



United States Department of State

Washington, D.C. 20520

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MAR 17 2008

Dear Mr. Chairman:

On behalf of the Secretary, I am transmitting to you the enclosed report regarding "Tibet Negotiations," as required by section 613 (b) of the Tibet Policy Act of 2002 of the Foreign Relations Authorization Act Fiscal Year 2003 (P.L. 107-228).

We hope this information will be helpful to you and to other members of Congress. Please do not hesitate to contact us if we can be of further assistance.

Sincerely,

A handwritten signature in black ink that reads "Jeffrey T. Bergner".

Jeffrey T. Bergner
Assistant Secretary
Legislative Affairs

Enclosure:

As stated.

The Honorable
Howard L. Berman, Chairman,
Committee on Foreign Affairs,
House of Representatives.

Report on Tibet Negotiations

As Required by

Section 611, Foreign Relations Authorization Act, 2003

“Tibetan Policy Act of 2002”

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Foreign Relations Authorization Act, 2003
Section 611, "Tibetan Policy Act of 2002"

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I. Executive Summary

The United States welcomed the visit of the Dalai Lama's Special Envoys to Shanghai and Nanjing from June 29 to July 5, 2007 to meet with Chinese officials. This was the sixth round of dialogue since renewing contact in September 2002. The other visits occurred in February 2006, June 2005, September 2004, and May 2003. We have consistently urged Chinese officials to continue such contacts, and, in public statements and through diplomatic channels, have pressed for direct and substantive dialogue, without preconditions, that will lead to a negotiated settlement of outstanding differences.

The Dalai Lama can be a constructive partner as China deals with the difficult challenges of regional and national stability. He represents the views of the vast majority of Tibetans and his moral and spiritual authority helps to unite the Tibetan community inside and outside of China. China's engagement with the Dalai Lama or his representatives to resolve problems facing Tibetans is in the interest of both the Chinese government and the Tibetan people. At the same time, the lack of resolution of these problems leads to greater tensions inside China and will be a stumbling block to fuller political and economic engagement with the United States and other nations.

II. Tibet Policy

Encouraging substantive dialogue between Beijing and the Dalai Lama is an important objective of this Administration. The United States encourages China and the Dalai Lama to hold direct and substantive discussions aimed at resolution of differences at an early date, without preconditions. The Administration believes that dialogue between China and the Dalai Lama or his representatives will alleviate tensions in Tibetan areas and contribute to the overall stability of China.

The United States recognizes the Tibet Autonomous Region (TAR) and Tibetan autonomous prefectures and counties in other provinces to be a part of the People's Republic of China. This long-standing policy is consistent with the view of the international community. In addition, the Dalai Lama has expressly disclaimed any intention to seek sovereignty or independence for Tibet and has stated that he only seeks for China to preserve Tibetan culture, religion, and its fragile environment.

Because we do not recognize Tibet as an independent state, the United States

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does not conduct official diplomatic relations with the Tibetan “government-in-exile” in Dharamsala, India. However, we maintain contact with representatives of a wide variety of political and other groups inside and outside of China, including with Tibetans in the United States, China, and around the world. We have also met with the Dalai Lama in his capacity as an important religious leader and Nobel laureate. It is a sign of our country’s respect for the Dalai Lama that the President, the Secretary of State, and other senior administration officials have met with him on several occasions.

We have consistently urged China to respect the unique religious, linguistic, and cultural heritage of its Tibetan people and to respect fully their human rights and civil liberties.

III. Steps Taken by the President and the Secretary to Encourage the Government of the People’s Republic of China to Enter into a Dialogue with the Dalai Lama or His Representatives Leading to a Negotiated Agreement on Tibet

A. Steps Taken by the President

Since assuming office in January 2001, President George W. Bush has been consistent in urging the Government of the People’s Republic of China to engage in substantive dialogue with the Dalai Lama or his representatives, and to respect the unique cultural, linguistic, and religious heritage of the Tibetan people. In meetings over the past year, the President has urged Chinese leaders to invite the Dalai Lama to visit China as a way of building trust between the two sides.

On October 17, 2007, President Bush became the first sitting U.S. President to meet the Dalai Lama in public when he presented the Dalai Lama with the Congressional Gold Medal in recognition of “his many enduring and outstanding contributions to peace, nonviolence, human rights, and religious understanding,” at a ceremony in the Capitol Rotunda. During his speech at the award ceremony, the President urged Beijing to welcome the Dalai Lama to China and honor the Dalai Lama as a “universal symbol of peace and tolerance, a shepherd for the faithful, and the keeper of the flame for his people.” In addition to the many Members of Congress and dignitaries who attended the ceremony, the Deputy Secretary of State John D. Negroponte, Under Secretary for Democracy and Global Affairs Paula Dobriansky, in her role as Special Coordinator for Tibetan Issues, and Ambassador-at-Large for International Religious Freedom John V. Hanford III,

also attended from the Department of State.

During the October 2007 visit to Washington, D.C., the President also received the Dalai Lama at the White House. At that time the Dalai Lama briefed the President on the current status of the dialogue with China. As in their previous meetings, the President expressed his support for the Dalai Lama's efforts to hold substantive discussions with the Chinese leadership. He also reiterated the strong commitment of the United States to support the preservation of Tibet's unique religious, cultural, and linguistic identity and the protection of the human rights of all Tibetans. Under Secretary Paula Dobriansky also participated in the meeting.

The President frequently raises the importance of the dialogue between China and the Dalai Lama's representatives during his meetings with senior Chinese officials. In September 2007, the President encouraged the continuation of the dialogue and direct discussions with the Dalai Lama during his meetings with Chinese President Hu Jintao at the Asia Pacific Economic Cooperation (APEC) Forum. At that meeting, President Bush informed President Hu he would be attending the Congressional Gold Medal Ceremony because he wanted to honor the Dalai Lama. He reiterated that it was in the interest of China's leaders to meet with the Dalai Lama and stated that "if they were to sit down with the Dalai Lama they would find him a man of peace and reconciliation."

In his 2006 meetings with President Hu at the White House and at APEC in Vietnam, President Bush encouraged the dialogue and reiterated the importance of a face-to-face meeting with the Dalai Lama at the earliest possible date. During the President's November 2005 visit to China, he urged Chinese Premier Wen Jiabao and Chinese President Hu Jintao to increase religious freedom and human rights in China and encouraged them to engage in a dialogue with the Dalai Lama. President Bush specifically told the Chinese leadership that "he thought it would be wise for the Chinese government to invite the Dalai Lama to China so that he can tell them exactly what he told [the President] in the White House...that he has no desire for an independent Tibet."

B. Steps Taken by the Secretary

Over the past three years, Secretary Condoleezza Rice has consistently raised the issues of human rights and religious freedom at the highest levels, including in meetings with the Chinese President, Premier, State Councilor, and Foreign Minister. In her meetings, she has highlighted the need for progress on the

dialogue with the Dalai Lama's representative. In February 2008, during her most recent trip to China, the Secretary met with Foreign Minister Yang Jiechi and encouraged China to reach out to the Dalai Lama and his representatives to engage in a dialogue. Also during her September 2007 meetings with Foreign Minister Yang at APEC and opening of the UN General Assembly (UNGA) she raised these issues. During her previous meetings with then-Foreign Minister Li Zhaoxing at UNGA in September 2006, Secretary Rice specifically called on China to engage in direct talks with the Dalai Lama. She reiterated this message and the request for direct dialogue with the Dalai Lama during her October 2006 trip to China.

During her first trip to China as Secretary of State in March 2005, Dr. Rice raised the importance of the dialogue on Tibet with senior Chinese officials. She noted that the United States hopes that there would be improved relations with the Dalai Lama's representatives, "so that Tibetans can freely pursue their cultural interests."

Secretary Rice returned to China in July 2005 and met with Chinese President Hu Jintao, Premier Wen Jiabao, and then-Foreign Minister Li Zhaoxing. During this visit, the Secretary encouraged the Chinese leadership to work with the United States "toward a resolution of some of the structural issues in human rights and religious freedom" in China. She asked that China "reach out to, in particular, the Dalai Lama, a man who is, for Tibet, a man of considerable authority and considerable moral authority, but who really is of no threat to China."

C. Steps Taken by Other Department of State Officials

At all levels, in public statements and in private meetings, officials of the Department of State continue to raise with Chinese counterparts the importance of the Tibet issue and to urge that China continue discussions with the Dalai Lama or his representatives. Most recently, Deputy Secretary of State John Negroponte raised these issues while in Beijing in January 2008 for the U.S-China Senior Dialogue. At that time, he reiterated to Foreign Minister Yang President Bush's message of inviting the Dalai Lama to China at the earliest possible date. Deputy Secretary Negroponte also welcomed the Dalai Lama to the State Department in October 2007 following the Congressional Gold Medal Ceremony. There he expressed the commitment of the United States to the preservation of the Tibetan culture and human rights and his willingness to raise the issue of Tibet with his Chinese counterparts during bilateral meetings. Under Secretary Dobriansky also participated in this meeting.

On May 17, 2001, former Secretary of State Colin Powell designated Paula Dobriansky as Special Coordinator for Tibetan Issues, in addition to her continuing role as Under Secretary of State for Democracy and Global Affairs. As the Special Coordinator for Tibetan Issues, Under Secretary Dobriansky's responsibilities include promoting substantive dialogue between the Chinese government and the Dalai Lama or his representatives, maintaining close ties with Congress and nongovernmental organizations with Tibetan interests, and seeking to assist in preserving the cultural, religious, and linguistic heritage of Tibetans.

Under Secretary Dobriansky met most recently with the Dalai Lama in October 2007, her eleventh meeting since her appointment in 2001. They discussed a broad range of issues related to Tibet, including the dialogue with the Chinese, the human rights situation on the ground, and the impact of economic development on the Tibetan Plateau. Additionally, she had frequent meetings with Lodi Gyari, the Dalai Lama's Special Envoy, throughout the year.

In February 2008, Under Secretary Dobriansky met in Washington, D.C., with the Director of the State Administration of Religious Affairs (SARA), Ye Xiaowen. They discussed the Dalai Lama's position on Tibetan autonomy and new government regulations requiring the government's approval of the reincarnation of Tibetan Buddhist lamas. Under Secretary Dobriansky explained that the Dalai Lama has repeatedly and consistently stated that he is not seeking independence and in recent statements has said that Tibet has benefited economically from being part of China.

In November 2006, Under Secretary Dobriansky traveled to Dharmasala, India to meet with the Dalai Lama, and to visit with the Tibetan refugee population. She also met with the Dalai Lama during his September 2006 visit to New York City.

Under Secretary Dobriansky accompanied the President to China in October 2001 and February 2002. She also led a separate delegation to Beijing in April 2002 and has met with Chinese officials many times in the past five years. On all these occasions, she discussed Tibetan human rights and religious freedom issues as well as the importance of dialogue between Chinese officials and the Dalai Lama or his representatives. In August 2006, she traveled to Beijing, and raised the importance of continued dialogue and the need for concrete progress in several meetings with Chinese officials, including Executive Vice Foreign Minister

Dai Bingguo and Assistant Foreign Minister Cui Tiankai.

During the year, other Senior State Department Officials also met with the Dalai Lama's Special Envoy, Lodi Gyari, including Deputy Secretary of State John D. Negroponte, Under Secretary for Public Affairs Karen Hughes, and Deputy Assistant Secretary of State for East Asia and the Pacific Thomas Christensen.

In his February 2006 visit to China, then-Assistant Secretary of State for Democracy, Human Rights and Labor Barry Lowenkron in meetings with senior Chinese officials, reiterated President Bush's message that the Dalai Lama is not advocating for Tibetan independence and wants to preserve Tibet's unique culture. He stressed the importance of face-to-face talks with the Dalai Lama and urged Beijing to invite him to visit. Assistant Secretary Lowenkron also met with Lodi Gyari on several occasions to discuss Tibet human rights issues.

Ambassador-at-Large for International Religious Freedom John V. Hanford III has traveled to China repeatedly to promote religious freedom and has consistently raised concerns about the ongoing abuses in Tibetan areas with Chinese officials. Ambassador Hanford also met with the Dalai Lama during his November 2005 visit to Washington. In 2006, China was designated a "Country of Particular Concern" under the International Religious Freedom Act for the seventh consecutive year. The designation was made for severe violations of religious freedom, including the repression of Tibetan Buddhists.

U.S. ambassador to China Clark T. Randt has raised human rights and religious freedom repeatedly in his regular meetings with high-ranking Chinese officials. He traveled to the TAR in April 2002 to view conditions there and encourage discussions. Ambassador Randt has pressed for enhanced dialogue between China and the Dalai Lama or his representatives, has raised concerns about threats to the unique cultural, religious, and linguistic heritage of Tibetans, and has urged China to respect human rights and religious freedom in Tibet. These concerns have also been raised by key officials from the Bureau of East Asian and Pacific Affairs, including Assistant Secretary Christopher Hill and Deputy Assistant Secretary Thomas Christensen.

The staff of the U.S. Embassy in Beijing and the U.S. Consulate General in Chengdu follow closely the human rights and religious freedom situation in Tibetan areas and regularly raise U.S. concerns with Chinese officials. U.S. officials travel regularly to the TAR and to Tibetan areas in other provinces of

China to ascertain conditions in Tibetan areas, to raise human rights concerns, to urge Chinese authorities to engage in dialogue with the Dalai Lama or his representatives, and to support the protection of the cultural, religious, and linguistic heritage of Tibetans.

IV. Status of any Discussions Between the People's Republic of China and the Dalai Lama or His Representatives

A. History of Discussions

The last two decades have seen intermittent efforts by the Dalai Lama and the People's Republic of China to reach accommodation through dialogue. During a period of liberalization in the TAR inaugurated in 1980 by then-Secretary General of the Communist Party Hu Yaobang, the Dalai Lama was invited to send several delegations to China to observe conditions in Tibetan areas. Three delegations traveled through Tibetan areas between August 1979 and July 1980. In April 1982, and again in October 1984, high-level Tibetan delegations traveled to Beijing to hold exploratory talks with Chinese officials, but the two sides did not make substantive headway. In 1985, a fourth fact-finding delegation traveled to Tibetan areas of China, but no progress toward substantive negotiations was made.

Contacts between China and the Dalai Lama's representatives continued sporadically for the next 17 years, with occasional contacts between the Dalai Lama's older brother Gyalo Thondup and officials of the United Front Work Department (UFWD) of the Communist Party of China. However, an open visit by a senior Tibetan figure did not occur again until July 2002, when China invited Gyalo Thondup to visit Lhasa, Beijing, his family home in Qinghai, and the Xinjiang Uighur Autonomous Region in northwest China. Upon his return to India, Gyalo Thondup spoke of "great changes inside Tibet including many good roads and significant development in the cities" since his departure from Tibet in 1952. He also expressed optimism over the great changes in the outlook of the Chinese government" and urged face-to-face talks between Tibetan and Chinese leaders.

In September 2002, Special Envoy Lodi Gyari and Envoy Kelsang Gyaltsen led a four-member delegation to Lhasa, Shigatse, Chengdu, Shanghai, and Beijing. The visit, hosted by the UFWD, marked the first public travel of Lodi Gyari to China since 1984, when he visited Beijing. It also marked the first formal contact between the Dalai Lama's representatives and China since 1993. Lodi Gyari later

stated that the delegation had two tasks on the trip: “to re-establish direct contact with the leadership in Beijing and to create a conducive atmosphere enabling direct face-to-face meetings on a regular basis in the future; and to explain His Holiness the Dalai Lama’s Middle Way Approach towards resolving the issue of Tibet.”

In a September 2002 briefing, Chinese Ministry of Foreign Affairs (MFA) spokesperson Kong Quan stated, “China welcomes their return and views the visit as an opportunity for the group to observe Tibet’s development.” He also noted that “it is also helpful for the expatriates to witness the religious freedom of Tibetans. China believes that in recent years, the Dalai Lama has used support provided by international organizations to engage in separatist activities.” Kong stressed that the Dalai Lama must cease those activities and accept that Tibet and Taiwan are parts of China.

Lodi Gyari and Kelsang Gyaltzen traveled to China again from May 25 to June 8, 2003. Their party traveled to Jiangsu and Zhejiang provinces, the Tibetan areas of Yunnan province, and to Beijing and Shanghai municipalities. The envoys met with various officials in the localities they visited, and also met with the President and Vice President of the Buddhist Association of China, a government-affiliated religious organization. In a press statement released after the visit, Lodi Gyari stated, “We have been able to meet officials of various levels of the provinces we visited and exchanged views in a warm atmosphere.” Regarding the envoys’ travel to Dechen Tibetan Autonomous Prefecture in Yunnan province, he said, “Our visit was too short for us to assess in an adequate manner how effectively the Tibetan language, culture, religion, and identity are being preserved, protected, and promoted.” He was, however, “impressed by efforts to protect the beautiful environment of Gyalthang,” referring to a county in Dechen Prefecture.

Shortly after the trip concluded, MFA spokesperson Kong Quan said in a press conference that Beijing approved of Tibetan “compatriots” visiting China in a private capacity. Kong noted that Lodi Gyari and Kelsang Gyaltzen had close ties with the Dalai Lama, and stated that their visit illustrated that the Chinese government maintained channels of communication with the Dalai Lama. Kong also stated that through their greater understanding of developments in China and Tibet, the Dalai Lama would be able to assess the situation and make “correct choices.”

Lodi Gyari and Kelsang Gyaltzen traveled to China for a third time from

September 12 to 29, 2004. In addition to visiting Beijing, Hebei, and Guangdong, the envoys visited several counties of the Kardze Tibetan Autonomous Prefecture in western Sichuan province, including Lodi Gyari's hometown. The envoys were again hosted by the UFWD, and met with UFWD head and Vice Chairperson of the Chinese People's Political Consultative Committee Minister Liu Yandong and other officials. Lodi Gyari issued a statement after the visit noting that they had "so far the most extensive and serious exchange of views on matters relating to Tibet," conducted in "a frank but cordial atmosphere." He noted that "both sides acknowledged the need for more substantive discussions in order to narrow down the gaps and reach a common ground. We stressed the need for both sides to demonstrate flexibility, far-sightedness, and vision to bridge the differences."

Former Chinese Assistant Foreign Minister Shen Guofang described the 2004 talks as "useful and beneficial." As with the previous visits, the MFA spokesperson again described the visit as "some Tibetan expatriates allowed to come back to China in a private capacity." He continued, "We welcome them back to China to see for themselves the development of Tibet and other Tibetan autonomous areas of China," and noted that they would visit relatives and "have a chance to meet with people at all levels." The spokesperson reiterated China's opposition to a visit by the Dalai Lama at this time, once again saying that he was engaged in "splittist activities." If the Dalai Lama ceased these activities, recognized Tibet and Taiwan as part of China, and admitted that the Government of the People's Republic of China was the sole legitimate government representing all of China, then China would be willing to have direct consultations with him "on his personal future."

On June 30-July 1, 2005, Lodi Gyari and Kelsang Gyalsten again met with a delegation of Chinese officials in Bern, Switzerland led by Vice Foreign Minister Zhu Weiqun, Deputy Head of the UFWD. This was the first meeting held between the two sides outside of China. Gyari described the discussions as concrete and substantive. Noting that many differences still remain, Gyari stated that "the Bern round gave both sides another opportunity to extensively share with each other their views and perspectives on core issues."

From February 15-23, 2006, the Dalai Lama's envoys met in Guilin, China. In previous meetings, the envoys had requested to visit other autonomous regions of China, which is why Guangxi Autonomous Region was chosen. After the meetings concluded, Lodi Gyari reported that there was "a growing understanding between the two sides, though fundamental differences persisted." However, he

made clear that the Tibetans remain committed to the dialogue process and are hopeful that progress will be possible by continuing the engagement

B. Current Status of Discussions

Most recently, the Dalai Lama's envoys were hosted by the UFWD in Shanghai and Nanjing from June 29 to July 5, 2007. Following this meeting the envoys reported that "our dialogue process has reached a critical stage" and that "we ...made some concrete proposals for implementation if our dialogue process is to go forward."

In November 2006, Mr. Gyari gave a speech at the Brookings Institute in Washington, DC entitled "Seeking Unity Through Equality: The Current Status of Discussions Between His Holiness the Dalai Lama and the Government of the People's Republic of China," which gave an air of general optimism regarding talks with Chinese officials. He said, "the understanding of each other's positions is growing and where the differences lie is becoming clearer. China's lack of trust of the Dalai Lama and the Tibetan people continue to be one of the most critical obstacles."

In March 2007, at a House Foreign Affairs Committee hearing, Mr. Gyari focused on the status of the dialogue stating that "the difference in viewpoints are numerous," but that "each now have a clearer grasp of one another's divergent perspectives." He went on to say that, "we have now reached the stage where if there is the political will on both sides, we have an opportunity to finally resolve this issue."

It remains to be seen, however, whether the optimism expressed in Mr. Gyari's statements will be sustained. As Under Secretary Dobriansky noted in her testimony at the same hearing, "when discussions began between the Dalai Lama's representatives and the Chinese government in 2002, the United States was encouraged by the promise of the dialogue, however, after six rounds of talks we have become more concerned that the dialogue has not produced any results."

Throughout the year, Beijing continued to make negative and unconstructive public statements concerning the Dalai Lama, especially around the time the Dalai Lama was awarded the Congressional Gold Medal in October 2007 and as he prepared to meet with foreign leaders. On October 18, MFA spokesman Liu Jianchao said that "the Dalai Lama's meetings with senior U.S. officials and his

receiving the Congressional Gold Medal were blatant interference in China's internal affairs and that severely hurt the feelings of the Chinese people and greatly undermined the relationship between the United States and China." Liu went on to say that "Foreign Minister Yang strongly protested the visit to Ambassador Randt." He also noted that "the Chinese people know better than anyone what kind of person the Dalai Lama is, in Tibet in the past there existed a system of serfdom led by the Dalai Lama." Earlier in September 2007, when MFA spokeswoman Jiang Yu was asked to comment on a meeting between German Chancellor Angela Merkel and the Dalai Lama, she noted that "Chancellor Merkel disregarded China's solemn representation on the matter and insisted on meeting the Dalai Lama, who has long engaged in activities aimed at splitting the motherland." Comments like these and others from Beijing cast doubt on the degree to which the Chinese government is willing to engage in serious negotiations on substantive issues regarding Tibet.

The Dalai Lama took the opportunity of the Congressional Gold Medal Ceremony to assert once again that he is not seeking independence for Tibet. In his speech he said he has no intention of using any agreement on autonomy as a stepping stone for Tibet's independence, and that these thoughts have been explained in detail to the Chinese government through his envoys. He has stated this repeatedly in other public statements, including in his March 10, 2007 annual statement to mark the anniversary of the 1959 Tibetan National Uprising. At that time the Dalai Lama made clear he does not seek independence for Tibet, but rather that Tibetans be given autonomy in order to preserve their civilization and their unique culture, religion, language, and way of life. For this to occur, the Dalai Lama has said it is essential for Tibetans to be able to handle all their domestic affairs and to freely determine their social, economic, and cultural development.

While the United States remains supportive of the talks, after six years we are disappointed and concerned that the dialogue has not produced concrete results. We are concerned that in 2007 the Chinese government increased its negative rhetoric about the Dalai Lama, while giving no indications that it is prepared to engage on these issues. We hope to see a seventh visit in the near future. But even more, we hope that the dialogue leads to positive movement on questions related to Tibet. Dialogue is better than its absence, however, we expect this dialogue to lead to negotiated solutions to the very real problems that Tibet and its people face.