Ahchu and the boy's Ahsalu, aged about eighteen or nineteen. This took place in 1954 before the above-described incidents in the monastery.

Compulsory indoctrination had been introduced in 1952. Two lists were prepared for two schools, one for children between the ages of ten to fifteen and one for young people between fifteen and twenty-five. No one dared to protest because they were told that if they did they would be reactionaries and they were already aware of what happened to a reactionary, namely execution. His son, aged twenty-four, had to go. About twenty-two boys around eighteen and nineteen years of age and two girls were taken to China in 1953. Some parents appealed to the Chinese not to do this, but unsuccessfully. They were told that they had no right to decide for their children, who must themselves decide. Some of these young people said that they did not wish to go.

In 1954 forty-eight babies below the age of one year were taken to China in order, the Chinese said, that their parents could do more work. Many parents pleaded with the Chinese not to take the babies. Two soldiers and two civilians with a few Tibetan collaborators came into the house and took the babies from the parents by force. Fifteen parents who protested were thrown into the river by the Chinese and one committed suicide. All the babies came from the middle and upper classes.

In 1953 he was called to witness the crucifixion in his village of Patung Ahnga, a man from a well-to-do family. A fire was lit underneath him and he saw his flesh burn. Altogether twenty-five people from the wealthy classes were crucified and he saw them all. When he left Tibet in January 1960 fighting was still going on at Trungyi, near the Eastern part of NEFA. He left his headquarters in December to come as a messenger from the NVDA to appeal for help. By this time the monasteries in that part had completely ceased to exist as religious institutions. They were being used as quarters for Chinese soldiers and the lower floors were used as stables. Some time after the children had been sent to China he saw twenty-four people killed in Jeuba by having nails driven into their eyes.

¹ Name supplied.

Again the people were called to witness this. They were middle-class people and the Chinese stated that this was being done because they were not going on the road to communism, having expressed their unwillingness to cooperate and to send their children to school.

*

Statement No. 2 : A man aged 22 years from Doi-Dura in the Amdo region.

In March 1956 he was told by the Chinese that he needed treatment that would make him more intelligent and which would be beneficial to his brain. A blood specimen was taken from his arm at his home and he was told that treatment would be needed for his physical health. Blood specimens were to be taken and as far as he knows were taken from all persons between the ages of ten and sixty and these specimens were taken to the hospital. At the hospital the day after the blood specimen had been taken he was completely undressed, placed on a chair and his genital organs were examined. Then a digital rectal examination was carried out and the finger was agitated. He then ejaculated a whitish fluid and one or two drops fell on a glass slide which was taken away. After this a long pointed instrument with handles like those of scissors was inserted inside the urethra and he fainted with pain. When he came round the doctors gave him a white tablet which it was said would give him strength. Then he received an injection at the base of the penis where it joins the scrotum. The needle itself hurt but the injection did not. He felt momentarily numb in the region until the needle was removed. He stayed ten days in hospital and then a month in bed at home. Other than being told not to disclose anything he was given no instructions. In hospital he was given a white tablet every other day (he insists that it was only every other day). Prior to this treatment he had been in good health. He had suffered no discomfort in the genital organs and had seen no sores. He had been married for only two years and prior to this treatment had very strong sexual feelings and insisted that he regularly performed the sexual act three or four times a night. Afterwards he had no sexual desire at all. He attempted once to have intercourse with his wife but had no desire and no erection. This happened three or four months after the treatment. He was very upset and did not try again. He stayed with his wife for about a year, during which time they slept together, but he felt no sexual attraction and never had an erection. He never had erotic dreams or nocturnal emissions. He now feels weaker and suffers from lapse of memory. His vision is unchanged but he sometimes suffers from giddy spells. His voice, which apparently was formerly a good singing voice, had become more high-pitched and when he happened to sing afterwards people remarked that he sang like a goat.

His wife was sent for on the same day as he was. Samples of blood had been taken from her on the same occasion as from him. Her account to him was that she was undressed and tied down. Her legs were raised and outstretched. Something very cold which became painful was inserted inside the vagina. She saw a kind of rubber balloon with a rubber tube attached, the end of which was inserted inside the vagina. This balloon was squeezed and his wife felt something very cold inside her. This caused no pain and only the tube and not the balloon was inserted. She remained conscious throughout. Then she was taken to bed. The same procedure was carried out every day for about a week. Then she went home and stayed in bed for about three weeks. For the next two months she remained very weak. She had no sexual feelings even on the occasion when they attempted intercourse and they discussed this with each other. His wife's menstrual cycle had been normal prior to this treatment but during the year that he was with her she did not menstruate. His wife drew his attention to this and said that she felt very strange about this cessation of the menstrual flow. She did not mention that she felt giddy but did complain of weakness up to the time of his leaving. They were, however, very badly fed and lived largely on wild plants. After they left the hospital the food situation became worse.

From 1954-55 onwards all the children below fifteen were to be taken to China. Parents were warned that this was the order of Mao Tse-tung and that the penalty for refusing was execution. No one dared to oppose. No one has heard of or from the children who were taken away, at least up to the time when the witness left. The names of some of the children are as follows : Sonam Tsering, aged thirteen, male; Kesang Tashi, aged fourteen, male, and Khamogya, aged thirteen, a girl.

From 1956 onwards all babies were taken away ten to fifteen days after birth. All births had to be reported and medical staff went to the houses and took away the babies. This process was carried on continuously up to the time of his leaving. The people were told that the new-born babies belonged to the Communists and were to be looked after by the Chinese. No indication was given of where the babies were to be taken, but they were not at the local hospital. Parents whom he knew who had their babies taken away include Chagmo-gya and Digmochi.

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Statement No. 3 : A middle-class farmer, aged 43, from Taktse district, living in the village of Gyaldrong about one day's ride to the north of Lhasa.

The Chinese arrived in 1951 and demanded fodder, fuel and food in large quantities. The people said that these quantities were not available. Those who gave only part of what was asked for had their names taken but nothing happened to them. The fodder was given to Chinese mules and camels. A ration office for the Chinese army was set up, using Tibetan supplies. Supplies had to be carried from Phundo to Lhasa and the Chinese requisitioned transport animals for this purpose. Some of the animals died and human beings had to replace them. No transport animals from the Chinese army were used for this purpose. From 1952-55 the peasants were carrying supplies. The animals died from overwork. The normal ride from Phundo to Lhasa was two days with three days rest before returning. The Chinese allowed the animals one day's rest only. Human beings were allowed two days' rest. Some of the people who were carrying loads had sores but he has no knowledge of human beings dying. The road used was described as passable in both winter and summer. The quota of goods to be carried was 50,000 loads a day from the six districts in the region. In the monastery of Ganden Chokor and from the village the Chinese took all the grain and fodder. Every year they had to give impossible amounts and as a result peasants had to beg for a living. Monks had to walk with the animals and the peasants who were carrying loads, but were not ill-treated as far as he knows.

In 1952 in Lhundup-Dzong the peasants had to provide accommodation for the Chinese. The largest available room was the chapel with an altar and images. When he went there to pick up loads he saw the Chinese throw down the images which were collected in a corner by the people. The Chinese abused the images, cursing in their own language, and he himself was cursed when he picked up the images.

From his district in which there were from 3 to 4,000 families, the Chinese wanted fifteen children between the ages of ten and twenty to go to China for education. At first everyone refused but finally ten people agreed and the Chinese accepted ten as sufficient. These ten left in 1955 and their parents were told that after three or four years they would return. When he left in March 1959 none in fact had returned. No babies were taken.

At no time did he see leaders humiliated in front of the people. In 1953-55 road construction was going on in the Motogongkar area and 500 people were sent from Taktse-Dzong. He went there to take supplies which had to be provided by the Tibetan people. The rates of pay were about 12 annas a day (i.e. 60 Swiss centimes or one English shilling). Six people died of exhaustion on this project and he gave the names : Chophel, Namgyal, both male, and Buti, Tsering, Keyzom and Dolkar, all women. Seven people committed suicide by jumping into the

river. At Nachintang, near Lhasa, a power station had been built, blocking the road from Phembo. The Chinese did not allow them to proceed by this route and they were compelled to make a new road where before there was not even a track. He was going there for the purpose of trade.

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Statement No. 4 : A monk aged 27 from Sakya monastery, about four days' journey from Shigatse, near northern Sikkim.

He left his monastery some time in December 1959. The Chinese came into his monastery on March 21st, 1959, (the uprising in Lhasa began on March 10 th). Some stayed nearby in another monastery whilst others moved into Sakya. They were told that they had to be indoctrinated. The old system of the Tibetan government had to be abolished. His Holiness had left Tibet, abducted by the rebels. Two head lamas who had left and gone to India were said to have been tied up with the rebels. These were Dolma Potang and Phuntsog Potang. Khambas had received a blessing from these two and therefore they were involved in the rebellion. The whole of the monastery was responsible for this and they must speak out against these lamas and tell of the oppression by Dolma Potang. Under the threat of taking the black road (i.e. death) the monks were compelled to agree that these two had exploited the people. The monks were to learn the new road. All the officials of Sakya, both lay and religious, were arrested in May and their property was confiscated. They were kept in custody in a separate part of the monastery and were subjected to indoctrination. The treasurer was taken before the people of the village who after threats of ill-treatment denounced him and beat him. Those who did not beat him sufficiently hard were then beaten. This man, Tashi Sangpo, was then bound and taken back into custody and later brought back to witness similar treatment meted out to others. Later his body was taken out from the place where he had been confined and the Chinese said that he had died accidentally.

A man named Jinba, who looked after the chapel and was under arrest, was watching the humiliation of these people from a window. He jumped from a window and tried to run away. The Chinese captured him, stabbed him in many places and cut his throat. Five people died after a public beating, among whom were Chisa Chonam, the purser of the monastery, Shirab Gyatso, an attendant of a lama, who refused to beat his own master, and a man named Kunga Gyaltsen. Eighteen more were severely beaten, the names of some of these being appended below :

Jetsun Kal, abbot Rinchen Sangbo, Jamyang Thutab, Thuji Olsir, Ozi Trinby, Sangey, Tempa Rinchen, Samten, Kungyal, Jambu Tenzing, Jamba Chochar, Lodro Tenzing, Thubten, Shakya, Tsedor, Tobla, Ddadhon, Norzin.

The Chinese told the monks that they ought to marry but did not bring any women to the monastery or threaten force. The grain stocks were taken away, the monastery property seized and the property of Dolma Potang confiscated. Many of the inmates who failed to speak in support of the reforms, or others who showed lack of enthusiasm, were arrested. Two lamas were allowed to marry and leave. The mother of the wife of Phuntsog Potang had her hair pulled out in public (this man belonged to the red hat sect where marriage is permitted). The witness ran away from Sakya at night and arrived in Sikkim nine days later.

In Sakya the Chinese told the inmates that they should believe in neither Heaven nor Hell. He himself was put to work together with a number of others including abbots. They had to gather in the harvest and collect manure. Then they were made to carry stones and to build a bridge. The abbots put to work included Jampal Sangbo, Rinchen Sangbo, Mangtho and Ludup. These abbots were also accused before the people of having women. The witness was asked whether this was true. He denied it with considerable heat.

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Statement No. 5 : A petty trader from Derge Dzongsar, where he works for his monastery. He was in fact a monk. He came from a middle-class peasant family.

In his monastery there were about 450 monks. The Chinese made a list of all the property which the monks had in their homes, but at first took only arms. In 1956 all the grain from the monastery and all the grain belonging to his family was taken by the Chinese. In 1951 the Chinese required 2,000 transport animals of which his family had to supply twenty out of their total holding of thirty. All these twenty died. After this people were sent to carry the loads. He personally had to go, together with his elder brother and younger sister, and they worked for about sixteen months. They were very heavily worked and developed sores on their backs. The goods they carried were mostly consumer goods and money. The loads amounted to over 1½ maunds (i.e. 110 lbs), and they covered eight mule-caravan stages (i.e. about 120 miles) in about twenty-four days. The route was from Derge Kholodo to Derge Kamtoka. The goods were sent to Lhasa, according to the Chinese, who took delivery on the river bank at the latter place. Chinese goods had never before been sent in these quantities. During this period about ten people died, mostly after about nine months. The names he can remember are Tsetun, aged 48, Ysewang Dorji, aged 55, Chodun, aged 30, and Tsering Dolma, aged 40. The last three named were women.

In 1956 a meeting was called at Derge Dzongsar-Meshe. Representatives only were asked to go from the monasteries and the witness and two other monks attended the meeting in the village which was below the monasteries. There were about 200 people present at the meeting, most of whom were from the lowest classes, who had been under Chinese indoctrination for about four months previously. A few landlords and wealthy people were also present. The Chinese said at the meeting that the monasteries and lamas, and landlords and capitalists must be eliminated. The witness understood this to mean that they were to be killed there and then, because what he terms the local riff-raff were armed. These people included many known to be thieves or untrustworthy and had been well fed and clothed by the Chinese. He regards them as only a small proportion of their class. The meeting then came to an end but they were told to hold themselves ready for another which was to be held in the near future. They were kept in the village for six days under house arrest and then taken to this second meeting. There he and the two other monastery representatives were degraded and insulted in public by the local riff-raff and the Chinese. They were told that all the monasteries were exploiters and they were kicked, spat upon and fingers were poked in their eyes. About twelve other persons were submitted to insulting treatment. He himself saw Sakarma, the daughter of a village leader and landowner, humiliated by the local riff-raff and by the Chinese. This woman, aged about 40, was first of all abused as an exploiter of the people, then her mouth was stuffed with hay, she was harnessed and saddled and the riff-raff rode on her back, making her crawl around on all-fours; then the Chinese did the same. The remainder of the people who were insulted were treated in the same way as the monks.

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Statement No. 6 : A soldier, aged 26, who has been in the Gyantse regiment since the age of 16, and in charge of 25 people since he was twenty-two.

The Chinese told them on arrival that they had come to help in political and religious matters. No details of this help were given except that they promised to help and protect the monasteries and to improve the condition of the people. No conditions were attached to the religious freedom of the monasteries in this promise of help. He has stayed near a number of monasteries but never saw ill-treatment of the monks. When the Chinese troops arrived in Lhasa they at first camped in tents, but after the arrival of Chang Kuo-hua and Chang Ching-wu,

large numbers of troops followed and government land and buildings, together with private houses, were taken over for the Chinese army.

Chinese schools were opened in Lhasa where children and young people were indoctrinated and began to defy parental authority. He was called but did not go. One of his younger brothers¹, attended one of these schools. He was aged about eighteen at the time. About two hours out of eight were devoted to teaching in Tibetan, and for the remainder they were taught mainly Chinese writing and Communism. There was no religious teaching at all.

He knows personally a number of people who went to China for instruction, of whom he gave the following examples : Yishi, a relative, Kalsang Yangzom and Nima Tsam, who were female, and Lounghok and Karma, who were male. Stories had been heard of ill-treatment of those who refused to go, and according to him these people went through fear of what would happen to them if they did not.

A soldier in his regiment, a man named Gokay, was sent by his regiment to look after some ponies and was camping about ten to fifteen miles from Lhasa. The Chinese accused him of being a rebel and shot him. At this time there was no rebellion near Lhasa, although the Khamba revolt had begun. Gokay was not a rebel and did not look like a Khamba. The witness's father, a senior officer, saw the body of the deceased with several bullet wounds. When a complaint was made to the Chinese they finally admitted that Gokay had not been a rebel.

Phorbu Tsering, aged sixteen, was coming along a road when he encountered a fracas between Chinese soldiers and Chinese civilians. He was shot in the course of the disturbance and when the matter was raised with the Chinese they said that he was coming with a knife. The boy was in fact unarmed.

The Chinese often called the witness, sometimes alone sometimes in a group, to talk to him. In 1958 he was told that it was useless to serve the Tibetan Government, since it would soon cease to exist, and he was offered higher pay to join the Chinese army. He was told that religion was useless, and this kind of talk sometimes took place in his own house where the Chinese came to talk to him. He was told also that the monks were parasites and should work. At the turn of the year 1958/59 he joined the NVDA. His uncle had written to him from Kham telling him of the troubles there and also other relatives in Kham had advised him to join. He in fact joined this army in southern Tibet. The details he received from Kham were that all the wealthy families had lost their property and had been tortured. Some of his relatives had spoken against the Chinese reforms in 1957 and had been executed. Inmates of the monasteries had been taken away and put to work. He described his family's background as middle-class farmers.

He was in Lhasa during the uprising and on March 18 the Chinese, having heard of his presence, sent orders for him to report to the Chinese garrison. He did not go. A soldier from his own regiment, Pemba Tsumcho, saw the Chinese machine-gun a number of His Holiness's bodyguard in Norbulingka after they had surrendered. When he was coming through Phembo on March 22, Chinese planes were bombing and machine-gunning people on the road, including women and children. In southern Tibet bombs were again dropped and seven of his fellow soldiers and junior officers were killed.

Four days later the witness turned up again, asking to make a statement, which he described as on behalf of his regiment. In fact he added much more to what he had previously said. In 1950 his regiment was in Kham, west of Chamdo, on patrol duty. The Chinese attacked from three directions and captured Chamdo. He went to Shota-lhasun where he fought for some time (about two months) and then received orders from the Tibetan Government to retreat to Tibet, as an agreement had been reached. He insists that he received these orders in 1950. In 1951 Chinese troops came to Lhasa and told the people

¹ Name supplied.

of the Seventeen-Point Agreement and explained their policy along the usual lines. By 1953/54 the Chinese were taking property and land in Lhasa. The regimental parade ground and vegetable garden were taken over. His regiment had received from the thirteenth Dalai Lama a park in Gyantse, which the Chinese took over as a barracks and playing fields. In Lhasa the Chinese began building fortified points and there was constant friction between the Tibetan troops and the Chinese. His Holiness ordered them to be friendly with the Chinese and this they tried to do. The Chinese then requested 300 soldiers from his regiment for road building, among whom was the witness. They were sent by the Tibetan Government and food was supplied also by the Tibetan Government. They received about one Chinese dollar a day for a nine-hour day. At first the Chinese soldiers worked with them but then took over supervisory duties. This went on for three months.

In Gyantse there was a small house where the belongings of the soldiers were kept. This was taken over by the Chinese. They learned from a corporal in their regiment that a civilian representative of their regiment had taken over the property. In 1958 this man was arrested by the Chinese and accused of holding property of the reactionaries. The belongings of the soldiers were taken by the Chinese and no news was heard of what happened to the regimental representative. Three of the younger soldiers went for indoctrination and did not come back. His regiment was on police and night patrol duty in Lhasa, duties which later became a joint patrol with the Chinese and finally, in 1956 or 1957, the Chinese took over the patrol completely.

In view of a Chinese report that the district of disaster in Lhasa had been transformed the witness was asked whether he was aware of any special red-light district in Lhasa. He knew of no such thing, although he thinks that one or two brothels may have existed. In connection with Chinese allegations that Tibetan rebels had raped women indiscriminately, he gave the following account. He had seen a number of Chinese, some of whom were drunk, fighting over Tibetan women, some of whom appeared to go with the Chinese voluntarily. He believes that others were raped but could neither name one nor speak from personal knowledge. Some of his soldiers on patrol duty had witnessed the rape of a Tibetan woman by three or four Chinese soldiers. They saw her taken forcibly into a Chinese house and kept there for the whole night. She left just before sunrise and told her friends what had happened. These friends reported to the patrol that she had been held down and that the Chinese had raped her in turn. This was reported by the patrol to the magistrate's office but he has no knowledge of any action that may have been taken. He does not know the woman's name but she was aged about eighteen or nineteen and was unmarried.

Three of his soldiers saw a number of the local riff-raff disguised as Khambas taking horses from a village about five miles outside Lhasa. The peasants complained to the soldiers who acted immediately. One was shot, one escaped and one was captured. The one who was captured wore Khamba dress and boots of black velveteen and he said that they had been sent in disguise by the Chinese to rob the peasants. Then the prisoner was shot by one of his friends named Sonam Wangdi. This took place in January, 1959. At this time, and particularly from December to February, the Chinese were making propaganda that the Khambas were robbing the local peasants. Disguised Khambas were sent in this way to many places. He heard that some forty or fifty went to Ratu, about twenty-five miles west of Lhasa and robbed a village. The villagers sent a messenger to the NVDA to inquire whether they sent such people. The robbers had been seen to enter Chinese military headquarters behind the Norbulingka at night and this report had been sent from Lhasa to Ratu. Some of the robbers spoke the Lhasa dialect (the difference between the dialect from Eastern Tibet and that of Lhasa is so strong that an interpreter from the Amdo region was always necessary when Tibetans from this area were interviewed). Some were recognised as Chinese by the way they spoke and some seemed quite unfamiliar with the dress that they were wearing. The witness was present when this report was made to a captain in the NVDA, by the name of Kunga Samten, whose present

whereabouts are unknown. He did not hear reports of rape by these disguised Khambas but he did hear reports of looting and taking mules, horses, etc. The robbers arrived saying that the NVDA needed food and transport animals. Some villagers gave willingly because they were deceived, others did not and their property was taken by force. After the incidents began the people were informed that members of the NVDA who came to request this kind of help would carry a special certificate. When this certificate was not carried the villagers refused to hand over property and force was then used.

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Statement No. 7: A small trader, aged 32, from Amdo at Rigong. He lived in a village called Singshang Mango and was making enough to live on in reasonable comfort.

The Chinese communists announced that they had come to educate the Tibetan children. Food supplies were taken over by the Chinese and none was allocated for children under fifteen. The children had to be sent to school, otherwise they would have no food. Five hundred children were to be sent. In 1953 the children were sent to China. Some parents, of whom he knows two,¹ begged the Chinese not to send the children, but they were arrested and imprisoned for a fortnight. In the meantime the children had gone. Others may have protested but he does not know for certain; the two people named were neighbours of his. No children had returned from China when he left the district in 1958. On the question of food supplies it should be mentioned that the Chinese did not allocate food to people over sixty.

The Chinese demanded that 3,400 people from Rigong district from the wealthy class and landowners, together with district and village leaders, should go to a meeting in China. He saw the people passing through his village on the road to China. Those who were to go were selected by the Tibetan beggars who later became leaders. These people did not return from China.

In 1956 a number of people were executed by the Chinese for not disclosing their property. The new leaders (i.e. the former beggars) knew that some people had not given up their arms and their property. These were arrested and about six were shot, the remainder being sent for railway construction. An assembly of the people was called to witness the shooting. One man was shot in stages working up the body, there being about nine stages in all. One man was asked whether he would prefer to die standing up or lying down. He preferred standing. A pit was dug and he was placed inside it. Then the pit was filled with mud and compressed. This continued even after he had died until his eyes protruded from his head and were then severed by the Chinese. Others (i.e. the remaining four) were made to recount the faults of their own parents, that they were devoted to religion, etc., then these four were shot in the back of their heads. As their brains spattered the Chinese called them the flowers in bloom. These events took place in the village of Ranga Gonchin just below the monastery. The witness was present, having been summoned from his village which was nearby.

In 1957 priests and lamas were arrested. All the high lamas from thirty-five monasteries seemed to have been arrested and he estimates that the total would be about 500. The Chinese had said that there were 500 yellow or red bandits (this reference is to the different religious sects) who were blocking the road to progress, and later the arrests were announced. Among them were three very high lamas: Shar Kalden Gyatso, Arook Dorji Chung and Sharong Karpo. These three were described as the main obstacles. In public they were humiliated by having their hair pulled out, their shoes removed and by being beaten. This was done by Tibetans and by Chinese women, the Tibetans acting under threat of death. The Chinese then said that there were three principal persons opposed to socialist progress:

¹ Names supplied.

- 1) The Dalai Lama
- 2) Shar Kalden Gyatso, and
- 3) Ghoongthang Japel Yang, the head lama of Labrang Tashikeyel.

The three lamas who had been summoned were then made to kneel down on the gravel and they were asked, "Since you are lamas did you not know that you were going to be arrested?"—the reference being to the supposed powers of prophecy. Three pits were dug and the lamas were placed inside. The public were then made to urinate on them. The Chinese then invited the lamas to fly out of the pit. Then they were taken off to prison and they were chained together around the neck and made to carry human dung in baskets. He saw them himself and saw them followed by Chinese soldiers carrying guns. He heard that the three lamas had been sent to Sining and Landrow. He knows that they were taken from one place to another in order that they could be displayed doing this to the local people. He was informed by a friend that the five hundred arrested lamas had been sent to Sinkiang. The source of his information was from a friend of his, who in turn heard it from a collaborator. There were in the district 40,000 families and thirty-five monasteries with about 50,000 monks. On this figure of 50,000 monks there was a long argument, but he insisted that it was correct, and the Amdo interpreter also insisted that it was correct, stressing that there is a Tibetan saying that there are 50,000 monks in Rigong. According to his friends there were only 10,000 monks left in the monasteries at the time when the witness departed from Rigong, but he himself has no knowledge of this.

On the allegations of castration it is essential to point out here that through a deficiency in the Tibetan language there is no clear difference between castration and sterilization and that the word used to indicate sterilization is that applicable to the gelding of horses, a process with which they are familiar, whereas they are not familiar with this process or any comparable process as applied to human beings. The Chinese told the Tibetans that they were dull and that they should have better blood in them. Their race was inferior and like animals, and a better race would be produced by giving injections. At this time a number of Chinese men from Hunan and Hupe came to the district and were given land there. Only three arrived in his village.

Men between the ages of fifteen and thirty were taken for treatment. A friend¹, aged twenty-seven, underwent treatment and gave an account to the witness. This friend told him never to repeat the story and it was necessary for the interpreter to explain to the witness that it was perfectly all right for him to tell it now. First of all a blood specimen was taken. The end of the urethra was then opened and inspected by the light of a torch. Then a long instrument like a needle was inserted into the urethra, turned around, and the peasant said that he heard a slight noise as the instrument was turned round. Afterwards he was injected once on each side of the groin and once in the buttock. After the injections in the groin he lost consciousness. He was to receive ten daily injections and was still receiving these when the witness left Rigong. The persons treated were told not to say anything except that they had received injections and that if they were to say a nerve had been cut they would be put to death. He told him that he now found it impossible to have an erection and that the witness had better leave before it happened to him. He was married, with two children, both apparently healthy, a son aged five and a daughter aged three at that time, i.e. 1956.

In November 1956 his wife was called for treatment. Women between the ages of fifteen and forty were to be called in this way. On her return his wife was crying. She described what happened as follows: some kind of bladder was inserted inside the vagina and inflated. When it was pulled out the vagina remained open. Then it was possible to see inside and according to his wife a small piece of flesh was cut out. His wife bled but he could not say whether freely or slightly. His wife remained conscious but suffered great pain and almost lapsed into un-

¹ Name supplied.

consciousness from time to time. He remained with his wife until he left Rigong in 1958. His wife had previously menstruated regularly but ceased to menstruate after this treatment. They had three children, the youngest being four at the time.

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Statement No. 8 : A man from Diggong, about 50 miles east of Lhasa in the Metogongkar district. He was and is an office-bearer (i.e. an attendant of a lama).

Taxes were levied in his district on every person including beggars and they had to be supplied to the ration office set up by the Chinese.

A road was made through their district and before this time there were always sufficient beasts of burden and plenty of fodder. For the road-building about 3,000 maunds of fodder a year had to be supplied. Payment varied but was usually quite small. Those who had not their own stocks of fodder had to buy it themselves at a greater cost than what the Chinese paid for it. After this there was insufficient food and fodder. The fodder used to last for eight months and now lasted for only six. The fuel position was worse. Fuel had to be supplied to the Chinese who paid about three rupees¹ for $\frac{3}{4}$ of a maund dry and the same amount for $1\frac{1}{4}$ maunds wet. It cost the Tibetans about nine rupees to buy these quantities.

In 1953 road construction began in this area. One thousand people had to be sent and their provisions had to be supplied by the Tibetan people. The Chinese paid, albeit very little, according to the quantity of work done. Monasteries had to provide a certain number of labourers for the road so that monks, who are not allowed to engage in work, had to hire labourers to fulfil their allotted quota. The person who sent the witness to do this work had to supply three bushels of grain a day, plus a pound of butter, and every week a bowl of tea and a quarter of a sheep. This work lasted for about six months. Then eight hundred workers were sent to work in the Kongpo area and about four hundred were sent to build an aerodrome at Dam after the completion of the road to Kongpo. The transport charges for provisions became increasingly heavy as the workers went further and further away from the Metokongkar area. Tents and other facilities were provided by the Tibetans.

After the Khamba revolt he heard from two lamas from the Kham area that monasteries had been bombed and shelled. Where monasteries had not resisted the inmates were arrested and sent wherever the Chinese ordered. Religious relics if valuable were taken to China, otherwise they were thrown away.

In 1957 Derge Simpon Tsang, a Khamba tribal leader, was passing through Diggong with about twenty-four people and 150 ponies loaded with goods. He was on his way to Lhasa for a pilgrimage but stayed in Diggong for about a year, intending to continue the following Spring. He had left Kham nine months earlier. Another leader named Lokratsang arrived with fifteen people in 1958. Both groups were on the grazing grounds and the witness visited them, spending two days there. The Chinese arrived and confiscated everything from Lokratsang. They took off about nineteen men (three more from Lhasa were with them) to Palding garrison, and said they were to be sent to Lhasa, but no one knew where they were actually sent. Another party of forty Khambas was arrested at this time. In the witness's experience all Khambas were being arrested on sight and even people who looked or dressed like Khambas were arrested. Later on this happened even in Lhasa where they therefore joined the NVDA.

A man named Saratsang with his family came from Kham at this time. His friends were dead and they were on their way to Lhasa to make offerings for the souls of the departed. Their property, which was being kept in the monastery,

¹ 2.70 Swiss francs or 4/6d. English money.

was seized and three people guarding their mules were killed. These could have been servants or members of the family, as the Chinese themselves said. According to the Chinese they were rebels.

In 1958 he was arrested by the Chinese. He had accommodated Khambas in his house and said that they were old people who had in no way been connected with the rebellion. The Chinese refused to believe this but gave no indication how the old people were supposed to have been connected with the Khamba rebellion. For ten days he was imprisoned by the Chinese and finally was released when he admitted that he had been connected with the rebels and promised not to help the rebels in future. The monastery had to act as surety.

About 1955/56 three young people between fifteen and twenty were sent to China from the Metogongkar area. The parents of these children made their feelings on the subject known to him and it was clear that they objected. When he was visiting Lhasa at this time several of his friends' children around fifteen or sixteen years of age were taken in this way. He left Diggong for Lhasa in November 1958 for the great prayer and to meet relatives. He was in Lhasa when the trouble began in March, 1959 and left shortly afterwards.

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Statement No. 9 : An incarnate lama, aged 32, from Palzom monastery in Derge, Kham.

This lama has now gone rather deaf and his companion said that his mental faculties had been somewhat impaired. He seemed to understand what was being said to him and to be able to give coherent answers.

In 1956 the Chinese started taking monks and lamas to China. Orders were issued that they were to go from Palzom Monastery. In the first place two abbots went. One returned, the other did not. The abbot who returned was away for about three months. He had been told by the Chinese that monastic institutions would come to an end and that they should accept Communism. He had been lectured intensely and told not to follow Buddhism, and also that all property should be given to the Chinese. Then he was told to go back and tell the monastery inmates that if they did not obey force would be used. The abbot who returned, who was the senior of the two, had no knowledge of what happened to his colleague since they had separated on arrival. The abbot did not order the monastery to give up religion, nor was the monastery prepared to do so. The Chinese then came and took away one lama, Kunga Pasang, and twelve monks. It was rumoured that they had been killed but there is no confirmation of this. They were taken away in 1956 and they had not returned when the witness left in 1957. Before Kunga Pasang was taken away, he was dishonoured and humiliated in public. According to the Chinese he had been accumulating wealth and exploiting the people, etc. and so he was made to eat grass and harnessed like a horse. Then the Chinese told the poor people to ride him and beat him. He was ridden by Tibetan women. The witness did not see this but was so informed by a man¹ who did see it. Other lamas were being arrested and he therefore ran away. He himself never talked directly to the Chinese but sent his representative². The Chinese told this man that they would not protect religion, that they should have no faith in God and that if the monasteries did not obey Chinese orders the religious system would be abolished. They made no threat of death.

In 1957 the witness took part in a rebellion but ran away when defeated. A monk who came later from his monastery told him that the older monks had been killed and the younger monks were sent off as soldiers. This monk had witnessed this before escaping.

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¹ Name supplied.

² Idem.

Statement No. 10 : A small farmer, aged 29 years, from Doi in Amdo.

In 1951 the Chinese killed all former soldiers and supporters of the Kuomintang. Dolmagya, the headman of the Amdo district, was amongst those killed. They were made to carry boards which proclaimed that they had been working for the Kuomintang and torturing peasants and asking for public opinion whether they should be shot. The witness agreed and thinks that other people agreed because if they did not they would be considered Kuomintang sympathizers. In all about 120 people were shot. The witness knows of no case where peasants had been tortured by these people.

About forty people, made up of landowners and other wealthy people, were either killed or deported. They were accused of being serf-owners and of living on the poor and it was said that their wealth should be owned by the government for the benefit of the peasants. These people had many servants but were not serf-owners. Ten in this category were killed. According to the Chinese the servants were suffering under this regime, but according to the witness all the servants were paid. He himself had no servants but did hire labourers during the spring and autumn seasons and paid them for their work. At assemblies called for the purpose of witnessing executions he saw ten wealthy people killed, and twelve of the landowners, who were in fact village leaders, were also killed. The remaining eighteen persons simply disappeared. The executions were carried out by shooting them in the back of their heads. Among these people were Chobey Gyatso and Gyatsang Phakmo.

An incarnate lama called Kusho Gya, from Amdo, was arrested. He was taken to Sining and imprisoned there. The Chinese referred to the bandits in the mountains but said that the real bandits were the lamas and monks who obtained their wealth through robbing the people. Mountain bandits had no wealth but the monks and lamas had. The Chinese said that he died in prison, whereupon the people accused the Chinese of killing him. This the Chinese denied and invited the people to fetch his body, but they did not do so. The other four lamas in Amdo were taken by the Chinese and disappeared.

After the land reform in Amdo people were starving and there was not enough food for the children. The Chinese then told them to send their children to China to school where they would be fed. Then they sent the children because they had no food for them.

In 1957 Chinese immigrants were "attached" to Tibetan families. Thirty-five men were sent to live with Amdo families where the husband was either dead or away. In an assembly where this policy was announced Dorje-tso, whose husband was away, was told along with several other women to live with a Chinese. He does not know whether the women submitted voluntarily, since meetings, except for the purpose of discussing doctrine, were not allowed. He believes it unlikely that Dorje-tso would like this particular man because her husband had had to run away after Chinese torture.

He encountered a certain amount of racial propaganda. In Amdo he met a man called Lhawang Thondup, who was an Amdo man appointed by the Chinese for propaganda purposes. He told them that the Tibetans were an inferior, ignorant people who knew nothing except how to work hard. The Soviet and Chinese races were much better physically and mentally and their blood was to be introduced. These races should be spread in Tibet. The Chinese said that it was not necessary to have a husband in order to produce children. The sperm of Soviet men should be introduced into women in order to produce a child. The Tibetan men were told that it was not necessary for them to have a woman and that there were other methods of gratification, which were not, however, specified.

A friend of the witness¹, told him of an experience which he had undergone as a result of which account the witness escaped, because he was on the list of

¹ Name supplied.

people to whom the same thing was to happen. The Chinese announced that they were examining people between the ages of fifteen to forty for venereal diseases. The account heard by the witness was that a rectal examination was carried out by means of a finger on which was a rubber glove. The finger was agitated and the patient felt as if he was about to urinate. What was described as a thin needle was inserted in the urethra causing great pain and finally loss of consciousness.

Up to the time of his leaving, the Chinese did not produce results by means of artificial insemination and he does not know from any Tibetan women whether artificial insemination was in fact practised. He was too embarrassed to ask Amdo women. In 1956 the Chinese told an assembly that they were sowing seeds in this way after the immigrants arrived. He left immediately after. He has no knowledge of venereal diseases being discovered in his village. He ran away to Tasheki monastery in the early part of 1957 and then went on to Lhasa, walking all the way.

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Statement No. 11: A village-headman, aged 42, from Ba-Nangsang.

He was a monk whose money came from a fairly large farm. According to him, he was not very wealthy, but comfortably off.

The position of the headman was essentially that of an administrator. Orders from above were necessary and he was under the leadership of the district officer.

After the Chinese came, the orders still came from the district officer, but it was obvious to him that the orders came from the Chinese. The instructions were that Chinese and Tibetans must have good and friendly unity, that the Chinese were mothers to whom the peasants were like children. They should join against the imperialists and be faithful to the communists. The Chinese would look after the poor and bring about equality. To the people in the two lowest grades, (i.e. the five Chinese classes which are mentioned elsewhere) money, food and clothing were given. This happened immediately on the first arrival of the Chinese. Except for food, which was raised from the people, the money and the clothing were brought from China.

In 1955 the Chinese gave him the title of Khotang (arbiter). Together with all the district leaders he was summoned to Tachenlu to attend a meeting. There they were told that they must have reforms and move towards socialism. There were three principal enemies to be destroyed :

Firstly, all the high lamas;

Secondly, the monks: they should abandon their religious life and work and monks as such should be abolished for the reason that they do not marry and therefore the race does not increase;

Thirdly, all district leaders should be abolished, because they were oppressing the peasants and treating them cruelly.

The leaders told the Chinese that they could not do this and that there was supposed to be freedom of religion and the other freedoms guaranteed by the Seventeen-Point Agreement. They said that it would be better to cut off their heads. He himself belongs to Nangsang monastery which is authorised by His Holiness himself and he could not therefore do the things which the Chinese requested. On their next visit to Tachenlu they found the Nyacho monastery almost deserted, with only old monks living like beggars. Of the remainder most were sent to the Chinese army, some towards Kamtse in the direction of Lhasa. Some thirty were living with women outside the monastery, some of them working in the fields and others running shops together with their women-folk. Since these monks were from the yellow-hat sect where celibacy is the

rule, he considers it unthinkable that they did it freely. They were threatened with beheading if they did not live with the women.

He was present when the Chinese issued this order and he was told that since he had been drawing Chinese pay as a Khotang (117 Chinese dollars a month), he should keep quiet about what he had seen. In fact upon his return to his village he informed the high lamas and monks of what was happening and told them that the Chinese were out to destroy religion.

Four monasteries were broken up in Tachenlu — i.e. most of the monks were gone and all the valuable images had been taken away.

Chakla-Gyabo was a prominent leader who was accused by the Chinese of being a big serf-owner and supporter of Chang-Kai-Shek and of being the wealthiest man in Tachenlu. He was indeed wealthy as was apparent when the Chinese said they confiscated 3,000,000 loads of barley! The witness was invited to what the Chinese said would be a very good show. Upon his arrival he saw Chakla-Gyabo in prison, shoeless and shirtless, with his wife and children. Fourteen members of the family were thrown into the river. He did not see what happened to Chakla-Gyabo but thinks that he was killed. He protested to the Chinese, who said that it was the wish of the people.

Returning from Tachenlu, he was asked to stop at Minya to be shown what happened to those who opposed the reforms. A man named Wangtok was arrested and he was taken to a large hall where Tibetans had been assembled for the purpose of seeing what happened. Beggars who had become soldiers in the Chinese army beat him with sticks and poured boiling water on his head. He then admitted having nine loads of gold (which never turned up, the witness says). He was tied and slung up by his thumbs and big toes. Straw was burned under him and he was asked where his gold was. He could not answer this because, according to the witness, he had none. A red-hot copper nail was then hammered into his forehead, the nail being between $\frac{3}{4}$ to 1 inch long. He was then carried into a truck and driven away. The Chinese said that he had to be taken to Peking. The witness then went on his way.

Three hundred men were taken away towards Thagay and Litang as soldiers.

In January 1956 the monks from Litang monastery had attacked the Chinese and had been defeated. About thirty of these soldiers, together with 1,000 Chinese were in a village outside the monastery. Sokru Khantul, a very learned and respected lama, was attacked by the Chinese because he had not prevented the monks from fighting them. He was arrested and taken into a field where his legs were tied to two pegs and his arms were stretched across a plank. Then he was shot in the chest. The lama Khangsar, the abbot of Litang, was accused of leading the attack. His feet were chained together and a pole was placed across his chest and arms. Then his arms were bound with wire. He was suspended by a heavy chain around his neck and hanged, although the people asked for his release. The uza (prayer-reciter), was arrested, stripped naked and burned on the thighs, chest and under the armpits with a red-hot iron about two fingers thick. This was done for three days, with applications of ointment daily between the sessions. When the witness left after four days the uza was still alive. This happened in private in the Chinese headquarters, where the Chinese had insisted that he should go in order to avoid mixing with people. From where he was he saw what happened and he was told not to speak to anyone about it. He told his fellow-monks so that they could escape. Although the witness is a monk and it is not customary for monks as such to be a village-headman, he had to undertake this responsibility on the death of his relative since his family was responsible for the discharge of these duties.

In this statement the witness talks of the "extermination" of monks and lamas. There was a long discussion with the interpreter on what this meant, and it seemed to mean "to take out of existence". On instructions the interpreter put the question to the witness "What does this word mean vis-à-vis monks and lamas?" To him it meant that the lamas would be killed and the monks

would be secularized. His reasoning was that lamas are the people who preach religion and killing lamas will lead to the cessation of religious teaching. Without lamas religion would be inconceivable. As far as the monks were concerned it would be sufficient to secularize them.

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Statement No. 12: A peasant, aged 26, who paid rent to the Drepung monastery and came from Losalling.

Communist schools were opened in Lhasa in 1955/56. The first school was opened in Sayshing, then in Tonchilingka, Jara, Marulingka and Chagzolingka. Some of his friends went to these schools. They¹ told him what went on at Tonchilingka. Most of the lessons were in Chinese but some were in Tibetan. They were taught reading and writing in Chinese. There was some Communist indoctrination but he was not told how much time was devoted to this. The Chinese devoted great publicity and propaganda to these schools and everyone was encouraged to go. One friend² was influenced by pro-Chinese to go and learn Chinese. They were taught that belief in religion was useless and that it was better to work than to become a monk. Two more of his friends were persuaded to go to Sayshing. No force was used.

The peasants were given grain and meetings were called which he attended. They were told that they had been leading the wrong kind of life, that now roads were being constructed for the good of the people, that the new equality would mean more freedom and that after having been under the foreign imperialists they were now liberated. He knew only one or two who were working for the Tibetans and he believes that they were German. At first he said that he had never seen a foreigner in Tibet but then said that he had seen Heinrich Harrer. These were probably the imperialists mentioned by the Chinese.

On the question of religion, his only experience was that the Chinese told them that religion was wrong, but they went no further. They were told that they believed in a God whom they could not see, whereas the Chinese only believed in what they could see. He did not witness any forcible taking of young people to China. The situation was that boys went to China against their parents' wishes but in accordance with their own. He met one named Gyalcho, aged about 27, who came back. He had become a communist and spoke of the advanced progress in China and the backwardness of Tibet. He told the witness that he must study and advised him to become a communist. Gyalcho came from an ordinary family, neither poor nor rich, and had previously been a monk. The witness expressed surprise at Gyalcho's views and was told that he had green brains — this means that his brain was rigid and not susceptible to new ideas. As far as he knows Gyalcho is still working for the Chinese. He still attends the Chinese school and does not return home. He does not seem to do any other work. He was away for about a year in China. His step-mother complains that he has no faith in religion and opposes any expenditure on religion.

Two hundred and fifty labourers were drafted for work from Shuendongkar, a small district just over five miles from Lhasa with a population of 5-6,000 people. All available transport was taken and travellers were made to leave their own loads and begin work for the Chinese. In Lhasa he saw a number of people run down on the roads by Chinese vehicles. One man, who was going round the holy circle, which is a form of religious penance, was simply run over by a truck coming from behind. The driver did not stop.

In 1959 he saw a man arrested for carrying a pistol. This man was from a monastery estate on his way to Lhasa. He saw this man arrested, bound and

¹ Names supplied.

² *Idem.*

taken towards the Nordulingka, i.e. the Chinese barracks. The Chinese would not admit that they had him in custody and would permit no one to enter to look for him. In the remaining twenty days that the witness was in Lhasa he had not returned. He was told by his transport boy that many others were arrested here, including anyone who was carrying a knife of any description.

Religious relics were thrown into the water. When the Chinese were indulging in target practice, real bullets passed very near to anyone or animals who happened to be around. He spoke to some cattle boys when he was visiting his friend's house and was told that they had seen two men shot in this way and their bodies thrown into the river. The Chinese also shot at wild birds, opening fire without any warning. If people were hit they were left. He saw a woman killed in this way when she was on her way to water the field.

A neighbour of his¹, was killed for cursing the Chinese. He ran after the Chinese to complain of something or other and his wife came to tell the witness that he had done so. He sent two of his servants to see what was happening and himself watched from the top of his house. He saw the Chinese shoot him with something like a sten-gun.

In Lhasa in 1957 the Chinese announced through loudspeakers that a cinema show was to be given. He went. The people were assembled behind the Tromsikhang building to see the film. A shot was fired at the beginning of the performance. He has no idea whether the shot came from the crowd or was aimed at the crowd. Chinese soldiers then fired into the crowd with rifles from the house-tops; and also the Chinese who were showing the film opened fire. One old man, a Muslim, and a boy were killed, and a woman was wounded in the leg.

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Statement No. 13: A 40 years old peasant from Ba with a small plot of land which he regards as sufficient for his family needs but nothing more. He had between thirty to forty livestock. When the Chinese came to his region in 1950 the poor people were told that the Chinese had come to help them and that they should help the Chinese by opposing the Kuomintang. The Chinese announced that they would help the poor people materially, and he received one rake.

From 1950-53 the Chinese convened occasional assemblies where the theme of the talk was that the Tibetans were to have full freedom and respect. The Tibetans were also told that everyone was to be made equal. He was twice called to such meetings, and went. Wealthy people were not allowed to attend these meetings, but there was nevertheless opposition to the proposed reforms. The Chinese then threatened to impose these reforms by military force if there was opposition. Four headmen and two lamas went in a delegation to the Chinese to express their opposition to these reforms. Some of the poor people were in favour of these reforms, but the majority were against.

In 1955 the land reforms were proposed. Four monasteries and the people of the district expressed opposition to these reforms and told the Chinese that they were prepared to resist them. All the land was to be taken and divided, the Chinese were to collect all the grain. All arms and personal belongings were to be taken except what they were already wearing. The Chinese took all his land and all his livestock except for one cow, one ox and six sheep. The produce of the cow had to be handed over to the Chinese. He was left only a small piece of land representing about a quarter of what he originally had. The remaining portion was given to the poor people and the beggars. He received nothing, but would have regarded the transaction as perfectly lawful if he had been paid. From 1955-57 the property of the monasteries and of the landlords and all species of

¹ Name supplied.

wealth were confiscated. Those who hid anything were punished in the following way : they were at first imprisoned, then they were made to stay in trenches where they were fed only once a day. They were told they must suffer for their love of wealth. He saw about forty to fifty people sitting in a trench and it was said that altogether three to four hundred were treated in this way, including all who opposed these reforms. They were kept in the trenches all the time and the people were not permitted to go to them. He knew some of the people who were punished in this way, and after they had gone there he never saw them again. He left the area in 1958, at which time these people were still under guard. He explained that the reason why he was able to see them was that at first people were taken to see them as a warning not to oppose reforms or to hide their property. The Chinese said when taking away some of the property that it was for the purpose of constructing factories. Up to the time he left he saw nothing of this.

All the images from the four monasteries in his district were taken away. The Chinese began to tell the people that there is no God. He himself, with about 170 other people, was kept in prison for a month for the purpose of indoctrination. They had asked for protection of religion and were told that their minds had to be changed. They had to listen to anti-religious arguments and lectures together with propaganda against property holding. They were told that under communism they were all one big family and there was no such thing as a Tibetan or a Chinese. They had about an hour for eating and rest and were allowed normal sleep. After twenty-nine days they were given the choice of being sent to China for further indoctrination or marking a document undertaking that they would be faithful to communism. He himself marked such a document and was released.

Boys and girls were to be sent to China for indoctrination. Parents were called to a meeting. If they were faithful to communism they would allow their children to go, but refusal meant that they were unfaithful. Those who were against the scheme were threatened with ill-treatment, imprisonment and receiving no food. They were also to be sent to China. A few parents requested that their children should not be sent. These were physically maltreated and the people were called to witness. Groups of beggars who had become pro-Chinese beat them with their flat hands and pulled out their hair. They were not fed. After this most of them agreed and he knows of no-one who still refused. The children were then sent away, it was said to China. About one hundred were sent altogether, between the ages of ten and twenty-five. He thinks that there was a proportion of three to one in the age group ten to seventeen. Children under ten were sent for indoctrination to the Chinese headquarters in Ba. They were collected from different families in one village. The Chinese asked for fifty, leaving the Tibetans to arrange for themselves where the children were to come from. This happened before the older people were sent to China.

In 1958 the Chinese began to press the monks to live with women. One girl from a mill told him that the Chinese had offered 100 Chinese dollars if she could persuade a monk to have intercourse with her and so on *per capita*. She was upset by this proposal and asked him not to repeat she had told him¹. The Chinese ordered monks to live with girls and in one monastery he heard that forty to fifty were living with girls. This was in Nangsang Gompa. According to his information the monks were threatened with death. He obtained this information from a monk from this monastery². This monk left the district about five months after the witness, who met him in the Kongpo area.

Just above Nangsang Gompa was a small hermitage where the protecting images were kept. A monk stayed there to say prayers. This man, Derkong Chozey, was told by the Chinese not to stay there saying prayers but to get married and go to work. This went on for many days. The witness met this monk when he went to the hermitage to make religious offerings and the monk told

¹ Name supplied.

² *Idem*.

him that he would not obey the Chinese, even if they killed him. In September 1958, the Chinese went to the hermitage and took away all the religious articles. Those of metal were taken for use, those of clay were broken and the prayer books burned. They then took the monk and told him that he was of no use to them. The people were then called by the Chinese and the monk was machine-gunned in full view of the crowd.

He heard a story from a man ¹, of Rating in Ba, whom he met when they were both fleeing after the Khamba revolt. The story was that a monk and two laymen who were his neighbours were taken by the Chinese ostensibly for indoctrination in China. One of the laymen called Adu jumped over a cliff pulling the Chinese with him. The other two were immediately shot. He also told him that houses were being shelled and burned and that it was impossible to stay.

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Statement No. 14, made jointly by (1) a farmer aged 50 from lower Yatung, the side nearest to the border of Sikkim; (2) a village headman aged 57 and a muleteer owning his own land; (3) a muleteer aged 27; and (4) a man aged 37 who collected and sold grass and firewood.

(1) said that none of his property was taken from him. He had his own land and also boarded travelling tradesmen in his house. He made a comfortable living. There were more wealthy families in Rinchingong, where three families had their property taken from them at about the beginning of 1960, and one of the headmen mentioned below from Chema lost his property at about the same time. These people had left and come to Gangtok in about August and their property was taken after their departure.

A lama named Khantul Tembe Nema was coming from Shigatse when he was stopped by Chinese soldiers. Two headmen ², together with witnesses, (1) and (2), told the Chinese that the lama was simply going on a pilgrimage to India, was not connected with the rebels and that they guaranteed his return. The Chinese permitted him to go and then when the disturbances in Lhasa took place the lama did not return. One headman was accused of being connected with the rebels and of having sent the lama to India. In November, 1959, the people were called to a meeting in Rinchingong. They were told that they had been liberated and (2) noticed that though this man's wife was there, he himself was not. His wife told the workers that her husband had gone to Yatung and had not returned and that the Chinese told her that he was being indoctrinated.

Witnesses (1) and (3) witnessed his humiliation in Yatung. A number of people had been arrested for not denouncing him. His servants were told that they must have been ill-treated and that they were to accuse him of this, of not paying them and of keeping for himself the taxes which he had collected from the people. (3) said that this quite untrue and the other witnesses who also knew the man said that they did not believe it. His hands and feet were chained and he was beaten by his own servants and by people from the poor class. The witnesses then left. (3) left because the Chinese told him to stop his work as a muleteer and to start digging the land. He did not wish to do this and preferred to leave Tibet. (1) said that the Chinese had told him that the land belonged to the people, but they continued to allow him to reap all his crop. The Chinese collected grain from the people and took from him about one tenth of his harvest.

Kagu monastery in their district had very few monks left. Most of the monks were working in the fields and were sent to live in their own homes. Two were imprisoned, accused of robbing the people. The lama from the monastery left for India in about September, having heard of the arrests and ill-treatment of lamas elsewhere in Tibet.

¹ Name supplied.

² Names supplied.

Shortly after the fighting in Lhasa the Chinese told the people that the Dalai Lama had been abducted to a foreign country, but they were going to call him back. Those who agreed with this proposal were told to raise their hands and they all did so. Later he was called a reactionary and the people were told to say that he was a reactionary.

No schools were opened in this area. Several leaders were arrested by the Chinese and not seen since. This happened towards the end of December 1959. (4) left in May 1959 when he ran out of food. The Chinese had sent him to look after the livestock of the leaders who had fled. He was not paid for this work and given sufficient food for two months and thereafter nothing. For a time he provided food from his own house and then when there was none he came away.

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Statement No. 15 : A monk aged 21, from Dzarangbo monastery, in western Tibet.

The Chinese came to stay in his monastery in about August 1958 and settled, supervising road construction. This was carried out by the peasants and no monks or lamas were engaged on it. The Chinese lived in the vacant rooms of lamas, for example, the room of one lama who was on a pilgrimage to India. No lamas were driven out.

His own father was shot in the presence of his mother, himself and the other children. His father was a captain in the Tibetan army and was branded as a reactionary by the Chinese. He was shot on the spot in his own house. His father was not a wealthy man and had very little land.

The abbots and other leaders of the monastery were called by the Chinese and told that they were deceiving the people, that there was no God and that offering butter-lamps was a waste of food. They were not given any orders. Chinese often went around dressed in Tibetan clothes, which were borrowed from friends of his in the village. He does not know why this was done. He left in December 1959 and went straight to Nepal.

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Statement No. 16 : A monk aged 45, from Choday monastery, Shaykar, in Western Tibet, and his fellow monks, aged 30, and aged 28.

They all came out separately from their monastery, the first in September 1959 and the other two about six weeks later in November. The Chinese came to their monastery on March 23, 1959, and told them that there was no longer a Tibetan government and that His Holiness had been abducted by reactionaries. All arms in the monastery should be surrendered. Four months later the Chinese came to stay. Abbots and leading monks were taken away in trucks and they later heard from people in Shigatse that they had been taken there. These abbots and monks had first been asked to a meeting, then the Chinese arrested them, kept them imprisoned for a few days and then took them away in trucks. Four more abbots were called to a meeting where they were declared to be collaborators with the reactionaries, bound and imprisoned. Five days later three leading lamas and thirteen senior monks were arrested and put to work on the vegetable gardens and on carrying loads of dung and bricks. One of the witnesses then escaped. The remainder of the inmates of the monastery, including the other two witnesses, were gathered in the debating-park where they were questioned on their activities since the age of eight. They were not allowed to enter the monastery and lived in the debating park.

About six weeks later the images in the temple were taken away by the Chinese if valuable and the remainder were destroyed. One monk died in prison

about three months after the arrest of the abbots, and four old monks died of starvation. There were no executions. They left the monastery and went straight to Nepal.

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Statement No. 17 : A village leader aged 45, from Chomcho in Garang, one day's journey from Tatsang.

He left two weeks earlier than the abbot of Tatsang¹, and met him on the road. For five months the witness had been submitted to indignities in public, sometimes three times a day. He was told in public that he was a reactionary, that his brain had not been cleansed and that he was not willing to accept the road to socialism. In the daytime he was sent to perform hard labour and at night his hands were kept pressed between two boards which were kept fastened together. There were about one hundred headmen in all who were kept in this way. The wealthy class were kept separately. After five months he was freed and given two weeks to think things over. He was not allowed to talk to people outside his family. The Chinese had by this time confiscated all his property and Chinese officers were living in his house, attended by his servants. He himself was living in a small hut near his house. On the last night of his two weeks of liberty he escaped with his wife and child and headed for Golok, where his son was in a monastery. "Reforms" had not yet begun in Golok. There he had to attend a meeting where the people were told to raise their hands indicating their opposition to the American imperialists. In twelve years the whole world would be communist. Russia, China and Tibet would have a large population, whilst on the other hand the Americans were afraid to die. (This would seem to mean that the large population was composed of people who were not afraid to die). He stayed in Golok for two months, where the Chinese promised that there would be no reforms for six years, but in view of his past experience he decided to leave before the reforms got under way. He then spent four months in Lhasa, where he was worried because in Garang the Chinese had said that by 1957 reforms would be carried out in Lhasa. The Chinese said that the Tibetan leaders, together with the Dalai Lama and the Panchen Lama, had accepted that reforms would be carried out in Lhasa. After four months he began to make his way to India. He then went back to give details of events in Eastern Tibet before he left.

Choda Ngotang, a leader from Tochagop district, had openly accused the Chinese of not keeping their promises in 1951 that they would return to China after capturing the Kuomintang troops who had fled to Tibet, and he also complained that the Chinese had taken property from the people and had sent children to China. His lips were cut off and four days later he was executed. Ahoshi Damo, the wife of a district leader, was burned alive in public for the same reasons and also for refusing to send her daughter to China, and alleging that the Chinese had abused the Tibetan religion. Other people executed for more or less similar reasons were Tsering (middle class), Gonpo Tsering (middle class), Tarshin Chen (a wealthy person), Nyarong (middle class), Shosum (poor class but outspokenly anti-communist), Kachan (a trader), Mashantang (poor class but outspokenly anti-communist), Wangkho (a wealthy person), Pema and Ngashey (women), Ahgyap, Wandak, Ahcho, Zasing, Darji, Phuntsog Tashi, Kundupa and Chungro, all either wealthy or from wealthy families, and Shirap, Ahzim and Ahlo (poor class but outspokenly anti-communist). Thargay was buried in pitch up to the chest and died. Thargay was a wealthy person. A man named Phurpa was tortured to death by sticking needles into his body. A man named Tendyeen from a well-to-do family had already sent one son and one daughter but refused to send his youngest son, aged thirteen. He was executed.

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¹ Statement No. 18.

Statement No. 18 : The former abbot ¹ of a monastery in Amdo. He is aged 39 and has been a monk since he was thirteen.

He left Amdo in May 1956 after four months in prison and came finally to India in the middle of 1959. He had 500 monks under his authority in Tatsang and at the time when he left there were only one or two old or crippled men still in the monastery. The rest had been taken to build roads at the end of 1954 and were still building roads when he left. The only incarnate lama in the monastery had escaped to Sera in 1956. Road building was the less severe of the two different treatments meted out to the inmates of the monastery. He and the lama and other abbots were made to carry human dung to the fields. For about two and a half weeks he was placed in cold water up to the waist when he denied having hidden gold in the monastery. He now feels little sensation in his legs. All the gold had already been taken early in 1956. His hands were locked together and bound by a sort of chain which tightened whenever he moved. Eventually his skin was pierced and he bears two scars on his right wrist about a quarter of an inch apart and half an inch long. Many times a gun was pointed at the back of his head and he was threatened that he would be shot if he did not tell where he had hidden the gold. Valuable images were taken away and those of little value were thrown into the water by the monks and lamas on the orders of the Chinese. The Chinese said that they would find out whether the images could swim and explained to the people called to witness this that the images were merely to deceive them. Before he was arrested he was called to meetings from 1950 to 1952 where he was told that he need not be afraid and that the Chinese had come to help. After getting rid of the imperialists (i.e. any Kuomintang elements who might have escaped into Tibet), they would return to China. In 1951 they said that there were three great brothers in the world, the USSR, China and Tibet, who were to help each other educationally and economically.

In 1951 young people from fifteen to twenty-five began to be sent to China for education. When these people had been educated Tibet could become autonomous. First they were to learn agriculture through modern methods, learn to drive cars and learn communism so that they could fight against the American and British imperialists. At the time when he left Amdo the Chinese had claimed at a meeting that all the young people had gone, but he himself says only that most of them had gone. Progressive increases in the number of young people going to China were announced at periodic meetings. Beginning in 1951 children from eight to fifteen began to be sent to China. The youngest of these were shown cinemas and theatres and told that they would see more of these in China. The children wanted to go but many parents refused. If the child was willing to go and the parents were unwilling, the Chinese told the parents they had no right to interfere. If neither the child nor the parents were willing the parents were taken before a public meeting and denounced as reactionaries, but no other steps were taken. The Chinese said at first that the children would be gone only for a few days in order to see films, but the children did not return. In 1956 a meeting of young people between fifteen and twenty-five was called and they were given a lecture on how to serve communism. They were given uniforms and arms and posted as soldiers to different parts of Tibet or China.

Also in 1956 the Chinese began to take away newborn babies, telling the people that babies would interfere with their work. Anyone who refused would be executed. The brains of the parents were rotten and the children's should not be the same. Cripples and aged people were kept separate from the rest of the people and were very badly fed.

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¹ Name supplied.

Statement No. 19 : A nomad aged 35 who owned a little land; he came from Khay near Gyantse.

He was working on road construction, which the Chinese told them was for the benefit of the Tibetan people, and they must therefore give up sheep and food to help towards the road construction. They received very little payment in return. Monks were engaged on road construction and they told him that they came from Tsechur Neynying and Tsantra monasteries. Nuns from Lhenkey monastery were also there. He was also told that there were just one or two monks in the monastery with Chinese occupying the main temple building; the monks were out at work.

In Khay he was called to attend what the Chinese said would be a show. Two village headmen had been produced and the people were told that the old system must be rooted out. Their faces were slapped and their hair pulled and they were threatened with execution. Then their property was confiscated and they were sent to Gyantse for imprisonment.

Young people were made to beat their parents. He heard no threats uttered but he saw Pema Gyalbo from Dochen looking frightened whilst he beat his own mother. This woman was an ordinary peasant woman who had not, as far as he knows, done anything to displease the Chinese. Her son was asked if his mother had ever beaten him and told that it was now his turn to beat his mother. This must be done in order to abolish the old customs. If he beat her he would show bravery, if not he would be lacking in courage. They were told by the Chinese that freedom of belief was confined to the mind but that monks must not stay in monasteries without working. They could say their prayers when they were working. Images were thrown out of the monasteries and prayer-books were burned. Those that were too heavy to throw out were left in a heap. The burning of butter-lamps was forbidden and when he was caught burning a butter-lamp by the Chinese they took the lamp from him and pretended to feed the images, asking whether they could eat or drink. He was not punished.

The old system had to be completely eradicated and the PLA and the Tibetans should together dig up the roots of the tree, viz. the old system. In this tree was a red snake and a black snake, the red being the monks and lamas, the black the rebels. The snakes should be eradicated (this is not the same Tibetan word as killed) and the people should follow communism.

He left because, although he would rather starve than become a Chinese communist, these were the only alternatives if he stayed. Property had been confiscated under the threat of execution if any more property was discovered when the Chinese searched. They were not allowed to kill a single animal without permission and the best animals were taken by the Chinese for their own purposes.

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Statement No. 20 : A nomad aged 23 with small herds; he came from Geru in Gyantse. He left Tibet towards the end of January.

When the Chinese were building roads on the Khamba-Dzong side, his sheep, cheese and butter were taken. All he received was about 15% of the value of the sheep. This happened in September 1959. The workers engaged in road construction were mostly lay but there were monks also. He saw no lamas. He had to supply transport for the Chinese day and night without payment and had to provide his own food. Cattle and sheep belonging to all the nomads were listed and it was necessary to ask permission of the Chinese before an animal could be slaughtered.

Phendi Chakzo, the local treasurer, and Drubla, a house-boy from Gyantse fort, were beaten at an assembly of the people. The people were told that they were connected with the rebels and should therefore be rooted out. All the people from the old system should be denounced as false, and beaten. The crowd were

told either to beat them or be beaten themselves. These two were beaten until they could not walk, by people from the crowd. The people were told that the former government was like a black tree (i.e. something bad) and in September 1959 they were told to say that His Holiness was a leader of the reactionaries. He had been taken away by the rebels and they should not hope for him to come back. The Chinese complained about the Tibetans burning butter-lamps before images, saying that images could not drink water or eat food. The Chinese brought meat and bones into chapels and there burned it instead of incense.

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Statement No. 21 : A man, aged 32, from the Tangay district in western Tibet, quite close to Nepal.

He left Tibet about February 7th, 1960. The Chinese had arrived in August/September, 1959. A meeting of the people was called. They were told that most of the reactionaries had now been suppressed but that there might be some in their area. They should cooperate with the Chinese in searching for them. These people would be mostly Khambas and people from the wealthy class. The standard of living of the people was to be improved. The old system of the Dalai Lama's Government had been abolished and they should speak out against it. Nobody did so.

Road-building groups were organized and for this purpose all between the ages of eighteen and sixty were to be taken, whether man or woman, religious or lay. Monks were in fact taken for this work. This road led from Tangay-Dzong to Gyantse and this stretch had been completed when he left, but the road was being extended westwards. The monks were ordered to marry but he has no idea of the results of this order.

In another meeting they were told that Khambas were robbing the peasants of their grain and livestock. People disguised as Khambas had already been to his village and to others, taking horses, arms and grain, saying that they needed them for the defence army. He realized that they were not real Khambas because they did not come with the certificate issued to genuine members of the NVDA and also because when the NVDA had been to their village the villagers had willingly supplied them with food and fodder for which the Khambas offered to pay. The disguised Khambas had simply taken what they wanted without permission. He has no knowledge of any disguised Khambas being captured. Once in his village he saw five looting very close to the Chinese garrison and he heard from road-builders that in one village people dressed as Khambas took away horses which were later recognised by the villagers among a group of horses put out to graze by the Chinese garrison.

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Statement No. 22 : by leaders of the Mimang group. (1) A monk aged 39 from Sera monastery, who had left the monastery in 1948 to live in Lhasa, where with a teacher he was engaged in the management of a house. (2) A monk aged 49, from Drepung, who came on a pilgrimage to India in 1956 and in January 1957 decided not to go back. (3) A domestic servant aged 48, who regards himself as of the poorest class.

At a meeting of the people of Lhasa in 1952 these three were elected to assist the leaders of the Lhasa district. The Chinese refused to accept them, telling them that they were foreign spies and also pointing out that the people were not allowed to assemble since they did so under the instructions of foreign imperialists. Before the arrival of the Chinese, mass meetings of the people were not held but were not forbidden. The explanation given was that everyone was happy

under His Holiness and that mass meetings were not necessary. Large assemblies of the people began to take place after the arrival of the Chinese because the Chinese were oppressive. Lhasa formerly had sufficient in its own immediate hinterland to feed its population. Before the arrival of the Chinese no supplies of food came from Eastern Tibet. The people complained that the cost of living had risen tenfold because the Chinese were consuming foodstuff. Other complaints were that already in 1952 the Seventeen-Point Agreement was not being observed. One point was that the Chinese had specifically undertaken to preserve the status of His Holiness. They felt that this necessarily involved the return to the authority of His Holiness of those parts of Eastern Tibet which had previously been under him. Also there should be no interference in internal matters and the Dalai Lama had had to dismiss his two Prime Ministers in 1952 on the demand of the Chinese. The Chinese demanded the dismissal of these two because they opposed Chinese interference in internal matters, and accused them of being agents of the imperialists. Before the Chinese came they met only a few foreigners but met none afterwards. The Chinese had also undertaken to respect the customs of the people, but were demanding that the Tibetan soldiers should be absorbed into the Chinese army. Monastery property was also to be protected, but they built houses on the cultivated land and the unsown land belonging to the monasteries and in the monastery parks, cutting down trees in order to do so. They lived in this park in tents and built walls around. Sometimes they paid but usually they did not. The Norbulingka forest, which was used to supply fuel to the three big monasteries, was occupied by the Chinese without payment. There was no attack on freedom of religion at this time.

As far as trade was concerned, the Chinese at first banned trade with all foreigners, including India, and then, after a strong appeal that exports to India were essential, trade with India went on. These complaints were sent to His Holiness in the form of a petition, but no reply was received from the Chinese or from His Holiness. Then the Chinese questioned all the members of the Mimang movement whom they could find and these three were questioned on two occasions in 1952. They were asked whether they had any relations with foreign countries and whether they had been to India. They were questioned in the presence of soldiers pointing guns. Twelve of them were together asked whether they would obey His Holiness and they said that they would. Then the Chinese told them that His Holiness had ordered them not to rally any more. From then onwards the Chinese considered the Mimang movement illegal. Their dogs were burned. Matters then became worse. Assemblies were not allowed at all. They then heard that there was a right of appeal to the United Nations and in 1952 they sent (1) to India in order to appeal. However, in company with another man¹, he was caught by the Chinese at Tanak Rinchentsi. He was arrested and beaten with rifle-butts before he said a word. Then he was asked where he was going and he said that he was going to hand over an estate on behalf of his monastery. Both were imprisoned in a house with guns trained on them and dressed in Chinese clothes. The next day he was taken to Shigatse where he was locked in a room next-door to the bathroom (Tibetan interpreters use this expression for a lavatory). The windows were blocked and for one month and ten days he was handcuffed and the only method of attending to the calls of nature was to use a tin in the dark. The only reason given by the Chinese was that he had not been a good worker. He was then transferred from Shigatse to Lhasa under escort in Chinese dress with the usual Chinese cover over the mouth and also dark glasses. He thought that the purpose of his wearing Chinese dress was to prevent the Tibetans from recognising him as one of them. In Lhasa he was kept for one night at Norbulingka and then transferred to Makasarba, the biggest of the Lhasa garrisons. His hands and feet were manacled, but after two hours the chains on his feet were removed and he was taken to Yapshi Langdum, which was close by. Then his feet were chained again and he was left to lie all night without bedding on a concrete floor. If they moved their head or limbs they were beaten with rifle-

¹ Name supplied.

butts. Next day they were taken to a small room on the ground-floor where again they were not allowed to move their heads, they were even forbidden to scratch their lice. A tin was brought to enable them to perform their natural functions. The Chinese questioned him repeatedly and wanted him to write a statement that the Mimang movement was illegal and false. This he refused to do and never did, although he was imprisoned in all for nine months. Five more leaders and members were arrested in the same year in Drepung monastery, according to (2). Their feet were chained and they were tied by their wrists at the back and raised from the ground by their wrists. Another four, including (3), were arrested and kept in Tromsikang in Lhasa, from where they were taken to the Chinese residence in Yuthok. There Chang Ching-wu (Chinese political representative in Lhasa) told them that Mimang was an illegal movement and wanted to know what these rising prices were, of which they complained. They told him that the price of a bushel of grain had risen from 22 sangs to 225, that fuel had similarly risen in price, and that these rises were attributable to the Chinese. The supplies had gone from the granaries and the people were suffering. Chang Ching-wu said that the Chinese bought their food, paying in silver coins, and they replied that if there was no food even gold was of no use. Chang Ching-wu asked him why he said that Tibetans were different from the Chinese and he replied that the languages were different. Chang Ching-wu then asked him for proofs that the people were different and asked him to indicate the boundary between Tibet and China. The witness replied that it was the white pagoda in Amdo. Another Chinese official who was present said that this was impossible but that there was a white pagoda in Kamtse which could be the boundary. Then Chang Ching-wu asked him whether he remembered the Ambans. His reply was that he knew that a long time before there had been Ambans in Tibet, but that they were not there to deal in politics or internal affairs. At this Chang Ching-wu became very angry and sent him to Tromsikang, where he was imprisoned. Later he was called for questioning to the finance office near Lhasa cathedral. There he was questioned by three Chinese officers. They had heard that the Mimang were intending to send a delegation to foreign countries and to the United Nations. He replied that since there was no response from the Chinese to their appeals, there was no alternative but to appeal to the United Nations. He was taken back into custody and questioned again in 1953, five months later, when the questions and answers were the same. The Chinese then told him that it was wrong to appeal to foreign countries and that if they wished to appeal they could go to China to do so. He was told to think this over and was taken back to prison. He spent a year and nine months in prison and he had to be fed by his family. All three of these people were in custody in different rooms and were questioned separately but along the same lines. They then appealed that they had no means of maintenance and had had to sell some of their property to feed themselves, and asked to be released in order that they could fend for themselves. Then the Chinese released them on their own surety and on condition that they did not leave Lhasa.

As far as freedom of religion was concerned, many lamas were taken from Lhasa and from the three big monasteries for instruction in the office attached to the PCART (this was set up in 1956). The Chinese told the people that the children should go to schools instead of to the monasteries. (3) had four children aged four, eight, fourteen and nineteen at this time and he was told to send them to school, which he did not do. He also refused to work in the PCART and the Chinese said that if he would not do this he should send his children to school. He replied that his children did not wish to go to school and his eldest son, who was a monk, confirmed this. He told the Chinese that he did not wish to learn Chinese or politics but wished to stay in his monastery. The Chinese left it at that.

One of his horses and two of his mules were put out to pasture and became mixed with those belonging to a Khamba. Even though he described his own animals the Chinese took the animals belonging to the Khamba and his own also. Eventually they said that they were not going to give his animals back because he was a reactionary. This happened at Chungoye, four mule stages from Lhasa (about sixty miles).

He heard no stories of robbing or looting imputed to the Khambas. At Chungoye a monastery was being repaired under the auspices of the Tibetan government. The work had to be left when winter came and when the carpenters and masons returned to continue the work, as they were proceeding through a pass the Chinese opened fire on them, killing one and arresting the remainder. After a protest by the Tibetan government they were released three days later. The local peasants informed them of this. This took place in the middle of 1958, after which he left for India. He stayed some time with the NVDA at Samye, arriving in India in June 1959.

(3) has lived in Lhasa for most of his life. When he was questioned about the district of disaster which the Chinese claim to have reformed, he could not think where this district could be. As far as the clearing of refuse from the streets was concerned, the police enforced a strict control on the tenants who were responsible for clearing the refuse. He never heard of a brothel area in Lhasa and never had any reason to fear going anywhere in Lhasa, even in the dark.

In 1955 he saw two young women taken by force from their house. They were neighbours of his. One, aged about 21,¹ was forcibly taken from her house by two Chinese soldiers and taken to the Chinese military barracks on the other side of Lhasa. Up to the time when he left Lhasa early in 1958 she had not returned to her home, although she came into town weekly dressed as a Chinese and always accompanied by Chinese. Another girl, aged about 18,¹ from another family, used to work in the Chinese military headquarters. One day she did not return home and was found to be still working there. She did not return. Her friends were later told by some of her fellow workers that she was to be sent to China against her wishes and that she asked for her parents to go and plead with the Chinese. The Chinese rejected the pleas of the parents and said that she must go to China for education. She wrote to her parents from China and the witness read her letters to her parents, who were illiterate, and wrote letters for them. She said that for two months she had been sent to Shanghai and then to Sha nyang, where she was engaged in hard labour without leave and with no money to pay for a journey home. She asked her parents to send her a watch but when they sent it they received no acknowledgement.

About 1,000 Tibetans from Lhasa were engaged in agricultural work. These people said nothing to him about education or indoctrination but simply that they were engaged in work. He has no idea of the age groups of these people. Agricultural work was the main occupation of the Tibetans under the Chinese.

At first the Chinese had small schools in Lhasa, where the children spent most of their time playing, seeing films and theatrical productions, and some were given a monthly allowance. The children were then told that if they went to China there would be even more games, theatres and films and that they would be better educated. The decision was for the children to take and parents had no right to intervene. Many parents objected and pleaded with the Chinese not to take the children; however, many children chose to go. Persons who went to China education for were in the age group twelve to twenty and he estimates that about three thousand in all went from Lhasa and western Tibet. They were to return after two or three years. He had no knowledge of any being returned up to the time when he left. The transfer to China began in 1954/55. The children wrote to their parents and again he saw the letters which were sent from China. In the beginning the children said that they were having difficulties because they were engaged in hard labour working in the fields. They were taught communism and the Chinese language, with politics as the main subject. At this stage there appeared to be no censorship. Letters later spoke of their happiness and the excellent education which they were receiving. Some Lhasa people visited China, taking clothes, etc. for the children. They came back with the information that letters from the children were censored and that the children requested their

¹ Name supplied.

parents not to write anything anti-Chinese in their letters because if they did so their children suffered. At no time, either before or after the censorship did the children mention films, theatres or games. No force was used against parents who protested but none protested particularly strongly. He attributes this to a fear of imprisonment or ill-treatment because they had already seen instances of this from the Chinese. After 1953 it had become quite common for people to be ill-treated.

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Statement No. 23 : A monk, aged 51, he has been a monk since the age of thirteen and was steward of the monastery at Litang.

He left Litang on July 5th, 1958. His reason for leaving was that there was so much fighting and disturbance around the monastery. He estimates that there were about 40,000 Chinese troops.

About February 1956 the Chinese stayed in the monastery for a few days and then left. They searched for property in the monastery and took away what they wanted, viz. silver goods and the mattresses belonging to the monks. They began shooting at the image of Buddha in the temple and in the private quarters of the monks, but this was stopped by order of the Chinese authorities themselves. About five thousand monks were in the monastery at this time, of whom about five hundred monks and lamas were imprisoned. Among these were about fifty lamas including about a dozen abbots and ex-abbots. Some lamas escaped but most were imprisoned and some were killed in the monastery. One lama, Ga Nori, an ex-abbot in his seventies, was shot through the eye whilst meditating. He knew of no lama in the monastery who was left alone. They were imprisoned for about a week and left to urinate and evacuate their bowels in the place where they were living. Monks and abbots were made to clear up. About 1,500 of the total inhabitants were caught and these were imprisoned. The witness escaped and from the riverside saw the monastery shelled and bombs dropping around the monastery. This all took place later in 1956. Some of the arrested monks and lamas were very learned. Some four or five were left without food for about a week in the chapel and told that God would provide them with food. At the end of this period they were asked whether God had in fact fed and advised them. The witness was not in the monastery at this time, but heard this account from two monks who managed to escape later. One monk who suffered from a bad heart died after being taken from confinement. Two inmates of the monastery were tortured and put to death by the Chinese and the prisoners were told that if they continued to fail to cooperate they would suffer the same fate. They must follow the Chinese teaching. Chudook was burned to death and Tseten was crucified. This was witnessed by some of the monks who escaped and the witness was told. In the process of subjugating the monastery, the first stage was that the monastery was taken over by the Chinese and the inmates placed under arrest. The prisoners were then made to write letters to those who had escaped, saying that they were enjoying themselves and asking them to lay down their arms and come back. The witness saw some of these letters. He disbelieved them because of his experience of the failure of the Chinese to keep their promises. He had particularly in mind their undertaking to protect monasteries and respect religious belief. He did not even believe these promises when they were made because he had heard stories of the previous activities of the Chinese communists who had been in parts of Tibet several years previously. The Chinese, however, assured him that these Chinese communists were different.

The choice put before them was to take the black road or the white road. He personally would not have trusted the Chinese at all but felt that the proper thing to do was to consult the Tibetan people on this question. The witness himself came from a lower middle-class background. He does not know the family background of many of his fellow-monks but thinks that they would come from all levels.

A number of questions were put to him which related to the Chinese allegations of homosexual practices in monasteries. He had never seen women staying in the monasteries, and, although he thought it quite possible that homosexual practices did take place in the monasteries and, indeed, had his suspicions in one or two specific cases, he pointed out that it is considered extremely bad in his religion and would be punished if found out. When asked whether it was in fact encouraged by the religious leaders, he simply smiled and said no.

When questioned on events in Sadam and Tachenlu, he completely broke down. He heard what had happened from relatives in the area. Awuko was burned to death and Dhako was thrown into the river. Many people in Sadam were put to death and he has no idea of the reason. He also heard this story from a nun from Litang who went to Sadam on a pilgrimage and returned to the monastery. She is still in Tibet as far as he knows. Many people committed suicide.

In the Gaba region he was told that the Chinese took out the images and prayer books in Ranyak monastery and made the people walk over them. High lamas were made to work and then bound with some kind of electric cable and left to die. Some were compelled to live with women. A very respected and learned lama named Chashoo Tulku was buried alive. His information came from the leader of a group of muleteers who had heard this account from a Tibetan who was riding with a Chinese transport column, who told it to the man who brought back the mules. They later searched for the body at the spot indicated and found it. He reported the story and the discovery of the body to the leader of the muleteers.

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Statement No. 24 : A monk, aged 40, he has been a monk since the age of nine and came from Ba-Chodey monastery.

He was in Ba-Chodey until he was twenty, then he spent ten years in Lhasa and afterwards returned to Ba-Chodey. He arrived from Tibet in about August 1959.

In 1956 he had joined the NVDA. His reason for joining the army was the proposed reforms of the Chinese. In 1956 they had to give up monastery property and private property. Anything which was of no use to the Chinese was burned or otherwise destroyed. They were told that if they still adhered to their religions beliefs and practices they could have no food. The first anti-religious propaganda began in 1954 when they were told that they were reactionaries and followers of Chiang Kai-shek unless they gave up their religion, and that all reactionaries would be arrested and imprisoned. In the beginning of 1956 about thirty lamas and monks were arrested and imprisoned. The reason given for their arrest was that they had told the Chinese they would have to ask for the agreement of their fellow-monks on the question of reform. They were made to kneel on broken glass and stones and to rest their elbows on them. When they were questioned on their willingness to accept the reforms they said that they were personally prepared to do so but that they could not speak for the others. Then they were released. A big meeting was then held in the village of monks and villagers. They pleaded that if the reforms had to be carried out then the property should be distributed equally among the people. The Chinese replied that this could only be done later on but gave no reason. When he left to join the NVDA the monks were still in the monastery. The Khamba uprising had already begun and the people refused to give up their property. The monks refused to surrender their property except for the purpose of distribution and attacked the Chinese with small arms and swords. Then the Chinese opened fire on the monastery with machine-guns and then planes bombed it. About two thirds of the monastery buildings were destroyed. Then he joined the Khambas.

He never saw Khambas robbing or looting but he did hear that the Chinese had done this in Salungshe. If the Khambas retreated from a village the Chinese took everything when they came to the village. At Lharigo the Chinese had looted the village before the NVDA arrived there. He heard of many cases of rape by the Chinese during the fighting. The brother of one woman told him that many Chinese soldiers had taken her away. When she returned her face was swollen and she was in bed for a month. She had been raped by at least seven men, there being ten soldiers in the group. The woman was unmarried and about 22 years old¹. There were several cases of Chinese taking women from the villages both before and during fighting. The women were kept for about a year and then they were forced to marry Chinese civilians. He saw some being taken away later and these women had told their relatives that they were being taken to China. These incidents took place in Hasating, Daung and Digilung, to which place it was possible to journey there and back within the day.

In 1954 about three hundred children between the ages of five and thirteen were taken to China from the Ba district. There they were to be educated. The parents pleaded that they should be educated in their own district but they were told that if they refused they were reactionaries and supporters of Chiang Kai-shek. Many still protested. The Chinese told them that the children would return within a year and threatened arrest and possible execution if the parents refused. The children did not return within a year and the parents went to the Chinese to ask for their return but were not even told where the children had gone.

At the end of 1953 about fifteen babies, mostly very small, with a few just beginning to walk, were taken from his own village. These were the children of wealthy people and the village leaders. The Chinese said that they were to be taken to China where they would take care of them and keep them healthy. No-one tried to oppose and the children did not return.

From 1950 until 1956 doctors had been giving tablets and injections to the people. Babies continued to be born.

In 1957, after a public beating and humiliation in Daung, about fifteen people were privately executed by the Chinese. At this time the witness was wounded and was hiding in Chitung where one of his relatives came to see him and told him what had happened. Relatives of these people went out at night to where they had seen the Chinese digging and found the decapitated bodies. Among these people were two women, named Tsosungnang Tsedolma and Daung Ahdunchi, and two men, named Tsogung Tseten and Lepa.

After the attack on the monastery the Chinese promised that if the monks surrendered there would be no reforms. Some did surrender, thirty of whom disappeared, whilst a hundred were imprisoned. The fighting continued and the reforms were carried out. Fighting was still going on when he left. When he finally left Tibet he had been sent to ask for help from the United Nations.

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Statement No. 25: A monk, aged 32, from Shay-Donkphok monastery, three days' journey from Shigatse.

In 1954 he went to Shigatse to hear the Panchen Lama preach. The Chinese were in Shigatse at this time. The Panchen Lama said in his sermon that the Dalai Lama was the supreme spiritual head and that they should all try to go at least once to Lhasa to pay their respects to His Holiness and to listen to his preaching.

The witness first met the Chinese when they came to Shay-Dzong. When they were preparing for the PCART two officers and about thirty soldiers arrived.

¹ Name supplied.

The witness was present in Shay-Dzong at the assembly which had been called, and a speech was made in which the Chinese officer said that they had come to help the Tibetans, that they would protect their religious culture and customs and that the Tibetan people must follow the leadership of the Dalai Lama and the Panchen Lama. He did not see the Chinese again until about October 1959.

In April 1959 he had heard vaguely of an uprising and that His Holiness had left Tibet. He seems to have heard more or less the usual story about the circumstances of His Holiness's flight. When the Chinese came in October they assembled the laymen, the village leaders and the monks in the Dzong. They said that the rebellion had been put down and that now the people must learn communism. There were three antis and two forwards. The antis were :

- a) those who had revolted
- b) the tax and labour obligations called for by the landowners,
- c) slavery.

The two forwards were :

- a) the remission of interest, and
- b) the remission of rent.

This should be studied. They must oppose religion and the officials of the Tibetan government or of the Panchen Lama and the landowners. (He insisted firmly and absolutely that the Chinese said Panchen and not Dalai). Those who had not been involved in the revolt would be liberated peacefully, but the rebels would be treated more severely and some would be shot. It had been written in Chinese newspapers that there was to be freedom of religion but the Tibetans had not, they were told, properly understood them. It was no use worshipping God; there was no religion in communism, there was a vast difference between the top people with their privileges and the rank and file. Religion was just for the exploitation of the people and had deceived the people. When they had been taught by the Chinese they would come to realize this and the people would not come to make offerings and gifts to the monks. The monks were not to be permitted to accept gifts. They should now marry and cease to be monks. They were to be given shares of land which they should work in order to feed themselves. Some of the monks asked if they could remain in the monastery and work. The Chinese replied that this showed that they were not properly instructed, since Sera, Drepung and Ganden (the three big monasteries of Lhasa) had now been so well taught that no monks were left in them. Some monks married under the threat of force; they were given time to choose a wife but force would be used if they had not done so when the land reforms were carried out. About twenty monks went to live with women, two of whom lived with Chinese women and became Chinese employees, apparently well fed. He does not know whether force or the threat of force had been used against the women but his impression was that the women did not look particularly happy. The Chinese said that women could come into the monastery or the monks could go out. Real freedom would mean that they could bring in the women. One monk and a Chinese woman went to live in the Dzong, but he did not see them in the monastery. In the district there were ten monasteries in all, five being quite near a place where assemblies were held. From these five monasteries the monks had left, but in the more distant ones they were still there. From a friend of his, a monk who was supposed to be attending indoctrination there, he was told what happened. The property of the monastery was confiscated and the doors were sealed. All the important documents and debt books were burned before an assembly of the people. This friend, who was prayer-reciter, was attending indoctrination where the Chinese said that they had invaded the moon and the sun and had hoisted their flag, but had found no God there. There was no hell and if they could produce the keepers of hell the Chinese would destroy them with their artillery. This man attended indoctrination for a month and ten days.

At a separate meeting of the people, the Chinese invited the denunciation of the village leaders. Prior to this the Chinese had been around telling the people what to say and what to do. If they did not do this they were told they

would be subjected to the same treatment. He himself heard this at an indoctrination meeting which, incidentally, went on every day from dawn to sunset with a break of one hour. At the meeting many complaints were made and the accused people were made to kneel on gravel where they were punched and kicked by the village people, who were told that they could speak either for themselves or for their fathers. Three people died under this treatment. Indoctrination was still going on in the monastery when he left to go his own home. He believes that most of the monks and lamas left because they could not stand this process; then no monks or lamas were left in his monastery. The last few had to do menial work, collecting sand, with indoctrination in the middle of the night. When he left he saw that there was no use in staying because all the monasteries were closed. He attended indoctrination in the village Dzong and lived there. No one was allowed to leave. There were two big buildings, one in which to eat and sleep, the other for lectures. A message was received from the Chinese, who were carrying out indoctrination in the monastery, that there were only three monk students left and asking him what he proposed to do with them. He obtained permission to go to the monastery, where he found no monks there but that the young students were living in the village below. The Chinese were living in the monastery. When he visited the village he heard from the villagers more details of the indoctrination, since the village people as well as the monks had had to attend the indoctrination in the monastery. They were told that there was an oppressive estate ruling the people and someone else was ruling that estate. They must think who was ruling the oppressive estate. The people said it must be the Dalai Lama. The Chinese were very pleased with this and remarked that the people had been well-instructed. Since he was the biggest ruler he was the biggest oppressor. Those on each side of the border had to realise who the top oppressor was on their particular side, the Panchen Lama on the one and the Dalai Lama on the other (the border between the areas of authority of the two lamas respectively ran through this part of Tibet.) This particular remark about the Panchen Lama and the Dalai Lama he himself heard at indoctrination meetings.

Beginning in December 1959, the Chinese announced that all except one from each house must attend meetings. At these meetings about thirty Tibetan collaborators sat on chairs in a tent. Below them were the Chinese, below them were the mass of the people and right at the back were the lamas who at this time had not yet left the monasteries. The collaborators read out speeches handed to them by the Chinese, the gist of which was that the masses had been victorious and that through the kindness and teaching of the communist party they had overcome the oppression of the local Tibetan government. Now they must realise that the time had come through the kind help of the communist party to overthrow all oppressors, and they must realise the gratitude they owed to the party. Then a speech was made by one of the Chinese who said that the people had assimilated what was taught, that they had discovered that the Dalai Lama and the Panchen Lama were the ultimate source of oppression, which was a fact. The products of the country were to be improved. The existence of too many monks and nuns had slowed down production. The population must be increased. Schools and mechanisation were to be introduced and everyone must do his best in the drive to increase production. All debts to monasteries and landlords were remitted and anything deposited as a security could be reclaimed. No rent was to be paid to the monasteries or the landlords. Wealth was to be taken over by the Chinese and the people would be paid sufficient for their food needs by the Chinese. They must develop class-consciousness to overcome the wealthy people. They were then told that this study would continue. Two or three days later the Chinese in the monastery asked him what he was going to do. He said that he would return to his family's house. The Chinese said that his family were going away for a few days. He then went to a nearby monastery called Dashe-Geyphel to ask for the advice of a high lama in whom he had great faith. There he found the lama attending indoctrination classes. Most of the monks were still there, since at this time the process had been going on for about ten days only. Public humiliations were beginning.

The high lama was in despair and thought that the religion and customs of the people were being abolished. He intended to go and work with his own family if permitted and thought that this was the only thing he could do. The witness then returned to his own monastery and fled that night to escape. He saw his abbot Ngawang Dorje being beaten by monks for about five hours. The monks had first been divided into two age groups; the younger group was urged to voice complaints of any kind. They accused the abbot of beating them sometimes—which he had power to do for misconduct and which was regarded as the normal punishment. He was beaten with flat hands and some people spat upon him whilst others threw sand at him. The only thing in the nature of a threat that he had heard was that the Chinese complimented those who had voiced their complaints and warned those who did not that they had to improve their minds. The abbot was then arrested and taken away. In the middle of the indoctrination one abbot from Trazang escaped together with an estate manager, and both committed suicide by jumping into the river. After the first humiliation about eighty were left in his group. Twenty or so had been first humiliated and then taken away to prison. The remainder were to be humiliated in their turn. These first twenty or so had been pushed, kicked and had their hair pulled before an assembly of the people. People came to do this from the group. There were five from the wealthy class, seven or so village headmen, a monk and a lama among these people. Three died whilst he was watching. One was a wealthy man named Palden, one was a district officer, Tenzing, the other a village headman, Nema Gyalbo. These three had undergone this treatment every other day, and after the third time died.

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Statement No. 26: A nomad, aged 40, owing some land; he came from Rawa, one day's journey from Litang monastery.

The communists arrived in 1950. Prior to this there had been a few resident officials of the Kuomintang, who had collected taxes. The communists said that they were not the same as those who had been there in 1936. They came to be friendly and to help in the development of the country and promised religious freedom. Soon the people were asked to supply transport. All of his stock of thirty-six animals were taken and heavily driven, having to cover three mule-stages a day instead of one. They had to carry arms, ammunition, but mostly food, towards Chantin in the south. These supplies were provided by the Chinese for their own troops on their way to occupy Chantin. Fifteen of his animals died and the rest were returned. When an animal died, human beings had to replace them. His animals were kept for two months and he was working all the time with the animals, carrying loads, because animals had died. The loads carried weighed about seven or eight stones. The distances to be covered were usually regarded as about a twenty-five days' journey, which they had to cover in ten, sometimes eight days. He was promised fifteen dollars per animal but because some of the load was damaged he did not receive this and had to pay the Chinese sixty dollars a trip to cover the damages. They had to supply their own food. Their backs were covered with sores and their hands and feet were frostbitten. Afterwards he spent a month in bed. There were two roads of which the lower one, which was longer, was the only one used in winter because the higher one was too cold and windy. The Chinese insisted that they took the higher, quicker road. The Chinese told him not to worry as they would help. They said that the Tibetans were strong believers but whereas God had not helped them with the sores on their backs, communism would.

In 1952 intensive communist propaganda began. An officer, Mo Tu-rin, told them that a list of their property had been made and that they should surrender this property. Later another officer, Lo Vi-pen, told them that they must contribute help to stop the United States from dropping an atom bomb on the Chinese.

Out of his total livestock of eighty-five animals he had to contribute twenty-five instead of money.

During 1954/55 the Chinese collected together all the poorer elements and gave them food, clothing and money. After this these people went around saying that the lamas and monks had been exploiting the people, and also attacking the wealthy class.

In 1956 the Chinese called the people together and killed two lamas before them. Both were shot at but they did not die. Then boiling water was poured over one and he was strangled. The other was stoned and hit on the head with an axe. The Chinese said that they were exploiters of the people, and the time had come to see whether the lamas could save their own lives, let alone those of the people. These two lamas were both from Litang, the first was named Nori Gen and the second No-Sog-Gen. Both were ex-abbots.

A hermit lama named Trimay, aged about 63, was taken by the Chinese and forced to carry over a distance of about half a mile 220 loads in one day. The people were summoned to witness this and were told that he had not previously worked but now he must. The people asked to be allowed to carry it for him, but the Chinese refused. After this the people pleaded for his freedom, but he was taken away by the Chinese.

In 1956 the Chinese surrounded Litang monastery whilst a special ceremony was going on, and the witness together with other outsiders were attending the ceremony inside the monastery. The Chinese told the monks that there were only two possible ways: socialism and the old feudal system. If they did not surrender all their property to socialism the monastery would be completely destroyed. The monks refused. A local headman began to leave the monastery to return, but was fired upon and went back. The following morning machine-gun firing began. The firing continued and hand-grenades were thrown. For sixty-four days, with the witness still inside, the monastery was besieged. The Chinese charged the walls and the monks fought with swords and spears. On the sixty-fourth day planes bombed and machine-gunned the monastery, hitting the surrounding buildings but not the main temple. That night about two thousand escaped and two thousand or so were captured. He stayed behind and was captured. Those captured were gathered together. Holy pictures were stamped upon and then thrown away. The captives were then taken to Chinese headquarters where they were told that they would be executed within an hour. For the next three hours all the tea cauldrons were brought in from the monastery to be used as latrines. No one was in fact executed at this time. The lamas and monks were separated from the others and imprisoned. It was then that the two above-mentioned lamas were executed. The rest were kept in custody for a week, during which lamas and monks were sent to clear up the excreta of the laymen from the village. Women were freed at the end of the week, and the rest were questioned about their part in the fighting and then set free with a warning. He heard that a lama had been crucified and another burned, but had no idea of their names.

At the beginning of 1958 Phuntsog Norbu, a hermit lama, was locked up without food and water for five days. The Chinese accused him of being an exploiter and he was told that God would provide him with sustenance. This happened at Malung, two days' journey from Litang. During those five days the lama died and the Chinese summoned people, among them the witness, to come and see the corpse. They were told that God had done nothing for the lama. He had heard that lamas had been buried alive and when he was questioned what he knew about Chashoo Tulku he said that he had heard from a man¹ from the same district that this man had been buried alive. According to his information this took place at Chathaktrong on the motor-highway near to a precipice.

¹ Name supplied.

In 1957 a list of children was made and they were told that all below the age of ten belonged to the communists and that they were to be well-educated. No mention was made of their coming back to their parents. He knows of two children who went in this way to China in 1957. His daughter aged eleven was on the list but did not go. One Tibetan collaborator, Sonam Tseten, the father of two, sent his children willingly.

In 1958 there were about eight hundred Chinese families living in Litang. Some doctors came but he has no idea what they did.

In Malung there were about twenty-five monks living in various hermitages. One of these was his relative, named Morngodup, and others he named were: Phuntsog Dawa, Jampel and Ugan. These were kept for about four days without food and water and from there taken to Rawa (the witness's village). The people were told that since God had given nothing to these people they had better give up their religion and beliefs. In June the witness left.

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Statement No. 27: An attendant of a lama, aged 51, from Phembo, about forty miles north of Lhasa. This lama, who was from Sera monastery, also escaped and is now in Kalimpong. On request the lama was made available for interview in Kalimpong and he was in fact interviewed¹. The lama had a house in Phembo where he and his attendant mainly lived.

In 1951 the Chinese arrived in Phembo announcing that they had come to help develop the country and that since they had come a considerable distance and were short of food, the people should provide them with this. It was pleaded that this was a poor part of the country, but they had to give up their supplies. The Chinese promised payment, but they received only one third of the value. The people had to help with transport of supplies from Phundo, one mule-stage away from Phembo, and then on to Lhasa. All transport animals were listed and these had to be provided. Out of his own holdings of about a hundred, he had to supply between sixty and seventy. A quota was fixed as the responsibility of each individual person, and as animals died human beings had to carry on themselves to fulfil this quota. The witness, who said that he was not well, did not himself carry loads, but since he was responsible he fulfilled his quota through his servants and hired help. Monks but not lamas were called upon and those who did not make arrangements through their family for someone to go and carry loads, had to go themselves. The loads amounted to about 80 lbs. and in the main consisted of ammunition and food. The reason for the deaths of animals appeared to be that they did not have their usual rest between the stages. Whether human beings had any rest depended on the number available. He knows of no human deaths on this work, which went on for almost four years.

Many times the monks protested that they were not allowed to work but they were told, and the Chinese said this to him also, that the work was to be done both by monks and lay for the improvement of the country. If they persisted in this attitude their names would be taken. They had heard that a leading monk from Sera had been arrested for protesting.

Beginning in about 1952 the Chinese from time to time entered monasteries and private houses, where they would point to images and offerings and say that they were quite useless. Instead of wasting butter on butter-lamps they should eat it. They were told not to carry rosaries. When a meeting of monks was being held in Phembo the Chinese arrived and made fun of the images, saying that in modern times religion was useless and that work was the only way to improve society. He knows of no arrests of lamas or monks in Phembo. He has no personal knowledge of arrests in Sera except for three monks who were arrested on their way from Lhasa.

¹ See Statement No. 31.

After the first New Year festival a pamphlet had been distributed which was anti-communist. These three monks were looking at it when they were arrested by the Chinese. For refusing to hand over the pamphlet they were taken to prison in Surkhary in Lhasa, where one was later freed. Of the other two he has no knowledge. He obtained this story from the one who was set free.

In 1953 there were difficulties with the Chinese over irrigation for the fields. There were about thirty small villages in Phembo, all agricultural, with only one water supply consisting of an irrigation ditch. The Chinese had been using this for their vegetable field and the Tibetan fields were beginning to dry up. The people gathered and appealed to the Tibetan district officer, who sent them in turn to the Chinese. The Chinese promised to give prompt orders to make water available to the Tibetans. The witness then attempted to take water for his field whereupon Chinese soldiers chased him off with a gun. About thirty families had to move away because there was no water for their fields.

In 1954 a dozen children between the ages of thirteen and fifteen were sent away by the Chinese for education, supposedly to Lhasa. The parents afterwards tried to find out their whereabouts, but could not find them in Lhasa or elsewhere.

The personal background of the witness was that he was a state peasant. There were lands owned by officials or by the Government and he was a peasant on government land. Among his duties was the supply of transport as and when required, but this under the Tibetan Government was not often required. He had enough to eat, this being supplied by his lama, but he had to provide the monks with food. He had a little land and hired people to work in order to provide for the monks. He has served his lama since he was ten and has never had ill-treatment nor does he know of anyone else who has been beaten by a lama. His attitude to life is that he considers it his religious duty, which he is happy to perform, to serve his lama. With his faith he is happy to work and expects his reward in the next life. He believes that since he has served faithfully he is certain of being born in the next life as at least a human being. He has full faith in his lama as a truly holy man.

In March 1959 Chinese shells fell near Sera monastery and the monks left because they feared an attack. The monks and lamas were making their way towards Phembo when about thirty were killed by a bomb. Survivors told him that his own relative, a monk ¹, had been killed.

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Statement No. 28: A mason, aged 29, from the town of Yatung. He used to work for the Indian Trade Agency in Yatung.

The Chinese accused him of working for foreigners. He was arrested and taken to Ralung near Gyantse where he was kept for four days. (He was set to work with about three hundred other people to build a bridge at Yatung in August/September 1959. Most of the others were monks from the monastery at Gyantse.) After four days he was sent to Lhasa to attend a meeting. There high officials and lamas and nobles were being publicly beaten by beggars and blacksmiths. He explained that in the social structure of Tibet blacksmiths are regarded as very inferior. The Chinese were telling them that they must repay the oppressors and that they were to become the masters. Some later told their friends that they regretted having done this. He himself heard threats uttered at the meeting that if they did not do what they were told they would be accused of being reactionaries and would themselves be beaten and imprisoned. The lamas had been brought from the three big monasteries and the surrounding monasteries. The meeting was told that His Holiness was a reactionary who had left for a foreign country. Although he had been happy in Tibet, he had left after listening to rumours. No suggestion was made that he had been taken by force. No mention was made of any possible replacement. A Chinese woman sat on his throne

¹ Name supplied.

which had been brought out and put on his hat, saying that if the Gods could harm her let them do it. All the monks and lamas except the very old were set to work. He saw one collapse in Lhasa through carrying mud and stones.

In about December he obtained leave from a Chinese officer to visit Sera and he also visited Drepung. The real purpose of his visit was to go with his wife to pay homage in the monastery but since the Chinese had forbidden this he gave as his reason his wish to find out whether his wife's relative had been killed in the recent trouble. Permission was then given. When he arrived there he saw only one or two old lamas. All the halls where offerings were made were locked. He spoke to those who were left behind. They had no knowledge of his wife's relative. They said that they were forbidden to accept food from the peasants and that all the young lamas had been taken away to China. The Chinese themselves said that some monks had been taken to China for indoctrination.

In Lhasa where he saw monks working for the Chinese they told him that the Chinese had encouraged them to marry as an alternative to work, imprisonment and hard labour. If they married they would be in the good books of the Chinese and could go to China, leaving their women behind.

In Lhasa the Chinese stated that the Khambas were robbing and looting the villages. He never saw any Khambas on his way out from Tibet. He left Lhasa in the middle of January 1960. Conditions then were that they were not allowed to worship and that his earnings were approximately one sixth of his previous earnings. He belongs to the artisan working class. If anything was left after meeting their own needs it was their patriotic duty to return the surplus to the Chinese, otherwise they would be punished. His working conditions as a mason under the Tibetan Government were that he had a free contract of employment and was not under bondage to anyone. He was free to work wherever he wished but had to notify the guild to which he belonged where he was going. In order to join his guild a small payment had to be made but no payment was exacted as the price of his changing his place of employment.

At the time when he left Lhasa the Potala palace was full of Chinese soldiers (January 1960). No Tibetan was allowed to enter and pay homage. At Norbulingka Chinese civilians lived with their womenfolk together with the officers who organised the public degradation of certain people, the Tibetans who helped them to carry this out and the land-distribution officers. Pro-Chinese Tibetans spoke at meetings of the people. The Chinese told them that Dorje-Phagmo was in China and would soon be coming to them. She had never left the country. The witness knew only that she was an incarnate lama. The beggars were made to kill dogs, skinning them in front of the cathedral where their bodies were burned. The significance of this was apparently that this was done instead of burning incense. Old people were starving. On the holy days, on the 8th, 15th and 30th of every month, requests to light butter-lamps inside the cathedral were granted, whereupon the Chinese put them out by spitting on them. Extinguishing butter-lamps is regarded in the Tibetan religion as a great sin and a bad omen. At the first assembly which he attended, government documents and the private papers of leading officials were burned in public in front of the Potala.

Tibetan officers were sent to Nethang for road construction (eighteen miles west of Lhasa).

When he left Lhasa he went first to Gyantse. There an assembly of the people was called and a village headman from Mesa was shot. He was called a reactionary and a person who was not a true supporter of communism. All the dogs were shot, the landowners' wealth was confiscated, beggars were installed in their houses and the owners were made to live without food in the cowshed. The beggars were put into official dress and the officials were made to salute them and to drink after them. The ration for able-bodied people was fifteen pounds of barley flour a month. Most people were starving and anybody caught selling barley flour was imprisoned. Tillers of the soil were allowed to keep only one third of their crops, the remainder being handed over to the Chinese.

Then he went to Yatung. The Chinese had occupied Donkar monastery. The abbot and the oracle were imprisoned and on the day he arrived he saw them degraded in public by people from the poorer classes. The abbot's shoes were put on his head and then they stamped on his head and told him to show his miraculous power. In Tibet places where His Holiness had stayed were not afterwards occupied and were usually made into chapels. Some articles belonging to His Holiness were left behind in such places. In such a chapel in Yatung Chinese were living and one of the pro-Chinese Tibetans put on the Dalai Lama's shawl and hat and the Chinese told the people to worship him since he was just the same as the Dalai Lama. The next day he left and came to Sikkim.

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Statement No. 29: A farmer, aged 73, from Yatung.

He saw no fighting. When he left, no religious ceremonies at all were held and monk's prayers at death were forbidden. There is a Tibetan ritual for driving out devils and the Chinese prohibited this on the grounds that it was a waste of expenditure unless they could be shown the devils. The person who came to pray for the purpose of driving out the devils was normally fed by the person who had called him and given a small offering. The monks were stopped from going to people's houses to say prayers. In Kargu monastery there had formerly been about sixty monks but there were only six when the witness left. Religious belief as such was never discussed.

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Statement No. 30 : A middle-class farmer aged 68 who arrived in Sikkim at the very beginning of February, 1960.

When he left, conditions in Yatung were that barley and buckwheat had been taken by the Chinese and since he had nothing to eat he left for India, arriving in Sikkim. His land and livestock were taken away and it was said that a co-operative system was to be set up. Old people over sixty were given light manual work for six hours a day at least as a condition of their being fed. The monastery property had been taken over by the Chinese and most of the monks had gone. At first a number of monks were taken off in trucks and the rest fled.

A meeting of the people was called at which monks were vilified and humiliated. The people were told to speak out against the monks and were threatened with torture if they did not. The people said the monks should work for their food and that if they merely prayed they should not be fed. Previously they had been content to supply the monks with their food. Then the monks were accused of stealing. Those who did not raise their hands in agreement were told that they would be identified with the monks. He did not speak, but raised his hand in agreement. The lamas had all fled. The monks were told in front of the people that they should live with women and were threatened with death if they refused. Whilst this was going on the monks were kept before a table with their heads bowed in submission. No-one was allowed to visit the monks in custody. Monks who had been released told him of the conditions of their imprisonment. Their legs and hands were chained and they were kept in a pit up to their heads. He was not told how they were fed. When he left Yatung there were about five or six monks left in the monastery.

When property was confiscated the Chinese came carrying guns and there was no resistance. This happened in about December 1959. The people were told that the Dalai Lama was a reactionary who had left Tibet after having opposed the reforms. At first they had been told that he was abducted by rebels, and that the Chinese would call him back, but afterwards the Chinese said that since his arrival in India he had been issuing statements against the Chinese. They

should not, therefore, call him His Holiness any longer. He cannot remember when this was said.

The Chinese opened one school which was attended by a few children, some of whom ran away. No-one from his family went. At school they were taught to sing songs and were indoctrinated, but were not taught reading or writing. One child in his village was taken to the Chinese by his parents in accordance with the Chinese orders. They have no idea what happened to him afterwards and wherever they inquired they were told he was somewhere else. This boy was about sixteen years old.

Everyone had to give an account of how they obtained their wealth. Then they were accused of robbing the poor because the poor did not have an equal opportunity of making money by trading.

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Statement No. 31 : A lama aged 60 from Sera monastery, who lived in fact in Phembo.

He witnessed very little because he is almost blind. He left because of what he had heard of the Chinese practices and because in March 1959 Phembo was bombed and machine-gunned. The Chinese had already started an anti-religious drive in Lhasa and he had heard of ill-treatment of lamas and monks in Kham, and so he came to practise his religion in peace.

When he had been in Lhasa in 1957 at the time when one of the big religious festivals was beginning, everything seemed normal. He went to Lhasa for medical attention to his eyes, but found only Chinese doctors. Because the Chinese were against religion and because the main Buddha in the cathedral had told him that Indian treatment was best, he preferred not to go to the Chinese doctors. He in fact received attention in Kalimpong after his escape.

The Chinese came twice to his house. The first time apparently to look around but they did not come to his room. All that happened was that they told his attendant that all the religious articles in the house were a waste.

Substantially he repeated the statement made by his attendant¹, from whom he no doubt heard this in the first place.

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Statement No. 32 : A small farmer aged 33 in the fourth or third stratum of the Chinese classification. He came from Damchu in the Polto region in Eastern Tibet. This is in the Kwambo area, not as far east as Chamdo.

In 1950 he witnessed the execution of his village headman, who was caught by the Chinese attempting to flee. His servants were shot. Then he was kept without food for about a week and was led like a dog with a chain around his neck. The people pleaded for his life but the Chinese accused him of ill-treating the peasants, an accusation which was not supported by the people. All his property was confiscated and he was tied to a tree. Then apparently his life was spared (cf. above) and he was released. But his four children, aged thirteen and under, were taken to China.

At that time, i.e. 1950, truck-loads of children were being taken to China after being collected by the Chinese. One school was opened in Po, but the next two collections of children were for China. The people pleaded with the Chinese not to send the children to school as they were needed for work. The Chinese said however that they wanted everyone below the age of twenty-five. About

¹ Statement No. 27.

125 were collected from four districts. In some cases the children were assembled at the ration office and then selected. When some parents refused to take their children, the Chinese went to the house and took them. Two of his relatives, a nephew aged six and a niece aged ten were taken from their house in this way and the witness was in the house when this happened. The children were taken forcibly and placed on lorries. He saw them crying with fear. To his knowledge no children have returned, and this happened in about July 1950.

The district officer of Tuhlung ran away and was captured after about two days. His lips were cut off and he was bound and brought back naked to Tuhlung. The Chinese were not satisfied with his rate of progress; being a fat man he could not walk very fast and he was poked with bayonets to make him walk faster. The witness saw him covered with bayonet wounds. The Chinese tied him to a tree and invited Tibetans to go and beat him, accusing him of cruelty. They were told not to beat him to death since he would benefit by this. Anyone who had been ill-treated was to beat him but according to the witness this district officer had never ill-treated the people and no Tibetans went to beat him. He was in fact beaten by the Chinese and died after eight days. His lips were cut off after he had begged rather to be shot than tortured.

Some people had to help with the construction of buildings, others had to carry loads. His brother was sent on that construction, he himself went carrying loads. His back is scarred from this work, and the scar itself looks like an abscess scar. He was made to carry loads whilst he had this sore or abscess. He also had to carry on although he was suffering from frostbite on his feet and sores on his hands. He owned three ponies but these died after the Chinese had imposed impossible loads on the animals. After this he and other human beings had to carry the loads themselves. Many people, he said, died on that work, but his brother did not suffer hardship like the rest. His brother was eight months on the road and had to be provided with his food. A daily quota of work was fixed which had to be accomplished. Some people had to work by moonlight to finish their allotted quota. Food was scarce and in general they had to work all day with only one break. His brother told him that there were many deaths.

A special group came to his district for propaganda purposes. Individual Chinese captains said that religion was of no use and also every Chinese he met told him this. They were told that the images were useless and could not even get up if they fell down. The iron would be of much more use if made into knives and the images could not feed them or help them when they died. This began in 1953/54.

His elder brother told the Chinese when they asked for three thousand children to be sent to China that 125 had already been sent and that it was impossible to send any more. The children were needed for the cultivation of the land. He was arrested and told he was very rude. After being taken before a high Chinese official he was put to death, in Po-Tano. The family asked for news and for his body if he was dead. They were told that the body had been buried and they were asked what they wanted to do with it, eat it? One of the road-workers saw him being skinned to death. Nine months later the Chinese indicated the spot where he was buried and his bones were returned to the family.

A young lama ¹ aged about twenty-five, who generally lived in a hermitage, was called to Po-Tano and sent to school there. The Chinese wanted to send him to China, but the people opposed this and it was apparent that they were prepared to use force. He was kept in a room with three or four women for about a year but says that he did not have sexual relations. Then he stayed with a woman from the poor class ² and was threatened with deportation to China if he did not have sexual relations with her. The woman was also taken there against her will. They slept together and after they left

¹ Name supplied.

² *Idem.*

the school he knows no more. He has no knowledge of them since October 1958. At the time when this happened he was living in this district and he used to see this when he came on leave from the school to see his parents. The lama himself told him what happened although he said the Chinese had warned him not to talk about this. Tulku Phakpa-la, a lama, from Chudo monastery, was killed for the same reason as the witness's brother. His execution was witnessed by the road-workers and house-builders who were in Tamo when the lama was taken there by about twenty soldiers. According to these people his throat was cut. No news was received of this for about a year.

In Matung Pangki in Po most people fled in 1958. In the case of those who remained oil was poured on their houses which were then set alight. A man¹ who saw this told the witness. The people inside the houses asked to surrender but the Chinese would not apparently trust them and sent them into the houses before setting fire to them.

He finally added that when he was carrying loads he was unable to move properly. Two Chinese soldiers complained of his slowness and he said that he was exhausted and invited them to kill him since he thought it better to die. The Chinese then stabbed him in the groin with a bayonet which left a sizeable scar. This was treated but went septic.

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Statement No. 33, by three monks from Drepung Monastery, Lhasa.

They left one month and three days after the Dalai Lama and made their way straight to India. Before the departure of His Holiness nothing had happened in the monastery.

On March 21 they were warned by a letter from the Chinese that unless they surrendered they would be fired upon. The Chinese complained that inside Drepung were some reactionaries who had participated in the rebellion and that there were other bad elements who might be intending to join it and demanded that they surrender all arms. Monks from the monastery had been to guard the Norbulingka before the Dalai Lama left and then the survivors had returned, except for those who dispersed and left for India. The following day the Chinese fired four shells on the monastery but did not cause damage. A deputation went from the monastery offering to surrender all arms and pointed out that there were no reactionaries in the monastery. They pleaded that there had been no uprising from the monastery and that it should not be destroyed. The Chinese said that there were 7,700 monks and that the Tibetan government had given them each a rifle. These must be surrendered together with all reactionaries. The monastery would be searched and if even a knife was found they would shell the monastery and destroy it. The Chinese were then told that no arms had been distributed, but such private arms as they had, which was not much, would be surrendered. A pamphlet was then distributed by the Chinese asking all monks who had left to return and promising full freedom and the same conditions as before. The deputation was told to bring the monastery seal and the pamphlet was stamped. On the strength of this document many monks returned.

On March 28 a message was sent by the Chinese that a high officer would come and that all the monks should gather in their four sections in their respective debating-grounds. The following morning they all gathered there. After a time another message came that everyone, including cripples, should gather together outside the monastery. When they got outside they found the whole monastery surrounded by Chinese troops. They all sat down completely surrounded by machine-guns. The arms carried by the monks who had been on duty at Norbulingka, which were government arms, had been surrendered, but the Chinese demanded more. All that was left were old muskets and swords which were

¹ Name supplied.

religious symbols, and meatknives, which were all given up. Even razors were handed over. They were then given a pamphlet, said to be from the Dalai Lama, stating that he had been abducted by reactionaries, that he had never intended to go to India and would soon return. No mention was made in this pamphlet of the letters by the Dalai Lama to Tan Kuan-san.

They were kept outside the monastery all day. In the evening they were told to go to their respective assembly halls. When they went there they found the Chinese on either side of the stairs checking that everyone was present. The doors were closed. Then the Chinese demanded that all reactionaries must be surrendered. That night they were all shut in without food or water. Some of the younger monks as well as the older ones asked for food to be sent in from their quarters but this was refused and they were told that this had to happen for the common good. Two people were eventually allowed to go for barley-flour and tea. During the day they had to stay in their own quarters or be shot. This continued day and night for two weeks. All the high lamas and monks from well-to-do families were separated from the rest and were locked in the special quarters of the Dalai Lama.

Then they were told that a reactionary would be brought to the assembly hall, and that they must all accuse him of his misdeeds. Those who would not be collaborators and liable to be imprisoned. One of the leading monks from their section, Bati-Jigme, was then brought in. The Chinese said that he had collaborated with the Khambas and that he was responsible for the abduction of His Holiness. They should all accuse him of this. He had also, they said, given 150 loads of grain to the Khambas without the knowledge of his fellow-monks. Some monks were given Chinese dollars and tea-bricks and told to make these accusations and to beat him. Four or five did this. The Chinese then said that Jigme was a reactionary and asked these monks whether he should be executed or imprisoned. Only two spoke and they said that he should be imprisoned. They were accused by the Chinese of being unjust, since Jigme should be executed, and these two were arrested and taken away. The Chinese then asked the remainder what they thought and they said that he should be executed. The Chinese said that it was useless to kill him at once and that he should first be interrogated. First he was beaten. He was made to bend down and the Chinese invited the monks to come forward with allegations of ill-treatment. None were made and Bati-Jigme was taken away. The Chinese then announced their dissatisfaction and told them to have no fear of the consequences since the Chinese were staying in Tibet for ever.

The next person to be brought was to be the chief attendant of the abbot of their section and this time they should do better. Three days later this man was brought before them and the Chinese accused him of ill-treating the monks and of self-indulgence and invited open accusations. During the intervening two days some monks were taken outside after friendly overtures from the Chinese. When they came back they accused and beat him. Everyone was to show that they agreed that he was a reactionary by a show of hands and everyone agreed. Similarly they agreed that he should be executed. The Chinese then said that they were pleased but that to-morrow the monks should show further improvement. The following day the abbot of another section was brought and the same thing happened. He was left in his underwear with his shoes round his neck and beaten with hands and fists. He was not yet to be executed, since much was to be learned through treating him in this way. In all, seven were treated in this way in their section. They witnessed no executions but were told that in another section one of the leading monks had been beaten to death and they saw where he was buried. Others were taken away and not seen again. The Chinese claimed that almost one thousand reactionaries were imprisoned in His Holiness's quarters.

After the monks had been locked up for fourteen days they were told that they were wasting their time on religion and would have either to join the army or to work in the fields. If they wished to stay in the monastery they would receive no food. All below the age of fifty were to attend special instruction above the assembly hall. There Chinese women teachers taught them songs of praise

to Mao Tse-tung and told them the story of his life. The property of each section was confiscated and they were told that it belonged to the government. A day or two later all the monks met again and the Chinese repeated the instructions. This went on and the monks were warned that the people from Amdo and Kham were to go back to their own land. The rest were to go to their own homes or they would receive nothing to eat. Many in fact left for their own homes. Those who remained had to continue to attend meetings where communism was taught. They were able to eat by borrowing food against a promise to repay when they went to work. About a month after the departure of the Dalai Lama, one thousand monks were taken to Lhasa to attend a meeting. One of the witnesses was among these. The Chinese then announced the number of reactionaries they had found in the three big monasteries of Lhasa, but he cannot remember the number. They also announced that about seven hundred officials had already been arrested as reactionaries. Those who had escaped would soon be brought back because as far as Siliguri belonged to the Chinese and in fact both Kalimpong and Siliguri belonged to the Chinese and would be taken back. Three officials were brought to this meeting and were denounced as leaders of reactionary troops. A number of women collaborators spoke against religion, monks and officials. They spent the whole day there and then were brought back to the monastery. Just below the Potala and again outside Norbulingka he saw Tibetan corpses being eaten by dogs. They all stayed for three more days, during which they continued to attend lectures and meetings on communism.

When they came, nothing had happened to the temples. But others who came later said that ten days or so after the departure of the witnesses the Chinese had stripped the temples of religious symbols and carpets. They also heard from a soldier who escaped but with whom they later lost contact, that outside Norbulingka the Chinese were examining all corpses of young men with shaven heads, apparently looking for the Dalai Lama. They saw nothing much on the way out but at Gyantse they were warned by an innkeeper that three monks had been captured and that they should leave at once.

Questioned on the Chinese allegations about the conduct of the leaders in the monastery, they said that Bati-Jigme had not to their knowledge collaborated with the Khambas. As far as they know he had not left the monastery. They were not aware that any of the persons accused of ill-treating monks had done so. The system of discipline was that if monks misbehaved they were punished. If it was a grave offence, for example, killing or stealing, they were expelled from the monastery, whilst for lesser offences the normal punishment was that they were compelled to prostrate themselves during the debating assembly and were not allowed to participate. For repeated minor offences they received a few strokes of the cane on their clothed backs. No instances of homosexual practices had come to their attention. One had been in Drepung for eight years, the others for five years. They all came from Amdo monasteries and had been monks since childhood. They came from peasant families. All of them were present in the monastery whilst the fighting was going on in Lhasa. There were over two thousand monks in their section prior to this whilst only about a thousand remained when they left. They heard that in December there were only three hundred left in the whole monastery, but they lost touch with their informant, who was a monk from Ladakh. All the lamas and abbots from their section were under arrest when they left.

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Statement No. 34 : A trader aged 26 from Tashigomang. He was formerly a monk who left the monastery voluntarily. As a trader, he was mostly on the road between his home and Lhasa. He returned and settled in Lhasa in 1958. In April, before he left Amdo, he witnessed the incidents which he describes.

Tashigomang was surrounded by Chinese troops early in 1958. The head lama, Jayang Shapa, who was about thirteen years old, was transferred to his

residence and separated from his tutor. The tutor was locked up and no-one was permitted to see him or the head lama. He learned this from the nomads around the monastery when he was fighting against the Chinese in the area, but then they had to retreat. About three days' journey from the monastery, scouts were sent to find out what was happening. They reported that the monastery property was being taken away and a few of his friends reported that they saw the monastery being shelled. Not much damage was caused. Earlier, some of the forces from the NVDA had been into the monastery for provisions, and the Chinese shelled the monastery by way of reprisal. Some of his friends in the NVDA saw clay images being thrown into the river by Chinese soldiers. Then the Chinese took over the monastery and occupied it. Of the young monks some were conscripted as Chinese soldiers and some were sent for indoctrination in some of the older colleges. He does not know what happened to the older monks, but they were still inside the monastery. He learned this from three of his friends¹ who were staying near the monastery in houses. These three also saw valuable images being dragged through the streets.

Amchok monastery was flattened by bombs except for one small building. He was fighting in the area and actually saw this happen. One or two of his friends were inside the monastery and had fired from there. Fifteen of the inmates escaped from the monastery and joined them, telling them that the rest were dead. The monks themselves were not engaged in the fighting.

Nyolri, Paldo and Karing were also destroyed. Nyolri was four to five days' journey from Amchok, and the witness saw the destruction of this monastery when they were retreating. Like Amchok, it was bombed. In this case, none of his friends had entered the monastery and there had been no fighting. Friends told him that Paldo had been completely destroyed in the same way, and they had seen it happen. These three monasteries were all in one line.

The witness was servant to a lama² and showed a photograph of this lama which he carried in a locket. In 1958 his master was told to attend a meeting in Tromdu and from there he was not allowed to return. About a dozen attendants, including the witness, accompanied their lamas to this meeting, but only two were allowed to stay. The witness never saw his lama again. The Chinese then called an assembly and told the people that the lama had been arrested, that he had been deceiving them and accused him of being a leader of this revolt. The witness said that he had not in fact been involved in the rebellion and was a very holy man. Some fighters, however, had been in his monastery in Tsenyi.

Photsang, Thenken and Talung, also lamas, were called and arrested. The same announcement was made about them at the same meeting. Two were from the same monastery as the witness's lama, and Thenken came from Amdo Rigong. Tashigomang was the main monastery and it was here that the lamas were assembled. Thenken was arrested at Rigong. He believes that most of the leading lamas were taken away, but he has no direct knowledge. He did not witness the execution of any lamas. He heard the Chinese announce at the meeting that all lamas were wicked and were deceiving the people and that there could be no progress unless they were destroyed. They then said that they would destroy the lamas. He understood them to mean that the lamas would be killed.

In Amdo Doi, Rigong and Maharka, the Chinese announced that all the babies would be taken away so that the mothers could work and would have sufficient to eat. In his previous experience in Doi, there had been no shortage of food. Babies between the ages of approximately one to seven months were taken one by one from their parents, and he himself does not know where they went. People who visited China came back and told the parents that they had seen babies in China in big houses with nurses looking after groups with ten or fifteen children to a nurse. All the babies were taken from these three villages, according to his information. He himself was a monk at the time, that is, 1956; his information in Doi came from

¹ Name supplied.

² *Idem.*

his mother and his younger brothers, who told him this when he visited them, and he met people from Rigong and Maharka in Doi who told him that the same had happened in their villages. The babies were not taken by soldiers but by the medical workers, presumably by the medical orderlies in the Chinese clinic. He does not know how frequently this was repeated. Up to the time when he left, no babies had been returned. He did see a few babies in the beginning of 1957.

Formerly in Doi the New Year was celebrated for fifteen days; when he went back he found people working right up to the New Year itself. Usually they did not work in the cold season, but now they did. People were not allowed to take food to friends and relatives. The whole allocation of food for one year was 400 gyama, and the rest of the produce was taken by the Chinese. It was impossible to buy grain in the area. Previously, there was more than sufficient grain for consumption and it was used as a medium of exchange to buy clothing and so forth. Extra work was bringing under cultivation all the uncultivated land and work went on from dawn to sunset, sometimes after a meal into the night. The crops were taken by the Chinese and no money was paid. If the people did not work, grain was deducted from their yearly allocation.

On the sterilization of men and women, he had heard stories which are plainly incomplete and are of no value.

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Statement No. 35 : A nomad, aged 49, from Derge, Kham. Between twenty and thirty yaks was the limit of his entire herd. He lived in tents.

When the Chinese came in 1949 (sic) they said nothing to him, he believes because he was of the poorer class. Only the upper classes were called to the first meetings. Just before he was called to a meeting in 1957, he had been given rice and pork by the Chinese and later was given clothes by the Chinese at the meeting. He was promised ten Chinese dollars a month and was asked to take part in the denunciation of those who were brought to future meetings. The Chinese told him that the elimination of the wealthy classes and the landlords was the only chance for the poor and that he should accuse those at the meeting of exploiting the poor. He estimated that there were about five hundred people doing this in the Yulang district, where this was going on. Many of the nomads were included in this number. Other inducements given were scissors and tools. He himself attended two meetings and took part in the denunciation of the wealthy classes. He had seen the higher classes ill-treated and was afraid for himself and that the Chinese would take his property from him. He was aware at the time that what he was doing was wrong, but he was afraid to say so. Many of the wealthier classes were beaten and even executed.

He attended only two meetings, giving a number of reasons for his flight after attending two : one was that he saw executions not only of these people but of lamas and monks also, and some executions of his fellow collaborators had been carried out by terrifying methods. He also pointed out that some of the collaborators, himself not among them, were getting more money than the others. About forty to fifty people from his own class who had participated with the Chinese were executed for collaborating with escapees and for failing to give clear information to the Chinese. First of all, two were burned alive in public and these reasons were given for their executions. By this time he was up in the hills hiding from the Chinese, but heard of this from people who had witnessed it and also from them that most of the remainder had been imprisoned and shot. He was resident in the area for two to three months only and spent a further year hiding in the hills from the Chinese and from time to time witnessed the continued executions in the district.

He went on to give further details of the two meetings in which he participated. Village leaders and landlords, upper middle-class, and wealthy people were executed by people from the same background as himself. They were promised that they would take over the properties of the people they executed. He was invited to do

this and accepted. He was given a gun which he was allowed to keep for the night, but he ran away during that night. After most of the people had been executed, the Chinese denied all responsibility. A further reason he gave for running away was that the Chinese were not honouring their promises of handing over the property of those executed. He also said that almost all of the wealthy classes had been executed and that now the Chinese were starting on the lamas and the monks. Asked if he would have been prepared to do it had the promised property been given to him, he said he would not because he had no reason to do such things. Whilst he was in the hills he saw the lamas gathered from the monasteries in the district, and estimated that in the course of fifteen days about one thousand lamas were executed in public. He said that he had a clear view of this from the slope of the hill where he was hiding. During the night he went down to the village to inquire what was happening and discussed events with a relative whom he felt he could trust, who was working for the Chinese. This man said that if the monasteries were destroyed he intended to escape, but he was captured by the Chinese and put to death. Three days later the witness left the area, because the Chinese were taking over the monastery property and killing lamas.

He left Kham at the beginning of 1959, wanting to report in Lhasa what had happened. When he arrived in Nakchukha after covering a distance of between 150 and 200 miles, he learned that the Dalai Lama had left Tibet and that the Chinese were in control. He then came by the northern route to Nepal and crossed the frontier in 1960. He took this long way round because the Chinese troops were in his path on any other route. Two thousand five hundred set off and sixty arrived. The reason given for the execution of the lamas was that they exploited people in the name of religion and that since they received so many offerings from the people by deceiving, they should all be eliminated.

In the main, children belonging to the well-to-do class were executed. Lower-class children were sent to China and his own two children, a son aged ten, and a daughter aged seven at the time, were taken in the middle of 1958. The Chinese said they were taking children between the ages of eight and ten, but he does know that new-born babies were taken away in the beginning of 1958, and this continued all the time he was there. He heard no reason for the removal of the babies, but as far as his own children were concerned, the Chinese said that they would be well educated. At first they said that the children were in Derge, but they were not there and he heard they had been taken to Szechuan (China). He asked the Chinese not to send them, but the Chinese refused to listen. He himself was not directly threatened, but he had seen one old woman who refused to send her son shot before several hundred people, including himself. After this, no one refused. When he left Kham, no monks were left in the monasteries as far as he knows. The images had been removed. Giving details of executions of lamas, he said that he saw five strangled by a rope with a heavy image of Buddha providing the necessary force. Young monks were sent to China together with people from the village. He saw Dzorchen Rimpoche, one of the most famous lamas in Kham, tied down to four pegs and slit all the way down the abdomen. The accusation made against the lamas was of deceiving and exploiting the people.

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Statement No. 36: A small farmer, aged 32, from Amdo (Doi-Gyatsang), roughly middle-class, with about sixty-five livestock of different kinds, which he regarded as just sufficient to enable him to live comfortably.

Between 1951 and 1956, all his land and other property were confiscated; as far as he knows, nothing was distributed. In the beginning, property was taken from the wealthy and some of it was given to the poor people—that is, to the two lowest of the five Chinese strata. In his grade, confiscation began two years after the beginning. The land was divided between all people between fifteen and fifty who worked it and the production was taken by the Chinese on payment

of about 160 gyamas of grain per year on the average. This enabled them to have not more than two meals a day.

In 1952, most of the wealthy people were executed in public by the Chinese. About a hundred people were put to death in this way including, among the people he knew : Lorinthu, Chopel Gyatso, Aluckgya and Shapen. An assembly of people was called together. The people to be executed were accused of exploiting the poor. At the meeting, a number of the poorer classes who had been paid by the Chinese went among the crowd and told them that if they did not agree to the execution of the wealthy people they themselves would be shot. In response to the question whether these people should be shot, the assembly agreed that they should. Some even had to say that their fathers should be shot. He learned this from Lhawang Thondup, who was previously a poor beggar and became a leader in the Doi area. This man figures in Statement No. 10, and this witness lived less than a day's journey from the home of the author of Statement No. 10. In 1956, the Chinese announced that there was to be a health examination in order that people could work better. At the examination, the doctors were interested only in the reproductory organs. Other people, including his son, who had a skin disease, went to the clinic for treatment but were not even examined. Blood samples were taken and the blood was examined. The following day, people were called in one by one. Two of his friends ¹, went in and gave him an account of what happened to them. (One is the author of Statement No. 44). They told him that they were tied on to a kind of chair and their limbs were bound. A finger covered by a rubber glove was inserted in the rectum and agitated. According to them, they passed water which was taken away in a bowl. (Other statements, taken in conjunction with the fact that this is a normal medical procedure for producing a seminal specimen, indicate that it was in fact seminal fluid which was taken away). Then a needle was inserted inside the urethra which caused a burning feeling, even in the heart, and the patients lost consciousness. When they recovered consciousness they did not feel at all well, and they were held by two doctors whilst their limbs were freed. One injection was to be given daily at home. One recounted this to the witness, who ran away. He was then about twenty-seven years old, married, with two children. The elder one, a daughter, seemed quite healthy and was about eight or nine years old. The younger one, a son, died at about a year old. He did not know whether this man's wife went for examination but thinks that since everyone was called, she probably went for the examination. On his way westwards, after fleeing, he heard that his friend was in bed.

A Tibetan ² whom he knew well collaborated with the communists and was placed in charge of fifty families as indoctrination supervisor. The witness knew him and met him every day because his father was related to him and they were near neighbours. This man was about forty years old. A few days before the doctors came—that is, shortly, before the witness left—he spoke to this man and was told of a conversation which he claimed to have overheard between the Chinese who were staying with him in his house. He said, first of all, that it was better for the Tibetans that the Chinese should come and change such a backward people. The Tibetans themselves could not change their green brains (this feature of "green brains" seems to be a standard figure of speech), and that mixing of the blood would be good for the Tibetan people. He said that it was better that the men should not reproduce and that they were to be sterilized. If the sons were purely of their own race, they would be useless and simply carry on as monks. According to the collaborator the Chinese definitely intended to carry out sterilization. He did not say in as many words that the Chinese had specifically said this but the witness believes that the man must have heard them say this. He did not give the names of the Chinese who were present in his house on the occasion of this conversation. Many Chinese

¹ Name supplied.

² *Idem.*

stayed with him from time to time, sometimes important people, many from the rank and file.

In 1953/54, he saw one high lama having his brains shot out. This lama was called Alag Gya. Lama dresses were then put on to ordinary laymen who were made to act as if they were lamas and then to dance in ridicule of the lamas. The Chinese told people that religion was useless and that they should instead love Mao Tse-tung. The people were called to see and hear this, including the shooting of the lama. Many lamas disappeared. In the local monastery, all the lamas were gone and only a few monks were left.

In Lhasa, in 1959, friends who had left Doi in 1958 brought him a letter from his father telling him that his uncle had been taken away by the Chinese and asking him to burn offerings at Lhasa. These friends told him that there were no lamas left in Doi. In the whole area there were thirteen monasteries.

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Statement No. 37 : A monk, aged 27, from Ganden Chantgse, a monastery in Lhasa. Previously, he was at Shachung Monastery at Halung in Amdo.

In Dakang Nangkhe, where his family lived, the Chinese did nothing before 1953, then in that year a meeting of the people was called and four people of the well-to-do classes and leaders of the district were arrested and taken to this meeting. There they were submitted to indignities by the poorer classes, and their wives and children were made to strike them by soldiers pointing guns. The village headman over some thirty families, Kau Ngampo, had harboured soldiers of the Kuomintang in his house for one night, and then the soldiers had left. He was accused of being an agent of the Kuomintang, and he and his son were shot in the back of the head in the presence of the people. This man's brother-in-law was also arrested among some thirty people, and in his case the reason given was that on searching his house on an earlier occasion, the communists had found some spindles used for rolling brocades. These, the Chinese said, were used for pleasure and indicated exploitation of the people. He was asked to produce the rich brocades, but he had none and explained that the spindles were left from brocades sold some time previously on a business trip to China. He was then executed together with his brother and son, who were accused of being reactionaries. The Chinese said that the extermination of such people was necessary in order that communism should flourish. These incidents took place in Chadza village, near to his monastery. He was visiting at home at the time and was present at the meeting.

Four days' journey from his monastery was one called Jayangshipa. A monk who escaped from this monastery came to his own, Shachung, and told them what had happened. The Chinese had visited the monastery, sold the flour and stopped trade. The monks' ration was reduced, and when they appealed for more, the Chinese told them they could starve. The monks threatened to fight, and soldiers surrounded the monastery, which was bombed, shelled and machine-gunned. This monastery housed about five thousand monks, many of whom were killed during the bombardment. This took place in 1957.

In the same year, the Chinese came to his monastery and asked for 200,000 Chinese dollars. The monastery could not supply this and the Chinese demanded anything made of metal, precious or otherwise. They took all the tea cauldrons and other utensils of brass and copper and the butter-lamps. The images were not taken. All the grain stock was taken and the monks were promised a ration. However, nothing was given, except that a little was given to the monks from the poorer classes. Monks from more well-to-do families, among whom the witness was included, were given nothing and forced to do hard labour, cultivating dry land and bringing water from a distant waterfall. Whilst they were engaged on hard labour, their food was supplied from home and they also received half a pound of flour a day. The land which was being brought under cultivation was monastery land which was normally used for purposes of meditation. The monks

worked from dawn to dark without a break, having to keep on working whilst eating. Peasants also were working alongside the monks. If the workers showed no cut or blisters, they were accused of not working hard enough. If their allotted plot was not completed, no ration was given. The child of his youngest sister died of starvation whilst the mother was working.

At a meeting in his monastery, the Chinese told the monks to go and live with a woman, because the population was so small. Up to the time of his leaving, no monks had done so. For the lay population, doctors arrived and told people they had come to improve the race by medical treatment. His brother and his brother's wife went for this treatment, which was regarded as compulsory, since the alternative was to be declared an opponent of the regime with the expectation that they would suffer force. His brother's account of what happened was that he was placed in a chair, his hands and legs were secured and his head fastened back. He was given an anaesthetic and lost consciousness. On recovering consciousness, he felt pain in the testes and saw a bottle containing what looked like seminal fluid. His brother had no idea what had been done. Another man who underwent treatment but did not become unconscious described to the witness what had happened to him. He was secured in the same way and injected in the scrotum. A rubber tubing was placed on the penis and some kind of machine extracted fluid of a whitish colour. After a day, he became weak and took to bed. He was given no medicaments or treatment of any kind. He was in bed for a month and then recovered, but said that some men died. He was married but did not say whether he was able to resume marital relations. After this treatment, people were told not to marry before thirty, as there was not sufficient food. Young married couples were separated.

His brother also told him of what had happened to his wife. She was undressed, some kind of white coat was put on and she was tied to a chair. She was given nothing to take and no injection. A bladder was inserted inside the vagina and inflated. When this was removed the vagina remained open, and something inside was cut. They had no children. His brother did not mention whether his wife continued to menstruate or not. The brother and his wife are still in Tibet. Two women, named Dolma and Phagmo, both in their early twenties and unmarried, died. He heard that in other districts the majority of women had died. The property of his family was confiscated. They were not particularly wealthy but seemed to have belonged to the middle class. Cups for offerings were taken. His sixty-year-old father was sent as a herdsman with insufficient to eat. After this, he left and went to Ganden.

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Statement No. 38 : A middle-class peasant, 50 years old, from Garang in Armdo.

On the ninth day of the second Tibetan month in 1956, he was called for a medical examination. A blood specimen was taken from his arm and he was told that the day after the examination of his blood he would be told the nature of his illness and treatment would be given. He was told to report to the hospital the next day and he did so. There he was told that he suffered from an illness in his genital organs, an old illness. He had never suffered pain or discomfort and had never seen sores. He was tied on to what he said was a chair, but what seems to have been some kind of improvised couch. He then received an injection at the base of the penis, and afterwards felt sleepy with indistinct vision. Gradually, he went unconscious. When he recovered consciousness he found a wet towel on his head and saw a discharge of blood from the urethra. He told the Chinese that he was not feeling well and they informed him that his illness had been taken away. Towards evening, his nephew came to inquire what was happening, and he was discharged from the hospital. He received no further injections, but was given two tablets and some powders which he was to take in order to be completely cured. He took the powder last thing at night and one tablet was to be taken in the middle of the night or the first thing in the morning and the other after breakfast.

The penis swelled and he suffered an acute burning sensation when passing urine. The swelling developed after five days. The burning sensation and blood in his urine arrived the following day. He was confined to bed and could not go to the hospital. His wife's mother told the Chinese of his condition and asked for a doctor. A doctor came to see him, and a woman doctor examined his wife who had also been treated. By this time, something like a pustule or boil on the top of his penis had burst. The doctor applied ointment and powder and bandaged it. The swelling subsided, but pus kept forming and the process of healing took about a month. He was told that this was his own illness and that it was not a consequence of the treatment received. He was given five pills and a mixed yellow and white ointment to apply to the sore. He carried out the prescribed treatment. The burning sensation also lasted for about a month, at the end of which time he was able to get up and walk about with the aid of a stick. His hearing deteriorated, but improved after several months. He also suffered from dizziness for several months. His eyesight deteriorated and did not improve. Before undergoing this treatment, he had normal sexual relations with his wife. He saw no signs of approaching loss of potency and considered himself to be fully capable of indulging in sexual intercourse. Since this time, he has never had an erection, has no sexual desires, no erotic dreams and no nocturnal emissions. The idea of attempting intercourse has not even entered his mind. His penis is always cold, even in a hot climate, and this was not previously so.

His wife was sent for by the Chinese at the time when he himself was in bed. Her account was that blood was taken from her arm in order to see if she had an illness. The following day she was called and told that she suffered from an illness left behind from the birth of their child. The baby was at that time seven years old and was the only child born to them. It suffered from no malformity and appeared to be very healthy. His wife had never suffered a miscarriage. His wife, who is now aged thirty-six and was then thirty-two or three, was fastened to a chair and examined. Something was inserted inside the vagina and she suffered a burning sensation. The thing placed inside grew bigger, (according to the other accounts, it seems to be something inflatable), and she felt as if something were being removed. She saw no blood, but felt severe pain. Then she was taken to bed. As she got out of bed, she saw a drop of blood on the ground and afterwards she saw a little blood on her dress on which she had been lying. Then she was told that since so many others were waiting, she should dress and go home. She was given five yellow and five white pills to take, the yellow in the morning and the white in the evening. She received no other injections and no other medicaments. Difficulty in urinating developed and she suffered a burning sensation at the time. Before this treatment his wife had menstruated regularly, but ceased to menstruate again. He was with her fourteen months after they had had this treatment.

Vido-Tratsang on the other side of the mountain from his village was destroyed by bombs and shells, and very little was left standing. This happened after his departure for Outer Tibet in 1957 and one of his relatives who came afterwards told him what happened in the monastery after his departure. This relative was a survivor of the destruction of the monastery, and he estimated that about 500 monks had been killed. This relative was killed in the fighting in Tibet in 1959. The monks had been made to work in the fields, and the Chinese announced that they were to be made to live with women. The monks also revolted against the poor food allowed to them by the Chinese. Their arms had been taken from them before they arrived at the meeting, but they started hitting at the Chinese with spades and any other instruments they could lay their hands on. The Chinese were not very numerous and carried only small arms. Some were killed. The next day planes arrived and bombed the monastery, and reinforcements of troops arrived.

In 1955, when his daughter was seven years old, the Chinese announced that children below the age of fifteen could not be educated in the Amdo region and must go to China. Parents need not worry, the children would be well-educated.

He did not wish his daughter to go, but he dared not protest, because the Chinese wanted the people to agree, under threat of being shot. They were not supposed to weep because this showed disagreement with the Chinese policy. He subsequently heard no news of her or from her. In Garang babies were taken away, also in 1955. The reason given was that they were to go to learn communism and to come back in order to lead in the development and progress of their country. No one dared to protest. Babies were taken whilst they were still being breastfed. The only case of which he has personal knowledge is that of a baby being taken from its mother, Tsenmowa. He knows of no babies being born during this period.

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Statement No. 39 : Aged 23, from Doi in Gyatsang in the Amdo region.

Doctors arrived in Doi in the second Tibetan month of 1956. They announced that the people would be given medicine to make them strong. Two separate hospitals or clinics were set up with fifteen doctors of each sex in each. A list of names was prepared and his own name was included. He was called inside and the first thing that happened was an examination of his reproductive organs. The doctor looked at them, drew back the foreskin and handled all his private parts. Then a blood sample was taken from his arm. A rectal examination by means of a finger was then carried out, and he saw in front of him a piece of glass in a basin. When the finger was agitated, he ejaculated a fluid on to the glass which was then taken away. Immediately afterwards he was bound to a chair with his back arched and supported and he could see his own penis. Very thin forceps were then inserted inside his urethra. This instrument he described as tapered and capable of being opened and closed like scissors. It was kept in some kind of fluid. As it went further inside the pain became intense and he saw the instrument inserted about two and a half to three inches. Then, with the pain, he could not look any more but felt the instrument going further inside. The forceps were opened. He felt great pain and fainted.

When he recovered consciousness, he had been set free and saw tiny puncture marks on each side of his groin with a yellow stain on each. He insisted that they were puncture marks and not incisions. He saw no other marks but was in too much pain to bend properly to examine himself. The pain which he felt was in his genital organs. When asked if he had ever suffered discomfort in this region, he immediately denied ever having had gonorrhoea or syphilis. When he was further asked if he knew what the symptoms were of these diseases he said he did not know because he had never had them. He was unable to work and was put to bed in hospital for about eight days. Every day he was given one pill or tablet and an injection in the buttock. When the treatment was being given in bed, the Chinese warned him, on pain of his head, not to tell anyone of what had happened or what was happening. A different person came each day, and each one told him to say nothing. After eight days he went home, assisted by two doctors, he said, but these would probably be medical orderlies. He was told not to say that he had been treated with needles, but to say that he had stayed and helped the Chinese. At home he remained in bed for a month, suffering pain in the genital organs and in the upper part of his body. After this time, he was able to work about his house. No doctors came to his house to examine him. He told his relatives and his wife the details of the treatment.

During the period of about a year that he remained with his wife afterwards, he had no sexual intercourse at all. He became absentminded, even sometimes going to the wrong house, mistaking it for his own. Formerly his vision was good, but now he suffered from split vision when viewing distant objects. His voice, which was formerly high-pitched, had become deeper. He still feels a little fuddled. One of his friends who underwent the same treatment died about five months afterwards, after his penis had become covered with pustules. This man did not go to the hospital because he could not walk and could not, because of the secrecy,

take anyone with him. Since undergoing this treatment, the witness has had no intercourse at all and has never felt sexual urges. He has never had an erection, even on waking, and has had no erotic dreams. He has repeatedly tried to arouse himself, and his wife once attempted to do this for him by fondling his penis. He himself tried to arouse himself by kissing his wife and holding hands. Before this treatment, his relations with his wife were what he described as normal and amounted, in fact, to intercourse on three or four occasions in a night. He was twenty years old at the time and not long married.

His wife was sent for two weeks after him. At the time, she was seventeen years old and is still in Tibet, as far as he knows in Doi. A blood specimen was taken from his wife's arm and her private parts were examined. She was bound in a chair and some kind of bladder was inserted inside the vagina and inflated. When this was taken out, a piece of flesh was pulled to the opening of the vagina, a yellow substance and a white powder were applied to this piece of flesh, but the wife felt nothing. She remained in hospital for five days, during which she received a daily injection and tablet. She was told not to speak about her treatment, even to her husband. At home, she remained in bed for about ten to fifteen days and after a month appeared to be fully recovered. She told her husband that she had no sexual feelings and, although her menstrual cycle prior to this treatment was normal, she ceased entirely to menstruate afterwards. Four months after this treatment he asked his wife whether she was menstruating, and she said she had not done so since receiving the treatment. He did not ask again, nor did his wife tell him that she had resumed. There was no apparent change in his wife's general health.

In Doi Gyatsang in 1953, in Trasang Monastery, the images were taken out and prayer-books destroyed. Monks were made to work on the land. If they refused to work, they were left in a room without food for four or five days and told that God would provide. These details were announced in a meeting, where the people were also told not to use butter-lamps because they were a waste of food. Up to the time of his leaving Doi, the monks were still in the monastery. The head lama was arrested and was accused of deceiving and exploiting the people. In 1954, Tsephel, a wealthy man, was brought to a meeting where the Chinese demanded 3,000 Chinese dollars from him. He borrowed money and gave it to them. Then he was immediately asked for the same amount again. He was unable to raise this and was given four or five days under the threat of death to bring the money to the Chinese. On his failure to do so, he was arrested and hanged. His family and others were called to witness the execution. The same fate was threatened to those who hid their wealth and to those who shed tears, even if they were his wife and family.

Two men, named Chophel Gyaltso and Dolma Kyap, were also arrested by the Chinese. They were not particularly wealthy, but were very devout. They frequently made religious offerings. The Chinese told them that they were a bad example to the people because they gave to religious causes and had nothing left for the communists. The people were called together to witness their fate. A board was attached to their backs, displaying their names over their heads. The Chinese announced that these were two people who had faith in religion and had given all their wealth to the lamas. As such, they were useless to the communists, and letting them live would affect young people's minds by bad example. They were to be shot and the same fate would await those who did the same. At this time, the two men were tied to a tree. Then they were set free and taken to the edge of a trench and there shot in the back of the head. The people were told that if they had no patriotic feeling for the Chinese and if, in clinging to religion they gave money to the lamas, this would happen to them.

In 1953, the Chinese formed a Socialist Party. The people were divided into five strata. This man was hazy on the details of the five strata, but thought they were :

- 1) Landowners
- 2) Other wealthy people
- 3) Village and district leaders

- 4) Middle class
- 5) The poorer class.

The correct classification appears to be that given in Statement No. 44. Men in the first three grades, numbering about five hundred, were arrested. The people were summoned to a large field where about three hundred men from these three strata were brought. The Chinese announced that these people were blocking the road to reform, that they had faith in religion and that they must be eliminated, since otherwise they would affect the minds of the younger people. They were to be shot and anyone from the bottom two strata would be shot if he had similar views. Children also would be asked if they had faith in religion, and if they had they would be shot. If they had any money this should be offered to the Chinese and not to the monks and lamas. If anyone was ill, the doctor should be sent for, not a monk. The remaining two hundred people would be put to work and not shot, because they were not such serious cases as the other men. These three hundred were lined up and shot, one by one, in front of the people. After a solemn warning that he must tell the truth, the witness reasserted and was emphatic that the Chinese threatened to kill anyone who adhered to his religious belief.

From 1955, the Chinese announced that small children around the ages of four to six were to be taken away for indoctrination. They obstructed the work of the parents. The witness had no idea of the total number thus taken but from his village, consisting of about seventy families, some twenty children were taken. In 1955, newborn children were taken by the medical staff (according to the witness, the doctors arrived in the village in 1956 in connection with the treatment above described). If they were not taken, they said, the mothers would not be able to work. The nurses would look after them for two or three years and then they would be sent to school. The witness said that it was impossible to protest, in view of the executions which everyone had seen awaited those who opposed the Chinese. The children whom he knew who were sent away in 1953 and 1954 are as follows : Tamtrin Tsering, boy aged 6; Nyonkogya, girl aged 4; Nangyal, girl aged 4; Kunthar, boy aged 6; Takla, boy aged 5; Tangzin, girl aged 4; Tselogy, boy aged 5. And the babies taken away from people whom he knew were as follows: Mothers : Tseringkey, one baby; Nyingmogya, one baby; Warik, one baby; Ochock, one baby. When he left Doi in April or May 1957, none of these children had returned.

In 1957, people were made to work for the progress of the country. Uncultivated land had to be brought under cultivation, and after work indoctrination classes and lectures were held, and they were told what they had to do the next day. They were badly fed on husks of wheat, oil-cake and chopped leaves. There was no payment in money. When he left Doi, this was still continuing.

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Statement No. 40 : A cattle-farmer aged 30 from Zava in Lingthang district.

He said that he had about 30 cattle and lived very close to the village where the author of statement No. 42 lived. He himself did not witness any of the incidents described by this witness.

In his district there are about twenty small monasteries. The head lamas of all these monasteries were arrested and killed. No reason was given but the Chinese had previously said that they would not allow religion and prayers. This he heard in the meetings which were frequently summoned to point out the futility of religion and it was also said in the monasteries. He himself was at the meetings.

He actually saw a lama, Jempe Kangmo Jruku, being killed. He was beaten and forced to carry heavy loads. The Chinese said that all he did was to pray and to take money from the peasants. The witness does not believe that money was ever exacted from the peasants but that it was always given voluntarily.

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Statement No. 41: A nomad, aged 44, with about 1,700 sheep and 70 yaks, and his son-in-law, aged 27, who lived and worked with his father-in-law.

They came from Badu, Gyantse, on about February 15, 1960. The Chinese came to Badu in about August 1959 saying that they were on their way to Khamba-Dzong and Tingey-Dzong near the border, but they did not say why; they simply passed through. Two months later seven Chinese arrived and stayed for the night. The Chinese began making a list of property, livestock, etc., and members of the family. All children below the age of fifteen had to be sent to school. In about September 1959 he saw truck-loads of children in Gyantse district coming on their way to Shigatse and Gyantse itself. He had no opportunity of speaking to them, but they looked miserable when getting into the trucks. He does not know whether Shigatse and Gyantse were their ultimate destination. Up to the time of his leaving Badu no children had been taken, but the Chinese said that they would be sent to school and there was no school in Badu. The men were to become soldiers but would remain in Badu.

In Gyantse he saw lamas and officials made to carry tsamba loads. They were also made to clean up dung, and the Chinese said that officials and lamas should be abolished. Some were very old men but he did not recognise anyone. The old men were falling down under the loads and Chinese soldiers helped them to their feet and then they had to continue.

Spare clothing, and this was interpreted very strictly, was to be given up to buy machinery for the cultivation of the land. They should eat less and not drink so much. Barley was needed for food and not for beer. As he was making his way through Khingkar, Dongtse, Shalu and Kala late in 1959, he saw that the wealth was being distributed to the poor. He was not called to any meeting in Gyantse. He did, however, attend an assembly in Khamba-Dzong. There the Chinese announced that His Holiness had been taken away by reactionaries and that the Chinese were now the leaders of the country. The Panchen Lama was not mentioned.

At the turn of our year 1959/60 he went to Shalu monastery near Shigatse. His son, who lived in Shalu, had been to the monastery to buy grain and his son told him what had been happening in the monastery. Monks from the monastery were living with nuns from the convent in Shalu. The Chinese were living in the monastery which had only about twenty monks left. All the lamas had been arrested. The valuable images had been carried off and the others smashed. Prayer books were thrown into the streets and burned. The drums and cymbals had been broken.

He felt that he could not stay because the Chinese were taking everything. They were threatened with death if they did not give up their property.

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Statement No. 42: A poorer class cattlefarmer, aged 60, from Yelung in Tegye district. He left his village in June 1958, when he went to Lhasa.

From 1956 to 1958 in his village property of all descriptions was taken. Arms, ammunition and jewellery were all taken although at first only valuables were seized. He lost his own cattle which were about thirty. The people rose against the Chinese because they had to hand over their property.

There were three big monasteries in the area, Dzogchen, Gyarong and Shiehing. The heads of these monasteries were arrested and all the monks, about 700, were summoned to a meeting at Gonchen and there they were arrested. He was in the district at that time but did not see this. He heard of it from the people in the village.

He himself saw lamas and monks being killed by the Chinese. Truku Dreme, a high lama from his own village, who was 75 years old, was arrested and accused

of having a lot of money. The Chinese pulled his hair and poured boiling water over his head. He died as a result. The people were called to witness this. He also saw another lama, Dzokchen Sopa, being beaten to death. Apart from these two he saw twenty-three lamas and laymen being tortured in public. They were made to eat dung and drink urine and the people were compelled to witness this. He therefore left his village.

He gave as another reason for leaving his village the Chinese statement that they would go through Tibet to the United Kingdom and America. He was quite sure that he heard this.

He joined the Khambas and went from village to village fighting. After the uprising he was hiding in the hills and finally left, arriving in India on January 30, 1960.

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Statement No. 43: A woman, aged 50, from Shawar in Amdo district. She arrived in India on October 14, 1959, via Bhutan and lives at present in Buxa camp.

Her village is close to the Chinese border. When the Chinese arrived they gave them money and treated them well for about a year. Later they took away arms and ammunition including those from the monasteries. This happened in about 1955 and the taking was forcible. The money that was at first given to the poor was Chinese money but later money was taken from the rich and given to the poor.

The witness belonged to the middle class. She and her husband had two adopted children, aged 17 and 21, who were taken away by Chinese soldiers and not seen since. On their farm they had five regular employees who were paid and additional help was engaged for the harvest. Her farm was taken from her in 1955 together with the standing crops and livestock. She was left only with household articles and the clothes she wore.

A week later meetings were called where the wealthy people were summoned and questioned about their wealth. Everything was taken from them. Her husband was taken away and she has not seen him since.

The population was divided into five groups, according to their financial position. It was the people from the upper three groups who were taken away. To her own knowledge the Chinese drowned seven wealthy people in a pond. The Chinese alleged that they had hidden their money and when they denied this they were drowned. The farms, livestock and implements were distributed among the poor.

There were thirteen monasteries in the district. Only one man was left in each monastery and the remainder of the monks were taken away for road work. The Chinese told the people that religion was useless. The monks were idlers who were eating the food of the people. The people should ask their gods for food and clothing and see the result.

After the arrest of her husband the Chinese asked her to hand over her property. She had nothing left and said so. Then the Chinese started pricking her with pointed instruments and scissors on her back and chest. When her condition was bad they took her to hospital and brought her back when she had improved. Then they started it all over again. This was done to many of the wealthy women and to some men. She showed numerous and extensive scars all over her back and chest. She also had a scar on her cheek which she said was caused by snipping her cheek with scissors. About one year later she ran away.

After a thirteen days' ride she arrived at Gayashar and then continued to Lhasa where she stayed for four years. There she had to beg for her living and presumably because she was a beggar she was left alone by the Chinese. She was in Lhasa at the time of the uprising.

Sixteen days after the uprising the Chinese began to round up Khambas. Since many people were being arrested she ran away from where she was staying behind the Potala and went to Sera monastery. From there she began her trek to India. On the way she saw that many people were being rounded up and when a number shut themselves in their houses the Chinese set fire to Tsokala-Kang, a famous temple. They asked people to come out and put out the fire and when they came out they were arrested.

In Lhasa there was firing for four days during which both artillery and machine-guns were used. She herself was in hiding but saw the medical school (Chopdli) being destroyed. The streets of Lhasa were full of the dead bodies of men, women and children.

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Statement No. 44: A peasant, aged 28, from Doi in the Amdo region. He had a middle-sized plot of land and average stock holdings.

Doi is a small town of which the population was purely Tibetan. There are 1,500 families in Doi with about 1,300 monks, housed in twelve monasteries, one big and the remainder small. Before 1949 there were no Chinese forces in the area but about 30,000 Communist troops arrived in that year. After about twenty days only 1,000 troops remained. Provisions for these troops were requisitioned with hardly any payment. Until 1952 they behaved quite fairly.

In 1952 the population was divided into five groups: 1) capitalists, 2) landlords, 3) the middle class, 4) the smaller peasants and 5) the servants and agricultural labourers. From time to time the members of the upper two classes were assembled in front of the village people and some men were made to come forward and accuse them. This went on for about eight months, beginning in May 1952.

Of the 500 persons arrested from these upper classes 300 were executed; these were all men. The remaining 200 were subjected to humiliating treatment. Local riff-raff were made to ride upon these people. His brother was among these 200 but he himself was left alone on account of his youth.

In about 1954 they decided to deal similarly with the third class, viz. the middle class. They arrested the men of that class and imprisoned them and their property was confiscated. The members of the families of all these classes were made to work as labourers and they were very badly paid.

Until 1955 the monasteries were left alone and their property was untouched but the people were not permitted to make any offerings. In 1955 propaganda was started on three points:

1. that special medical treatment would have to be given in order to make people intelligent;
2. that religion was a stupid and harmful thing and the monks should be made to work; and
3. the land which had been distributed in 1952 should now become part of a collective in which every peasant would be a paid worker.

All the monks were sent out to work. The monks' properties were confiscated. The head lamas were arrested and the Chinese soldiers publicly humiliated them over and over again by riding on them. They were kept in prison and were still in prison when he left in 1957. He saw monks who were taken to the fields, yoked together in pairs, pulling a plough, under the supervision of a Chinese who carried a whip.

In 1956 a Chinese medical detachment arrived and they were told that special medicines would be given them to make them more intelligent and taller and

stronger. The Chinese ordered that everyone was to receive medical treatment and those who objected would be executed. The seven doctors, four men and three women, lived in the house which used to belong to the witness, where he was permitted to live in a small room. He was the first to be examined and a blood specimen was taken from his arm. The next day he was called again. The doctor took him to a room, told him to strip and he was asked to lie down on a kind of couch on which he was tied hand and foot. He was told that what the Chinese were going to do would hurt a little but that he was not to scream and cry. Some kind of surgical instrument was produced which had a small beak-like end and at the other end opened like a pair of scissors. This instrument was inserted into his urinary tract and he felt that something was being cut inside, whereupon he fainted with pain. When he regained consciousness he found himself in his room. He was then told to remain in bed for ten days and was given daily injections in the buttocks during that period. He was warned not to tell anybody what had happened to him. When he recovered consciousness he noticed that some kind of medicament had been rubbed on both sides of the upper portion of the testes and concluded that he had been given injections. For two days he felt where the injections had been given.

His wife was pregnant at the time and he was told that after the birth of the child she also would be given treatment as would everyone else in the town between the ages of fifteen and forty. He was warned that he would be shot if he disclosed the method of treatment. A young friend of his¹ came to see him and the witness told him of the treatment, advising him to escape before his turn came. His friend ran away. About a year later the witness himself escaped and says that to his knowledge about 300 persons were given this treatment after him. His wife had given birth to a child three or four months before he escaped but was not treated during that period. The witness denied that he at any time had any kind of swelling in the region of his genital organs or that he ever suffered from discharge of pus and blood from the urinary tract. The result of this treatment was that for about two months the witness felt pain whilst passing urine and for six months felt very weak and depressed. After the treatment he has never had an erection or any sexual desire. The couch on which he was tied for the operation was sloping and he was in a leaning position.

A description of the treatment of the women was given to him. This treatment consisted of inserting some kind of bladder into the vagina which pulled out when removed something which looked like flesh. This was snipped off and the woman became unconscious. He gave the names of five women who died, he believes, as a result of this operation: 1) Ohcho, 2) Kharmogya, 3) Pamo, 4) Limochi and 5) Khado.

From 1953 onwards the Chinese began to separate children from their parents, beginning with the older children. They said that the children would have to be separated from their parents, since their parents were religious and superstitious. Those up to the age of six were to be taught in the town itself and those from seven to fifteen were to be taken to China. His own daughter, aged four, was taken from him in 1954 and although he was in the town for three years after this neither he nor his wife was permitted to see the child. His brother's children, aged nine and eleven, were taken away to China and he does not know what happened to them. His brother was in prison at the time. From 1956 onwards, children were taken away soon after birth.

In 1957 the Chinese sent for him and told him that since he belonged to a well-to-do family he must have hidden some property. He was told that unless he produced 2,000 Chinese silver dollars within forty-eight hours he would be executed. He escaped that very night and after four months reached Lhasa. There he stayed for a year and when he heard that the NVDA was being organized at Loka, about sixty miles to the south, he joined the army. He was with this army for about a year and then when they had to retreat he escaped to India.

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¹ Name supplied.

Statement No. 45: A monk aged 37, from Thrashak in Nyarong village. His monastery was called Shiva in the Amdo region.

He arrived in India via Nepal reaching Buddha Gaya on January 30, 1960, where the Dalai Lama was at the time. He had come to Delhi from Buddha Gaya.

The people began to rise against the Chinese in the Eastern region in 1955. They hid in the hills. All the leaders of the district were arrested. The Chinese said that these people had been taken to China.

In March 1955 all the people and monks were summoned to a meeting and were asked where their leaders had got their wealth and whether the leaders treated them badly. The reply was that no one had been ill-treated and that there was no complaint against the leaders. In the meeting the Chinese asked for arms and ammunition. Then the monks were asked what sort of crops, property and wealth they had and who were the good and bad leaders. The reply was that their leaders were good and treated them well. The Chinese then told the monks that they were all spoiled and that they ought to marry. Those who refused to marry were put into prison and he himself saw two lamas, Dawa and Naden, who were amongst them, crucified by nails and left to die. A lama named Gumi-Tsering, was pricked through the thigh with a pointed instrument like an awl, the thickness of a finger. He was tortured in this way because he refused to preach against religion. The Chinese called his fellow lamas and monks to carry him. They also took part in torturing him and he died. He does not know whether they were forced to do so or not. After this many monks and villagers ran away. As far as he knows no monk agreed to marry and he heard that twelve others had been crucified. The crucifixions were carried out in the monasteries and he heard of this because fugitives came back at night to find out what was happening. Sometimes the monks came out to see them. They saw many Chinese inside and horses had been taken inside the temple. The Chinese brought women inside but the monks refused to take them. These were Khamba women who were brought in groups surrounded by armed Chinese. Scriptures were turned into mattresses and also used for toilet paper. A monk, named Turukhu-Sungrab asked the Chinese to desist and his arm was cut off above the elbow. He was told that God would give him back his arm. The Chinese told them that there was no such thing as religion, the practice of which was a waste of one's life and of one's time. Because of religion people did not work.

When he was questioned on the social background of reincarnate lamas he said that they came from all levels of society and this also applied to the monks. Most monks came from the village itself; some from further away. He dismissed as nonsense the Chinese allegations which were put to him that lamas from the lower classes were chosen because of their pretty mothers. No mothers were allowed to stay in the monastery, whether ugly or pretty.

Guerilla warfare started in 1955 in Eastern Tibet and he believes that it is still going on. He knows nothing about it at the moment. The group of fighters which he joined were mostly peasants and laymen except for one monk and one woman. When he started on his journey with the Khamba fighters there were over 2,000 but only 67 were left after the fighting en route.

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Statement No. 46: A trader, aged 58, from Datsedo, Kham.

This area was under the control of the Chinese although the majority of the people living there were Tibetans. The Chinese communists arrived in 1949 and told them that they had come to help the people and that their customs and religion would be respected. They added that they were going into Tibet in order to proceed into India and other places to liberate them.

In about 1951 the Chinese demanded the surrender of all properties from the six monasteries in the area, viz. Yukyong, Ngamchoe, Dorjedra, Sakya, Ngompa, Dotra. They promised the monks that they would be maintained and provided rations for about two months after which supplies ceased. The younger lamas were sent to China for indoctrination and the older lamas were made to work in the fields. In these six monasteries there were altogether about one hundred lamas. The fact that inmates of the monasteries were made to work in the fields was resented by the people but they dared not express their opposition openly. The lamas were accused of being yellow robbers and red thieves (the reference is presumably to the different sects) and with deceiving the people and living on them. About twenty of the more important were shot by the Chinese for these reasons. Among them were Change Geshe, abbot of Ngamchoe, the prayer leader of that monastery and the abbots and prayer leaders of Yukyong and Sakya.

The business people were forced to join a cooperative controlled largely by the Chinese. The heavy payment of taxes took away the capital of most of these business people. They were accused by the Chinese of hiding their property and on this accusation the Chinese began to arrest the traders. Traders were told to give up their property and he himself was arrested and tortured in various ways for three months. After this he was released, the Chinese Commander allowed him to sell all his property and he was told to leave.

One day the Chinese collected a number of nomads and told them that a group photograph would be taken. Having collected them they shot them all; the number of persons killed was given as ninety-seven.

One twelve year old girl, the daughter of Yangtunpa, was told by the Chinese that her father was an imperialist agent and she was made to shoot him.

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Statement No. 47: A lama, aged 35, from Choney, Amdo, who for the past ten years has taught Tibetan scripture and literature in Lhasa.

The Chinese came to Lhasa at the end of 1951. He began to teach under the Chinese in a primary school in 1957. There was very little response from the Tibetan boys to the opening of schools because they expected indoctrination. The Chinese, however, assured them that they would have classes for religious instruction. At first forty-five minutes was set aside for religious instruction but this period was gradually reduced and finally eliminated. During the religious instruction the labour teachers tried to drag the boys out for manual work. The young boys refused to go, throwing sand at their teachers. The boys even said that if there was no freedom of religion they would refuse to attend the classes in future.

The Tibetan teachers in this school were given compulsory instruction in communist dialectics and politics. During these lectures a Chinese officer, Tang Shao-tang used to tell the Tibetan staff that all their prayers would not bring them bread to eat. He himself had once been religious and had prayed day and night but did not obtain the much needed bread. As a communist he did receive his bread and to him the bargain was not unprofitable. The Chinese began openly to denounce religion. The Chinese provoked the Tibetan people by saying that Ladakh, Bhutan and Sikkim had the same language and culture as Tibet and added that these areas and regions were really part of Tibet. Sooner or later they were to be amalgamated with Tibet proper. A Chinese officer, Ting Shang-chu, gave them lectures in which he said that Christian missionaries were mere imperialist agents and spies and that there was no truth in their religion either. Ting Shang-chu ridiculed the Hindu religion for depriving Hindus of delicious beef because of the worship of the sacred cow. Phan-choi reminded them that the USSR at the time of liberating outer Mongolia had

usurped a lot of Chinese areas and that they, the Chinese, had not yet forgotten that encroachment and the wrong done to China.

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Statement No. 48: A peasant, aged 35, from Meshe in Derge district. The Chinese communists came to his area in 1950 and he worked with them in their office at Derge Gonshen near a monastery.

Until 1955 they behaved well, having assured the Tibetans that they would respect their customs and habits and protect their religion. In 1956 about 2,000 Chinese troops arrived and they began organizing the poorer classes and the riff-raff.

One day a meeting was called and all the head lamas and well-to-do people with the leaders of small towns and villages were brought to the meeting. The meeting was told that reforms would take place and they were told to surrender all arms, even those of the monasteries, which were regarded as religious symbols. Food supplies and clothes, ponies and mules together with their saddles were also demanded. When the Tibetans pleaded that the religious symbols and food should be excluded the Chinese surrounded them and took away everything. They were still not satisfied and demanded what was supposed to be hidden. When the Tibetans replied that they had hidden nothing a large number of monks, lamas and people from the well-to-do and middle classes were arrested. He estimated that five hundred lamas and monks were arrested. There were four hundred monasteries in Derge district including the great monastery of Derge which had about one thousand seven hundred inmates. Officials, well-to-do traders and other wealthy people lost their property and were told that their property was required for the rationing and stores department. These people and their wives were humiliated in public by the riff-raff whom the Chinese had organized and the women-folk were ridden like horses with saddles and reins. Fifty of the monks and lamas arrested were executed, some being thrown into the river, some shot and others hanged. About two thousand eight hundred of the wealthy and middle classes were arrested and eight hundred were executed, among them forty men and women about the age of seventy. The witness saw a number of monasteries in which the images and manuscripts had been taken away or destroyed.

About three or four thousand people between the ages of fifteen and fifty were sent to China from Derge district. Only about thirty or forty returned and these were apparently well-trained and well-trusted people. Adult males below the age of fifty were enlisted in the army or in labour gangs. A number of children were taken away to China against the wishes of their parents, who were unable to protest. His own two daughters, aged seven and nine at the time, were sent in 1956 and he has not seen them since.

Although he was working in their office he was accused of having hidden wealth and arms and was imprisoned for two months in 1957 when he denied this. During this period he was taken out every other day and paraded before the public, where he was subjected to degrading treatment. After that he was told that he was being released for seven days to think things over and if he did not accept communism at the end of that period he would be severely punished. To him this meant that he would have to accept everything that he was told by the Chinese and would have to give up his religious beliefs. During that period he escaped.

Fighting had begun in their district against the Chinese and he joined in the fighting for a year, then the army slowly retreated and he joined the NVDA and a year later, i.e. 1959, he came to India.

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Statement No. 49 : A monk, aged 45 from Chodey-Tsang in Ba. He has been a monk since the age of fifteen. The area was under Kuomintang authority before 1949.

In 1950 the 18th communist army came to their district and told them that they would settle all questions in consultations with the masses. They told them that there would be complete freedom of religion and no conditions were attached to this religious freedom. After eleven months this army left for Lhasa but two Chinese army commanders remained in the area with troops and thereafter the situation deteriorated.

They began to collect about seven hundred people from four districts and began indoctrination. But indoctrination had started before this in four parts of Ba district. Most of the seven hundred people were from the poorer classes and included men, women and children. These people were taught that they should get rid of the landlords and rich people because they are enemies of the people. The lamas were a hindrance and were sucking the blood of the peasants. They told the peasants to rise against the landlords so that their land and property could be distributed to the peasants. Those who expressed their unwillingness to do so were taken aside, beaten and humiliated.

In 1956 the Chinese brought out all these indoctrinated people who shouted and demonstrated that the poor should rise against the wealthy and exterminate these enemies.

In his village they ordered all lamas to go to Chinese headquarters. They did not go and the monastery prepared for resistance, collecting arms which they brought from villages in the area. The Chinese ordered the people not to give anything to the monasteries and then attacked the monastery with rifles and machine-guns. Then the village and the monastery were bombed and the people who were fleeing were machine-gunned from the air. Most of the monastery was completely destroyed but not much damage was done in the village. About thirty people were killed in the monastery.

He estimated that between four and five hundred were killed in the twelve days of fighting. The witness had run away from the monastery and a few monks and abbots had remained behind. The people who were left behind in the monasteries were told that no action would be taken against those who returned and as a result some four to five hundred including the witness returned. Then the Chinese promised the group of thirty with whom the witness came back that they could live the life which they had lived previously and gave them money and tea. The remainder of the four to five hundred then returned. When they returned they saw that the tea cauldrons in the monastery had been destroyed and religious pictures had been defiled. Five monks were arrested and sent to forced labour. It was impossible to collect monastery dues. He remained in the monastery for four months but when he learned that he was suspected of killing a Chinese officer he ran away to Lhasa where he stayed in Drepung monastery. After one and a half years he joined the NVDA and finally came to India shortly after the escape of the Dalai Lama.

The people who were indoctrinated he himself did not meet but obtained an account of what they were taught from his relatives.

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Statement No. 50 : A monk aged 31 from Chamling monastery. Previously Litang, which is now in Szechuan province, was under Chinese authority but except for collecting annual taxes there was no authority worth the name until the communists took over.

When the Chinese communists came in 1950 a Tibetan who was with them explained that this time, in contrast to the previous communist passage through Szechuan, they came as friends. They were assured that religious beliefs would be respected and that the country would be developed economically. For a year the Chinese behaved well.

In 1951 he went to Peking on a trading mission and returned after five months. In the meantime a number of animals from the monastery had been taken away and he learned that they had died. In 1954, the Chinese began to organize the lower classes and the riff-raff to rise against the monasteries and the wealthy people. Before this time they had already begun to make propaganda that religious beliefs were all superstition and that the practice of almost two out of three able-bodied men becoming monks was harmful. All private traders should be eliminated. A delegation was sent from the village to Peking to protest against this kind of propaganda.

The Chinese asked the people as well as the monasteries to surrender their arms. A list had been taken of the properties of the monasteries and of the village people. They refused to surrender their arms. The people from the lower classes who had been trained by the Chinese went from village to village making propaganda against the landlords. A delegation was sent to Peking where His Holiness was at this time to point out that the Chinese were acting contrary to the Seventeen-Point Agreement. When this delegation returned they said that the Chinese had assured them that this was a mistake on the part of the local commanders and that their religion and customs would be respected. Notwithstanding this assurance the situation became worse and the Chinese began saying openly that the monks were red thieves and the lamas yellow bandits.

By 1956 there were three thousand troops who had built a fortress in front of the monastery and trenches surrounding the monastery. After the first refusal to surrender arms nothing happened. On the second refusal the Chinese surrounded the monastery and told them that they must either surrender their arms and properties and be liberated or force would be used. A delegation was sent to the Chinese authorities asking them to respect their own promises of not interfering with Tibetan religion and customs. The delegation was informed that the monastery must decide immediately to adhere to the Chinese demand. That night the bombardment of the monastery began and fighting continued for sixty-four days. Fighting went on, with the Chinese attempting to charge the high, strong walls of the monastery, and then the aerial bombardment began on the sixty-fourth day and the inmates of the monastery tried to flee. About two thousand were captured by the Chinese and about two thousand including both laymen and women were killed in the fighting. The witness escaped. One of his companions who met him later told him that two of the high lamas had been captured and murdered, one by being buried alive. A hermit lama named Gayshitimi who was highly respected by the people was forced to carry two hundred and twenty maunds of rice a day over a distance of three miles. As this was physically impossible the Chinese mocked him and said that he should do it with his supernatural powers. Subsequently he was imprisoned and the witness did not see him again.

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Statement No. 51 : A peasant aged 51, from Nyangtih (Kongpo) about one hundred miles east of Lhasa. He cultivated land rented from the government and occasionally hired workers for this purpose.

In the middle of 1951 the Chinese came to Nyangtih, which is a small village of about forty families. There is no monastery in the village but there are some four or five miles away. From time to time Chinese regiments used to pass through the village and stay for two or three months. There was a permanent Chinese garrison on the other side of the river. When they came they assured the Tibetans that they had come as friends and would not interfere with their religion or with their way of life. They started requisitioning materials, paying a very low price for them. As a result of this there was a great scarcity and prices began to rise. About twenty people from his village were compelled to work on the highway which was being constructed from Chamdo to Lhasa. His family was compelled to send a recruit and from time to time his own family had to send its quota. From his district about nine hundred people were taken and they were very badly fed.

In several places close to his village a few Chinese settlers—about one hundred—arrived. A school was set up in 1954 and for two or three months children were educated there and thereafter were taken to China against the wishes of their parents. About twelve children were taken away from his village and were in the age group ten to thirteen. His own children were past the age of twenty and were not taken. Those who objected were threatened that they would be arrested and treated as imperialist collaborators. None of these children returned.

He heard but has no personal knowledge that a lama who was going around different villages to say prayers was shot by the Chinese at Dehmo, and he heard of another incident of this nature. He knew a peasant¹ who was fired at four times from a Chinese truck. He did not die and recounted this incident to the witness.

Some of his agricultural land was taken for building offices and for one year he received small payment but thereafter nothing. Land had been taken from other people in the same manner, some being built upon and some being used for cultivation.

A Tibetan lady² who was working with the Chinese told him that the Chinese had sterilized her in 1956.

The monasteries around his village were taxed very heavily and some of the peasants were taken for work on the highway. He left his village with his family at the end of March 1959. He left Tibet because he had heard alarming reports and also because he had heard that His Holiness had left Lhasa for India.

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Statement No. 52 : A peasant aged 29 from Karnebeur, about 100 miles north of Lhasa. He had some land of his own which he cultivated and was a traditional leader of the peasants.

His place is a small village. In 1956 he had been subjected to indoctrination and was asked to go to China because he was the head of a village and also a lama. He hesitated but was told that he must go on an educational tour and as a result he went to China. After travelling around he was told that he should join the school of racial minorities as he would be useful to the communist party. At that time he was favourably impressed by communist doctrine. Although he was not anxious to stay he was persuaded to do so.

In the school, where he remained for a year and a half, he was taught the history of communism and of the communist history of China with some geography. During the instruction on communism he was told that religion is the right hand of exploiters and feudalists and that religion should be eliminated. At the end of his instruction his opinion was that communism was anti-religious and that the communists sought to exterminate the well-to-do classes and to establish world domination. After finishing his year and half of studies he returned to his village, where after four days he was told to go to Chamdo. There he was advised to join the communist party and told that if he did not he would be classified as a hereditary landlord and when the reforms came he might lose his life. He therefore thought it advisable to join and he was enlisted as a probationer member. He was in Chamdo until the beginning of 1958. He was asked to work in the health department at first and later on in some other departments. Finally he was made the Vice-Chairman of the combined departments. He received further instruction and the main teaching of the Chinese when he was a provisional member of the party was that first and foremost he must give up his faith in religion. Any provisional member of the party who was found with charms, amulets or beads was heavily fined.

In December 1958 he joined the Chinese communist party. One of the executives of the Kham area party addressed fifty-eight of them including the new

¹ Name supplied.

² *Idem.*

members; according to him there were two classes in this world, and those of the capitalist class and the wealthy had used religion as their main weapon of defence. Therefore for communism to succeed the very foundations of that great bulwark of capitalist defence must be uprooted. They were trained on how to spread communism along the people. Religion was the main target to be destroyed and secondly the people should be completely freed from allegiance to any superstitious practices. The tactics must, it was emphasized, be practised in such a manner that the party could not be accused of following these tactics and people must not be given the opportunity to find causes for holding the party or China at all responsible. He was in a group of fifty-eight Tibetans at this time.

During this time he was told that medicine was used for sterilization and for procuring abortion. Some of the medical workers told him that these medicines were used on Tibetan women on the pretext that they were for another purpose. According to his informants they were freely used and although he thought that it was wrong he was afraid to protest against it. He asked the doctor himself who told him that the medicines were used for abortion and sterilization. Operations, he was told, were being performed for the sterilization of women. He saw one of these operations being performed on a woman. An incision was made in the centre of the abdomen and the doctor said that the uterus was being removed. What he saw taken out was a piece of yellowish flesh between three to four inches long.

About fifty persons, some of whom were traders, were arrested and brought to Chamdo. He saw them being taken away in trucks in the direction of China and he came to know that they were being deported to China. Among them was a man named Phoo-too-to.

There is a monastery at Riio-cha. Some of the people from his village were monks there and they told him that one day about fifty "Khambas" came to the monastery, looted it and arrested two high lamas. They also destroyed a large image. Only when these people entered the monastery was it discovered that they were not Khambas although they wore Khamba dress. They understood no language except Chinese.

In the beginning of 1959 he obtained leave and went to his own village where he met an influential leader from another part of his district and had talks with him. Since the witness was disgusted with communism he decided with the other man to fight against the Chinese. They managed to collect about four thousand people and had several encounters with the Chinese troops. He intended to go to Lhasa but could not get there and reached the headquarters of the NVDA. From there he had to retreat and went to India.

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Statement No. 53 : A trader, aged 46, from Nakchu, north of Lhasa. Nakchu is a small town with about three hundred families. There is a large nomadic population in the area, and a monastery and a convent housing respectively five hundred monks and seventy-five nuns.

When the Chinese arrived in Nakchu they declared at a meeting that they had come as friends. They demanded meat for their troops and paid very little for the meat which they received. They demanded transport animals for which they also paid very little. Many of these animals died due to overwork. They were used to transport arms and ammunition to Lhasa. Most of the troops left for Lhasa, leaving about four hundred behind. The Chinese bought up all the animals for their food supplies with the result that there was hardly anything left for the people.

A number of children were then collected and their parents were told that they were to be sent to China for education. From his village fifty-four boys and girls between the ages of fourteen to eighteen were taken away. His own son aged fourteen was taken away despite their opposition. When the witness

and his wife opposed sending their son to China they were called to the Chinese headquarters and told that if their opposition continued they would be arrested. When the child was taken away the Chinese said that he would be sent back in one year's time. Although this happened in 1952 the witness's son did not return. All the parents opposed sending their children to China and he believes that they in fact allowed them to go under the threat of force. During the years that the witness remained in Tibet he received three letters from his son asking him to try to get him back home from China. He sent a few letters to his son and his wife occasionally sent him money. In the last letter which he received in 1958 his son told him that he was receiving no education at all but was put to hard work in a port in winter and in the summer in the fields. None of the fifty-four boys and girls who were taken away returned. He was told by many of his friends whose children were in China that they were receiving similar letters to the one he received in 1958.

In 1953 propaganda against religion began. Nearly one thousand people were taken to work on the highways. Most of the people would ordinarily earn about three Chinese dollars but the Chinese paid them only half a dollar. These people came back after six months but soon afterwards about five thousand were taken to work on the airfields.

Fire-wood and food stuffs had to be supplied to the Chinese and a price representing less than half the value was paid.

With the permission of the Chinese authorities and with a document from them saying that no tax would have to be paid he went to purchase wool at Chekudu and after he had purchased his wool the local authorities there exacted a very heavy tax. He was told that he could not take the wool to India. In that case, he said, he would take it to Lhasa but he was told that he must take it to Chinghai. When he refused he was arrested and kept in prison for seven days. During these seven days he was questioned daily and was accused of having been sent by an American to purchase the wool. This was absolutely untrue. Finally a large number of people from his district assured the Chinese that he was an ordinary trader and he was released on giving an undertaking that he would take the wool to Lhasa and sell it to a Tibetan. Very heavy taxes were imposed on imports from India, and he was never permitted to come to India to trade. He was encouraged to trade in China but he always sold his wool in Lhasa. Eventually he was sent to purchase wool which he did not want to buy and which he brought to Nakchu. He was then told that he must send the wool to Chinghai, and he was compelled to hand it over to the Chinese who put it in their own trucks. Heavy taxes were imposed on the wool and he was told that one truck was lost. He had to go to Chinghai along with the wool and there he was paid in Chinese paper currency which was of no use to him. He brought some crockery back and the result of this whole transaction was that he was virtually ruined. He continued to do small business.

In 1958 he went northwards from Nakchu and there he saw about seventy families of nomads rounded up and forcibly taken away to Chinghai. On March 19, 1959, a meeting was called by the Chinese authorities where the local population, the nomads and the heads of the monastery were told that reforms were going to be introduced and that they must surrender everything that they had including their arms. They said that they could not do it and that they would write to His Holiness. He was present at this meeting but did not attend the meeting to which they were called the following day. He escaped during the night and later heard from a friend that those who went to the meeting were arrested and that the monastery was bombarded. He had sent a messenger to contact his wife the day after he left his village and the messenger came back with the news that with the exception of three all the men had been arrested. Nine days later he reached the headquarters of the NVDA which was about sixty miles to the south. He fought with them and retreated, arriving in India some time towards the end of April. He did not know what had happened to his family.

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Statement No. 54 : A lama aged 27, from Thango monastery in Kham.

The Chinese communists arrived in 1950 and assured them that they had come as friends and that their customs and religion would be respected. In the beginning they gave loans to the peasants and also gave money to the monastery. Until towards the end of 1955 they behaved well. At that time they began to impose heavy taxes on all property and belongings of the monastery and of the local population. They established communist organizations for youths and young girls.

In their monastery was a monk named Ga-lha who on account of his bad character and conduct had been degraded to the kitchen and was not allowed to associate with the other monks. In 1957 the Chinese called a meeting of the leading lamas of the monastery and informed them that Ga-lha had been appointed head of the monastery and leader of the poor in the district. They were compelled to accept this appointment. The Chinese had brought ropes to the meeting and they told them that anyone who objected would have to face the ropes. Ga-ilha then proposed that in order that the taxes could be paid the valuables of the monastery should be sold and the monks should be sent out to work. A deputation of seven monks went to meet the Chinese. They were fired upon, two of them being killed and five badly wounded. Chinese troops then surrounded the monastery and opened fire with artillery and machine-guns. He was among a group of twenty-three people who escaped together and he later heard that more of the five hundred monks in the monastery had managed to escape. He was told that about twenty-five were killed and many captured. Some of the group with whom he had escaped returned to look at the monastery after the Chinese had left and they came back with the information that the monastery was very badly damaged.

Thereafter he went to Lhasa and on March 13 he left for India. He left Tibet because he realized that the communists would not tolerate any religious freedom and that it would not be possible for him to lead his normal religious life.

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Statement No. 55 : by a wife, with her husband present. She is aged 24 and comes from Rigong in Amdo region. They were a family of small peasants. Rigong is a small town of about a thousand families and the monastery there, named Ringo, housed four thousand monks. The population was purely Tibetan and although it was situated in Chinghai there was no Chinese authority in the town and the people paid no taxes.

About three hundred Chinese troops came to their town and behaved in a friendly manner until 1951. Between 1951 and 1954 the wealthy people, the middle class and the monasteries had to give "loans" to the Chinese on the pretext that they were fighting a war in Korea. They had two horses, four mules and six dzo (an animal like a cow), which they had to contribute, together with 1,500 silver dollars and most of their clothing. They were also told that they were wasting cloth by having very long sleeves.

In 1954 they set up collectives of forty families each and they also had to join in the collectives. All the lands of the wealthy peasants were confiscated and distributed among these collectives. The members of these classes were arrested, some were executed and the rest were put to hard labour. At the end of 1956 anti-religious propaganda began.

In 1957 they arrested the prominent lamas from the monasteries, two of whom were Ala-Khumtan Jamyang and Ganden Gyatsu. These lamas were put into a pit which had been dug, planks were placed across and the village people who had been collected there were ordered to urinate in the pit. The Chinese told the people that these lamas, who claimed great powers, should

save themselves. The properties of the monasteries were confiscated, leading lamas were imprisoned, and the monks were told to have intercourse with Chinese women. A large number of those who would not do this were sent to forced labour. Valuable images from the monasteries were taken away to China.

From 1954 onwards children were separated from their parents. The younger children were indoctrinated in the town and the older were sent to China.

APPENDIX II

Statements to the legal inquiry committee by the Dalai Lama and officials

DOCUMENT No. 1

Report of the interview with His Holiness, the Dalai Lama, on August 29, 1959, at Mussoorie

The Chairman of the Committee, Mr. Purshottam Trikamdas, accompanied by the Joint Secretaries, Messrs. G. B. Pai and I. N. Shroff, interviewed His Holiness, the Dalai Lama at Mussoorie on August 29, 1959. Besides His Holiness and his official interpreter, Mr. Kalon Surkhang Mangchen Geleg, a member of the Cabinet was present at the meeting.

Q. 1. A Chinese ambassador of the Chiang Government now living in the United States has stated that a Tibetan Delegation took part in the Constituent Assembly convened by Chiang Kai-shek in 1946. Is this true?

A. Regarding this statement : In 1946 Tibet had sent a good-will mission on the conclusion of the second World War to India and China to congratulate the Governments of Britain, America and China. When that mission was in China the Constituent Assembly was in session. The mission was not deputed to attend the Assembly and they went there only as visitors. They had no authority and they did not sign any papers.

Q. 2. Was the Government of Tibet requested to send any representatives?

A. There was no request.

Q. 3. Do you mean to tell me that when the mission was there they were asked to attend as individuals and not because they had any authority from the Tibetan Government?

A. Not at all with the authority of the Tibetan Government though the Kuomintang Government was making false propaganda to that effect.

Q. 4. Were they there as official observers?

A. They had no official part in the Assembly. When the propaganda came to the knowledge of our Government they were instructed by telegram not to attend.

Q. 5. Is the statement made by Tieh-tseng Li that Tibetans were seated in the National Assembly in 1948 true?

A. At that time there was a Tibetan mission in Nanking. They attended without authority. They simply witnessed the proceedings but did not take part therein or sign the constitution. One of them is here.

Q. 6. I would like his statement and details of what exactly happened in Nanking.

A. That gentleman is in Dalhousie now. But his statement will be sent to you. One of the leaders of the 1946 good-will Mission is here. You can have his statement.

Q. 7. Is it true that five million Chinese have been settled in Tibet? If so, in which part and when?

A. These Chinese settlements must have started about ten years back in Tsinghai. Such settlements have had quite an effect on the local Tibetan population; the language and customs have all changed considerably. At the same time on the eastern side of Tibet also there was a settlement. Since 1956 mass migration started into Chinopi and eastern Tibet until in the end it became twenty Chinese for every native Tibetan. In 1956, again on the frontier of inner Tibet, there were large settlements. In 1957 and later there were large settlements in Gyantse. Then at about the same time the Chinese started settling down in centres like Lhasa and Shigatse. Most of the Chinese who have settled down are in Tsinghai and Szechwan in Greater Tibet and the rest are in the Chamdo area.

Q. 8. Is it true that when you were in Peking a prominent Chinese leader mentioned colonization of Tibet by nine million Chinese?

A. In 1955 just before returning to Lhasa we had been to see Liu Shao-chi. He mentioned to the Panchen Lama that Tibet was a big country and unoccupied and that China had a big population which can be settled there. No figures, however, were mentioned then.

Q. 9. In 1958, were figures mentioned by Mao-Tse-tung?

A. Maybe. But regarding the extermination of religion, something was mentioned. The day before we left Peking in 1955, viz., February 12, 1955, we had an interview with Mao. He told us that religion was something bad. He said two things had to be considered: (1) that the progress of the country would be set back; and (2) that the population would decrease. He considered that a poison had been instilled into Tibet by Manchus by propagation of religion. I made no comment.

Q. 10. How many Chinese have crossed the effective boundary since 1950?

A. The total number of Chinese soldiers occupying the boundary since 1950, was 140,000, who along with their staff would come to 180,000. This excluded common people. The number of these

people cannot be exactly mentioned. In the eastern province the number settled would amount to about 20-30,000.

Q. 11. The population of Tibet has been variously estimated as follows :

- | | |
|---------------------------------|------------|
| (1) Sir Charles Bell | 15,000,000 |
| (2) Later census | 10,000,000 |
| (3) Mao's estimate | 12,000,000 |
| (4) At the time of the invasion | 3,000,000 |
| (5) Latest estimate | 1,200,000 |

Which is correct?

A. The actual population of Tibet is 7-10,000,000 in greater Tibet inclusive of smaller Tibet. In smaller Tibet it was a little over 3,000,000 on a rough Government census in 1947. The bigger figure of 7-10,000,000 was estimated from this smaller figure.

Q. 12. The 1951 agreement was signed by the then Governor of Chamdo. Was he an authorized delegate? I am asking because he was captured.

A. Yes, he was authorized.

Q. 13. Were the other signatory delegates sent from Lhasa?

A. They were sent from Lhasa. They were not captured.

Q. 14. Your statement at Mussoorie mentions that the 1951 agreement was signed under coercion. Was there any public repudiation of this agreement?

A. Up to March 10, 1959, the Chinese were in complete control of Tibet and there was no public repudiation. On March 10 there was public repudiation and this was done by the General Assembly consisting of the officials and the public, mainly the public.

Q. 15. Where did this meeting take place?

A. This meeting took place at the Norbulingka Palace for 3 days and later till the 17th at Shol. The outward policy of the officials was that they would seek a settlement with the Chinese. Inwardly they were with the people. Official announcement of repudiation was made on the 17th.

Q. 16. Under what circumstances were the three letters written to the Chinese and for what purpose?

A. The main reason for writing these letters was the situation of the moment. A peaceful settlement could only be achieved by sending these letters. The *kashag* also wrote two letters.

Q. 17. At that time was there any pressure on you to place yourself under Chinese protection?

A. They had not asked us to surrender, but they had suggested to us to come to the military headquarters and stay there.

Q. 18. Would it be correct to say that these letters were written to gain time?

A. Yes.

Q. 19. Did you think that you would be held a prisoner if you went to the Chinese camp?

A. At the time the Chinese General had asked, it was quite impossible to go because people would have prevented this step. We were also afraid that we may be used as a tool to make statements to deceive our people.

Q. 20. What was the immediate reason for the bombardment of the palace?

A. The first shelling on the 17th took place because there was a large number of people on the highway who tried to intercept the Chinese who were in the trucks and to frighten them the Chinese resorted to firing. The second firing took place because the Chinese were apprehensive that there were armed people in the palace and they did not want them to gain contact with the people outside.

Q. 21. Was there any ultimatum given to you to surrender?

A. There were two warnings to the effect that unless we and the *kashag* came to the military camp and took the responsibility of quelling the uprising they would start bombardment.

Q. 22. What was the immediate reason for your leaving Tibet?

A. The reason for our leaving was a message we received through Norbu to the effect that the Chinese General wanted to know where we and our *kashag* were staying and also the information that the Chinese were determined upon the liquidation of the population inside those palaces. The two shells were fired in the morning of the day we left.

Q. 23. Were you afraid that you would be taken prisoner by the Chinese?

A. Yes, and also our life was in danger. Of course in Lhasa they would not declare openly that they (the Chinese) disliked us. In 1958 in the province where we were born, they had forcibly removed all my portraits from houses and had proclaimed their dislike for us in certain places.

Q. 24. In 1956 when you were in India it was stated that you did not wish to return to Tibet because of the attitude adopted by the Chinese. Did you ask for asylum in India?

A. Yes, we had mentioned to Prime Minister Nehru that the Chinese were not keeping to their promises and that therefore we had no desire to return to Tibet. We went back because of the advice of the Prime Minister. He also had a talk with the Chinese Premier,

Chou En-lai, and Mr. Nehru told us that the Chinese Premier had promised complete autonomy for Tibet and that he had stated that the Chinese had made a mistake in eastern Kham and they would not again make the mistake of thrusting reforms on Tibet against the wishes of the people. So Mr. Nehru advised us to return.

Q. 25. Was there mass sterilization by the Chinese?

A. Yes. In 1957.

Q. 26. Where can we have information about this?

A. The information is being put in a statement and will be sent to you.

Q. 27. Was it on a large scale?

A. Yes. On quite a large scale. Two or three villages were completely sterilised.

Q. 28. Was it because of any bad diseases like leprosy or venereal disease?

A. No, not for any such reason.

Q. 29. You mentioned in the press statement about reforms which you contemplated and the Chinese obstruction to those reforms. What happened?

A. The Chinese wanted to have the reforms in their own way and did not want us to forestall them or carry out any reforms.

Q. 30. What reforms did you intend?

A. We wanted to bring about reforms in land holdings, in keeping with the Tibetan circumstances and traditions which would have been better than what the Chinese are attempting now. The Chinese were opposed to these. So we did not proceed further.

Q. 31. What land reforms were contemplated?

A. They were first contemplated in 1954. The first one was to reduce taxation. The second was debt-relief.

Q. 32. Were the lands in Tibet held by small peasant holders? I thought it was mostly held by monasteries.

A. There are four types of land holdings : Government, private and official, monasteries and peasant proprietors. The monasteries held most of the land. We cannot give you the exact percentage.

Q. 33. Would this amount to land reform when the percentage of peasant holdings was admittedly small?

A. The proposal was to take away the holdings of private owners and officials after allowing them to retain sufficient for their maintenance and to compensate them appropriately.

It was further contemplated to distribute the land to the actual tillers of the soil.

Q. 34. Were these reforms publically proposed?

A. They were not publicly announced. They were discussed with the Chinese who objected to them.

Q. 35. Can it be said that after 1950 nothing could be done if the Chinese objected to it?

A. Yes, except for minor matters. All major policy decisions had to be taken with their approval.

Q. 36. In 1952 the Chamdo region was separated and put under The Chamdo Liberation Committee. Does it mean that it was separated from the Lhasa Government?

A. In 1952 the Chamdo region was separated from the Lhasa Government until the establishment in 1956 of the Preparatory Committee.

Q. 37. Was any area put under the Panchen Lama's Government?

A. The Panchen Lama's Bureau as such had no authority. But the Chinese tried to create a western region under the Panchen Lama. It was the intention to divide Tibet into three regions, with the central portion under Lhasa, the western under the Panchen and the eastern under Chamdo.

Q. 38. What did the Panchen Lama's Bureau represent?

A. The Panchen Lama had been assigned large areas of land. He had control over those and enjoyed certain powers in relation to those lands. But he had to consult the Central Government in all important matters.

Q. 39. Why were 10 members given to the Panchen Lama as opposed to only 15 given to the Lhasa Government?

A. That was the Chinese way to divide and rule.

Q. 40. Were the 15 persons allowed to the Central Government freely chosen?

A. The names had to be forwarded by the Central Government and the Chinese reserved the right to refuse the names.

But in this case all were accepted.

Q. 41. They were nominated by you?

A. Yes, through a special committee.

Written Answers by the Dalai Lama in Response to Questions

Q. 1. Between 1911 and 1934 what foreign representatives were in Tibet?

A. There was only the Nepalese representative who had been there previously, but no other foreign representative staying permanently.

In the year 1934 the Kuomintang Government sent a Chinese official Huang Mu-sung to pay ceremonial tributes after the death of the 13th Dalai Lama. He had applied through the Eastern Governor (Dachi Tethong-pa) for permission to come to Tibet which was granted accordingly. When the Chinese official returned to China he left behind a representative in Lhasa on the pretext of continuing friendly talks between Tibet and China.

We can prove that this representative had no voice in Tibetan political affairs. Since the Chinese representative remained in Lhasa, Britain also left a representative in Lhasa according to the Simla Treaty. In 1949 when the Chinese Communists announced the new Government in China, we suspected that the communists might consider the Kuomintang representative in Lhasa as their own representative. So we expelled the Kuomintang representative from Lhasa.

In 1940 when the 14th Dalai Lama was installed to the throne, the Chinese official (Wu Chung-hsin) asked through the Indian Government if he may come to Tibet by sea to attend the installation ceremony. He was permitted accordingly. He returned to China after the ceremony. The Chinese had sent two representatives to Tibet. Britain had also sent representatives to offer ceremonial tributes to the late 13th Dalai Lama and to attend the installation ceremony of the 14th Dalai Lama.

Q. 2. (a) How far was the Preparatory Committee constituted in 1955 representative of the Tibetan people?

A. The representatives of the monasteries and well known persons in the preparatory committee were selected by the Chinese according to their choice.

Q. 2 (b) Who are these persons?

A. According to our view there are only 15 appointed by the Tibetan Government and the rest were all selected by the Chinese.

It was decided in Peking in 1955 that the Tibetan Preparatory Committee should be formed; it was also decided that it should consist of 51 members. These members were mostly selected and appointed in Peking, wholly according to their choice, and they referred to us the appointments to show that the Tibetan Government had been consulted. The majority of the people of Tibet were not asked or given power to select according to their choice.

The announcement that the 51 members had the right to decide important matters in the Preparatory Committee was only fictional. The Chinese authorities used full power to propose and plan according to their choice, and we just had to raise our hands to approve their proposals.

The 51 members of the committee were as follows : 15 from the Tibetan Government : His Holiness, Tutor Trichung Rimpoche, Surkhang, Ngabo, Shanka, Nayshar, Gatang, Lobsang Samten, Khemey, Sampho, Khandrung Talama, Phala Denchi, Tsipon Namling, Monling, Rongpal Lhun;

10 from Tashi Lhunpo as follows : Panchen Rimpoche, Chigigme, Lhamon, Talama Nyagwang Jinpa, Dangchin Lasang Gyaltsen, Delekrubten, Rimshi Hawa Pawathon, Rimshi Danthun, Khenchung Daten, Dhonkhang Sonam Tobgyal;

5 Chinese members : Chang Kuo-hua, Wang Chi-mèns, Tan Kuan-san, Fan Ming, Mu Shung-chung.

10 from Kham as follows : Phugcha, Takyup, Phuntsog Wangyal, Visir Gyattsen, Achok, Pomda Tabgyal, Karupon Tsewang Dorji, Pomi Sonum, Har Gyalsey Sonam Gyaltsen and Riche Phugchok.

The well known persons nominated to the Committee were Yapshi Langdon, Tamnyen Thubten Nima, Telhun Tengya, Yapshi Tsering Dalma, Dedhuwa Khensur Sirchi, Khensur Lhunthub, Gaden Taksok Trulku, Tashi Lhunpo Tutar, Tsaubu Karma, Sakya Dakchen, Monling Chung Richpodi.

In order to deceive the foreign people and the Tibetan people that His Holiness really possessed his status, he was invited to attend the meetings. The decisions on the issues before the meetings were really arrived at beforehand by the Chinese; so His Holiness had no power except to approve and sign. Similarly the other Tibetan members and functionaries high or low, big or small, had no power at all in the work of the Preparatory Committee.

Q. 3. Is it correct to say that the Chamdo region was detached from the administration of Lhasa and put under the administration of the Chamdo Liberation Committee? If so, were any protests made by your Government against this step?

Could you give some idea as to what the Chamdo Liberation Committee was and who the leaders of that Committee were?

A. In the year 1949, the Tibetan Earth-Ox year, Communist China began its careful preparation for the aggression of Tibet. Their first move was the concentration of large forces at Kedo, Denkhog, Derge Kamthog, Ba and Yuman. While full scale preparation for this invasion of Tibet was being carried out, to gain time, the Chinese Communists sent Getak Tilku to negotiate a peaceful settlement. But this was only to deceive the Tibetans, for soon after, although negotiation was being conducted, they suddenly launched an attack on Danchokargon, looted the Tibetan Government's wireless station and forcefully arrested the two operators.

In 1950 in the 3rd month of the Tibetan Iron-Tiger Year the Communists attacked our patrols and killed Rupon Bangargpa of the Gadang regiment and many soldiers and militarymen of Shotu Thosium district occupying all the Tibetan territory in Denkog area. Then in the eighth Tibetan month Tibetan territories namely Chaksamkha, Samsar Erponang, Lhathop, Denkag, Derge Kamthak, Markham, Tsachu and Tsawarong were simultaneously attacked by large number of Chinese forces. Consequently, the Commissioner of Domey (Eastern Tibet) province sent a special communication to Nangchen and Ba stating that further violation of the Tibetan territorial integrity should not be committed. The negotiation between Communist China's ambassador in New Delhi and the representatives of the Tibetan Government, namely Tsiehag Khenchung Thubten Gyalpo and Tsipon Shakapa were being carried out. But the Chinese would not listen and continued their aggression slaughtering thousands of Tibetans; unable to withstand the Chinese pressure the Commissioner of Domey and his officials fled to a stage of one day's journey from Chamdo only to be besieged and arrested there. Their arms and properties were all confiscated and they were indoctrinated with Communist political songs.

Soon after the Chinese announced that a Domey (Chamdo) Liberation Committee was to be formed and all prominent personnel under the jurisdiction of Domey such as Chamdo, Daya, Pasho, Dzogang, Langdyong, Langan, Markham, Gojo, Tsalko, Derge, Denma, Lhathog, Richi, Gyatuen, Shado, Zetho, Shodzong, Palbar, Pomey, and Hortso districts of Tenchen, Setsa, Lhonem Trido, Nagsho Biru, Arzabesog, Dachen and Sakzong were instructed to attend the meeting where they appointed the heads and members of the Domey Liberation Committee. Although a few Tibetans were appointed as subordinates of the Committee they were people like Pangda Zoggyal who had been but a rebel to the Tibetan Government. The election was made entirely by the Chinese and the question of public opinion was completely ruled out.

Following the formation of such a Liberation Committee were set up branch offices of this committee where Chinese officials accompanied by forces took charge of administration in all these districts while all existing offices of the Tibetan Government were

abolished. There were a few Tibetans as members of the Liberation Committee but the factual situation was that they had no right to voice their opinion and the whole administration was functioned by the Chinese. The people of Kham soon perceived that the Chinese general policy was completely to exterminate the religion and the race of Tibet, hence the people both lay and monk, unable to bear such inhuman deeds, are even to this day fighting against it.

**Oral answers by the Dalai Lama to questions put
by the Legal Inquiry Committee at Mussoorie,
India, on November 14, 1959**

Q. Chairman : The Chinese have stated that in 1950 they came to “liberate” Tibet from foreign Imperialists. Could you tell me how many foreigners were there in Tibet in 1950 before the invasion?

Ans. There were only very few foreigners at that time. This question has been answered in a detailed form by me already, but I would like to add a few words here. The Communist Chinese claim in 1950 that they were coming to “liberate” Tibet from foreign imperialist powers was merely an excuse. The charge that foreign imperialist powers were functioning in Tibet was totally baseless and untrue. There were no foreigners in Tibet at that time except a very few who were officially under the Tibetan Government’s employment, and diplomatic representatives of the neighbouring countries Nepal and India. These two representatives have been in Tibet since a very long time ago. There were also Indian Trade Missions at Gyantse, Yatung, Thoengari (Gartok, Western Tibet). The Trading Missions had been recognized by the Tibetan Government under proper agreements between them and the countries of the Trade Missions, viz. India and Nepal. Besides, there were accredited Nepalese officers at Shigatse, Gyantse, Nyarong and Kytung. These officers were known as “Ditas” and were authorised to look after their own subjects only. In every country there are duly authorised representatives of various outside states. In Peking too there are representatives from many countries. Does Peking Government consider those diplomatic representatives as “foreign imperialists”?

Among the foreigners employed by the Tibetan Government were two Englishmen who were serving as Wireless Operators. They were Messrs R. Fox and Robert Ford (the latter was captured in Tibet by the Chinese Communists during their military occupation of Tibet). Then there was Mr. Nebiloff, a white Russian, who was employed by the Tibetan Government as an electrical engineer. The remaining two foreigners were Heinrich Harrer, an Austrian and Peter Aufschneiter, a German. The former was engaged for the construction of some irrigation canals in the southern part of Lhasa, and the latter was employed as Chief Adviser for a new power-house project in Lhasa. The Chinese have been carrying on a great

deal of propaganda regarding their work in constructing power projects in Lhasa. This was really nothing more than a continuation of the work which the Tibetan Government themselves were unable to do after, and because of, the Communist Chinese invasion. A large quantity of equipment for the power-house had been ordered from England by the Tibetan Government and had actually arrived before the Chinese army marched into Tibet and occupied the country.

Q. Chairman : In your Holiness' Appeal to the UN dated September 8, 1959, you state " First, they have dispossessed thousands of Tibetans of their properties . . . ". According to Chinese sources very few Tibetans possessed any properties, the majority of them being serfs. Could you, therefore, elaborate your statement?

Ans. It is unfair and untrue for the Chinese Communist Government to state that the majority of the Tibetan people are serfs and that very few Tibetans possessed any properties. I do not mean to say that there is no poverty in Tibet; indeed there is, as there is poverty in many countries of the world, but the number of destitutes is not so large. The Communist Chinese Government have grossly exaggerated the number of the poor people in Tibet. Considering the population of Tibet, I feel that the number of poor people there will constitute only a very small percentage. Many Tibetans may appear to be in straitened circumstances outwardly, because they, due to the rough condition of living, the climate and terrain, are not well-dressed. Their shabby outward appearance does not necessarily prove that they are either poverty-stricken or are serfs. Some of these persons may be reasonably well-off. There was an instance of a very shabbily-dressed person actually having made donations to a group of almost 20,000 monks.

I shall briefly refer to the living conditions of the common mass of the people of Tibet. Almost every Tibetan engaged in agricultural occupation, however poor he may be relatively, has in his possession a minimum of 5 to 6 cattle and about 30 sheep. The land that is available to him for cultivation is of an extent that would give him an annual yield of 100 to 150 "khaes" of barley, approximately equivalent to 40 to 60 maunds (2½ khaes are approximately equal to one maund). The well-to-do farmers obtain an annual yield of a few thousand khaes of barley and cash savings of about 10 to 20 thousand rupees in Indian currency. A Tibetan who may be commonly described as a "nomad" may possess anything up to 1,000 yaks and 10,000 sheep. There is no need for me to mention the living standards of the Government officials, the lamas, business people, "nomad" chiefs, village heads etc., all of whom are in a position to have a comfortable living. If China claims that the majority of Tibetans are utterly poor, then I would like to state truthfully that since about 1955, no less than ten thousand Chinese Communist military personnel and about forty thousand Chinese civilians have depended on the Tibetans for their livelihood.

Q. Chairman : In the same document you state: "Third, they have adopted cruel and inhuman measures for the purpose of sterilizing Tibetan men and women with a view to the total extermination of the Tibetan race". Could you furnish us with details of these measures and the extent and areas in which they were used?

Ans. My statement regarding the Chinese Communists having sterilized Tibetan men and women is true, although these measures have not yet been practised in all parts of Tibet. Chuni (population 2,000) in Amdo province, is one of these places where these cruel acts were committed for so-called experimental purposes. The Communist Chinese adopted these measures under the pretext of preventing certain epidemic diseases. They administered certain injections on men and women in order to make them impotent. They also forced upon them certain other treatments to make the male and female reproductive organs functionless. As evidence of this we have about 10 persons among the Tibetan refugees in India who had personally experienced such treatments. The treatment had resulted in several deaths in Chuni.

Q. Dr. Thompson : There is a difference in law between knowledge and belief. Therefore (a) is it possible to interrogate any of these people, (b) are you in touch with any of these people who can furnish information?

Ans. Yes. It will be possible to produce some of the men concerned from amongst the refugees for medical examination. Unfortunately, it will not be possible to produce any women as there are none among the refugees.

Q. Dr. Mookerjee : Will it be possible to produce more than two or three with evidence as to particulars?

Ans. Yes.

Q. Chairman : In your News Conference on June 20, you stated that five million settlers arrived in Eastern and North-Eastern Tso. Since when did this settlement commence? How could such large numbers be settled on land which we understand is far from productive?

Ans. I admit that technologically and industrially our country is very backward; but this does not mean Tibet is short of foodstuffs. In the matter of food we are completely self-sufficient. Until recently, foodstuffs were not included in our import list. Due to the high altitude and the cool dry climate of Tibet, we can preserve food-grains in good condition for long periods, even 25 or 30 years. Because of the vast area of Tibet and the scanty population, food is only a minor problem for the Tibetans.

Chinese settlement in Tibet started a few years ago. They had no problem in feeding these settlers because they have confiscated

large quantities of foodstuffs which had been stored by Tibetans in various parts of the country. It is true that 5 million settlers cannot all depend on Tibetan food stocks permanently. Therefore, these settlers have already begun intensive cultivation in the Kulmuk area with modern farming equipment. As for meat, the northern parts of Tibet have vast resources of yaks, sheep, goats and wild animals. In the lakes fish is available in abundance. Tibet has sufficient potentialities which, if developed can easily yield food for five million people. There are several large areas in Tibet which are very fertile.

Q. Dr. Thompson : What conclusions do you draw from such a large number of settlers?

Ans. As I have stated in my written statement, I feel that since the country is scarcely populated, such large scale immigration of Chinese will be dangerous to the Tibetan race.

Q. Mr. Seni Pramoj : Could you give us the number of Chinese emigrants before 1950 and after 1950?

Ans. It is not possible for me just now to give figures but the majority of these settlements were between 1955 and 1956.

Q. Mr. Pramoj : How did the settlers behave with the Tibetans? What attempt has been made to assimilate the Tibetans? In other words, did they bring their women or did they marry Tibetan women?

Ans. The Chinese have brought in both men and women and they have also tried their best to inter-marry.

Q. Mr. Pramoj : Of the children deported to China, have they been indoctrinated and sent back or have they disappeared?

Ans. Some of the children completely disappeared, whilst some came back.

Q. Mr. Chatterjee : Could you give the total number deported and the total number that came back?

Ans. I cannot give the exact number, as the children were sent from all parts of Tibet.

Q. Dr. Mookerjee : Could you give us approximate figures?

Ans. To my knowledge about 10,000 children were taken to China. To give a particular place, about 3,000 to 4,000 were taken from Lhasa alone. Of these about 500 have returned and there is no news as to the rest.

Q. Mr. Pramoj : Were they taken forcibly? What do the 500 who returned do now?

Ans. Of the children taken to China the majority of them were taken against their will. Among the 500 who returned are two classes. The majority of these are resisting the Chinese.

Q. Dr. Mookerjee : Are they available to be questioned?

Ans. Yes, there are many in India and they will be available.

Q. Dr. Mookerjee : Since when were they sent to China? In 1950 or after that? Has the number increased afterwards?

Ans. There were quite a large number sent in 1953 but since the March 10, 1959, their number has increased considerably.

Q. Dr. Alafriz : Have you got any official Chinese documents, decrees, etc., to prove genocide or violation of human rights? Could you place it before the Committee?

Ans. Yes, I have got documents relating to extermination of religious rights.

Q. Dr. Alafriz : Please look on page 149 of the interim report.¹ Could you give us details of the revolt in February 1956? Was poisonous gas used by the Chinese?

Ans. In 1956 in Eastern and North-eastern parts of Tibet children and women were massacred. I am not sure of the poisonous gas, but I am still investigating the fact.

At this stage, the Chairman informed the Committee that Mr. Lukangwa, one of the leaders, has been addressed on the subject for details.

Q. Mr. Chatterjee : Please look on page 193, paragraph 4 of the interim report. What was the danger that the Dalai Lama expected?

Ans. Happenings round about the frontiers and the happenings in Lhasa up to 17th March, 1959 led me to expect danger to my person.

Q. Chairman : Were Communist "reforms" carried out or attempted to be carried out in any part of Tibet? If so please give us some details.

Ans. The Chinese Communists certainly attempted through every means available to them to carry out their so called "reforms" in the whole of Tibet. They did not succeed fully because of Tibetan resistance. The Tibetans became aware, seeing the results of the Communist regime in China, that these "reforms" instead of improving their condition, would cause a deterioration in it and bring misery and suffering to them instead of supposed happiness. No doubt, the Chinese forced their "reforms" in various places including Eastern Tibet, Amdo, and Kham, to a great extent, but the Tibetans continued to resist.

In the first stage of the "reforms", every weapon including even kitchen knives were confiscated from the Tibetans of the area

¹ I.e., *The Question of Tibet and the Rule of Law.*

concerned, in order to prevent any armed rebellion. Secondly, every item of individual property such as houses, sheep, horses and other cattle, etc., were confiscated. Thirdly land was taken under Chinese control and "People's Cooperative Communes" were established whereby land was divided into various sections and tillers were forced to labour in an inhuman way. The labourers were not permitted to enjoy the fruit of their labour. All the produce of the land was collected by the Chinese and the tillers were given totally inadequate rations. The only reward which the tillers got for their ceaseless toil was empty names and worthless medals. Fourthly, in the name of the "Struggle against Oppression" students were induced to beat up their teachers, children their parents, monks their tutors, and servants their masters. The so-called "reforms" did not in any way help the poor. They resulted only in lowering the living conditions of the richer people to the same level as those of the poor. The final outcome was that everyone, either rich or poor, found himself living in a state of constant fear and suffering.

Q. Chairman : According to Chinese sources, the Chinese in 1956 decided that no communist reforms would be carried out for a period of six years (see Report p. 56). Is it a fact that as a result of this "reforms" were postponed?

Ans. It was stated in the 17-Point Agreement of 1951, Article 11, as follows :

"In matters related to various reforms in Tibet, there will be no compulsion on the part of the Central Authorities. The Local Government of Tibet should carry out reforms of its own accord and, when the people raise demands for reforms they shall be settled by means of consultation with the leading personnel of Tibet."

This agreement was violated by the Chinese Communists themselves. "Reforms" were introduced in Kham and Amdo by force where no Tibetans had asked for those reforms. Harsh methods adopted by the Chinese, drove the Khambas and Amdos into revolt, and the uprisings in those areas caused much difficulties for the Chinese. Fearing similar consequences in the 'U' and Tsang provinces also if Communist "reforms" were introduced by force, the Chinese authorities officially announced in 1956 that "reforms" would be postponed for six years.

Q. Chairman : Could you tell us the policy followed there in respect of these reforms after your departure from Tibet?

Ans. My information is that since the events of March last my escape from Tibet, the Chinese Communist policy regarding 'U' and Tsang provinces has changed. Through the medium of a few specially chosen Tibetans, the Communist Chinese have announced that "reforms" would be carried out. There is now

no question of asking for the consent of the Tibetans themselves. "Reforms" are apparently taking place. Everyone is suffering except the few persons who are under the spell of Communist indoctrination. The personal properties of all those who are not under such influence have been listed and confiscated by the Chinese who have punished these people on totally false charges. The punishments were in many cases death through torture. In other cases the so-called "upper strata" people were subjected to beating by mobs. Some were exiled to China and others to unknown places. The majority of these people have, I understand, been sent for forced labour. Severe punishments have been meted out regardless of the sex or the age of the unfortunate people, whose suffering is indescribable.

Q. Chairman : It was stated by Shri V.K.K. Menon, the Defence Minister of India, in the General Assembly of the United Nations on October 22, 1959, that even now you continue to be one of the vice-presidents of the People's Republic of China. Is this correct?

Ans. In 1954 when the first session of the Chinese People's Congress was held in Peking, I was elected as one of the Vice-Chairmen of its Standing Committee. It seems that the Chinese have retained my name in that capacity during the Second Session of the Chinese People's Congress held in April 1959.

Q. Mr. Bentsi-Enchill : May I take it that the Chinese operations in Tibet were progressively increasing?

Ans. Yes.

Q. Mr. Bentsi-Enchill : Was there some measure of cooperation from the Tibetan Government?

Ans. The Tibetan Government tried to conciliate as much as possible.

Q. Mr. Bentsi-Enchill : Did you find any Chinese authorities sympathetic towards Tibetans.

Ans. None.

Q. Mr. Bentsi-Enchill : Concerning the removal of young Tibetans was the Tibetan Government asked to render assistance? Did they write any letter to the local Tibetan Government explaining why they want to remove the children to China?

Ans. In some areas the Chinese forcibly removed them. In some areas, they wrote to us to send the children through the Government.

Q. Mr. Bentsi-Enchill : Can we see those letters or copies of them?

Ans. None of those documents are with us.

Q. Mr. Bentsi-Enchill : What was said in those documents?

Ans. I cannot remember the details, but I can get everything recorded about what they indicated in the letters.

Q. Mr. Bentsi-Enchill : Did they indicate the age groups?

Ans. No.

Q. Mr. Bentsi-Enchill : When did they start Chinese settlements?

Ans. 1952

Q. Mr. Bentsi-Enchill : Where there any Chinese settlements in Tibet before 1952?

Ans. There were one or two Chinese traders in Lhasa, and some Chinese Tibetan.

Q. Mr. Bentsi-Enchill : Did the 500 children return to their families? Did they intend to make them communists?

Ans. Some have been returned to their families and some worked with the Chinese.

Q. Mr. Fernando : Are there any documents available proclaiming orders put out in public places by the Chinese Army?

Ans. I am not sure if I have understood the question correctly.

Q. Mr. Fernando : Before the period commencing March 1959, were any decrees or orders posted by the invading armies in market places, etc., threatening consequences for disobedience?

Ans. Yes.

Q. Mr. Fernando : Are the originals or copies of such decrees available?

Ans. No.

Q. Mr. Fernando : Could the Committee then have at least the gist of such proclamations in the form of a statement?

Ans. Yes. I can produce the gist of the proclamation by the Chinese.

Q. Dr. Thompson : Could His Holiness tell us about the Chinese Buddhist Association which is flourishing in China? Did the Tibetan monks agree with the views of the Chinese Buddhist Association?

Ans. This is a religious association in China. This association is only to make propaganda under the pretence that it has religion in China. For instance, in the monasteries in Peking there had been about 100 to 200 monks before but to-day there are only one or two left. So this association is nothing else but a communist front.

They have established a branch of this association in Tibet in 1956. I doubt the bonafides of the Association and its members.

Q. Dr. Thompson : Has it a religious purpose?

Ans. I doubt whether it has any religious purpose. This association does not make any distinction between the Chinese and Tibetans. This association is a Communist front.

Q. Dr. Thompson : Is it correct that the Chinese Buddhist Religious Association is Communist, whilst Tibetan Buddhists are not?

Ans. That is so, but they are increasing the Chinese Buddhist Religious Associations in Tibet.

Q. Mr. Chatterjee : Was the 1951 agreement made under pressure?

Ans. That is true.

Q. Mr. Chatterjee : What sort of pressure?

Ans. It is better if one of the signatories who is here answers this. (A written statement was received.)

Q. Mr. Chatterjee : Are you continuing to be the Chairman of the Preparatory Committee?

Ans. The Chinese are still continuing my name.

Q. Dr. Thompson : Could you give us some details about forced labour? In what conditions people had to work?

Ans. Some of the refugees who were involved will be made available for examination by the Committee.

Q. Dr. Mookerjee : Please see the report of the Interview of His Holiness with the Chairman (p. 25) of the file. Are there any documents available about the destruction of monasteries?

Ans. Yes. I have got the documents about the extermination of religious activities, and they will be sent to the Chairman as soon as possible.

Q. Dr. Thompson : The Chinese Government says that the people involved in the rebellion were reactionaries and imperialists agents. Were people involved in the recent uprising? Had it any mass appeal?

Ans. The recent uprising was not an accident. People were suppressed for the last so many years. It was not instigated from outside. It had mass support.

Q. Dr. Thompson : Was it instigated by the vested interests?

Ans. No.

Statement by the Kashag

1. In 1951 when the Chinese Communist troops invaded Tibet, a declaration was made by them, the Chinese authorities, that they have come into Tibet not as an enemy but as a friend to defend and protect the country and its people from external aggression. Subsequently, the people of Tibet with strong indignation took such steps as to stick notices which fiercely demanded the immediate withdrawal of Chinese Communist troops from Tibet and simultaneously the Mimang (People's) leaders strongly appealed to the Chinese authorities and to the *kashag* for the withdrawal of Chinese Communist troops from Tibet. Following these events, the Chinese authorities forcefully pressed us, the *kashag*, to utterly denounce the people's demand by making us stick *kashag* orders that all these stupid movements were a plot of some imperialist agents, whose influence have been used on the people.

2. In 1952 Sistap Lukhangwa and Lobsang Tashi were compelled to resign from their posts because they were being a mere obstruction to the Chinese in carrying out their plans. We were, on the other hand, forced to stick *kashag* notices which falsely explained their resignation, and further urged us to make false accusations even though they, Sistap Lukhangwa and Lobsang Tashi, were not at fault.

3. In 1953, in order to construct airfields and car roads from Siling to Lhasa and Shinchang to Gartok, the Chinese authorities accordingly compelled us to ratify *kashag*-orders to peasants to leave their normal vocations and attend immediately to the construction work.

4. In 1958, the Peking Government coerced us to dismiss the following nine persons from their posts as a reactionary clique. The persons are : Sistap Lukhangwa; Taktse Rimpochi and Gyalo Thondup, brothers of the Dalai Lama; Khenchung Lobsang; Tsepon Shakabpa; Tsedun Thupten Ninji, Champa Wandu and Champa Tsendu and Alochintse (who were in India). These people were expelled from Tibet and from amongst the Tibetan people. The Chinese authorities further compelled us to order the peasants not to support and co-operate with the resistance army.

5. The Chinese authorities constrained us to issue *kashag* orders to the resistance forces to surrender along with their arms, and further made us charge Gompo Tashi and Chagu Namgyal

Dorji as resistance leaders. On the contrary, Chagu Namgyal Dorji was, as we know, peacefully staying at a monastery, dedicating himself to prayers. Yet they forced us to accuse him falsely of being a reactionary leader. Meanwhile the Chinese have been telling Chagu Namgyal Dorji that the *kashag* was accusing him. This led to a fatal misunderstanding amongst the Tibetans themselves.

**Statement of the Dalai Lama to the Legal Inquiry
Committee at Mussoorie, India, on November 14, 1959**

Mr. Chairman and Members of the Legal Inquiry Committee,

I am glad to meet you this morning. I have carefully studied the Preliminary Report on the Question of Tibet published by the International Commission of Jurists. It is a matter of satisfaction to me that the Commission has gone to all this trouble to place before the civilized world not only the aspects relating to the position of Tibet under International Law but also the events and facts that lead to my being compelled to leave my beloved people and my country in the hope and expectation that by doing so I might be able to seek and obtain justice against the terrible oppression to which my people and my country are being subjected at the hands of the Red Chinese conquerors. I thank the Commission on the admirable and substantially accurate statement of the case of Tibet.

In spite of the painstaking accuracy of the statements in the report, a slight inaccuracy crept in. At page 87 it is mentioned an agreement between Tibet and Mongolia. The gist of the agreement is correctly set out. It is further stated on the authority of Sir Charles Bell that the authority of Dorgieff whose Tibetan name was Tsenshap Geshe Ngawang Dorgi (his name is not mentioned in the report) to enter into such an agreement with Mongolia on behalf of the Tibetan Government was repudiated by the Dalai Lama. I am sorry to say that the latter statement is not correct. Dorgieff was an accredited representative of the Dalai Lama. He, in fact, was also the negotiator on behalf of the Dalai Lama at St. Petersburg at the court of the Tsar in 1906.

Since the 13th Dalai Lama formally declared the Independence of Tibet in 1912 till the invasion in 1950, there was not even a semblance of Chinese authority in Tibet. I want to ask the world through you, gentlemen, as to how long it takes for a country to be considered independent. Is not forty years enough, after the last vestige of a past conqueror disappeared?

I also want to refer to the statements made at page 92. In the last paragraph the Chinese version as put forward by Tieh Tseng Li is set out. According to this in 1946 Tibetans participated in the Chinese National Assembly which drafted a constitution and in 1948 Tibetans were seated in the National Assemblies.

The fact is that a Tibetan Delegation was sent to India which later on proceeded to China. The purpose of the Delegation was to offer congratulations to the British Government and to the American Government on their victory in war. This they did in New Delhi and thereafter proceeded to China for a similar purpose. During the time when they were in Nanking the Constituent Assembly was meeting and the members of the Tibetan Delegation attended some sessions as visitors. It is not correct to say that they participated in the proceedings of the Assembly, nor did any authorised Tibetan sign the constitution when it was finalized. Similarly it was not true that any authorised Tibetan representative attended the National Assembly as a member. The representatives of the Tibetan Government, Khendon Losum, at Nanking attended some of the meetings again as visitors.

I also want to mention the fact that the delegates of 1946 travelled on Tibetan passports. In March-April 1947 when the Asian Conference was held in New Delhi, Tibet participated as an independent country. Thechi Sampho Tsewang Rigzin and Khenchung Lobsang Wangyal represented Tibet. The Tibetan National flag was flown at the Conference. Our representatives attended on the same footing as those of other countries. This fact is well known to everybody.

In 1948 again a Trade Mission headed by Tsepon Shakabpa visited U.S.A., U.K. and other European countries. The original passport of Shakabpa was produced before you, Mr. Chairman, and photocopies were taken by you. This passport of Shakabpa was issued in 1950 when he and Tsechak Thupten Gyampo were sent as Tibetan delegates to proceed to China for negotiations, prior to the invasion by the Communist Chinese.

I understand that in this inquiry that you have undertaken, you are mainly concerned with investigating how far there has been a violation of human rights by the Red Chinese occupiers and whether there is any evidence to show that there has been an attempt at genocide.

I am not a man learned in law and therefore you will forgive me if my understanding of the term "genocide" is not accurate. As I understand it, it is not necessary for the perpetration of genocide to destroy the major portion of the population. It is enough if an alien power, by such things as mass killings, deportations and immigrations, so changes the face of the country that the people become a minority, if such a policy is persisted in, and their religion exterminated, their culture destroyed and even their identity. In my News Conference held on June 20th, 1959 (see report page 200) I stated this was happening in Tibet.

As stated in that conference more than 65,000 were killed in fighting against the Red Chinese occupation forces. This happened between the end of 1955 to 1959. The Chinese Communists invaded

Tibet in the name of "liberating" Tibet. Liberation has come to those brave countrymen of mine who died fighting in the cause of Tibetan freedom. The rest of my country is enslaved by a foreign power known for its ruthlessness and expansionist policies. The heavy casualties were largely due to aerial bombing of areas where the freedom fighters were active.

There was a feverish highway building programme in 1952-54. A highway between Kham and Lhasa, a distance of 2,255 kilometers, was planned. The labour needed for this was forced Tibetan labour. On a section 229 kilometers long between Lhasa and Kongpo alone 15,300 Tibetans were forced to work. This can give you some idea of the magnitude of forced labour on road construction work. Much other highway construction was also going on. From among the Tibetan workers large numbers perished and numbers of them committed suicide owing to unbearable conditions.

In the attempt to impose reforms, there have been wanton killings, often of individuals and on many occasions large numbers of veritable massacres, in regions not readily accepting Communist China propaganda or resisting to be converted, with a view to terrorizing the people into submission. I understand that large numbers of refugees are submitting statements to your committee. I have not seen these statements. I am, however, confident that these statements will bear out what I am placing before you.

It has been reported to me that with a view to destroy the Tibetan race, sterilization of men and women has been resorted to.

Before my departure the Red Chinese have sent thousands of my countrymen to China by force.

Large scale settlement of Chinese has taken place in Eastern and North-Eastern Tibet as stated by me in the News Conference, (report page 200) and millions were proposed to be settled in U and Tsang provinces of Central Tibet. It was clearly stated to me while I was in Peking in 1955 that Tibet was a vast country with scarce population and China has a large population with insufficient land, so land and people should be exchanged. I understand that during the past few months this is being done on a considerable scale in Central Tibet. Once this is achieved my people will become a hopeless minority in my country.

Starting almost from 1956, there was a virulent propaganda against the Buddhist Religion. When there was resistance to this propaganda they destroyed monasteries. Destruction or looting of sacred religious objects, burning religious books; public humiliation, and imprisonment or killing of venerated religious leaders, large scale destruction of monasteries and dispersal of monks who were compelled to forced labour. Even Lord Buddha was not spared from vulgar propaganda. Several Chinese Communist officials openly stated

that religion is poison. In the report at page 43 an example of this has been cited. Such propaganda had become widespread.

(A) In the report on page 58 have been set out several heads dealing with the utmost seriousness and with all the authority at my command that every aspect of Human Rights has been violated by the Communist Chinese. I have already dealt with heads (a) and (b), part of (c) (h) (m) and (n). Perhaps in the statements submitted to you, you will find evidence of inhuman acts and torture inflicted on those who are unwilling to submit to the Chinese Communists. Such things were reported to me while in Tibet and on some occasions I had drawn the attention of the Chinese Communist authorities but to no purpose. I could only chafe under helplessness.

(B) Regarding (d) and (g) numerous instances have occurred when Tibetans have been turned out of their homes unceremoniously because accommodation was needed by the Communist Chinese for their troops, officials and officers, very often without compensation. Arbitrary confiscation for land, herds and other property became the rule of the day as the Red Chinese spread their tentacles over Tibet.

(C) Regarding (f), large numbers of monks were turned out of monasteries and forced to marry. Many of them were taught communist doctrine instead of religion.

(D) Regarding (i) and (j), Tibetans could only listen to Communist propaganda. The Mimang (the Tibetan people) in 1952-53 which grew in opposition to Communist Chinese occupation was suppressed and their leaders were jailed or deported. As stated by me in the News Conference (report page 200), in Lhasa this year after the uprising no more than two Tibetans were permitted to converse in the streets in Lhasa.

(E) Regarding (k) there existed in Tibet a National Assembly representative of the various sections of the people. After the Red Chinese occupation such an assembly met only on such occasions as the Chinese wanted a ratification of their policies; which the Assembly had no choice but to ratify. As an example the dismissal of Setsap Lukhangwa and Lobsang Tashi (acting Prime Ministers) which the Red Chinese demanded took place on an apparent demand of such an assembly. The last time such an assembly met was between the 10th and 17th March, 1959, this time not on Communist Chinese demand but spontaneously. This Assembly called for the repudiation of Communist Chinese authority and reassertation of Tibetan independence.

(F) As for (q), the only cultural life that a Tibetan could enjoy was such as that provided by the Chinese in their Communist propaganda, meetings and shows. Such schools as were opened were for the purpose of indoctrinating children and Chinese language was made compulsory.

Mr. Chairman and gentlemen, in this short statement I have endeavoured to tell you briefly the aspects of the questions with which you are concerned. The Chairman has sent me a detailed questionnaire. Answers to some of the questions have already been submitted and answers to the rest are being prepared. The Chairman had a long interview with me and some of my ministers at Mussoorie at which various questions were also answered. I am willing to answer any questions you may desire to ask and also to send the Committee such further information as may be within my power to give.

It seems that events in Tibet concern the world at large and particularly Asia. For example, how is it possible for a person infected with a contagious disease to avoid its contamination unless healthy persons, for their own safety, help the diseased person to recover? Moreover, it is possible for the healthy persons to be infected. There is no other way than legal and moral means of stopping inhuman acts in the world except by justice and peaceful means.

The world knows this and I hope your painstaking endeavour to bring in justice and fair play will be highly appreciated by the justice and peace loving people of the world.

I still request Mr. Chairman and members of the Committee for more thorough investigation and deeper understanding of what is happening in Tibet so that it may be conveyed clearly by the honourable members of the International Commission of Jurists to the people of the world.

May I hope that Tibet be restored its lost independence and the racial and cultural integrity of its people may be preserved in accordance with human rights.

Finally I want to thank you for taking the trouble to come here all the way and for listening to me patiently. I intended, as you know, to meet you in Delhi but circumstances prevented me from doing so. I am sorry for not being able to come down and save you the trouble.

I pray for peace and prosperity of the people of the world.

**Memorandum submitted to the International Commission
of Jurists by Mr. T. Shakabpa**

This memorandum purports to deal with certain important questions relating to Tibet. Although it does not contain any direct evidence relating to the recent events in Tibet, it has an important bearing on the problem.

1. In certain quarters a great deal of emphasis has been attached to the statements made by the Panchen Lama. In order to estimate the value of these statements, it is necessary not only to examine the historical position of the Panchen but also to refer to the antecedents of the present Panchen Lama.

The word 'Panchen' is a combination of Sanskrit and Tibetan words and means a great pandit. It is applied to many eminent scholars of Buddhism in Tibet. For example, Panchen Chhampa Lingpa, Panchen Yeshe Tsemo, Panchen Sangpo Tashi and Panchen Sonam Dakpa are a few of the many that had been accorded this title in Tibet. It was the fourth reincarnation, Panchen Losang Chhogen, who for the first time was accorded the title of Panchen and Abbot of Tashi Lhunpo monastery by the fourth Dalai Lama. Here it is necessary to point out that the Tashi Lhunpo monastery was built in 1447 A.D. by the first Dalai Lama, Gedun Dupa. The Tibetan Government had granted landed properties to the Tashi Lhunpo, for the maintenance of this monastery. Beside this the Tashi Lhunpo did not possess or enjoy any other privilege, especially in the political field, and was completely under the administration of the Central Government. From this fourth Panchen Lama the title Panchen has been inherited by all the reincarnations of this Lama to the present 10th Panchen Lama.

In 1904 when the Younghusband expedition came to Lhasa the 13th Dalai Lama gave charge of his administration to Gaden Tripa Losang Gentsen, as regent, and escaped to Mongolia. The 9th Panchen Lama went to Gyangtse to meet the Younghusband expedition so as to establish relations with the British and later even went to Calcutta to strengthen these relations. Then after the return of the 13th Dalai Lama in 1910 the Chinese Manchus attacked Tibet. The Dalai Lama once more had to give charge of his Government to Gaden Tripa Tsomunling Hutothu and his assistant Khenche Khenran Phuntsok, and escaped to India. The Panchen Lama

once again took advantage of the situation and established relations with the Manchu authorities in Lhasa and completely ignored the Tibetan Government. But in the following year 1911 the Tibetan Government and people rose in rebellion against the Chinese and by 1912 the Manchus were completely driven out of Tibet. In the autumn of 1912 the Dalai Lama returned to Tibet and on 16th December made a declaration of Tibet's independence.

When this change took place the Panchen Lama found himself in a most difficult position because his past actions had been very embarrassing, and soon after he fled to China with some of his followers. In China the Panchen Lama remained under the protection of the Nationalist Government. In 1933 His Holiness the 13th Dalai Lama expired. In 1935 the Panchen Lama asked the Government of Tibet for permission to return to Tibet, and the Tibetan Government informed the Panchen Lama that he and his followers would be permitted to return on the condition of good behaviour. The Chinese Government now sought to use this opportunity to bring into Tibet about 20 Chinese officials and 300 soldiers as escorts for the Panchen Lama, but this was rejected by the Tibetan Government. The Chinese Nationalists again approached the Tibetan Government giving assurance that the Panchen Lama's Chinese escorts would travel directly to Shigatse by the northern route and would return to China within one month after the Panchen Lama's arrival at Shigatse. The Government of Tibet once more made their position clear by informing the Chinese that the Panchen Lama and followers would be free to return to their monastery but unaccompanied by Chinese officials and troops. It was further stated that if the Chinese insisted on sending their escorts it would be most unfortunate because the Tibetan Government had already instructed their frontier patrols to resist any such move. After this the Chinese realised there was no further hope and so withdrew all their officials and escorts who were accompanying the Panchen Lama. Soon after this the Panchen Lama expired at Chekudo before he could return to Shigatse and his followers went to eastern Kham. In Kham the Panchen Lama's officials did not get on well with the Chinese commissioner Lu Tse-chen. The result was they found themselves in two groups, one fled to Chinghai province in China while the other, together with the coffin of the Panchen Lama, returned to Tibet for protection.

Then the question of reincarnation came up. There were two candidates claimed as the reincarnation of the Panchen Lama. One was born in Amdo and the other in Kham. The Tibetan Government issued instructions that both candidates be brought to Lhasa where they would go through certain religious tests, as always practised, and from this the real Panchen Lama would be identified. But unfortunately before this took place the Chinese Communists had taken control of Amdo area where one of the candidates was

born. Moreover, the officials of the late Panchen Lama who were also in this area abducted this candidate and voluntarily surrendered to the Chinese Communists, claiming that he was the real Panchen Lama. Soon after, the Communists began their invasion of Tibet and in the year 1951 when the so-called 17-point agreement was signed under duress the Tibetan Government was also forced to recognise this candidate from Amdo, although he had not fulfilled the customary religious tests. In 1952 this Panchen Lama claimed that he was the 10th Panchen Lama and returned to Tashi Lhunpo accompanied by a large number of Communist troops. The other candidate was put in the Tashi Lhunpo monastery by the Tibetan Government, as an ordinary Lama. A few years later this candidate while travelling to India for pilgrimage was captured by the Chinese Communists at Yatung, and since then no one knows where he is or whether he is still alive.

From the foregoing account it will be abundantly clear that the present Panchen Lama owes his position and prestige to the Chinese Communists. Without their active support he could not rightly claim to be the Panchen Lama as he did not satisfy the religious tests without which no such claim could lawfully be made. Therefore, the present Panchen Lama is completely under the control of the Chinese Communists. Whatever statements are made by him are strictly in accordance with the instructions of the Chinese because he himself is not free to express his own opinion.

2. References have also been made to the question of serfdom in Tibet. It must, therefore, be pointed out that serfdom does not exist in Tibet in any form whatever. As in other Asian countries, the land ultimately belongs to the State and has for long been granted, partly in large estates, to persons who have rendered distinguished services to the State and to monasteries; and these in return pay revenue, mostly in kind, and also render services. The monasteries serve the State by prayers and religious ceremonies; the other landlords by acting as officials and conducting the administration. The largest portion of the land is, however, held by peasant proprietors who pay revenue direct to the Government and have no other obligation of any kind. On the large estates of monasteries and landlords the tenants themselves hold separate lands for the support of their families. They either pay rent in kind to the landlord or place at his disposal the services of one member of the family either as a domestic servant or as an agricultural labourer. The other members of the family have complete freedom. They are entitled to do any business or follow any profession or join any monastery or work on their own land. In 1909 the 13th Dalai Lama issued a Regulation conferring on all tenants the right to appeal directly to him in cases of mal-treatment or oppression by a landlord.

3. In view of certain recent statements it is also necessary to point out that the existing laws of Tibet do not recognize any cruel or inhuman punishment of criminals. In 1898 a law was enacted with the sanction of the 13th Dalai Lama which not only abolished capital punishment but also prohibited any kind of physical mutilation as a punishment of criminals except in cases of treason and conspiracy against the State. There may have been cases of infringement of this law in the past, but these were very exceptional and all such infringements were severely dealt with by the central authorities at Lhasa.

4. A great deal has also been said about reforms in Tibet. When the present Dalai Lama took over the reins of government on attaining majority, he attempted to introduce several far-reaching reforms. In the first place, he proposed that all large landed estates belonging to private individuals and monasteries should be acquired by the State on payment of compensation and distributed amongst the peasants and agriculturists. But the Chinese authorities refused to allow these reforms to be brought into force. Frustrated by Chinese opposition, the Dalai Lama created a special organization for the purpose of introducing such other reforms as were considered necessary. It was this organization which was responsible for reduction in the land tax with the approval of the Dalai Lama. His Holiness also sanctioned the proposal submitted by this organization that the debts incurred by peasants and tenants along with the interest due from them should be entirely cancelled. It had always been the practice of the State to advance money or grain to peasants for the purpose of cultivation and other agricultural work, and the sums thus advanced had not been repaid and now constituted a heavy burden on the peasantry. The reform was, therefore, intended to relieve the peasantry of this burden and to establish it on a firmer footing. Similarly, under the old system as elsewhere in Asia, all landowning persons were required to provide Government officials travelling on duty with means of transport without any payment. This was considered to be an unfair charge and the Dalai Lama brought the system to an end and ordered that in future all transport charges were to be paid according to the schedule prescribed by the Government. The new organization was also authorized to receive and hear complaints against district or local authorities. Not satisfied with these reforms, the Dalai Lama asked his Cabinet to take up with the authorities the proposal previously made by him for the acquisition of large estates belonging to private individuals and monasteries on payment of compensation and their distribution amongst the peasantry. The Chinese authorities were accordingly approached on many occasions between 1956 and 1958 but these efforts were of no avail as the Chinese were opposed to any kind of reform being introduced by the Government of Tibet.

APPENDIX III

Official Documents

DOCUMENT No. 1

The attitude of the British Government to Chinese claims in 1912

The American Minister to the Secretary of State¹
AMERICAN LEGATION,
Peking, August 31, 1912.

From the Foreign Office I learn that on the 17th instant the British minister presented a memorandum that recognizes China's suzerainty, not sovereignty, over Tibet; objects to Chinese action during the last three years in interfering in the internal affairs of Tibet; declares this interference to be opposed to the spirit of the 1906 treaty, which demands joint action by Great Britain and China; and declares that until China agrees to these demands the British Government can not recognize the Republic and will forbid the entrance of Chinese into Tibet via India.

Calhoun.

¹ *Papers relating to the Foreign Relations of the United States—1912*; (Washington Government Printing Office—1919), p. 86.

**Efforts to establish a supply route to China through Tibet.
Attitude of the United States towards status of Tibet.¹**

The Director of the Office of Strategic Services (Donovan)
to the Secretary of State

Washington, July 2, 1942

My dear Mr. Secretary: Two of our men, Captain Ilia Tolstoy and Lieutenant Brooke Dolan, are being sent on a mission via India and Tibet to General Stilwell² in China.

This office, therefore, requests that the State Department should instruct the head of its diplomatic mission in New Delhi, India, to expedite the obtaining of a permit from the British authorities in India for Ilia Tolstoy and Brooke Dolan to enter Tibet, by way of India, and to be allowed freedom of travel in Tibet in so far as the British are able to grant it without the necessity of returning to India.

Our military authorities in India will verify and confirm this mission to the State Department representatives in New Delhi in order that negotiations with the British authorities, civil and military, may be facilitated.

This mission is of strategic importance and we hope will prove of long term value in the furtherance of the war effort in the Asiatic theatre.

We are keeping this project most secret and we feel it desirable to avoid any mention of the military status of these two men in any negotiations. When they personally contact American State Department and Military authorities in India, the matter can be discussed and arranged in fullest confidence with the British. Certain British authorities in India are already informed as to the nature of their mission.

Respectfully,

William J. Donovan

¹ *Foreign Relations of the United States—Diplomatic Papers—1942 China*; Department of State Washington—U.S. Government Printing Office, Washington, 1956; p. 624 et seqq.

² Lt. Gen. Joseph W. Stilwell, Commanding General, U.S. Army Forces in China, Burma and India.

The Secretary of State to President Roosevelt.

Washington, July 3, 1942.

Colonel William J. Donovan, Director of the Office of Strategic Services, is sending two members of his organization on a special and confidential mission to China via India and Tibet. It is believed that the work of the mission in Tibet would be greatly facilitated if you were to provide it with a letter of introduction to the Dalai Lama of Tibet. A draft of such letter is attached³. The letter is addressed to the Dalai Lama in his capacity of religious leader of Tibet, rather than in his capacity of secular leader of Tibet, thus avoiding giving any possible offence to the Chinese Government which includes Tibet in the territory of the Republic of China. It is understood that Colonel Donovan is getting in touch with your office with regard to the form of delivery of the letter, if approved by you.

Hull

President Roosevelt to the Dalai Lama of Tibet.

Washington, July 3, 1942.

Your Holiness : Two of my fellow countrymen, Ilia Tolstoy and Brooke Dolan, hope to visit your Pontificate and the historic and widely famed city of Lhasa. There are in the United States of America many persons, among them myself, who, long and greatly interested in your land and people, would highly value such an opportunity.

As you know, the people of the United States, in association with those of 27 other countries, are now engaged in a war which has been thrust upon the world by nations bent on conquest who are intent upon destroying freedom of thought, of religion, and of action everywhere. The United Nations are fighting today in defense of and for preservation of freedom, confident that we shall be victorious because our cause is just, our capacity is adequate, and our determination is unshakable.

I am asking Ilia Tolstoy and Brooke Dolan to convey to you a little gift in token of my friendly sentiment toward you.

With cordial greetings (etc.)

Franklin D. Roosevelt

³ Infra, as signed.

The Secretary of State to the Ambassador in China (Gauss)

Washington, July, 3, 1942 - 10 p.m.

592. The British Embassy has informally supplied the Department with a copy of a telegram from the British Foreign Office ⁴ in which it is stated that, in reply to further representations by the Government of India, Tibet has definitely refused permit for passage of supplies to China on the ground of desire to stay out of the war; that if necessary the British Government is prepared, in association with the Chinese, to speak plainly to Tibet and to threaten economic sanctions in order to change the Tibetan attitude, but feels that prior thereto the Chinese Government should do its part to facilitate Tibetan acquiescence, as Tibet's reluctance is believed to be largely due to fear of Chinese penetration; that the British Government asked Ambassador Seymour ⁵ to suggest to the Chinese Government that it give a definite and public undertaking of intention to respect Tibet's autonomy and to refrain from interfering in Tibet's internal administration; that, if the Chinese would do this, Great Britain would be ready to cooperate with them in exercising joint pressure; that it was pointed out that the British Government was asking no more of the Chinese in relation to Tibet than the Chinese had already strongly recommended to the British in relation to India, namely, free and willing cooperation in the joint struggle against aggression; and that subsequently Seymour reported that he had approached the Vice Minister for Foreign Affairs, ⁶ who had seemed at first sight to see nothing contrary to Chinese policy in the proposed declaration and who said that he would consider the matter and communicate again. For your information, it may be added that the telegram refers in two instances to Tibetan "independence" and in another instance to Tibetan "autonomy". It is not clear whether these words are used interchangeably or not.

We should appreciate receiving such information as you may have or be in a position discreetly to obtain with regard to the difficulties of supply via Tibet referred to by the British and such comments and suggestions as may occur to you. We of course desire that a practical solution be found of any existing difficulties. As you are aware, the Chinese Government has long claimed suzerainty over Tibet, the Chinese constitution lists Tibet among areas constituting the territory of the Republic of China, and this Government has at no time raised question regarding either of these claims.

Hull

⁴ Not printed.

⁵ Sir Horace James Seymour, British Ambassador in China.

⁶ Foo Ping-Sheung.

The Ambassador in China (Gauss) to the Secretary of State.

Chungking, July 13, 1942 - 11 a.m.
(Received 2 : 42 p.m.)

835. Department's 592, July 3, 10 p.m. Inquiry by Embassy discloses that the Tibetan authorities have agreed to the passage through Tibet of non-military supplies for China. The term "non-military" will not be strictly interpreted. Technical details have not yet been worked out. Transit through Tibet is practicable by pack animal trains making one trip a year but the amount that can be transported (maximum estimates place it at 3,000 tons annually) renders the project of minor importance as a supply route to China. The round trip requires 6 months and about half of the year travel is impracticable.

The Chinese have abandoned whatever plans they may have had for constructing a motor road and for stationing troops in Tibet, the former because the road would have no early value to the war effort due to the time required for construction and the latter because Tibetan opposition would certainly be encountered.

The Chinese plan to station technicians along the route to facilitate transportation. The Tibetan authorities are being assured that these technicians will not engage in any political activities; that they will be instructed to confine themselves to the matter of supervising transportation. The Vice Minister for Foreign Affairs states that this is as far as the Chinese Government is prepared to go in response the British suggestion mentioned in the reference telegram. The Vice Minister said there was no occasion for giving assurances regarding "autonomy"; that Tibet was considered a part of the Republic of China, but that China had no intention of altering the situation whereby internal administration in Tibet is in fact autonomous.

Gauss

Memorandum by the Chief of the Division of Far Eastern Affairs

(Hamilton)
(Washington,) July 18, 1942

Reference Chungking's 835, July 13, 11 a.m. and attached file in regard to questions relating to Tibet.

It would appear from Chungking's reference telegram that the Tibetan authorities have agreed to the transit of non-military supplies for China through Tibet, and that a strict interpretation will not be made of the term "non-military". It is believed that this information should be brought informally and orally to the attention

of the British Embassy through Mr. Hayter of that Embassy by the Division of Far Eastern Affairs.

It is further believed that we might orally and in strict confidence communicate to Mr. Hayter the information contained in and the views of the Chinese Vice Minister for Foreign Affairs expressed in the last paragraph of the reference telegram. We might at the same time mention that suzerainty over Tibet has long been claimed by the Chinese Government, and that Tibet is listed in the Chinese constitution among areas constituting the territory of the Republic of China, adding that this Government has at no time raised question concerning either of these claims. ⁷

M(axwell) M. H(amilton)

The Secretary of State to the Chargé in India (Merrell)

Washington, July 22, 1942 - 10 p.m.

371. The Office of Strategic Services of this Government is sending Ilya Tolstoy and Brooke Dolan on a mission to General Stilwell via India and Tibet. It is expected that these two men will depart from the United States for India by air in the immediate future. Please render them both all appropriate assistance for their journey through Tibet.

The Department understands that American military authorities in India will furnish you further details in regard to the matter and that some British authorities in India have already been informed.

Hull

Memorandum by the Counselor of Embassy in China (Vincent) to the Ambassador in China. (Gauss) ⁸

(Chungking,) July 30, 1942.

In my recent conversation with Dr. T. F. Tsiang, Director of the Political Affairs Department of the Executive Yuan, the question of transportation of materials for China via Tibet was briefly touched upon.

⁷ Marginal note by the Assistant Chief of the Division of Far Eastern Affairs (Smyth) : " Mr. Hayter called at the Department on July 21, 1942, and was informed along the lines of the above memorandum."

⁸ Copy transmitted to the Department by the Ambassador in his despatch No. 555, July 30; received September 1.

Dr. Tsiang told me in confidence that the matter had been discussed that morning at the weekly meeting of the Executive Yuan. He said that there seemed to be general agreement to eliminate from the transport project political consideration and factors. With this idea in mind it had apparently been decided to accede to the Tibetan request that no materials of war (munitions et cetera) be shipped in transit through Tibet from India to China. Dr. Tsiang said that, considering the annual capacity of the route, which he placed at 1,000 tons, the amount of direct war materials that could be brought in would be unimportant and that it would be just as well to utilize this route to transport medical supplies, gasoline, and other materials essential to the prosecution of the war. He explained that his figure of 1,000 tons a year was lower than the original estimated of 3,000 tons but that investigation had revealed that the previous figure had been much too high. In a conversation with Mr. Richardson, an Englishman attached to the Indian Agent-General in Chungking, who is familiar with transport conditions in India, I was told that the maximum annual capacity for transit materials would probably not exceed 700 tons.)

Dr. Tsiang recommended that, in order to overcome Tibetan fears that the transit of materials would be used as an excuse for Chinese political penetration, a commercial company be organized to handle transportation and that Tibetans and Indians as well as Chinese participate in the company. He indicated that his recommendation was favourably received by the Executive Yuan. It was preferable, he thought, to the British proposal that a joint Anglo-Chinese and Tibetan Commission be organized to handle transport.

Dr. Tsiang was interested in telling me of remarks Dr. Kung⁹ had made at the Executive Yuan meeting in regard to Tibet. Dr. Tsiang said that, at a recent committee meeting in regard to transit of supplies through Tibet, he had made the remark, in regard to Tibet's political status, that it was about time that Chinese relations with Tibet were put on a realistic footing and that Tibet be recognized for what it was — a "self-governing dominion". At the Executive Yuan meeting, Dr. Kuan had taken up the same theme. He had gone back into the classic period of Chinese history and ended with reference to the teaching of Dr. Sun Yat-sen to support his recommendation (identical with that of Dr. Tsiang) that Tibet be considered and treated in the Chinese political system as a self-governing dominion.

John Carter Vincent

⁹ H. H. Kung, Chinese Minister of Finance.

The British Embassy to the Department of State.¹⁰

Copy of a telegram from the Foreign Office dated the 15th August, 1942.

Government of India have been informed by the Chinese Commissioner there that the Chinese Government have accepted Tibet's stipulations in regard to the despatch of "non-military supplies" (which would include petroleum, but not arms, ammunition and explosives); that they had selected the Gyalam as the supply route with Batang as delivery point; and that they appeared to think that contract with Tibet transport firm must be negotiated by special representative of the Ministry of Communications.

2. The above, taken along with the Chinese attitude towards the suggested formal declaration of Tibetan autonomy, which His Majesty's Ambassador at Chungking has been informed "would present numerous difficulties", and their proposal to station Ministry of Communications experts to organize the service along the Tibetan section of the route, would seem to indicate that the Chinese are more anxious to extend their influence in Eastern Tibet than to obtain supplies which in any event they do not estimate at more than a maximum of 3,000 tons a year. Nevertheless we are pursuing organization of the route and have decided not to press for the declaration suggested. Our attitude of support for Tibetan autonomy still stands and we propose to continue to consult the Tibetan Government as and when necessary regarding detailed arrangements necessary in respect of the Tibetan section. In particular the Chinese proposal to appoint supervisors appears unnecessary, and it has been suggested to the Chinese Commissioner that any difficulties which might arise could be solved by joint intervention by the British and Chinese representatives at Lhasa.

3. The present position is that the Tibetan Government have now agreed *during the current year only* to the despatch from India for China of non-military supplies, preferably via the Changlam to Jyekundo, avoiding Lhasa, and as they cannot undertake to handle transport themselves they suggest that a contract be made with a Tibetan firm for this year only. As regards the appointment of Chinese technicians or experts, no such request has, they state, been received from the Chinese representatives at Lhasa and if made will be refused, since in the Tibetan Government's view neither British nor Chinese supervisors should travel up and down the supply route in Tibetan territory.

4. The time limit need not perhaps be taken too seriously. The main thing is to get supplies moving along this route and it

¹⁰ Handed to the Assistant Chief of the Division of Far Eastern Affairs (Smyth) by the Second Secretary of the British Embassy (Barclay) on August 27.

should be possible for the contract made with the Tibetan transport firm to run for one year with the option of renewal. The Chinese Government have now been asked to agree (a) to the selection of the Changlam as the main route and of Jyekundo as the delivery point, and to the stationing of a British representative at the latter place; (b) to dispense with liaison officers or supervisors; and (c) to delegation of authority to the British and Chinese representatives at Lhasa to negotiate a contract with Tibetan carriers.

(In a memorandum dated September 15, 1942, the Chief of the Division of Eastern Affairs (Hamilton) made the following comment :

“ It will be recalled that on July 21, 1942, Mr. Hayter of the British Embassy was informed orally and in strict confidence by Mr. Smythe of FE that suzerainty over Tibet has long been claimed by the Chinese Government, that Tibet is listed in the Chinese constitution among areas constituting the territory of the Republic of China, and that this Government has at no time raised question concerning either of these claims. (See endorsement on attached FE Memorandum of July 18, 1942.) It is accordingly believed that we need make no comment to the British Embassy at the present time with regard to the attitude of the British Foreign Office on the subject of Tibetan autonomy.”

**CONVENTION between Great Britain and Tibet. — Signed at Lhasa,
September 7, 1904¹**

WHEREAS doubts and difficulties have arisen as to the meaning and validity of the Anglo-Chinese Convention of 1890, and the Trade Regulations of 1893, and as to the liabilities of the Thibetan Government under these Agreements; and whereas recent occurrences have tended towards a disturbance of the relations of friendship and good understanding which have existed between the British Government and the Government of Thibet; and whereas it is desirable to restore peace and amicable relations, and to resolve and determine the doubts and difficulties as aforesaid, the said Governments have resolved to conclude a Convention with these objects, and the following Articles have been agreed upon by Colonel F. E. Younghusband, C.I.E., in virtue of full powers vested in him by His Britannic Majesty's Government, and on behalf of that said Government, and Lo-Sang Gyal Tsen, the Ga-den Ti-Rimpoche, and the representatives of the Council, of the three monasteries Se-ra, Dre-pung, and Ga-den, and of the ecclesiastical and lay officials of the National Assembly on behalf of the Government of Thibet :—

Art. I. The Government of Thibet engages to respect the Anglo-Chinese Convention of 1890, and to recognize the frontier between Sikkim and Thibet, as defined in Article I of the said Convention, and to erect boundary pillars accordingly.

II. The Thibetan Government undertakes to open forthwith trade marts to which all British and Thibetan subjects shall have free right of access at Gyantse and Gartok, as well as at Yatung.

The Regulations applicable to the trade mart at Yatung, under the Anglo-Chinese Agreement of 1893, shall, subject to such amendments as may hereafter be agreed upon by common consent between the British and Thibetan Governments, apply to the marts above mentioned.

In addition to establishing trade marts at the places mentioned, the Thibetan Government undertakes to place no restrictions on the trade by existing routes, and to consider the question of establishing fresh trade marts under similar conditions if development of trade requires it.

¹ *British and Foreign State Papers*, 1904-1905, Vol. XCVIII, pp. 148-151. Signed also in the Chinese language. Confirmed, subject to the modification contained in the Declaration of November 11, 1904, annexed, by the Convention with China of April 27, 1906.

III. The question of the amendment of the Regulations of 1893 is reserved for separate consideration, and the Thibetan Government undertakes to appoint fully authorized delegates to negotiate with representatives of the British Government as to the details of the amendments required.

IV. The Thibetan Government undertakes to levy no dues of any kind other than those provided for in the tariff to be mutually agreed upon.

V. The Thibetan Government undertakes to keep the roads to Gyantse and Gartok from the frontier clear of all obstruction and in a state of repair suited to the needs of the trade, and to establish at Yatung, Gyantse, and Gartok, and at each of the other trade marts that may hereafter be established, a Thibetan Agent who shall receive from the British Agent appointed to watch over British trade at the marts in question any letter which the latter may desire to send to the Thibetan or to the Chinese authorities. The Thibetan Agent shall also be responsible for the due delivery of such communications and for the transmission of replies.

VI. As an indemnity to the British Government for the expense incurred in the dispatch of armed troops to Lhasa, to exact reparation for breaches of Treaty obligations, and for the insults offered to and attacks upon the British Commissioner and his following and escort, the Thibetan Government engages to pay a sum of 500,000/.—equivalent to 75 lakhs of rupees—to the British Government.

The indemnity shall be payable at such place as the British Government may from time to time, after due notice, indicate, whether in Thibet or in the British districts of Darjeeling or Jalpaiguri, in seventy-five annual instalments of one lakh of rupees each on the 1st January in each year, beginning from the 1st January, 1906.

VII. As security for the payment of the above-mentioned indemnity, and for the fulfilment of the provisions relative to trade marts specified in Articles II, III, IV, and V, the British Government shall continue to occupy the Chumbi Valley until the indemnity has been paid, and until the trade marts have been effectively opened for three years, whichever date may be the later.

VIII. The Thibetan Government agrees to raze all forts and fortifications and remove all armaments which might impede the course of free communication between the British frontier and the towns of Gyantse and Lhasa.

IX. The Government of Thibet engages that, without the previous consent of the British Government—

(a) No portion of Thibetan territory shall be ceded, sold, leased, mortgaged or otherwise given for occupation, to any foreign Power;

(b) No such Power shall be permitted to intervene in Thibetan affairs;

(c) No Representatives or Agents of any foreign Power shall be admitted to Thibet;

(d) No concessions for railways, roads, telegraphs, mining, or other rights, shall be granted to any foreign Power, or the subject of any foreign Power. In the event of consent to such Concessions being granted, similar or equivalent Concessions shall be granted to the British Government;

(e) No Thibetan revenues, whether in kind or in cash, shall be pledged or assigned to any foreign Power, or to the subject of any foreign Power.

X. In witness whereof the Negotiators have signed the same, and affixed thereunto the seals of their arms.

Done in quintuplicate at Lhasa, this 7th day of September, in the year of our Lord, 1904, corresponding with the Thibetan date, the 27th of the seventh month of the Wood Dragon year.

(Thibet Frontier Commission.)	F. E. YOUNGHUSBAND,	(Seal of the Dalai Lama affixed by the Ga-den Ti-Rimpoche.)		
	<i>Colonel,</i>			
(Seal of British Commissioner.)	<i>British Commissioner.</i>			
(Seal of Council.)	(Seal of Dre-pung Monastery.)	(Seal of Sera Monastery.)	(Seal of Ga-den Monastery.)	(Seal of National Assembly.)

In proceeding to the signature of the Convention, dated this day the Representatives of Great Britain and Thibet declare that the English text shall be binding.

(Thibet Frontier Commission.)	F. E. YOUNGHUSBAND,	(Seal of the Dalai Lama affixed by the Ga-den Ti-Rimpoche.)		
	<i>Colonel,</i>			
(Seal of British Commissioner.)	<i>British Commissioner.</i>			
(Seal of Council.)	(Seal of Dre-pung Monastery.)	(Seal of Sera Monastery.)	(Seal of Ga-den Monastery.)	(Seal of National Assembly.)

AMPTHILL,
Viceroy and Governor-General of India.

This Convention was ratified by the Viceroy and Governor-General of India in Council at Simla on the 11th day of November, 1904.

S. M. FRASER,
*Secretary to the Government of India,
Foreign Department.*

CONVENTION between Great Britain, China and Tibet — 1914¹

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, His Excellency the President of the Republic of China, and His Holiness the Dalai Lama of Tibet, being sincerely desirous to settle by mutual agreement various questions concerning the interests of their several States on the Continent of Asia, and further to regulate the relations of their several Governments, have resolved to conclude a Convention on this subject and have nominated for this purpose their respective Plenipotentiaries, that is to say :

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, Sir Arthur Henry McMahon, Knight Grand Cross of the Royal Victorian Order, Knight Commander of the Most Eminent Order of the Indian Empire, Companion of the Most Exalted Order of the Star of India, Secretary to the Government of India, Foreign and Political Department;

His Excellency the President of the Republic of China, Monsieur Ivan Chen, Officer of the Order of the Chia H O;

His Holiness the Dalai Lama of Tibet, Lonchen Ga-den Shatra Pal-jor Dorje; who having communicated to each other their respective full powers and finding them to be in good and due form have agreed upon and concluded the following Convention in eleven Articles :—

Article 1

The Conventions specified in the Schedule to the present Convention shall, except in so far as they may have been modified by, or may be inconsistent with or repugnant to, any of the provisions of the present Convention, continue to be binding upon the High Contracting Parties.

Article 2

The Governments of Great Britain and China recognising that Tibet is under the suzerainty of China, and recognising also the autonomy of Outer Tibet, engage to respect the territorial integrity of the country, and to abstain from interference in the administration

¹ *Note:* Whereas the Simla Convention itself after being initialled by the Chinese Plenipotentiary was not signed or ratified by the Chinese Government, it was accepted as binding by the two other parties as between themselves.

of Outer Tibet (including the selection and installation of the Dalai Lama), which shall remain in the hands of the Tibetan Government at Lhasa.

The Government of China engages not to convert Tibet into a Chinese province. The Government of Great Britain engages not to annex Tibet or any portion of it.

Article 3

Recognising the special interest of Great Britain, in virtue of the geographical position of Tibet, in the existence of an effective Tibetan Government, and in the maintenance of peace and order in the neighbourhood of the frontiers of India and adjoining States, the Government of China engages, except as provided in Article 4 of this Convention, not to send troops into Outer Tibet, nor to station civil or military officers, not to establish Chinese colonies in the country. Should any such troops or officials remain in Outer Tibet at the date of the signature of this Convention, they shall be withdrawn within a period not exceeding three months.

The Government of Great Britain engages not to station military or civil officers in Tibet (except as provided in the Convention of September 7, 1904, between Great Britain and Tibet) nor troops (except the Agents escorts), nor to establish colonies in that country.

Article 4

The foregoing Article shall not be held to preclude the continuance of the arrangement by which, in the past, a Chinese high official with suitable escort has been maintained at Lhasa, but it is hereby provided that the said escort shall in no circumstances exceed 300 men.

Article 5

The Governments of China and Tibet engage that they will not enter into any negotiations or agreements regarding Tibet with one another, or with any other Power, excepting such negotiations and agreements between Great Britain and Tibet as are provided for by the Convention of September 7, 1904, between Great Britain and Tibet and the Convention of April 27, 1906, between Great Britain and China.

Article 6

Article III of the Convention of April 27, 1906, between Great Britain and China is hereby cancelled, and it is understood that in Article IX (*d*) of the Convention of September 7, 1904, between Great Britain and Tibet the term "Foreign Power" does not include China.

Not less favourable treatment shall be accorded to British commerce than of the commerce of China or the most favoured nation.

Article 7

(a) The Tibet Trade Regulations of 1893 and 1908 are hereby cancelled.

(b) The Tibetan Government engages to negotiate with the British Government new Trade Regulations for Outer Tibet to give effect to Articles II, IV and V of the Convention of September 7, 1904, between Great Britain and Tibet without delay; provided always that such Regulations shall in no way modify the present Convention except with the consent of the Chinese Government.

Article 8

The British Agent who resides at Gyantse may visit Lhasa with his escort whenever it is necessary to consult with the Tibetan Government regarding matters arising out of the Convention of September 7, 1904, between Great Britain and Tibet, which it has been found impossible to settle at Gyantse by correspondence or otherwise.

Article 9

For the purpose of the present Convention the borders of Tibet, and the boundary between Outer and Inner Tibet, shall be as shown in red and blue respectively on the map attached hereto.²

Nothing in the present Convention shall be held to prejudice the existing rights of the Tibetan Government in Inner Tibet, which include the power to select and appoint the high priests of monasteries and to retain full control in all matters affecting religious institutions.

Article 10

The English, Chinese and Tibetan texts of the present Convention have been carefully examined and found to correspond, but in the event of there being any difference of meaning between them the English text shall be authoritative.

Article 11

The present Convention will take effect from the date of signature. In token whereof the respective Plenipotentiaries have signed and sealed this Convention, three copies in English, three in Chinese and three in Tibetan.

Done at Simla this third day of July, A.D., one thousand nine hundred and fourteen, corresponding with the Chinese date, the third day of the seventh month of the third year of the Republic,

² Not published.

and the Tibetan date, the tenth day of the fifth month of the Wood-Tiger year.

Initial³ of the Lonchen Shatra.
Seal of the
Lonchen Shatra.

(Initialled) A.H.M.
Seal of the
British Pleni-
potentiary.

Schedule

1. Convention between Great Britain and China relating to Sikkim and Tibet, signed at Calcutta the 17th March 1890.

2. Convention between Great Britain and Tibet, signed at Lhasa the 7th September 1904.

3. Convention between Great Britain and China respecting Tibet, signed at Peking the 27th April 1906.

The notes exchanged are to the following effect :—

1. It is understood by the High Contracting Parties that Tibet forms part of Chinese territory.

2. After the selection and installation of the Dalai Lama by the Tibetan Government, the latter will notify the installation to the Chinese Government whose representative at Lhasa will then formally communicate to His Holiness the titles consistent with his dignity, which have been conferred by the Chinese Government.

3. It is also understood that the selection and appointment of all officers in Outer Tibet will rest with the Tibetan Government.

4. Outer Tibet shall not be represented in the Chinese Parliament or in any other similar body.

5. It is understood that the escorts attached to the British Trade Agencies in Tibet shall not exceed seventy-five per centum of the escort of the Chinese Representative at Lhasa.

6. The Government of China is hereby released from its engagements under Article III of the Convention of March 17, 1890, between Great Britain and China to prevent acts of aggression from the Tibetan side of the Tibet-Sikkim frontier.

7. The Chinese high official referred to in Article 4 will be free to enter Tibet as soon as the terms of Article 3 have been fulfilled to the satisfaction of representatives of the three signatories to this Convention, who will investigate and report without delay.

Initial + of Lonchen Shatra.
Seal of the
Lonchen Shatra.

(Initialled) A.H.M.
Seal of the
British Pleni-
potentiary.

³ Owing to it not being possible to write initials in Tibetan, the mark of the Lonchen at this place is his signature.

Anglo-Tibetan Trade Regulations — 1914

Whereas by Article 7 of the Convention concluded between the Governments of Great Britain, China and Tibet on the third day of July, A.D., 1914, the Trade Regulations of 1893 and 1908 were cancelled and the Tibetan Government engaged to negotiate with the British Government new Trade Regulations for Outer Tibet to give effect to Articles II, IV and V of the Convention of 1904;

His Majesty the King of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, Emperor of India, and His Holiness the Dalai Lama of Tibet have for this purpose named as their Plenipotentiaries, that is to say :

His Majesty the King of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, Sir A. H. McMahon, G.C.V.O., K.C.I.E., C.S.I. :

His Holiness the Dalai Lama of Tibet—Lonchen Ga-den Shatra Pal-jor Dorje;

And whereas Sir A. H. McMahon and Lonchen Ga-den Shatra Pal-jor Dorje have communicated to each other since their respective full powers and have found them to be in good and true form, the following Regulations have been agreed upon :—

1. The area falling within a radius of three miles from the British Trade Agency site will be considered as the area of such Trade Mart.

It is agreed that British subjects may lease lands for the building of houses and godowns at the Marts. This arrangement shall not be held to prejudice the right of British subjects to rent houses and godowns outside the Marts for their own accommodation and the storage of their goods. British subjects desiring to lease building sites shall apply through the British Trade Agent to the Tibetan Trade Agent. In consultation with the British Trade Agent the Tibetan Trade Agent will assign such or other suitable building sites without unnecessary delay. They shall fix the terms of the leases in conformity with the existing laws and rates.

II. The administration of the Trade Marts shall remain with the Tibetan Authorities, with the exception of the British Trade Agency sites and compounds of the rest-houses, which will be under the exclusive control of the British Trade Agents.

The Trade Agents at the Marts and Frontier Officers shall be of suitable rank, and shall hold personal intercourse and correspondence with one another on terms of mutual respect and friendly treatment.

III. In the event of disputes arising at the Marts or on the routes to the Marts between British subjects and subjects of other nationalities, they shall be enquired into and settled in personal conference between the British and Tibetan Trade Agents at the nearest Mart. Where there is a divergence of view the law of the country to which the defendant belongs shall guide.

All questions in regard to rights, whether of property or person, arising between British subjects, shall be subject to the jurisdiction of the British Authorities.

British subjects, who may commit any crime at the Marts or on the routes to the Marts, shall be handed over by the Local Authorities to the British Trade Agent at the Mart nearest to the scene of the offence, to be tried and punished according to the laws of India, but such British subjects shall not be subjected by the Local Authorities to any ill-usage in excess of necessary restraint.

Tibetan subjects, who may be guilty of any criminal act towards British subjects, shall be arrested and punished by the Tibetan Authorities according to law.

Should it happen that a Tibetan subject or subjects bring a criminal complaint against a British subject or subjects before the British Trade Agent, the Tibetan Authorities shall have the right to send a representative or representatives of suitable rank to attend the trial in the British Trade Agent's Court. Similarly in cases in which a British subject or subjects have reason to complain against a Tibetan subject or subjects, the British Trade Agent shall have the right to send a representative or representatives to the Tibetan Trade Agent's Court to attend the trial.

IV. The Government of India shall retain the right to maintain the telegraph lines from the Indian frontier to the Marts. Tibetan messages will be duly received and transmitted by these lines. The Tibetan Authorities shall be responsible for the due protection of the telegraph lines from the Marts to the Indian frontier, and it is agreed that all persons damaging the lines or interfering with them in any way or with the officials engaged in the inspection or maintenance thereof shall at once be severely punished.

V. The British Trade Agents at the various Trade Marts now or hereafter to be established in Tibet may make arrangements for the carriage and transport of their posts to and from the frontier of India. The couriers employed in conveying these posts shall receive all possible assistance from the Local Authorities, whose districts they traverse, and shall be accorded the same protection and

facilities as the persons employed in carrying the despatches of the Tibetan Government.

No restrictions whatever shall be placed on the employment by British officers and traders of Tibetan subjects in any lawful capacity. The persons so employed shall not be exposed to any kind of molestation or suffer any loss of civil rights, to which they may be entitled as Tibetan subjects, but they shall not be exempted from lawful taxation. If they be guilty of any criminal act, they shall be dealt with by the Local Authorities according to law without any attempt on the part of their employer to screen them.

VI. No rights of monopoly as regards commerce or industry shall be granted to any official or private company, institution, or individual in Tibet. It is of course understood that companies and individuals; who have already received such monopolies from the Tibetan Government previous to the conclusion of this agreement, shall retain their rights and privileges until the expiry of the period fixed.

VII. British subjects shall be at liberty to deal in kind or in money, to sell their goods to whomsoever they please, to hire transport of any kind, and to conduct in general their business transactions in conformity with local usage and without any vexation, restrictions or oppressive exactions whatever. The Tibetan Authorities will not hinder the British Trade Agents or other British subjects from holding personal intercourse or correspondence with the inhabitants of the country.

It being the duty of the Police and the Local Authorities to afford efficient protection at all times to the persons and property of the British subjects at the Marts and along the routes to the Marts, Tibet engages to arrange effective Police measures at the Marts and along the routes to the Marts.

VIII. Import and export in the following Articles : —

arms, ammunition, military stores, liquors and intoxicating or narcotic drugs,

may at the option of either Government be entirely prohibited, or permitted only on such conditions as either Government on their own side may think fit to impose.

IX. The present Regulations shall be in force for a period of ten years reckoned from the date of signature by the two Plenipotentiaries; but, if no demand for revision be made on either side within six months after the end of the first ten years the Regulations shall remain in force for another ten years from the end of the first ten years; and so it shall be at the end of each successive ten years.

X. The English and Tibetan texts of the present Regulations have been carefully compared, but in the event of there being any

difference of meaning between them the English text shall be authoritative.

XI. The present Regulations shall come into force from the date of signature.

Done at Simla this third day of July, A.D., one thousand nine hundred and fourteen, corresponding with the Tibetan date, the tenth day of the fifth month of the Wood-Tiger year.

Seal of the
Dalai Lama.

Signature of the Lonchen Shatra.

A. HENRY MCMAHON,
British Plenipotentiary.

Seal of the
Lonchen Shatra.

Seal of the
British Pleni-
potentiary.

Seal of the
Drepung
Monastery.

Seal of the
Sera
Monastery.

Seal of the
Gaden
Monastery.

Seal of the
National
Assembly.

APPENDIX IV

Application to enter Tibet

DOCUMENT No. 1

Ambassador,
The People's Republic of China,
Chinese Embassy,
New Delhi.

Your Excellency,

The International Commission of Jurists of which I happen to be a member made certain enquiries regarding Tibet and a preliminary report was issued by the Commission. I send you herewith a copy of that report.

The Commission being of opinion that further enquiries were necessary appointed a Committee consisting of the following:

Purshottam Trikamdas, (India) Chairman, Senior Advocate of the Supreme Court of India; former Secretary to Mahatma Gandhi

Arturo A. Alafriz, (Philippines) Attorney-at-Law; President of the Federation of Bar Associations of the Philippines

Kwamena Bentsi-Enchill, (Ghana) Barrister-at-Law and Lecturer in Law; Secretary of the Ghana Bar Association

Rolf Christophersen, (Norway) Attorney-at-Law; Secretary-General of the Norwegian Bar Association

N. C. Chatterjee, (India) Senior Advocate and Vice-President of the Supreme Court of India; former Judge of the High Court of Calcutta

T. S. Fernando, (Ceylon) Justice of the Supreme Court of Ceylon; former Attorney-General of Ceylon

E. Maung, (Burma) Barrister-at-Law; former Justice of the Supreme Court of Burma and former Minister of Judicial and Foreign Affairs of Burma

R. P. Mookerjee, (India) Dean of the Faculty of Law, Calcutta University, former Judge, High Court of Calcutta

Ong Huck Lim, (Malaya) Barrister-at-Law; Member and former President of the Bar Committee of Penang, Member of the Bar Council of the Federation of Malaya

M. R. Seni Pramoj, (Thailand) Attorney-at-Law and Professor of Law in the Universities of Thammasart and Chulalongkorn; former Prime Minister of Thailand; former Thai Minister to the United States of America

Lord Shawcross, Q.C., (England) former Attorney General of England and former United Kingdom Prosecutor at Nuremberg.

This Committee is at present engaged in collecting evidence. Certain amount of evidence has been collected from the available Tibetan sources. The Committee, however, feels that it would be more satisfactory if your Excellency's Government would make available to the Committee such material as your Excellency's Government may choose to place before the Committee. The Committee will be very happy to receive such material and also to examine any witnesses that may be tendered before the Committee.

The Committee will be holding its meetings in New Delhi on the 12th, 13th and 14th November, 1959.

The Committee would like to visit Tibet in order to make on the spot inquiry into the various allegations.

On behalf of the Committee I would, therefore, be grateful to Your Excellency if you could let me know whether facilities for visiting Tibet and making such enquiries would be made available to at least some members of the Committee by Your Excellency's Government.

Yours faithfully,

Sd./-
(Purshottam Trikamdass)
Chairman.

Encl.: One copy of report.

DOCUMENT No. 2

**Received: a letter from the Legal Inquiry Committee on Tibet
Constituted by The International Commission of Jurists.**

“ This letter and the report “ The Question of Tibet and the Rule of Law ” was taken to the Chinese Embassy by me personally. I was asked to wait. The letter was returned to me after about one hour and I was told that H.E. The Ambassador was not willing to accept it and as such it should be returned to the sender.”

R. Pande, Barrister-at-Law
Office Secretary

**NOTE ON
PUBLICATIONS
OF THE
INTERNATIONAL COMMISSION OF JURISTS**

Listed below are some recent publications of the International Commission of Jurists which are still available on request.

Journal of the International Commission of Jurists, issued bi-annually.
Among the articles are :

Volume I, No. 1, (Autumn 1957):

The Quest of Polish Lawyers for Legality (Staff Study)
The Rule of Law in Thailand, by Sompong Sucharitkul
The Treason Trial in South Africa, by Gerald Gardiner
The Soviet Procuracy and the Right of the Individual Against the State, by
Dietrich A. Loeber
The Legal Profession and the Law : The Bar in England and Wales, by William
W. Boulton
Book Reviews

Volume I, No. 2 (Spring-Summer 1958):

Constitutional Protection of Civil Rights in India, by Durga Das Basu
The European Commission of Human Rights : Procedure and Jurisprudence,
by A. B. McNulty and Marc-André Eissen
The Danish Parliamentary Commissioner for Civil and Military Government
Administration, by Stephan Hurwitz
The Legal Profession and the Law : The Bar in France, by Pierre Siré
Judicial Procedure in the Soviet Union and in Eastern Europe, by Vladimir
Gsovski and Kazimierz Grzybowski, editors
Wire-Tapping and Eavesdropping : A Comparative Survey, by George Dobry
Book Reviews

Volume II, No. 1 (Spring-Summer 1959):

International Congress of Jurists, New Delhi, India : The Declaration of
Delhi, Conclusions of the Congress, Questionnaire and Working Paper
on the Rule of Law, Reflections, by V. Bose and N. S. Marsh
The Layman and the Law in England, by Sir Carlton Allen
Legal Aspects of Civil Liberties in the United States and recent Developments,
by K. W. Greenawalt
Judicial Independence in the Philippines, by Vicente J. Francisco
Book Reviews

Volume II, No. 2 (Winter 1959 - Spring-Summer 1960):

Democracy and Judicial Administration in Japan, by Kotaro Tanaka
The Norwegian Parliamentary Commissioner for the Civil Administration,
by Terje Wold
The New Constitution of Nigeria and the Protection of Human Rights and
Fundamental Freedoms, by T. O. Elias
Law, Bench and Bar in Arab Lands, by Saba Habachy
Problems of the Judiciary in the "Communauté" in Africa, by G. Mangin
Legal Aid and the Rule of Law: a Comparative Outline of the Problem,
by Norman S. Marsh
The "General Supervision" of the Soviet Procuracy, by Glenn C. Morgan
Preventive Detention and the Protection of Free Speech in India, by the
Editors
The Report of the Kerala Inquiry Committee
Book Reviews

* * *

Bulletin of the International Commission of Jurists, issued quarterly,
publishes facts and current data on various aspects of the Rule
of Law. Numbers 1 to 6 are out of print.

Number 7 (October 1957): In addition to an article on the United Nations
and the Council of Europe, this issue contains a number of articles dealing
with aspects of the Rule of Law in Canada, China, England, Sweden, Algeria,
Cyprus, Czechoslovakia, Eastern Germany, Yugoslavia, Spain and Portugal

Number 8 (December 1958): This number deals also with various aspects
of the Rule of Law and legal developments with regard to the Council of
Europe, China, United States, Argentina, Spain, Hungary, Ceylon, Turkey,
Sweden, Ghana, Yugoslavia, Iraq, Cuba, United Kingdom, Portugal and
South Africa

Number 9 (August 1959): The Organization of American States and
Human Rights. Aspects of the Rule of Law in Algeria, Cyprus, Soviet
Union, South Africa, Spain, Hungary, Kenya, Cuba, Iraq, Rumania, Nyasa-
land, East Germany. United Nations and the European Court of Human
Rights.

Number 10 (January 1960): Contains information on Ceylon, China,
Czechoslovakia, Greece, India, Kenya, Poland, Tibet, and on The United
Nations and the World Refugee Year

Newsletter of the International Commission of Jurists describes current activities of the Commission :

Number 1 (April 1957): Commission action as related to the South African Treason Trial, the Hungarian Revolution, the Commission's inquiry into the practice of the Rule of Law, activities of National Sections, and the text of the Commission's Questionnaire on the Rule of Law

Number 2 (July 1957): A description of the Vienna Conference held by the International Commission of Jurists on the themes: "The Definition of and Procedure Applicable to a Political Crime" and "Legal Limitations on the Freedom of Opinion"

Number 3 (January 1958): "The Rule of Law In Free Societies", a Prospectus and a progress report on an international Congress of Jurists to be held in New Delhi in January 1959

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Number 8 (February 1960): The Rule of Law in Daily Practice (editorial), Survey on the Rule of Law (a questionnaire), Report on Travels of Commission Representatives in Africa and the Middle East, Legal Inquiry Committee on Tibet, Essay Contest, National Sections

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