



**GOVERNMENT  
RESOLUTIONS  
AND  
INTERNATIONAL  
DOCUMENTS  
ON TIBET**

Office of Information and International Relations  
Central Tibetan Secretariat  
Dharamsala



**GOVERNMENT RESOLUTIONS  
AND  
INTERNATIONAL DOCUMENTS  
ON TIBET**

**(Second Edition)**

**Includes Nobel Peace Prize Announcement**

December 1989

Office of Information and International Relations  
Central Tibetan Secretariat  
Dharamsala



## **OFFICE OF INFORMATION & INTERNATIONAL RELATIONS**

The Office of Information & International Relations is a department of the Tibetan Government in Exile, Dharamsala, India. Under its information section are the Narthang Press, the Audio Visual Department, Tibetan Book Service, and numerous publications including:

Sheja, a monthly Tibetan news magazine  
Tibetan Bulletin, a quarterly English publication  
Tibetan Bulletin, (Hindi language edition)  
Tibetan Freedom, a weekly Tibetan newspaper

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OFFICE OF INFORMATION AND INTERNATIONAL RELATIONS

## FOREWORD

The Office of Information and International Relations of the Tibetan Government in Exile is pleased to publish this compilation of "Government Resolutions and International Documents on Tibet". This effort has been initiated and produced by the International Campaign for Tibet, Washington, D.C.

The Documents book is a compilation of the most noteworthy documents pertaining to Tibet. It serves as an easily accessible reference for those who want specific information outlining the different positions government bodies and international organizations have taken on the Tibetan issue. In the second edition we have included two additional documents; the 1989 Nobel Peace Prize Announcement, and the United States Congress' resolution congratulating His Holiness the Dalai Lama on receiving the Nobel Award.

I wish to thank all the organizations listed herewith whose donations made this publication possible. A special note of thanks goes to Rachel Helfand for tirelessly typing these documents. Nancy Lindberg, and Tenzin Taklha also contributed to this effort.

I hope this publication will be useful to all individuals and organizations working for the benefit of the people of Tibet.

Kalon Lodi Gyari  
Office of Information & International Relations

December 10, 1989





## DEDICATION

*This publication is dedicated to those brave Tibetans who gave their lives for the cause of a free Tibet and to all those who continue to work and strive for freedom, democracy and human rights in Tibet.*

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**NORWEGIAN NOBEL COMMITTEE  
PEACE PRIZE ANNOUNCEMENT  
OSLO  
OCTOBER 5, 1989**

The Norwegian Nobel committee has decided to award the 1989 Nobel Peace Prize to the 14th Dalai Lama, Tenzin Gyatso, the religious and political leader of the Tibetan people.

The Committee wants to emphasize the fact that the Dalai Lama in his struggle for the liberation of Tibet consistently has opposed the use of violence. He has instead advocated peaceful solutions based upon tolerance and mutual respect in order to preserve the historical and cultural heritage of his people.

The Dalai Lama has developed his philosophy of peace from a great reverence for all things living and upon the concept of universal responsibility embracing all mankind as well as nature.

In the opinion of the Committee the Dalai Lama has come forward with constructive and forward-looking proposals for the solution fo international conflicts, human rights issues, and global environmental problems.

**UNITED STATES CONGRESS**  
**S. CON RES. 75**  
**WASHINGTON, DC**  
**OCTOBER 5, 1989**

To congratulate His Holiness the XIV Dalai Lama of Tibet for being awarded the 1989 Nobel Peace Prize.

*For the Senate:* Mr. Pell (for himself and Mr. Helms, Mr. Biden, Mr. Pressler, Mr. Simon, Mr. Sarbanes, and Mr. Stanford) submitted the following concurrent resolution;

*For the House:* Mr. Rose (for himself, Mr. Levine of California, Mr. Gilman, Mr. Lantos, Mr. Porter, Mr. Levin of Michigan, and Mr. Douglas) submitted the following concurrent resolution; which was referred to the Committee on the Post Office and Civil Service.

Whereas His Holiness the XIV Dalai Lama of Tibet is the spiritual mentor to millions of Buddhists throughout the world and the leader of the Tibetan people;

Whereas His Holiness the XIV Dalai Lama of Tibet has persistently promoted justice, offered hope to the oppressed, and upheld the rights and dignity of all men and women regardless of faith, nationality, or political views;

Whereas His Holiness the XIV Dalai Lama is a world leader who has admirably and with dedication advanced the cause of regional and world peace through adherence to the doctrines of nonviolence and universal responsibility;

Whereas His Holiness the XIV Dalai Lama has, through his example, his teachings, and his travels, furthered mutual understanding, respect, and unity among nations and individuals; and

Whereas the Norwegian Nobel Committee has awarded His Holiness the XIV Dalai Lama of Tibet the 1989 Nobel Peace Prize; Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That the Congress--*

**Commends His Holiness the Dalai Lama for furthering the just and honorable causes that he has championed, expresses its support for those causes, and congratulates him for being awarded the 1989 Nobel Peace Prize.**

**ADDRESS TO MEMBERS  
OF THE UNITED STATES CONGRESS  
FIVE POINT PEACE PLAN FOR TIBET  
BY  
HIS HOLINESS THE DALAI LAMA  
WASHINGTON, D.C.  
SEPTEMBER 21, 1987**

The world is increasingly interdependent, so that lasting peace - national, regional, and global - can only be achieved if we think in terms of broader interest rather than parochial needs. At this time, it is crucial that all of us, the strong and the weak, contribute in our own way. I speak to you today as the leader of the Tibetan people and as a Buddhist monk devoted to the principles of a religion based on love and compassion. Above all, I am here as a human being who is destined to share this planet with you and all others as brothers and sisters. As the world grows smaller, we need each other more than in the past. This is true in all parts of the world, including the continent I come from.

At present in Asia, as elsewhere, tensions are high. There are open conflicts in the Middle East, Southeast Asia, and in my own country, Tibet. To a large extent, these problems are symptoms of the underlying tensions that exist among the area's great powers. In order to resolve regional conflicts, an approach is required that takes into account the interests of all relevant countries and peoples, large and small. Unless comprehensive solutions are formulated, that take into account the aspirations of the people most directly concerned, piecemeal or merely expedient measures will only create new problems.

The Tibetan people are eager to contribute to regional and world peace, and I believe they are in a unique position to do so. Traditionally, Tibetans are a peace loving and non-violent people. Since Buddhism was introduced to Tibet over one thousand years ago, Tibetans have practiced non-violence with respect to all forms of life. This attitude has also been extended to our country's international relations. Tibet's highly strategic position in the heart of Asia, separating the continent's great powers - India, China and the USSR - has throughout history endowed it with an essential role in the maintenance of peace and stability. This is precisely why, in the past, Asia's empires went to great lengths to keep one another out of Tibet. Tibet's value as an independent buffer state was integral to the region's stability.



When the newly formed People's Republic of China invaded Tibet in 1949/50, it created a new source of conflict. This was highlighted when, following the Tibetan national uprising against the Chinese and my flight to India in 1959, tensions between China and India escalated into the border war in 1962. Today large numbers of troops are again massed on both sides of the Himalayan border and tension is once more dangerously high.

The real issue, of course, is not the Indo-Tibetan border demarcation. It is China's illegal occupation of Tibet, which has given it direct access to the Indian sub-continent. The Chinese authorities have attempted to confuse the issue by claiming that Tibet has always been a part of China. This is untrue. Tibet was a fully independent state when the People's Liberation Army invaded the country in 1949/50.

Since Tibetan emperors unified Tibet, over a thousand years ago, our country was able to maintain its independence until the middle of this century. At times Tibet extended its influence over neighboring countries and peoples and, in other periods, came itself under the influence of powerful foreign rulers - the Mongol Khans, the Gorkhas of Nepal, the Manchu Emperors and the British in India.

It is, of course, not uncommon for states to be subjected to foreign influence or interference. Although so-called satellite relationships are perhaps the clearest examples of this, most major powers exert influence over less powerful allies or neighbors. As the most authoritative legal studies have shown, in Tibet's case, the country's occasional subjection to foreign influence never entailed a loss of independence. And there can be no doubt that when Peking's communist armies entered Tibet, Tibet was in all respects an independent state.

China's aggression, condemned by virtually all nations of the free world, was a flagrant violation of international law. As China's military occupation of Tibet continues, the world should remember that though Tibetans have lost their freedom, under international law Tibet today is still an independent state under illegal occupation.

It is not my purpose to enter a political/legal discussion here concerning Tibet's status. I just wish to emphasize the obvious and undisputed fact that we Tibetans are a distinct people with our own culture, language, religion and history. But for China's occupation, Tibet would still, today, fulfill its natural role as a buffer state maintaining and promoting peace in Asia.

It is my sincere desire, as well as that of the Tibetan people, to restore to Tibet her invaluable role, by converting the entire country - comprising the three provinces of U-Tsang, Kham and Amdo - once more into a place of

stability, peace, and harmony. In the best of Buddhist tradition, Tibet would extend its services and hospitality to all who further the cause of world peace and the well-being of mankind and the natural environment we share.

Despite the holocaust inflicted upon our people in the past decades of occupation, I have always strived to find a solution through direct and honest discussions with the Chinese. In 1982, following the change of leadership in China and the establishment of direct contacts with the government in Peking, I sent my representatives to Peking to open talks concerning the future of my country and people.

We entered the dialogue with a sincere and positive attitude and with a willingness to take into account the legitimate needs of the People's Republic of China. I hope that this attitude would be reciprocated and that a solution could eventually be found which would satisfy and safeguard the aspirations and interests of both parties. Unfortunately, China has consistently responded to our efforts in a defensive manner, as though our detailing of Tibet's very real difficulties was criticism for its own sake.

To our even greater dismay, the Chinese government misused the opportunity for a genuine dialogue. Instead of addressing the real issues facing the six million Tibetan people, China has attempted to reduce the question of Tibet to a discussion of my own personal status.

It is against this background and in response to the tremendous support and encouragement I have been given by you and other persons I have met during this trip, that I wish today to clarify the principal issues and to propose, in a spirit of openness and conciliation, a first step towards a lasting solution. I hope this may contribute to a future of friendship and cooperation with all of our neighbors, including the Chinese people.

This peace plan contains five basic components:

- 1. Transformation of the whole of Tibet into a zone of peace;**
- 2. Abandonment of China's population transfer policy which threatens the very existence of the Tibetan's as a people;**
- 3. Respect for the Tibetan people's fundamental human rights and democratic freedoms;**
- 4. Restoration and protection of Tibet's natural environment and the abandonment of China's use of**

**Tibet for the production of nuclear weapons and dumping of nuclear waste;**

**5. Commencement of earnest negotiations on the future status of Tibet and of relations between the Tibetan and Chinese peoples.**

Let me explain these five components.

**1**

**I propose that the whole of Tibet, including the eastern provinces of Kham and Amdo, be transformed into a zone of "Ahimsa", a Hindi term used to mean a state of peace and non-violence.**

The establishment of such a peace zone would be in keeping with Tibet's historical role as a peaceful and neutral Buddhist nation and buffer state separating the continent's great powers. It would also be in keeping with Nepal's proposal to proclaim Nepal a peace zone and with China's declared support for such a proclamation. The peace zone proposed by Nepal would have a much greater impact if it were to include Tibet and neighboring areas.

The establishing of a peace zone in Tibet would require withdrawal of Chinese troops and military installations from the country, which would enable India also to withdraw troops and military installations from the Himalayan regions bordering Tibet. This would be achieved under an international agreement which would satisfy China's legitimate security needs and build trust among the Tibetan, Indian, Chinese and other peoples of the region. This is in everyone's best interest, particularly that of China and India, as it would enhance their security, while reducing the economic burden of maintaining high troop concentrations on the disputed Himalayan border.

Historically, relations between China and India were never strained. It was only when Chinese armies marched into Tibet, creating for the first time a common border, that tensions arose between these two powers, ultimately leading to the 1962 war. Since then numerous dangerous incidents have continued to occur. A restoration of good relations between the world's two most populous countries would be greatly facilitated if they were separated - as they were throughout history - by a large and friendly buffer region.

To improve relations between the Tibetan people and the Chinese, the first requirement is the creation of trust. After the holocaust of the last decades in which over one million Tibetans - one sixth of the population - lost their lives and at least as many lingered in prison camps because of their religious

beliefs and love of freedom, only a withdrawal of Chinese troops could start a genuine process of reconciliation. The vast occupation force in Tibet is a daily reminder to the Tibetans of the oppression and suffering they have all experienced. A troop withdrawal would be an essential signal that in the future a meaningful relationship might be established with the Chinese, based on friendship and trust.

## 2

**The population transfer of Chinese into Tibet, which the government in Peking pursues in order to force a "final solution" to the Tibetan problem by reducing the Tibetan population to an insignificant and disenfranchised minority in Tibet itself, must be stopped.**

The massive transfer of Chinese civilians into Tibet in violation of the Fourth Geneva Convention (1949), threatens the very existence of the Tibetans as a distinct people. In the eastern parts of our country, the Chinese now greatly outnumber Tibetans. In the Amdo province, for example, where I was born, there are, according to Chinese statistics, 2.5 million Chinese and only 750,000 Tibetans. Even in the so-called Tibet Autonomous Region (i.e., central and western Tibet), Chinese government sources now confirm that Chinese outnumber Tibetans.

The Chinese population transfer policy is not new. It has been systematically applied to other areas before. Earlier in this century, the Manchus were a distinct race with their own culture and traditions. Today only two to three million Manchurians are left in Manchuria, where 75 million Chinese have settled. In Eastern Turkestan, which the Chinese now call Sinkiang, the Chinese population has grown from 200,000 in 1949 to 7 million, more than half of the total population of 13 million. In the wake of the Chinese colonization of Inner Mongolia, Chinese number 8.5 million, Mongols 2.5 million.

Today, in the whole of Tibet 7.5 million Chinese settlers have already been sent, outnumbering the Tibetan population of 6 million. In central and western Tibet, now referred to by the Chinese as the "Tibet Autonomous Region", Chinese sources admit the 1.9 million Tibetans already constitute a minority of the region's population. These numbers do not take the estimated 300,000 - 500,000 troops in Tibet into account - 250,000 of them in the so-called Tibet Autonomous Region.

For the Tibetans to survive as a people, it is imperative that the population transfer is stopped and Chinese settlers return to China. Otherwise, Tibetans will soon be no more than a tourist attraction and relic of a noble past.

**Fundamental human rights and democratic freedoms must be respected in Tibet. The Tibetan people must once again be free to develop culturally, intellectually, economically and spiritually and to exercise basic democratic freedoms.**

Human rights violations in Tibet are among the most serious in the world. Discrimination is practiced in Tibet under a policy of "apartheid" which the Chinese call "segregation and assimilation". Tibetans are, at best, second class citizens in their own country. Deprived of all basic democratic rights and freedoms, they exist under a colonial administration in which all real power is wielded by Chinese officials of the Communist Party and the army.

Although the Chinese government allows Tibetans to rebuild some Buddhist monasteries and to worship in them, it still forbids serious study and teaching of religion. Only a small number of people, approved by the Communist Party, are permitted to join the monasteries.

While Tibetans in exile exercise their democratic rights under a constitution promulgated by me in 1963, thousands of our countrymen suffer in prisons and labour camps in Tibet for their religious or political convictions.

**Serious efforts must be made to restore the natural environment in Tibet. Tibet should not be used for the production of nuclear weapons and the dumping of nuclear waste.**

Tibetans have a great respect for all forms of life. This inherent feeling is enhanced by the Buddhist faith, which prohibits the harming of all sentient beings, whether human or animal. Prior to the Chinese invasion, Tibet was an unspoiled wilderness sanctuary in a unique natural environment. Sadly, in the past decades the wildlife and the forests of Tibet have been almost totally destroyed by the Chinese. The effects on Tibet's delicate environment have been devastating. What little is left in Tibet must be protected and efforts must be made to restore the environment to its balanced state.

China uses Tibet for the production of nuclear weapons and may also have started dumping nuclear waste in Tibet. Not only does China plan to dispose of its own nuclear waste but also that of other countries, who have already agreed to pay Peking to dispose of their toxic materials.

The dangers this presents are obvious. Not only living generations, but future generations are threatened by China's lack of concern for Tibet's unique and delicate environment.

## 5

**Negotiations on the future status of Tibet and the relationship between the Tibetan and Chinese peoples should be started in earnest.**

We wish to approach this subject in a reasonable and realistic way, in a spirit of frankness and conciliation and with a view to finding a solution that is in the long term interest of all: the Tibetans, the Chinese, and all other peoples concerned. Tibetans and Chinese are distinct peoples, each with their own country, history, culture, language and way of life. Differences among peoples must be recognized and respected. They need not, however, form obstacles to genuine cooperation where this is in the mutual benefit of both peoples. It is my sincere belief that if the concerned parties were to meet and discuss their future with an open mind and a sincere desire to find a satisfactory and just solution, a breakthrough could be achieved. We must all exert ourselves to be reasonable and wise, and to meet in a spirit of frankness and understanding.

Let me end on a personal note. I wish to thank you for the concern and support which you and so many of your colleagues and fellow citizens have expressed for the plight of oppressed people everywhere. The fact that you have publicly shown your sympathy for us Tibetans, has already had a positive impact on the lives of our people inside Tibet. I ask for your continued support in this critical time in our country's history. Thank you.

**ADDRESS TO MEMBERS OF  
THE EUROPEAN PARLIAMENT  
BY  
HIS HOLINESS THE DALAI LAMA  
STRASBOURG, JUNE 15, 1988**

We are living today in a very interdependent world. One nation's problems can no longer be solved by itself. Without a sense of universal responsibility our very survival is in danger. I have, therefore, always believed in the need for better understanding, closer co-operation and greater respect among the various nations of the world. The European Parliament is an inspiring example. Out of the chaos of war, those who were once enemies have, in a single generation, learned to co-exist and to co-operate. I am, therefore, particularly pleased and honored to address this gathering at the European Parliament.

As you know, my own country - Tibet - is undergoing a very difficult period. The Tibetans - particularly those who live under Chinese occupation - yearn for freedom and justice and a self-determined future, so that they are able to fully preserve their unique identity and live in peace with their neighbors.

For over a thousand years we Tibetans have adhered to spiritual and environmental values in order to maintain the delicate balance of life across the high plateau on which we live. Inspired by the Buddha's message of non-violence and compassion and protected by our mountains, we sought to respect every form of life and to abandon war as an instrument of national policy.

Our history, dating back more than two thousand years, has been one of independence. At no time, since the founding of our nation in 127 B.C., have we Tibetans conceded our sovereignty to a foreign power. As with all nations, Tibet experienced periods in which our neighbors - Mongol, Manchu, Chinese, British and the Gorkhas of Nepal - sought to establish influence over us. These eras have been brief and the Tibetan people have never accepted them as constituting a loss of our national sovereignty. In fact, there have been occasions when Tibetan rulers conquered vast areas of China and other neighboring states. This, however, does not mean that we Tibetans can lay claim to these territories.

In 1949 the People's Republic of China forcibly invaded Tibet. Since that time, Tibet has endured the darkest period in its history. More than a million of our people have died as a result of the occupation. Thousands of monasteries were reduced to ruins. A generation has grown up deprived of

education, economic opportunity and a sense of its own national character. Though the current Chinese leadership has implemented certain reforms, it is also promoting a massive population transfer onto the Tibetan plateau. This policy has already reduced the six million Tibetans to a minority. Speaking for all Tibetans, I must sadly inform you, our tragedy continues.

I have always urged my people not to resort to violence in their efforts to redress their suffering. Yet I believe all people have the moral right to peacefully protest injustice. Unfortunately, the demonstrations in Tibet have been violently suppressed by the Chinese police and military. I will continue to counsel for non-violence, but unless China forsakes the brutal methods it employs, Tibetans cannot be responsible for a further deterioration in the situation.

Every Tibetan hopes and prays for the full restoration of our nation's independence. Thousands of our people have sacrificed their lives and our whole nation has suffered in this struggle. Even in recent months, Tibetans have bravely sacrificed their lives to achieve this precious goal. On the other hand, the Chinese totally fail to recognize the Tibetan people's aspirations and continue to pursue a policy of brutal suppression.

I have thought for a long time on how to achieve a realistic solution to my nation's plight. My cabinet and I solicited the opinions of many friends and concerned persons. As a result, on September 21, 1987, at the Congressional Human Rights Caucus in Washington, D.C., I announced a Five Point Peace Plan for Tibet. In it I called for the conversion of Tibet into a zone of peace, a sanctuary in which humanity and nature can live together in harmony. I also called for respect for human rights and democratic ideals, environmental protection, and a halt to the Chinese population transfer into Tibet.

The fifth point of the Peace Plan called for earnest negotiations between the Tibetans and the Chinese. We have, therefore, taken the initiative to formulate some thoughts which, we hope, may serve as a basis for resolving the issue of Tibet. I would like to take this opportunity to inform the distinguished gathering here of the main points of our thinking.

The whole of Tibet known as Cholka-Sum (U-Tsang, Kham and Amdo) should become a self-governing democratic political entity founded on law by agreement of the people for the common good and the protection of themselves and their environment, in association with the People's Republic of China.

The Government of the People's Republic of China could remain responsible for Tibet's foreign policy. The Government of Tibet should, however, develop and maintain relations, through its own Foreign Affairs Bureau, in the fields of religion, commerce, education, culture, tourism, science,



sports and other non-political activities. Tibet should join international organizations concerned with such activities.

The Government of Tibet should be founded on a constitution of basic law. The basic law should provide for a democratic system of government entrusted with the task of ensuring economic equality, social justice and protection of the environment. This means that the Government of Tibet will have the right to decide on all affairs relating to Tibet and the Tibetans.

As individual freedom is the real source and potential of any society's development, the Government of Tibet would seek to ensure this freedom by full adherence to the Universal Declaration of Human Rights, including the rights to speech, assembly, and religion. Because religion constitutes the source of Tibet's national identity, and spiritual values lie at the very heart of Tibet's rich culture, it would be the special duty of the Government of Tibet to safeguard and develop its practice.

The Government should be comprised of a popularly elected Chief Executive, a bi-cameral legislative branch, and an independent judicial system. Its seat should be in Lhasa.

The social and economic system of Tibet should be determined in accordance with the wishes of the Tibetan people, bearing in mind especially the need to raise the standard of living of the entire population.

The Government of Tibet would pass strict laws to protect wildlife and plant life. The exploitation of natural resources would be carefully regulated. The manufacture, testing and stockpiling of nuclear weapons and other armaments must be prohibited, as well as the use of nuclear power and other technologies which produce hazardous waste. It would be the Government of Tibet's goal to transform Tibet into our planet's largest natural preserve.

A regional peace conference should be called to ensure that Tibet becomes a genuine sanctuary of peace through demilitarization. Until such a peace conference can be convened and demilitarization and neutralization achieved, China could have the right to maintain a restricted number of military installations in Tibet. These must be solely for defence purposes.

In order to create an atmosphere of trust conducive to fruitful negotiations, the Chinese Government should cease its human rights violations in Tibet and abandon its policy of transferring Chinese to Tibet.

These are the thoughts we have in mind. I am aware that many Tibetans will be disappointed by the moderate stand they represent. Undoubtedly, there will be much discussion in the coming months within our

own community, both in Tibet and in exile. This, however, is an essential and invaluable part of any process of change. I believe these thoughts represent the most realistic means by which to re-establish Tibet's separate identity and restore the fundamental rights of the Tibetan people while accommodating China's own interests. I would like to emphasize, however, that whatever the outcome of the negotiations with the Chinese may be, the Tibetan people themselves must be the ultimate deciding authority. Therefore, any proposal will contain a comprehensive procedural plan to ascertain the wishes of the Tibetan people in a nationwide referendum.

I would like to take this opportunity to state that I do not wish to take any active part in the Government of Tibet. Nevertheless, I will continue to work as much as I can for the well-being and happiness of the Tibetan people as long as it is necessary.

We are ready to present a proposal to the Government of the People's Republic of China based on the thoughts I have presented. A negotiating team representing the Tibetan Government has been selected. We are prepared to meet with the Chinese to discuss details of such a proposal aimed at achieving an equitable solution.

We are encouraged by the keen interest being shown in our situation by a growing number of governments and political leaders, including former President Jimmy Carter of the United States. We are also encouraged by the recent changes in China which have brought about a new group of leadership, more pragmatic and liberal.

We urge the Chinese Government and leadership to give serious and substantive consideration to the ideas I have described. Only dialogue and a willingness to look with honesty and clarity at the reality of Tibet can lead to a viable solution. We wish to conduct discussions with the Chinese Government bearing in mind the larger interests of humanity. Our proposal will therefore be made in a spirit of conciliation and we hope that the Chinese will respond accordingly.

My country's unique history and profound spiritual heritage render it ideally suited for fulfilling the role of a sanctuary of peace at the heart of Asia. Its historic status as a neutral buffer state, contributing to the stability of the entire continent, can be restored. Peace and security for Asia as well as for the world at large can be enhanced. In the future, Tibet need no longer be an occupied land, oppressed by force, unproductive and scarred by suffering. It can become a free haven where humanity and nature live in harmonious balance; a creative model for the resolution of tensions afflicting many areas throughout the world.

**The Chinese leadership needs to realize that colonial rule over occupied territories is today anachronistic. A genuine union or association can only come about voluntarily, when there is satisfactory benefit to all the parties concerned. The European Community is a clear example of this. On the other hand, even one country or community can break into two or more entities when there is a lack of trust or benefit, and when force is used as the principal means of rule.**

**I would like to end by making a special appeal to the honorable members of the European Parliament and through them to their respective constituencies to extend their support to our efforts. A resolution of the Tibetan problem within the framework that we propose will not only be for the mutual benefit of the Tibetan and Chinese people but will also contribute to regional and global peace and stability. I thank you for providing me the opportunity to share my thoughts with you.**

**UNITED NATIONS GENERAL ASSEMBLY**  
**RESOLUTION 1353 (XIV)**  
**NEW YORK, 1959**

*The General Assembly,*

*Recalling* the principles regarding fundamental human rights and freedoms set out in the Charter of the United Nations and in the Universal Declaration of Human Rights adopted by the General Assembly on 10 December 1948,

*Considering* that the fundamental human rights and freedoms to which the Tibetan people, like all others, are entitled include the right to civil and religious liberty for all without distinction,

*Mindful also* of the distinctive cultural and religious heritage of the people of Tibet and of the autonomy which they have traditionally enjoyed,

*Gravely concerned* at reports, including the official statements of His Holiness the Dalai Lama, to the effect that the fundamental human rights and freedoms of the people of Tibet have been forcibly denied them,

*Deploring* the effect of these events in increasing international tension and embittering the relations between peoples at a time when earnest and positive efforts are being made by responsible leaders to reduce tension and improve international relations,

1) *Affirms its belief* that respect for the principles of the Charter of the United Nations and of the Universal Declaration of Human Rights is essential for the evolution of a peaceful world order based on the rule of law;

2) *Calls* for respect for the fundamental human rights of the Tibetan people and for their distinctive cultural and religious life.

**UNITED NATIONS GENERAL ASSEMBLY**  
**RESOLUTION 1723 (XVI)**  
**NEW YORK, 1961**

*The General Assembly,*

*Recalling* its resolution 1353 (XIV) of 21 October 1959 on the question of Tibet,

*Gravely concerned* at the continuation of events in Tibet, including the violation of the fundamental human rights of the Tibetan people and the suppression of the distinctive cultural and religious life which they have traditionally enjoyed,

*Noting with deep anxiety* the severe hardships which these events have inflicted on the Tibetan people, as evidenced by the large-scale exodus of Tibetan refugees to the neighboring countries,

*Considering* that these events violate fundamental human rights and freedoms set out in the Charter of the United Nations and the Universal Declaration of Human Rights, including the principle of self-determination of peoples and nations, and have the deplorable effect of increasing international tension and embittering relations between peoples,

1) *Reaffirms its conviction* that respect for the principles of the Charter of the United Nations and of the Universal Declaration of Human Rights is essential for the evolution of a peaceful world order based on the rule of law;

2) *Solemnly renews* its call for the cessation of practices which deprive the Tibetan people of their fundamental human rights and freedoms, including their right to self-determination;

3) *Expresses the hope* that Member States will make all possible efforts, as appropriate, towards achieving the purposes of the present resolution.

**UNITED NATIONS GENERAL ASSEMBLY**  
**RESOLUTION 2079 (XX)**  
**NEW YORK, 1965**

*The General Assembly*

*Bearing in mind* the principles relating to human rights and fundamental freedoms set forth in the Charter of the United Nations and proclaimed in the Universal Declaration of Human Rights,

*Reaffirming* its resolutions 1353 (XIV) of 21 October 1959 and 1723 (XVI) of 20 December 1961 on the question of Tibet,

*Gravely concerned* at the continued violation of the fundamental rights and freedoms of the people of Tibet and the continued suppression of their distinctive cultural and religious life, as evidenced by the exodus of refugees to the neighboring countries,

1) *Deplores* the continued violation of the fundamental rights and freedoms of the people of Tibet;

2) *Reaffirms* that respect for the principles of the Charter of the United Nations and of the Universal Declaration of Human Rights is essential for the evolution of a peaceful world order based on the rule of law;

3) *Declares its conviction* that the violation of human rights and fundamental freedoms in Tibet and the suppression of the distinctive cultural and religious life of its people increase international tension and embitter relations between peoples;

4) *Solemnly renews* its call for the cessation of all practices which deprive the Tibetan people of the human rights and fundamental freedoms which they have always enjoyed;

5) *Appeals* to all States to use their best endeavors to achieve the purposes of the present resolution.

**EUROPEAN PARLIAMENT**  
**STRASBOURG, OCTOBER 14, 1987**

**The European Parliament**

**A) Gravely concerned by the recent disturbances in Lhasa which are reported to have caused many deaths,**

**B) Recalling that both during the early days of the Chinese occupation in the 1950s and during the Cultural Revolution the Tibetan religion and culture were brutally repressed,**

**C) Noting the policy of tolerance which has been shown in recent times by the Chinese authorities towards the Tibetan Buddhist religion by the reconstruction of certain monasteries, as well as the growing participation of Tibetans in the administration of the Autonomous Regions,**

**D) Having regard to the new legal provisions of 1984 concerning the status of autonomous regions in China,**

**E) Calling attention to the Dalai Lama's five-point programme on the status of Tibet and relations between the Chinese and Tibetan people,**

**1) Urges the Chinese Government to respect the rights of the Tibetans to religious freedom and cultural autonomy,**

**2) Considers that the Dalai Lama's five-point programme could well form the basis of a settlement,**

**3) Instructs its President to forward this resolution to the Commission, the Council and the Government of the People's Republic of China.**

**COUNCIL OF EUROPE**  
**PARLIAMENTARY ASSEMBLY**  
**WRITTEN DECLARATION NO. 173**  
**OCTOBER 5, 1988**

The undersigned, members of the Assembly,

- 1) Aware of the disturbances in Tibet and the Tibetan people's wish to strengthen its national independence and rights to survival as well as to the development of its culture;
- 2) Concerned about the risk of the disappearance of national identity and culture,
- 3) Welcome the fact that the Government of the People's Republic of China is apparently willing to negotiate with the Dalai Lama;
- 4) Appeal to the Government of the People's Republic of China to promote the peace process in Tibet, respecting the human rights of the Tibetan people, its culture and civilization.

MOLLER  
ERIK SMITH  
BLENK  
LIED  
FENNER  
SOELL  
HOLST

NORGAARD  
HARMS  
WILKINSON  
HELGADOTTIR  
MACKI OF BENSHE  
ELMQUIST



**EUROPEAN PARLIAMENT**  
**STRASBOURG, MARCH 15, 1989**

**In a Joint Motion for a Resolution on Human Rights in Tibet**  
**The European Parliament,**

**A) having regard to recent demonstrations in Tibet at which the Chinese security forces opened fire and numbers of people were killed and many others injured,**

**B) having regard to the fact that on 7 March China declared martial law in Tibet, so that all demonstrations, petitions and public meetings have been outlawed,**

**C) noting further that all foreigners and journalists have been expelled,**

**D) believing that the conflict in Tibet should not be resolved by force,**

**E) noting the Chinese Government's change of policy in relation to Tibet in the 1980s by which they tolerate Buddhism, and have re-opened some monasteries, but religious teaching and the study of Buddhist philosophy is severely restricted,**

**1) Strongly condemns the violent repressive measures and in particular the use of arms, which have taken place in the Tibetan capital, and calls for the lifting of martial law;**

**2) Deplores the loss of life resulting from these disturbances and expresses its deepest sympathies with the families affected;**

**3) Urges the Government of the People's Republic of China to now hold the postponed discussions on the future of Tibet with the Dalai Lama;**

**4) Calls for a resumption of talks between all parties concerned and calls on the Chinese Government to resume a conciliatory policy towards Tibet which will respect the autonomous status of this region within the framework of Chinese constitutional practice;**

**5) Requests the Foreign Ministers of the Twelve and Commission to use their good offices with the parties concerned to promote a just solution to the problems of Tibet;**

**6) Instructs its President to forward this resolution to the Commission, the Council, the Foreign Ministers meeting in European Political Cooperation, the Government of the People's Republic of China and the Dalai Lama.**

**UNITED STATES  
FOREIGN RELATIONS AUTHORIZATION ACT  
FISCAL YEARS 1988 AND 1989  
WASHINGTON, DC**

**(EXCERPT)**

**THIS ACT WAS APPROVED AND SIGNED BY  
PRESIDENT RONALD REAGAN OF UNITED STATES OF  
AMERICA ON THE 22ND OF DECEMBER 1987.**

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1777) to authorize appropriations for fiscal years 1988 and 1989 for the Department of State, the United States Information Agency, the Voice of America, the Board for International Broadcasting, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

**SECTION 1. SHORT TITLE AND TABLE OF CONTENTS**

a) **SHORT TITLE-** This Act may be cited as the "Foreign Relations Authorization Act, Fiscal Years 1988 and 1989."

b) **TABLE OF CONTENTS-** The table of contents for this Act is as follows:

**TITLE 1-THE DEPARTMENT OF STATE**

**PART A- Authorization of Appropriations; Allocations of Funds;  
Restrictions**

**Sec 101- Administration of Foreign Affairs.**

**Sec 102- Contributions to International Organizations and Conferences;  
International.**

**Sec 103- International Commissions.**

**Sec 104- Migration and Refugee Assistance.**

**Sec 105- Other Programs.**

**SEC 1243. HUMAN RIGHTS VIOLATIONS IN TIBET BY THE PEOPLE'S  
REPUBLIC OF CHINA**

**(A) Findings- The Congress finds that-**

(1) on October 1, 1987, Chinese police in Lhasa fired upon several thousand unarmed Tibetan demonstrators, which included hundreds of women, children, and Tibetan Buddhist monks, killing at least six and wounding many others;

(2) on September 27, 1987, a peaceful demonstration in Lhasa calling for Tibetan independence and the restoration of human rights in Tibet, which was led by hundreds of Tibetan monks, was violently broken up by Chinese authorities and 27 Tibetan Buddhist monks were arrested;

(3) in the wake of His Holiness the Dalai Lama's five point peace plan, which was presented to Members of the United States Congress during his visit to Washington in September 1987, Chinese authorities in Tibet staged, on September 24, 1987, a mass political rally at which three Tibetans were given death sentences, two of whom were executed immediately;

(4) beginning October 7, 1950, the Chinese Communist army invaded and occupied Tibet;

(5) since that time, the Chinese Government has exercised dominion over the Tibetan people, who had always considered themselves as independent, through the presence of a large occupation force;

(6) over 1,000,000 Tibetans perished from 1959 to 1979 as a direct result of the political instability, executions, imprisonment, and wide scale famine engendered by the policies of the People's Republic of China in Tibet;

(7) after 1950, particularly during the ravages of China's Cultural Revolution, over 6,000 monasteries, the repositories of 1,300 years of Tibet's ancient civilization, were destroyed and their irreplaceable national legacy of art and literature either destroyed, stolen, or removed from Tibet;

**(8) the exploitation of Tibet's vast mineral, forest, and animal reserves has occurred with limited benefit to the Tibetan people;**

**(9) Tibet's economy and education, health, and human services remain far below those of the People's Republic of China as a whole;**

**(10) the People's Republic of China has encouraged a large influx of Han-Chinese into Tibet, thereby undermining the political and cultural traditions of the Tibetan people;**

**(11) there are credible reports of many Tibetans being incarcerated in labor camps and prisons and killed for the nonviolent expression of their religious and political beliefs;**

**(12) His Holiness the Dalai Lama, spiritual and temporal leader of the Tibetan people, in conjunction with the 100,000 refugees forced into exile with him, has worked tirelessly for almost 30 years to secure peace and religious freedom in Tibet, as well as the preservation of the Tibetan culture;**

**(13) in 1959, 1961, and 1965, the United Nations General Assembly called upon the People's Republic of China to end the violations of Tibetans' human rights;**

**(14) on July 24, 1985, 91 Members of the Congress signed a letter to President Li Xiannian of the People's Republic of China expressing support for direct talks between Beijing and representatives of His Holiness the Dalai Lama and the Tibetans in exile, and urging the Government of the People's Republic of China "to grant the very reasonable and justified aspirations of His Holiness the Dalai Lama and his people every consideration;"**

**(15) on September 27, 1987, the chairman and ranking minority member of the Senate Foreign Relations Committee, the chairman and ranking minority member of the House Foreign Affairs Committee, and the Co-Chairman of the Congressional Human Rights Caucus signed a letter to his Excellency Zhao Ziyang, the Prime Minister of the People's Republic of China, expressing their "grave concern with the present situation in Tibet and welcome(d) His Holiness the Dalai Lama's (five point) peace proposal as a historic step toward resolving the important question of Tibet and alleviating the suffering of the Tibetan people...(and) express(ing) their full support for his proposal;" and**

**(16) there has been no positive response by the Government of the People's Republic of China to either of these communications.**

**(b) STATEMENT OF POLICIES-** It is the sense of the Congress that-

(1) the United States should express sympathy for those Tibetans who have suffered and died as a result of fighting, persecution, or famine over the past four decades;

(2) the United States should make the treatment of the Tibetan people an important factor in its conduct of relations with the People's Republic of China;

(3) the Government of the People's Republic of China should respect internationally recognized human rights and end human rights violations against Tibetans;

(4) the United States should urge the Government of the People's Republic of China to actively reciprocate the Dalai Lama's efforts to establish a constructive dialogue on the future of Tibet;

(5) Tibetan culture and religion should be preserved and the Dalai Lama should be commended for his efforts in this regard;

(6) the United States, through the Secretary of State, should address and call attention to the rights of the Tibetan people, as well as other non-Han-Chinese within the People's Republic of China such as the Uighurs of Eastern Turkestan (Xinjiang), and the Mongolians of Inner Mongolia;

(7) the President should instruct United States officials, including the United States Ambassadors to the People's Republic of China and India, to pay greater attention to the concerns of the Tibetan people and to work closely with all concerned about human rights violations in Tibet in order to find areas in which the United States Government and people can be helpful; and

(8) the United States should urge the People's Republic of China to release all political prisoners in Tibet.

**(c) TRANSFER OF DEFENSE ARTICLES-** With respect to any sale, licensed export, or other transfer of any defense articles or defense services to the People's Republic of China, the United States Government shall, consistent with United States law, take into account the extent to which the Government of the People's Republic of China is acting in good faith and in a timely manner to resolve human rights issues in Tibet.

**(d) MIGRATION AND REFUGEE ASSISTANCE-** Within 60 days after the date of the enactment of this Act, the Secretary of State shall determine

whether the needs of displaced Tibetans are similar to those of displaced persons and refugees in other parts of the world and shall report that determination to the Congress. If the Secretary makes a positive determination, of the amounts authorized to be appropriated for the Department of State for "Migration and Refugee Assistance" for each of the fiscal years 1988 and 1989, such sums as are necessary shall be made available for assistance for displaced Tibetans. The Secretary of State shall determine the best means for providing such assistance.

(e) SCHOLARSHIPS- For each of the fiscal years 1988 and 1989, the Director of the United States Information Agency shall make available to Tibetan students and professionals who are outside Tibet no less than 15 scholarships for study at institutions of higher education in the United States.

# UNITED STATES CONGRESS

S. CON. RES. 129

WASHINGTON, DC

SEPTEMBER 16, 1988

The concurrent resolution (S. Con. Res. 129) expressing the support of the Congress for the Dalai Lama and his proposal to promote peace, protect the environment, and gain democracy for the people of Tibet, was considered and agreed to.

*Resolved by the Senate (the House of Representatives concurring),*

## SECTION 1. FINDINGS.

The Congress makes the following findings:

(1) The Congress has previously expressed its concern regarding the policies of the People's Republic of China in Tibet, including the violation of Tibetan human rights, and has called on the Chinese Government to ameliorate the situation.

(2) The Dalai Lama presented a five-point peace plan for the restoration of peace and human rights in Tibet during his visit to the Congress in September 1987. This peace plan has received considerable international support.

(3) The Dalai Lama has now prepared a proposal for a democratic system of government for the people of Tibet founded on law, by agreement of the people of Tibet, for the common good and protection of themselves and their environment.

(4) The proposal of the Dalai Lama recognizes that the primary responsibility for the conduct of the foreign affairs, and the exclusive responsibility for the defense, of Tibet will remain with the Government of the People's Republic of China, in order to fulfill its defense responsibility, will be permitted to maintain a restricted number of military bases in Tibet, but these bases must be located away from population centers.

(5) The proposal of the Dalai Lama contains important measures to ensure and enhance the human rights of the Tibetan people to include the following:



(A) Specific steps will be taken to fulfill the goal of transforming the Tibetan plateau into a peace sanctuary. These steps include convening a regional security conference to determine ways to reduce regional tensions and eventually to demilitarize the Tibetan plateau and bordering regions.

(B) Tibet will be founded on a constitution, or basic law, which will provide for a democratic form of government, with an independent judiciary, and a popularly elected chief executive and legislative assembly. The basic law will contain a bill of rights which will guarantee individual human rights and democratic freedoms as expressed in the Universal Declaration of Human Rights.

(C) The basic law of Tibet will ensure the protection of the natural resources of the plateau by requiring the passage of strict laws to protect wild life and plant life and by effectively converting almost the entire area of Tibet into national park lands or biospheres.

(D) During an interim period, following the signing of an agreement based on the proposal, Tibet will be governed according to a transitional agreement providing for a gradual reorganization of the administration of Tibet, the restoration of human rights to Tibetans, and the return of the People's Republic of China of Chinese recently settled through inducement and involuntary placement by the People's Republic of China in Tibet.

(E) In order to create an atmosphere of trust conducive to fruitful discussions, the Government of the People's Republic of China should respect the human rights of the people of Tibet and not engage in a policy of transferring Chinese persons to Tibet.

(F) Before ratification of any agreement, the proposal will be submitted to the Tibetan people in a popular referendum.

(6) The Dalai Lama has asked the Government of the People's Republic of China and other concerned governments to study carefully, and respond constructively to, the substance of the proposal.

## **SECTION 2. EXPRESSION OF CONGRESSIONAL SUPPORT FOR THE DALAI LAMA AND HIS PROPSAL FOR TIBETAN DEMOCRACY.**

The Congress-

(1) *Commends* the Dalai Lama for his past efforts to resolve the problems of Tibet through negotiation with the People's Republic of China, and for dissuading the Tibetan people from using violence to regain their freedom;

**(2) *Commends* the Dalai Lama for his new proposal in his continued quest for peace, and expresses its support for the trust of his proposal;**

**(3) *Calls on* the leaders and the Government of the People's Republic of China to respond positively to the proposal of the Dalai Lama, and to enter into earnest discussions with the Dalai Lama, or his representatives, to resolve the question of Tibet along the lines proposed by the Dalai Lama; and**

**(4) *Calls on* the President and the Secretary of State to express the support of the United States Government for the thrust of the proposal of the Dalai Lama, and to use their best efforts to persuade the leaders and the Government of the People's Republic of China to enter into discussions with the Dalai Lama, or his representatives, regarding the proposal of the Dalai Lama and the question of Tibet.**

**UNITED STATES CONGRESS**

**S. RES. 82**

**WASHINGTON, DC**

**MARCH 15, 1989**

**Expressing the concern of the Senate for the  
ongoing human rights abuses in Tibet**

**Mr. Pell (for himself, Mr. Helms, Mr. Murkowski, Mr. Kennedy, Mr. Kerry,  
Mr. Simon, Mr. Moynihan, and Mr. Chaffee) submitted the following  
resolution; which was ordered to be placed on the calendar;**

**Expressing the concern of the Senate for the ongoing human rights abuses in  
Tibet.**

**Whereas for the past four decades, repressive actions by the Chinese have resulted  
in the deaths of as many as one million Tibetans, the destruction of a  
large part of Tibet's unique cultural heritage, the flight of the Dalai  
Lama and tens of thousands of Tibetans from their homeland;**

**Whereas despite a short period (1978-1982) when a Chinese policy attempt was  
initiated to address the grievances of the Tibetan people, recent reports  
issued by credible human rights organizations, including Asia Watch  
and Amnesty International, and the international press confirm  
mounting human rights violations in Tibet, including arbitrary arrest  
and detention, the use of excessive force on peaceful demonstrators,  
restrictions on religious freedoms, torture, and a systematic pattern of  
discrimination;**

**Whereas Congress passed, and President Reagan signed into law on December  
22, 1987, legislation stating that "the Government of the People's  
Republic of China should respect internationally recognized human  
rights and end human rights violations against Tibetans . . . and should  
actively reciprocate the Dalai Lama's efforts to establish a constructive  
dialogue on the future of Tibet";**

**Whereas on September 16, 1988, the United States Senate unanimously passed  
S. Con. Res. 129 commending the Dalai Lama for his efforts to resolve  
the problems of Tibet through negotiations, supporting his proposal to  
promote peace, protect the environment, and gain democracy for the  
people of Tibet, and calling on the Government of the People's**

Republic of China to enter into discussions to resolve the question of Tibet along the lines proposed by the Dalai Lama;

Whereas on September 21, 1988, the Chinese Government welcomed negotiations with the Dalai Lama and stated: "the venue of the talks can be Beijing, Hong Kong, or any of the Chinese embassies and consulates abroad. Should the Dalai Lama find these places inconvenient, he can choose any place at his discretion provided that no foreigners participate in the talks";

Whereas the Chinese Government has yet to accept negotiations with representatives of the Dalai Lama, and no such negotiations have taken place;

Whereas Tibetans continue to demonstrate in support of human rights and democratic freedoms in Tibet. On March 5, 6 and 7, 1989, at least 30 and, according to some reports, as many as 60 people died and hundreds were injured when Chinese authorities fired on unarmed Tibetan demonstrators in Lhasa;

Whereas Chinese officials in Beijing have declared martial law in the Tibetan capital of Lhasa and its environs. Western tourists in Lhasa during these demonstrations have reported random mass arrests and mistreatment of Tibetans by Chinese authorities; Now therefore, be it

*Resolved*, That the Senate

(1) *Condemns* the recent use of violence against unarmed Tibetan demonstrators on March 5, 6, and 7, 1989;

(2) *Expresses* sympathy for those Tibetans who have suffered and died as a result of Chinese policies in Tibet over the past four decades;

(3) *Urges* the People's Republic of China to respect internationally recognized human rights and end human rights violations in Tibet;

(4) *Urges* the People's Republic of China to lift the government-imposed restrictions on foreign press and human rights monitoring groups in Tibet;

(5) *Urges* the Administration to propose that a United Nations observer team monitor the situation in Tibet;

**(6) *Urges* the United States to make the treatment of the Tibetan people an important factor in its conduct of relations with the People's Republic of China;**

**(7) *Urges* the United States, through the Secretary of State, to address and call attention to, in the United Nations and in other international fora, the rights of the Tibetan people;**

**(8) *Supports* the efforts of the Dalai Lama and others to resolve peacefully the situation in Tibet; and**

**(9) *Calls upon* the Government of the People's Republic of China to meet with representatives of the Dalai Lama to begin initiating constructive dialogue on the future of Tibet.**

# UNITED STATES CONGRESS

## H. CON. RES. 63

WASHINGTON, DC

MAY 16, 1989

Whereas on March 5, 6, and 7, 1989, Tibetans engaged in peaceful demonstrations in Lhasa were fired on by Chinese authorities, reportedly killing 30 to 60 persons and injuring hundreds;

Whereas on March 8, 1989, martial law was declared in Lhasa and its environs, and there were subsequent reports of mass arrests and mistreatment of Tibetans by Chinese authorities;

Whereas despite some Chinese efforts to address the grievances of the Tibetan people, reports issued by the International press and credible human rights organizations, including Asia Watch and Amnesty International, confirm mounting allegations of very serious violations of human rights in Tibet, including arbitrary arrest and detention, the use of excessive force on peaceful demonstrators, restrictions on religious freedoms, torture, and a systematic pattern of discrimination;

Whereas the government of the People's Republic of China has endorsed the Universal Declaration of Human Rights and has expressed its concern about human rights conditions in other countries, including South Africa and the United States;

Whereas Congress passed, and President Reagan signed into law on December 22, 1987, legislation stating that "the Government of the People's Republic of China should respect internationally recognized human rights and end human rights violations against Tibetans ... and should actively reciprocate the Dalai Lama's efforts to establish a constructive dialogue on the future of Tibet";

Whereas although both the Government of the People's Republic of China and the Dalai Lama has declared an intention to enter into negotiations concerning the situation in Tibet, no talks yet have taken place; and

Whereas the Dalai Lama has called on Tibetans to refrain from violence; "There is no justification for violence -- to use guns, or to stone people, or to burn houses,": Now therefore, be it

***Resolved by the House of Representatives (the Senate concurring), That the Congress--***

**(1) *Condemns* the use of excessive and lethal force by the Chinese authorities in Tibet against individuals engaged in the peaceful expression of their political beliefs;**

**(2) *Urges* the People's Republic of China to exercise restraint in response to future peaceful demonstrations, to respect internationally recognized human rights, and to end human rights violations in Tibet;**

**(3) *Urges* the People's Republic of China to lift martial law in Lhasa and its environs at the earliest possible date and to admit foreign journalists and human rights monitors to Tibet;**

**(4) *Urges* the People's Republic of China to allow representatives of respected international humanitarian organizations to have access to prisons in Tibet;**

**(5) *Consistent with* section 1243 of Public Law 100-204, *urges* the President to continue to make respect for human rights (including the treatment of Tibetans) an important factor in United States conduct of relations with the People's Republic of China;**

**(6) *Urges* the executive branch, through the Secretary of State, to call attention to violations of human rights in Tibet; and**

**(7) *Supports* all efforts, including those of the Dalai Lama, to peacefully resolve the situation in Tibet and *urges* both sides to pursue a constructive dialogue for a peaceful resolution of the situation as early as possible.**

**WEST GERMAN BUNDESTAG  
BONN, OCTOBER 15, 1987**

**TRANSLATION OF WEST GERMAN PARLIAMENTARY RESOLUTION  
ON TIBET:**

**Deutscher Bundestag**

**(W-German Parliament) no. 11/953 of 14-10-87**

The parliamentary parties of the CDU/CSU (Christian Democrats), SPD (Social Democrats), FPD (Liberals) and DIE GRUENEN (Green Party) propose a motion on Human Rights Violations in Tibet.

**Parliament may pass the following:**

Despite some liberalizing steps on the part of the Chinese Government, which are to be commended, there are still violations of Human Rights on the part of the Government of the People's Republic of China going on.

With growing concern the German Parliament notes that the situation in Tibet has changed for the worse during the last weeks.

The German Parliament asks the Federal Government to support that:

- 1) The Government of the People's Republic of China should respect internationally accepted Human Rights and should put an end to violations of Human Rights towards Tibetans,
- 2) The Government of the People's Republic of China should react positively to the efforts of the Dalai Lama to come to a constructive dialogue,
- 3) The significant wishes of the Tibetan People should be recognized to preserve Tibetan culture and religion and find out ways to enable the German people and the Government to help,
- 4) All political prisoners in Tibet should be freed,
- 5) The Federal Government, in Consultation with the High Commissioner for Refugees of the United Nations, should find out what active help may be necessary and appropriate to specially preserve cultural identity of Tibetan refugees,



6) A fair number of scholarships be given to Tibetan youth, students and scholars in German schools, universities and other institutes of learning.

The above motion was passed by the House unanimously on 15 October, 1987.

**ITALIAN PARLIAMENT**  
**COMMISSION OF FOREIGN AFFAIRS**  
**ROME**  
**APRIL 12, 1989**

The Commission of Foreign Affairs of the Italian Parliament reassembled on April 12, 1989 under Presidentship of Mr. Flaminio Piccoli, has approved a modified version of the motion presented on March 12, 1989 by parliamentarians from different parties. The following is the approved text:

The Commission of Foreign Affairs urges the Italian Government

- 1) To inquire about the present situation in Tibet,
- 2) Undertake any possible action in order to put an end to human rights violations and environmental damages and to come, as soon as possible to a pacific solution of the Tibetan problem, in the respect of the necessary autonomy of this area together with the safe guard of Beijing interest as regards foreign policy and the defenses of Chinese People's Republic,
- 3) To take active part in order to resolve this very delicate question not only in the qualified international offices but in the context of the political, economical and bilateral cooperation between Italy and the Chinese People's Republic.

**INTERNATIONAL COMMISSION OF JURISTS**  
**REPORT ON:**  
**THE QUESTION OF TIBET**  
**THE RULE OF LAW**  
**GENEVA, 1959**

(EXCERPT)

Introduction to the evidence on Chinese activities in Tibet

The allegations against the People's Republic of China can be fitted into three broad legal categories:

- 1) Systematic disregard for the obligations under the Seventeen-Point Agreement of 1951;
- 2) Systematic violation of the fundamental rights and freedoms of the people of Tibet;
- 3) Wanton killing of Tibetans and other acts capable of leading to the extinction of the Tibetans as a national and religious group, to the extent that it becomes necessary to consider the question of Genocide.

There is some inevitable overlap between these categories, for example, in the case of respect for religious belief, where there is this obligation under the Seventeen-Point Agreement [Article 7] and in the Universal Declaration of Human Rights [Article 18].

The significance of these three legal categories may be briefly explained. Violation of the 1951 Agreement by China can be regarded as a release of the Tibetan Government from its obligations, with the result that Tibet regained the sovereignty which she surrendered under the Agreement. This question is discussed in the part of this report entitled "*The Position of Tibet in International Law.*" For this reason the violations of the Agreement by China amount to more than a matter of domestic concern between Tibet and China. What is at stake is the very existence of Tibet as a member of the family of nations, and this matter concerns the whole family of nations. Evidence showing the systematic violation by China of the obligations under the Agreement is therefore printed *in extenso*.

Any systematic violation of human rights in any part of the world should, it is submitted, be a matter for discussion by the United Nations. For this reason the evidence which indicates violation on a systematic scale of the rights of the Tibetan people as human beings is printed *in extenso*. Most people will agree that in the sphere of human rights, some rights are fundamental. The rights of the Tibetans which appear to have been ruthlessly violated are of the most fundamental - even that of life itself. With violations of this gravity it is not a question of human rights being modified to meet the requirements of local conditions. It is a question of conduct which shocks the civilized world and does not even need to be fitted into a legal category. The evidence points to a systematic design to eradicate the separate national, cultural and religious life of Tibet.

Genocide is the gravest crime known to the law of nations. No allegation of Genocide should be made without the most careful consideration of evidence that killings, or other acts prohibited by the Genocide Convention, however extensive, are directed towards the destruction in whole or in part of a particular group which constitutes a race, a nation or a religion. The facts, as far as they are known are set out *in extenso*. It is submitted, with a full appreciation of the gravity of this accusation, that the evidence points at least to a *prima facie* case of Genocide against the People's Republic of China. This case merits full investigation by the United Nations.

The evidence submitted against China is printed verbatim in this report. Statements made by the official press and radio of the Chinese People's Republic are reproduced at perhaps inordinate length, and even so amount to no more than specimens of the Chinese account of the recent history of Tibet. Space does not permit a fuller inclusion, but it is considered that the selection is at least typical of the official Chinese accounts. The accounts given by Tibetan leaders in exile and refugees on the one hand, and Chinese spokesmen and Tibetan collaborators on the other are reproduced with a minimum of editing and running commentary. By and large the accounts given by Tibetans are self-evidently linked to the specific legal category under which they are cited; accounts from Chinese sources are by and large self-evidently inconsistent, though in this case there is a certain amount of running commentary.

At the beginning of each section of evidence presented is a summary of contents, an assessment of the effect of the evidence and, in some cases, a critical discussion of the Chinese accounts. Finally, a summary of conclusions is offered. A note on the leading personalities involved precedes the general body of evidence, together with a list of abbreviations used in the extracts and in the commentary.

From the whole tangled mass of propaganda, allegation and counter-allegations made by the principal protagonists in the Tibetan situation, one

statement stands out. The Dalai Lama in his statement at Mussoorie, India, on June 20th, 1959 said:

"I wish to make it clear that I have made these assertions against Chinese officials in Tibet in full knowledge of their gravity because I know them to be true. Perhaps the Beijing Government are not fully aware of the facts of the situation but if they are not prepared to accept these statements let them agree to an investigation on the point by an international commission. On our part I and my Government will readily agree to abide by the verdict of such an impartial body."

The issue on the evidence submitted in this report is to a large extent who is telling the truth. On this issue this proposal by the Dalai Lama is of the utmost importance. The International Commission of Jurists is setting up its Legal Inquiry Committee, but it is not known whether this Committee will be allowed to enter Tibet. Nor is it certain that a United Nations Commission, if one is formed, will be able to make on the spot inquiries in Tibet. But if entry is refused it will be by the Government of the People's Republic of China. That Government has not so far accepted the Dalai Lama's proposal. On the question of credibility the obvious inference is there to be drawn.

### The Question of Genocide

Genocide is defined in the Convention for the Prevention and Punishment of Genocide, 9th December 1948, which was agreed in pursuance of the resolution by the General Assembly of the United Nations<sup>1</sup> that Genocide is a crime against the law of nations. The contracting parties undertook to prevent and punish Genocide. There is therefore an obligations upon each and every one of the States who were party to the Convention to take action if a case of Genocide comes to light.

The Convention defines both the *mens rea*<sup>2</sup> and the *actus reus*<sup>3</sup> of Genocide in specific terms. The *actus reus* is committed in one or more of several ways as defined in Article 2:

- a) killing;
- b) causing serious bodily or mental harm;

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<sup>1</sup> Resolution 96(1) of December 11th, 1946

<sup>2</sup> *mens rea*, a term from the criminal law, means the state of mind necessary to make criminal the conduct which is prohibited.

<sup>3</sup> *Actus reus* means the conduct which the law prohibits.

- c) subjection to living conditions leading to the total or partial destruction of the group;
- d) measures intended to prevent the birth of children within the group;
- e) forcible transfer of children of the group to another.

Conspiracy to commit Genocide, incitement to commit Genocide, attempted Genocide and aiding and abetting Genocide are all declared punishable by Article 3. The *mens rea* of Genocide is defined as the intention to destroy in whole or in part a national, ethnic, racial or religious group as such.<sup>4</sup>

It cannot be overemphasized that one must deliberate carefully before making an allegation of Genocide. It is probably the gravest crime known to the law of nations. For this reason, the evidence must be very carefully considered, and all inferences from the evidence must be logically supportable.

*Evidence of the actus reus of Genocide:*

(i) Religious groups: The evidence that there has been widespread killing of Buddhist monks and lamas in Tibet is clear and explicit. One need only refer to the evidence in this category under Section A (II). If this evidence is to be believed, there has been a destruction by killing of a part of a religious group. The International Commission of Jurists believes that this evidence raises at the very least a case which requires thorough and careful investigation.

(ii) National groups: The account of wanton killings in Tibet points to killings on a wider scale than that of religious groups. Particular attention should be paid to the evidence of indiscriminate air attacks, and of deliberate shooting of Tibetans who were in no way engaged in hostilities. Evidence of such killings is given in Section B. It should also be stressed that the alleged deportation of 20,000 Tibetan children is directly contrary to Article 2 (e).<sup>5</sup> It is of the utmost importance that this report be fully investigated.

The Memorandum contains important evidence on the forcible removal of children to China:

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<sup>4</sup> Article 2.

<sup>5</sup> The report was contained in an article in the London "Daily Mail" on January 1st, 1959. Whilst a newspaper report cannot without more be regarded as an authentic primary source, the statement of a competent and reputable journalist (Mr. Noel Barber) raises at least a case for investigation.

"Above all they have made thousands of homes unhappy by forcing young boys and girls to go to China for de-nationalization, thus getting them indoctrinated to revolt against our own culture, traditions and religion. To this end they have sent more than five thousand boys and girls up to now to China proper."

Here is clear prima facie evidence of a violation of Article 2(e) of the Genocide Convention.

*Evidence of the mens rea of Genocide:*

It is very rarely in criminal trials that direct evidence of *mens rea* is available. The fact that there is no official Chinese policy statement directed towards the destruction of the Tibetans is no ground for withholding an accusation of Genocide if an inference of the requisite intention can properly be drawn. For this purpose it is permissible to take into account acts which point to the extinction of a national or religious group whether or not such acts are in themselves acts of Genocide. For if a systematic intention to destroy a nation or religion can be shown by acts which are not declared criminal by the Genocide Convention, the acts on which these inferences are based can properly be adduced as evidence of general intention. If in addition there are acts which are capable in law of amounting to Genocide, and such acts are part of a consistent pattern of destroying a nation or religion, the inference of intent in non-genocidal acts is equally valid in respect of acts which are within those prohibited by the Genocide Convention.

For this reason, the overall assessment of the evidence in Sections A and B is relevant and important. If such evidence points to an intention to destroy religion in Tibet, and to assimilate the Tibetan way of life to the Chinese, there is evidence of the required intent to destroy, in whole or in part, a national or religious group. It has been argued that the activities of the Chinese in Tibet point to the conclusion that this was the intention behind the Chinese acts in the fields described in Sections A and B. The ruthless efficiency is otherwise difficult to explain. The evidence in these two sections should be carefully studied.

This inference has been drawn from these and other facts by Tibetans from the Dalai Lama downwards. The Tibetan opinions on the Chinese intentions are as follows:

*Statement of the Dalai Lama in Mussoorie, June 20, 1959:*

In the course of his press conference the Dalai Lama stated:

"The ultimate Chinese aim with regard to Tibet, as far as I can make out, seems to attempt the extermination of religion and culture and even the absorption of the Tibetan race. . . Besides the civilian and military personnel already in Tibet, five million Chinese settlers have arrived in eastern and north-eastern Tso, in addition to which four million Chinese settlers are planned to be sent to U and Sung provinces of Central Tibet. Many Tibetans have been deported, thereby resulting in the complete absorption of these Tibetans as a race, which is being undertaken by the Chinese."

*Memorandum:*

The statement already quoted from the Memorandum on the *actus reus* of Genocide also contains the inference by the authors of the document that the aim was to get the children to "revolt against their own culture, traditions and religion."

*Statement of Chaghoe Namgyal Dorje:*

"... My experience of four years' work with the Chinese convinced me that their propaganda was false and that their real intention was to exterminate us as a race and destroy our religion and culture.

"Communists are enemies not only to Buddhism but to all religion. It has been told to me that more than 2,000 Lamas had been killed by the Chinese. I have personal knowledge of such attacks on 17 Lamas.

"Even if no help is coming we shall fight to death. We fight not because we hope to win but that we cannot live under Communism. We prefer death.

We are fighting not for a class or sect. We are fighting for our religion, our country, our race. If these cannot be preserved we will die a thousand deaths than surrender these to the Chinese."

These inferences were drawn by people who know as no one outside Tibet can know the full extent of Chinese brutality in Tibet. They are in a better position than any outsider to assess the motives behind the Chinese



**oppression, including the slaughter, the deportations and the less crude methods, of all of which there is abundant evidence.**

**It is therefore the considered view of the International Commission of Jurists that the evidence points to:**

- (a) a prima facie case of acts contrary to Article 2(a) and (e) of the Genocide Convention of 1948.**
- (b) a prima facie case of a systematic intention by such acts and other acts to destroy in whole or in part the Tibetans as a separate nation and the Buddhist religion in Tibet.**

**Accordingly, the Commission will recommend to its Legal Inquiry Committee that existing evidence of Genocide be fully checked, that further evidence, if available, be investigated, that unconfirmed be investigated and checked. But the final responsibility for this task rests with the formal organ of world authority and opinion. The Commission therefore earnestly hopes that this matter will be taken up by the United Nations. For what at the moment appears to be attempted Genocide may become the full act of Genocide unless prompt and adequate action is taken. The life of Tibet and the lives of Tibetans may be at stake, and somewhere there must be sufficient moral strength left in the world to seek the truth through the world's highest international organ.**

**INTERNATIONAL COMMISSION OF JURISTS  
REPORT ON  
TIBET AND THE  
CHINESE PEOPLE'S REPUBLIC  
GENEVA, 1960**

**(EXCERPT)**

**REPORT TO THE SECRETARY GENERAL**

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 ethnic 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 the standards of behavior 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 of 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 Trikamdas, 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

**UNIVERSAL DECLARATION OF  
HUMAN RIGHTS  
GENERAL ASSEMBLY  
NEW YORK  
DECEMBER 10, 1948**

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations among nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now Therefore a Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures,

national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

#### **ARTICLE 1**

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

#### **ARTICLE 2**

1- Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

2- Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether this territory be an independent trust, non-self-governing territory, or under any other limitation of sovereignty.

#### **ARTICLE 3**

Everyone has the right to life, liberty and the security of person.

#### **ARTICLE 4**

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

#### **ARTICLE 5**

No one shall be subjected to torture or to cruel inhuman or degrading treatment or punishment.

#### **ARTICLE 6**

Everyone has the right to recognition everywhere as a person before the law.

#### **ARTICLE 7**

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

#### **ARTICLE 8**

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.



## **ARTICLE 9**

No one shall be subjected to arbitrary arrest, detention or exile.

## **ARTICLE 10**

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

## **ARTICLE 11**

1- Everyone charged with a penal offense has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defense.

2- No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offense, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

## **ARTICLE 12**

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

## **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.

## **ARTICLE 14**

1- Everyone has the right to seek and to enjoy in other countries asylum from persecution.

2- This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

## **ARTICLE 15**

1- Everyone has the right to a nationality.

2- No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

## **ARTICLE 16**

1- Men and women of full age, without any limitations due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

2- Marriage shall be entered into only with the free and full consent of the intending spouses.

3- The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

#### **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.

#### **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.

#### **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.

#### **ARTICLE 20**

1- Everyone has the right to freedom of peaceful assembly and association.

2- No one may be compelled to belong to an association.

#### **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 of 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.

#### **ARTICLE 22**

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation 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.

#### **ARTICLE 23**

1- Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.

2- Everyone, without any discrimination, has the right to equal pay for equal work.

3- Everyone who works has the right to just and favorable remuneration insuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

4- Everyone has the right to form and to join trade unions for the protection of his interests.

#### **ARTICLE 24**

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

#### **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.

#### **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.

#### **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.

2- Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

**ARTICLE 28**

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

**ARTICLE 29**

1- Everyone has duties to the community in which alone the free and full development of his personality is possible.

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.

3- These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

**ARTICLE 30**

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

**UNITED NATIONS  
DECLARATION ON THE GRANTING  
OF INDEPENDENCE TO COLONIAL  
COUNTRIES AND PEOPLES  
GENERAL ASSEMBLY RESOLUTION 1514(XV)  
NEW YORK, DECEMBER, 1960**

*The General Assembly,*

*Mindful* of the determination proclaimed by the peoples of the world in the Charter of the United Nations to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small and to promote social progress and better standards of life in larger freedom,

*Conscious* of the need for the creation of conditions of stability and well-being and peaceful and friendly relations based on respect for the principles of equal rights and self-determination of all peoples, and of universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

*Recognizing* the passionate yearning for freedom in all dependent peoples and the decisive role of such peoples in the attainment of their independence,

*Aware* of the increasing conflicts resulting from the denial of or impediments in the way of the freedom of such peoples, which constitute a serious threat to world peace,

*Considering* the important role of the United Nations in assisting the movement for independence in Trust and Non-Self-Governing Territories,

*Recognizing* that the peoples of the world ardently desire the end of colonialism in all its manifestations,

*Convinced* that the continued existence of colonialism prevents the development of international economic co-operation, impedes the social, cultural and economic development of dependent peoples and militates against the United Nations ideal of universal peace,

***Affirming*** that peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principal of mutual benefit, and international law,

***Believing*** that the process of liberation is irresistible and irreversible and that, in order to avoid serious crises, an end must be put to colonialism and all practices of segregation and discrimination associated therewith,

***Welcoming*** the emergence in recent years of a large number of dependent territories into freedom and independence, and recognizing the increasingly powerful trends towards freedom in such territories which have not yet attained independence.

***Convinced*** that all peoples have an inalienable right to complete freedom, the exercise of their sovereignty and the integrity of their national territory,

***Solemnly proclaims*** the necessity of bringing to a speedy and unconditional end of colonialism in all its forms and manifestations;

**And to this end**

***Declares that:***

1) The subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation.

2) All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

3) Inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence.

4) All armed action or repressive measures of all kinds directed against dependent peoples shall cease in order to enable them to exercise peacefully and freely their right to complete independence, and the integrity of their national territory shall be respected.

5) Immediate steps shall be taken, in Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, without any conditions or

reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom.

6) Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations.

7) All States shall observe faithfully and strictly the provisions of the Charter of the United Nations, the Universal Declaration of Human Rights and the present Declaration on the basis of equality, non-interference in the internal affairs of all States, and respect for the sovereign rights of all peoples and their territorial integrity.





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