

Calendar No. 500

105TH CONGRESS
2^D SESSION

S. CON. RES. 103

Expressing the sense of the Congress in support of the recommendations of the International Commission of Jurists on Tibet and on United States policy with regard to Tibet.

IN THE SENATE OF THE UNITED STATES

JUNE 10, 1998

Mr. MOYNIHAN (for himself, Mr. HELMS, Mr. LEAHY, Mr. MACK, Mr. WELLSTONE, Mr. FEINGOLD, Mr. GREGG, Mr. KOHL, Mr. GRASSLEY, and Ms. SNOWE) submitted the following resolution; which was referred to the Committee on Foreign Relations

JULY 28, 1998

Reported by Mr. LOTT (for Mr. HELMS), with an amendment

[Strike out all after the resolving clause and insert the part printed in *italic*]

CONCURRENT RESOLUTION

Expressing the sense of the Congress in support of the recommendations of the International Commission of Jurists on Tibet and on United States policy with regard to Tibet.

Whereas the International Commission of Jurists is a non-governmental organization founded in 1952 to defend the Rule of Law throughout the world and to work towards the full observance of the provisions in the Universal Declaration of Human Rights;

Whereas in 1959, 1960, and 1964, the International Commission of Jurists examined Chinese policy in Tibet, violations of human rights in Tibet, and the position of Tibet in international law;

Whereas in 1960, the International Commission of Jurists found “that acts of genocide has been committed in Tibet in an attempt to destroy the Tibetans as a religious group, * * *” and concluded that Tibet was at least “a de facto independent State” prior to 1951 and that Tibet was a “legitimate concern of the United Nations even on the restrictive interpretation of matters ‘essentially within the domestic jurisdiction’ of a State.”;

Whereas these findings were presented to the United Nations General Assembly, which adopted three resolutions (1959, 1961, and 1965) calling on the People’s Republic of China to ensure respect for the fundamental human rights of the Tibetan people and for their distinctive cultural and religious life, and to cease practices which deprive the Tibetan people of their fundamental human rights and freedoms including their right to self-determination;

Whereas in December 1997, the International Commission of Jurists issued a fourth report on Tibet, examining human rights and the rule of law, including self-determination;

Whereas the President has repeatedly indicated his support for substantive dialogue between the Government of the People’s Republic of China and the Dalai Lama or his representatives; and

Whereas on October 31, 1997, the Secretary of State appointed a Special Coordinator for Tibetan Issues to over-

see United States policy regarding Tibet: Now, therefore,
be it

1 *Resolved by the Senate (the House of Representative*
2 *concurring), That Congress—*

3 (1) expresses grave concern regarding the find-
4 ings of the December 1997 International Commis-
5 sion of Jurists report on Tibet that—

6 (A) repression in Tibet has increased
7 steadily since 1994, resulting in heightened con-
8 trol on religious activity; a denunciation cam-
9 paign against the Dalai Lama unprecedented
10 since the Cultural Revolution; an increase in
11 political arrests; suppression of peaceful pro-
12 tests; and an accelerated movement of Chinese
13 to Tibet; and

14 (B) in 1997, the People's Republic of
15 China labeled the Tibetan Buddhist culture,
16 which has flourished in Tibet since the seventh
17 century, as a “foreign culture” in order to fa-
18 cilitate indoctrination of Tibetans in Chinese so-
19 cialist ideology and the process of national and
20 cultural extermination;

21 (2) supports the recommendations contained in
22 the report referred to in paragraph (1) that—

23 (A) call on the Republic of China—

1 (i) to enter into discussions with the
2 Dalai Lama or his representatives on a so-
3 lution to the question of Tibet based on
4 the will of the Tibetan people;

5 (ii) to ensure respect for the fun-
6 damental human rights of the Tibetan peo-
7 ple; and

8 (iii) to end those practices which
9 threaten to erode the distinct cultural, reli-
10 gious and national identity of the Tibetan
11 people and, in particular, to cease policies
12 which result in the movement of Chinese
13 people to Tibetan territory;

14 (B) call on the United Nations General As-
15 sembly to resume its debate on the question of
16 Tibet based on its resolutions of 1959, 1961,
17 and 1965, and to hold a referendum in Tibet;
18 and

19 (C) calls on the Dalai Lama or his rep-
20 resentatives to enter into discussions with the
21 Government of the People's Republic of China
22 on a solution to the question of Tibet based on
23 the will on the Tibetan people;

1 (3) commends the appointment by the Sec-
2 retary of State of a United States Special Coordina-
3 tor for Tibetan Issues—

4 (A) to promote substantive dialogue be-
5 tween the Government of the People's Republic
6 of China and the Dalai Lama or his representa-
7 tives;

8 (B) to coordinate United States Govern-
9 ment policies, programs, and projects concern-
10 ing Tibet;

11 (C) to consult with the Congress on poli-
12 cies relevant to Tibet and the future and wel-
13 fare of all Tibetan people, and to report to Con-
14 gress in partial fulfillment of the requirements
15 of section 536(a) of the Public Law 103-236;
16 and

17 (D) to advance United States policy which
18 seeks to protect the unique religious, cultural,
19 and linguistic heritage of Tibet, and to encour-
20 age improved respect for Tibetan human rights;

21 (4) calls on the People's Republic of China to
22 release from detention the 9-year old Panchen
23 Lama, Gedhun Choekyi Nyima, to his home in Tibet
24 from which he was taken on May 17, 1995, and to

1 allow him to pursue his religious studies without in-
 2 terference and according to tradition; and

3 ~~(5) calls on the President, as a central objective~~
 4 ~~of the 1998 presidential summit meeting with Jiang~~
 5 ~~Zemin in Beijing, to secure an agreement to begin~~
 6 ~~substantive negotiations between the Government of~~
 7 ~~the People's Republic of China and the Dalai Lama~~
 8 ~~or his representatives.~~

9 *That Congress—*

10 *(1) expresses grave concern regarding the find-*
 11 *ings of the December 1997 International Commission*
 12 *of Jurists report on Tibet that—*

13 *(A) repression in Tibet has increased stead-*
 14 *ily since 1994, resulting in heightened control on*
 15 *religious activity; a denunciation campaign*
 16 *against the Dalai Lama unprecedented since the*
 17 *Cultural Revolution; an increase in political ar-*
 18 *rests; suppression of peaceful protests; and an ac-*
 19 *celerated movement of Chinese to Tibet; and*

20 *(B) in 1997, the People's Republic of China*
 21 *labeled the Tibetan Buddhist culture, which has*
 22 *flourished in Tibet since the seventh century, as*
 23 *a “foreign culture” in order to facilitate indoc-*
 24 *trination of Tibetans in Chinese socialist ideol-*

1 ogy and the process of national and cultural ex-
2 termination;

3 (2) supports the recommendations contained in
4 the report referred to in paragraph (1) that—

5 (A) call on the People's Republic of
6 China—

7 (i) to enter into discussions with the
8 Dalai Lama or his representatives on a so-
9 lution to the question of Tibet;

10 (ii) to ensure respect for the fundamen-
11 tal human rights of the Tibetan people; and

12 (iii) to end those practices which
13 threaten to erode the distinct cultural, reli-
14 gious and national identity of the Tibetan
15 people and, in particular, to cease policies
16 which result in the movement of Chinese
17 people to Tibetan territory;

18 (B) call on the United Nations General As-
19 sembly to resume its debate on the question of
20 Tibet based on its resolutions of 1959, 1961, and
21 1965; and

22 (C) call on the Dalai Lama or his rep-
23 resentatives to enter into discussions with the
24 Government of the People's Republic of China on
25 a solution to the question of Tibet;

1 (3) commends the appointment by the Secretary
2 of State of a United States Special Coordinator for
3 Tibetan Issues—

4 (A) to promote substantive dialogue between
5 the Government of the People's Republic of
6 China and the Dalai Lama or his representa-
7 tives;

8 (B) to coordinate United States Government
9 policies, programs, and projects concerning
10 Tibet;

11 (C) to consult with the Congress on policies
12 relevant to Tibet and the future and welfare of
13 all Tibetan people, and to report to Congress in
14 partial fulfillment of the requirements of section
15 536(a) of the Public Law 103-236; and

16 (D) to advance United States policy which
17 seeks to protect the unique religious, cultural,
18 and linguistic heritage of Tibet, and to encour-
19 age improved respect for Tibetan human rights;

20 (4) calls on the People's Republic of China to re-
21 lease from detention the 9-year old Panchen Lama,
22 Gedhun Cheokyi Nyima, to his home in Tibet from
23 which he was taken on May 17, 1995, and to allow
24 him to pursue his religious studies without inter-
25 ference and according to tradition;

1 (5) *commends the President for publicly urging*
2 *President Jiang Zemin, during their recent summit*
3 *meeting in Beijing, to engage in dialogue with the*
4 *Dalai Lama; and*

5 (6) *calls on the President to continue to work to*
6 *secure an agreement to begin substantive negotiations*
7 *between the Government of the People's Republic of*
8 *China and the Dalai Lama or his representatives.*

Calendar No. 500

105TH CONGRESS
2D Session

S. CON. RES. 103

CONCURRENT RESOLUTION

Expressing the sense of the Congress in support of the recommendations of the International Commission of Jurists on Tibet and on United States policy with regard to Tibet.

JULY 28, 1998

Reported with an amendment