The Resolutions of 1961 and 1965

In 1960, the International Commission of Jurists (ICJ) 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 Commission concluded that the Chinese authorities in Tibet had violated sixteen articles of the Universal declaration of human rights. In an earlier report, the Commission stated: "On the basis of the available evidence, it would seem difficult to recall a case in which ruthless suppression of man's essential dignity had been more systematically and efficiently carried out." Even after the publications of these findings and the passing of the United Nations Resolutions, violations of human rights in Tibet have been continuing. The Chinese have carried out a harsh and ruthless policy in Tibet, with the manifest purpose of eradicating the Tibetan political entity as well as its cultural, religious and ethnic personality. Thus, the Tibetans have

1 International commission of Jurists, Legal inquiry Committee on Tibet, Tibet, and the Chinese people's Republic, Geneva, 1960, p.3.
2 Ibid, pp.4-5.
been denied equal political rights, they have been severely restricted in their right to travel, and they have been granted no freedom of expression. Solzhenitsyn has described the Communist Chinese regime in Tibet as "more brutal and inhuman than any other Communist regime in the world."

In regard to the question of Tibet's legal status, the Legal Inquiry Committee of the ICJ concluded that "Tibet was at the very least de facto independent state when the agreement on peaceful measures in Tibet was signed in 1951, and the repudiation of this agreement by the Tibetan government in 1959 was found to be fully justified...."

Tibet surrendered her independence by signing the agreement on peaceful measures for the liberation of Tibet in 1951. 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

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People's Republic, and that the government of Tibet was entitled to repudiate the Agreement as it did on March 11, 1959.⁶

The ICJ's purpose was not to attempt a definite analysis of the exact juridical status of Tibet in terms of modern international law but to determine whether the question of Tibet was entirely within the domestic jurisdiction of China or was of legitimate concern to the United Nations. The Committee determined that "Tibet's status was such as to make the Tibetan question one of the legitimate concerns of the United Nations even on the restrictive interpretation of matters essentially within the domestic jurisdiction of a state".⁷

Shortly after the publication of the second ICJ Report, Malaya and Thailand requested that "the question of Tibet" once again be considered by the United Nations General Assembly in its fifteenth (1960) session. They considered that the fundamental human rights of the Tibetan people continued to be systematically disregarded. The report to the International Commission of Jurists by its Legal Inquiry Committee on Tibet, published on 8 August 1960, gives clear confirmation of the attempts to destroy the traditional and distinctive

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⁶ In International court of Justice Reports, (1951) 15, in ICJ, Tibet and the Chinese People's Republic, Geneva, 1960, p.60.

way of life the Tibetan people and her religions and cultural autonomy. The representatives from New Zealand also cited the ICJ report in the 1960-61 debates.

The request was accompanied by another letter from the Dalai Lama on 29 September 1960 reiterating Tibet’s claim to independence based upon the thirteenth Dalai Lama’s declaration, the 1913 Treaty of Mutual Recognition with Mongolia, the Simla Convention, and Tibet’s de facto independence between 1912 and 1950. As with the previous appeal, the Dalai Lama requested UN assistance in the restoration of Tibetan independence as well as in halting human rights abuses. The draft resolution submitted by Malaya and Thailand spoke of violations of Tibetans’ human rights and of their religious and cultural autonomy and for the first time, referred to the “principle of self-determination of peoples and nations”.  El Salvador held that the question of Tibet has not finally been settled simply because Communist China has succeeded in achieving domination over the

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8 UNDOC. A/4444, 19 August 1960.


small country of Tibet" Ireland rejected the contention that Tibet was entirely an internal affair of China, maintaining that this was,

a line of argument that all of us who have lived under foreign rule have rejected in relation to ourselves, a line of argument that would have kept half the nations in this assembly in servitude forever and prevented the world from ever discussing our condition. Looking around this assembly, and looking at my own delegation, I think how many benches would be empty here in this hall if it had always been agreed that when a small nation or a small people fell into the grip of a major power, no one could ever raise their case here; that once they were a subject nation, they must always remain a subject nation.

Tibet has fallen into the hands of the Chinese people's Republic for the last few years. For thousand of years, or for a couple of thousand of years at any rate, it was as free and as fully in control of its own affairs as any nation in this assembly, and a thousand times more free to look after its own affairs than many of the nations here.12

In accordance with the UN rules, the debate on the item, "The question of Tibet", was initiated by three countries speaking in favour of inclusion and three against. This debate took place on 10 October 1960. New Zealand, El Salvador and Ireland spoke in favour, and Indonesia, the Soviet Union and Romaina spoke against. Despite the burgeoning Sino-Soviet split, the Soviet Union maintained socialist

11 Ibid, 247.
solidarity reiterating with the Chinese position that Tibet was an internal affair of the PRC and that the “so called Tibet question” was nothing more than an attempt to poison the international atmosphere by the revival of Cold war issues. The Soviet Union denied that there were any violations of human rights in Tibet, only the ambitions of capitalist imperialism in relation to Tibet were being denied (socialist states being incapable of imperialism), while in reality, Tibet had achieved genuine human rights under Chinese rule. Romania repeated the same line. In the voting on the inclusion of the item, “The question of Tibet”, 49 countries were in favour, 13 opposed and 35 abstained. The states voting in favour included Japan, New Zealand, Australia, Philippines, Pakistan, Thailand, Nationalist China (Taiwan) and the Federation of Malaya. Those voting against were exclusively members of the Soviet bloc, with the addition of Indonesia, Mali and Guinea. Asian states including India, Nepal, Afghanistan, Laos, Burma and Ceylon abstained. Eventually, the Tibet issue was not discussed in the fifteenth session due to time constraints.

At the end of February 1960, the Americans decided to release a letter from the Secretary of State, Christian Hector to the Dalai Lama, which, for the first time, made public the declared position of the US

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14 Ibid. p. 251.
towards Tibet. Herter, in his response, declared, "As you know, while it has been the historical position of the US to consider Tibet as an autonomous country under the suzerainty of China, the American people have also traditionally stood for the principle of self-determination. It is the belief of the United States Government that this principle should apply to the people of Tibet and that they should have the determining voice in their own political destiny." In many ways, the American statement had an adverse effect on the Tibetan situation. Many countries concluded that the US was trying to use Tibet for Cold War propaganda. The US announcement was not only rebuffed by the Communists, the Nationalists also issued a statement saying that Tibet was part of the Republic of China. Beijing accused the Americans of attempting to sever Tibet from other parts of China under the pretext of self-determination. The Indians also did not welcome the US announcement, saying that it misled the Tibetans without any practical result.

India found itself on a collision course with China over the border issue, and therefore did not want to get into another controversy over the status of Tibet. They warned the British not to establish any formal contact with the Dalai Lama, and advised the Foreign Office not to respond to any communiqué from the Tibetans.

15 SWB, 1960, 7/3/60, p.A1/1}
The Indians argued that any contacts with foreign governments would increase the Tibetans' illusion that something could be done to help Tibet. The British were inclined to follow India's advice on the grounds that it would do neither the Dalai Lama nor his cause any good to upset the Indian's. They not only refused to support the Tibetan appeal but also wanted to terminate any formal contact with the Dalai Lama.

Communist China was not represented at the UN and it would naturally reject any third party mediation, especially under the auspices of the UN. The question of self-determination was even more problematic. Almost all the western countries would oppose any resolution based on the right of self-determination. The British Foreign Office noted that it would be a very bad precedent in relation to UK's dependent territories, and would encourage either the Soviet bloc or the neutrals to promote a resolution on self-determination in respect to those territories. As 1960 was the high point of the cold war as may U2 spy plane had been shot down by the Russians, a major propaganda victory for the Communist bloc. The Eisenhower administration was involved in an election campaign, making the

16 FO 371-150712. The Tibetans wrote several times to the British urging them to support. Tibet's appeal to the UN and Shakabpa held meetings with the British High Commissioner in Delhi. The British stressed that these meetings were held only as a courtesy to the Dalai Lama as a respected religious leader.

Americans keen to reduce international confrontation with the Soviet Union. The Russian Ambassador at the UN made it clear that he was in favour of discontinuing the debate on Tibet, implying that its continuance would prompt the Soviet Union to raise other issues against the Americans. It was discretely agreed that in the interests of reducing international tension, the discussion on Tibet should be dropped.

When in 1961, J.F. Kennedy came to power with the avowed aim of challenging communism, the Tibetans received a new impetus. In September 1961, Malaya and Thailand moved to include Tibet on the agenda of the sixteenth session of the General Assembly, with the support of Ireland and El Salvador. The item was brought up for discussion on 26 September 1961. Malaya reiterated its position that Tibet should be discussed despite the contention that it would inflame Cold War tensions. Its representative said that: "It has been alleged that Tibet is a dead issue. I see no logic in this. For some nations, perhaps, the initial shock of the outrage perpetrated against the Tibetan people may have worn off, but this does not make Tibet an issue. The outrage still continues and the people of Tibet are still deprived of their fundamental human rights and freedoms, and so long as this state of affairs continues, the General Assembly has as much
right to deal with the issue now as it had to deal with the issue in 1959."\textsuperscript{18}

The Soviet bloc (Cuba non-included) with the addition of Indonesia and Guinea again spoke against inclusion, while Japan spoke in favour. And the vote on the inclusion of the item, “The Question of Tibet”, was 48 in favour, 14 opposed and 35 abstaining.\textsuperscript{19} The Tibet issue came up for discussion in the General Assembly’s agenda on 19 December 1961. In the debate on the resolution, the issue was discussed in the context of a subjudged people entitled to its right to self-determination.\textsuperscript{20} The representative of Malaya, responding to allegations that his delegation was “aggravating the cold war”, or was “acting at the instigation of other, replied that “ironically enough, these criticisms came from those vary quarters who made loud protestations about keeping cold war bitterness out of the Assembly.” As to the charge of outside instigation, he stated that it had been one of the cornerstones of the policy of his government” to give its full and unstinted support to the struggle of subject peoples for freedom from colonialism in all its form and manifestations”.\textsuperscript{21} Some eastern

\begin{itemize}
\item \textsuperscript{19} Vote of the GA confirming the inclusion of Tibet in its agenda, UNDOC A/PV. 1014,25 September 1961.
\item \textsuperscript{20} UNDOC. A/PV. 1084, 19 DEC 1961, para 114 et seq.
\end{itemize}
European states and the Soviet Union again opposed a debate on the "non-existent question of Tibet" as a violation of Article 2(7) of the Charter, reiterating that Tibet was part of China.22

The draft resolution affirmed:

I. its conviction that respect for the principles of the Charter and of the Universal Declaration of Human Rights is essential for the evolution of a peaceful world order based on the rule of law;

II. the renewal of its call for the cessation of practices which deprive the Tibetan people of their human rights and freedoms including their right to self-determination;

III. the hope that member states will make all possible efforts towards achieving the purpose of the present resolution.23

The delegation of El Salvador formally proposed that an item entitled "Invasion of Tibet by foreign forces" should be included in the agenda of the fifteenth session of this General Assembly. The proposal was postponed sine die and was sent to the United Nations archives. Since then, the situation in Tibet, unlawfully occupied by the Chinese forces had become increasingly grave and pressing. The patent objectives of the Chinese Communist regime in Peking had not only been the

conquest of Tibet, but the suppression of its traditional religious system. The head of El Salvadorian delegation quoting from Lowell Thomas Jr., in his beautiful and thought-provoking book entitled "The Silent War in Tibet", giving a moving description of the events that had taken place since 1950 in Tibet. Among other things, Mr. Thomas also wrote that the Tibetans had from the very outset, resisted occupation, and that they were continuing to resist......

Further in his book, he makes the statement that the "freedom fighters in Tibet charge that the Chinese invaders intend to divide the country into decentralized regions, and that they propose to debase Buddhism and the Buddhists, and to undermine religion. Thousands of Tibetans have been removed to China for forcible indoctrination, and many more thousands executed." He also added that the Chinese leaders were guilty of colonialism, as they settled thousand of Chinese in Tibet, forced the indigenous inhabitants to labour on the construction of military roads, and in the name of progress, brought in tremendous quantities of military equipment and troops in order to suppress Tibetan nationalism...... Those fighting this war are without any hope of victory in military sense. In reality, they were fighting to die, and were killed because they could not endure life under the Communist regime. Despite the plight of his people, the Dalai Lama had not lost his confidence that, in the not too distant future, Tibet would gain freedom and that its inhabitants would recover their right to determine their own destiny. In a statement made in the country of his refuge, the Dalai Lama said that the political and social system that had existed in Tibet for centuries had many exemplary aspects. No one suffered
from hunger or was lacking in adequate clothing and shelter. All that the Chinese brought during their occupation of Tibet in the wake of so-called 'liberation' have been enslavement and impoverishment of the people."  

In support of the ‘Question of Tibet’ The American delegate continued, that their concern with Tibet is grounded in Article 55 of the Charter, which establishes the purpose of the United Nations in regard to human rights, the subjects which is also within the scope of the charter itself, and therefore within the General Assembly’s legitimate range of debate and recommendation, and it is therefore, pointless even to contend that the violation of the human rights of the Tibetan people are not within the jurisdiction of the General Assembly, or that Assembly action in defence of those human rights in any way involves intervention in domestic jurisdiction within the meaning of Article 2(7) of the Charter.

The (USA) delegate also stressed that “information report published by the international commission of Jurists’ (Legal Inquiry Committee on Tibet). Confirming and listing sixteen separate articles of the United Nations Universal Declaration of Human Rights, telling in each case how they were violated and also pointing out “genocide” committed against the Tibetan Buddhists as a religious group in the

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finding of the jurists' report. He also said that "the distinguished jurists who wrote this report are fully aware of the Chinese Communist version of Tibetan history. They quote it at length including long passages from a book published in communist China - where all publications parrot communist propaganda-a book, entitled "The Dark, Backward and Cruel Self System in Tibet".

He also said, in fact, the report "recognizes" that the social order in Tibet, as it had existed until the communists sought to destroy it, was in the mould of the traditional Tibetan pattern. But as the committee found in its interviews with refugees, this Tibetan social order, intertwined with the deeply felt Buddhists religion, had the firm allegiance of all strata of Tibetan society."²⁵

The American delegate urged that "...The United States government does not accept the contention that once a people are held in bondage in the communist colonialist empire they lose all further rights to self-determination and the violence of the Chinese communists attacks on the principle of self-determination for the Tibetan people reveals their guilty knowledge that the communist system would be repudiated in Tibet if the Tibetan people had a free choice of their destiny and on these two charter principles, human rights and self determination. He concluded by stating that General

Assembly should take its stand for Tibet, and let it adopt the resolution before them submitted by El Salvador, the Federation of Malaya, Ireland and Thailand.” (A/L 376). 26 Mr. Usueh (China) said that to his delegation, the issue involved in the present debate is clear as his delegation is gratified that the General Assembly has repeatedly said “no” to “Question of Tibet” on 10 October 1960 on the agenda of its fifteenth regular session. However, on 25 September of this year, the General Assembly, by an equally overwhelming majority of 48 votes to 14, confirmed that the events in Tibet remain of serious concern to it.

He also said that ‘efforts have been made by a few delegations to suppress this item by labeling it a “Cold War” item. And he emphasized the point that ‘consideration of this item would not please the Soviet Union and its satellites and raised some valid questions; should the General Assembly try to please them and humor them when they choose to give support, moral and physical, to their comrades in China in ruthlessly taking away life, freedom and property from the people of Tibet? and also Should the General Assembly be responsible for the so called “Cold War” if the present debate exposes the heinous crimes committed by the Communists of massacring the Tibetans, driving them away from home, Pillaging them and enslaving them? If this debate could be called a “cold war”, certainly it is not the General Assembly, which has started it... No doubt, when human

26 Ibid.,
rights are violated, such acts and their perpetrators are condemnable.

He also explained that in the long history of China, they did have from time to time a despotic monarch or an imperialistic minded emperor. But no Chinese ruler can be accused of being so inhumanly brutal and so cruelly repressive as the communists have shown themselves to be in Tibet and elsewhere in China. What the Chinese communists have done is unprecedented. It is contrary to the nature of the Chinese people and indeed, contrary to human nature.

The Chinese Nationalist delegation concluded, "As the Chairman of my delegation pointed out in his statement before this Assembly, on 21 October 1959, ".... the political, economic and social systems of Tibet have made religion the very centre of things. The communists must, in the words of the legal inquiry committee, "Destroy the Tibetans as a religious group".... 27

In the end of his speech he concludes by saying that "in adopting this resolution, the General Assembly will show its continuing concern for the fate of the Tibetan people. Above all, the General Assembly would show that it is prepared to discharge its duty as the guardians of the conscience of mankind and that, in upholding the principles of United Nations it yields to no brutal force."

The delegation of Czechoslovakia said that the inclusion in the agenda of and the debating, this non-existent question in the forum of

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27 Ibid., pp.279-286.
the United Nations is detrimental to the prestige of the flagrant violation of the charter of the United Nations and the sovereign rights of a member state of the United Nations.

He further stated that they assumed only the ignoble role of assistants to the aggressive imperialists forces which organize provocations against the socialist countries and other peaceful forces all over the world....

'In the slanderous campaign against the government of the People's Republic of China there participates also a so-called investigating committee of international jurists. The participation of this committee was, as is well known, instigated by influential reactionary circles in the United States...." He also said that the campaign launched by the reactionary circles headed by the United States against the People's Republic of China couldn't hold the democratic process, which began in Tibet after the liquidation of the rebellion in 1959."28

The Soviet delegation (Union of Soviet Socialist Republics) has categorically objected, and indeed continues to object, to the United Nations dealing with the so-called question of Tibet and stated that 'In fact, there is no such question. It is an artificially created problem that

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28 Ibid., p.292-295.
is kindled by the leading circles of some countries that are interested in maintaining at all cost the cold war and tensions between states. The Anglo-American colonizers have long since kept a courteous eye on Tibet. The incontrovertible facts show that this criminal conspiracy of the handful of feudal landlords of Tibet was fostered by these colonizers and reiterated the argument that they are asked to interfere in the internal affairs of the people's Republic of China. Moreover, the representatives of the United States have been shedding crocodile tears over the alleged violation of human rights in Tibet, the repression of freedom and so forth. Yet in fact it is the popular revolution in China and the democratic reforms carried out in Tibet that have given to the population for the first time in the history of Tibet human rights and real freedom. 29

Finally he said that the draft resolution co-sponsored by the Malaya on this question of Tibet does not hold any significance and emphasized that it is being submitted solely with the aim of supporting in one way or another the bankrupt policy of the United States.

There after, the Albanian delegate also vehemently protested against intolerable interference by the United Nations in the internal affairs of the People's Republic of China and said that the action is

29 Ibid., pp.298-303.
being undertaken under the pressure exerted by the United States and oppose resolution A/L 376 and would consider it an act of ignominious provocation.

On the other hand, the delegation of (United Kingdom). Mr. Crome made a statement that “the report of the subject by the International Commission of Jurists, which, as I think will be recognised by the great majority of the delegation here, is an independent non-governmental organisation comprising judges, Professors and lawyers from many countries. This report contained horrifying and irrefutable evidence that China’s policy in Tibet amounts to the deliberate and continuing suppressions of the religious and political liberties of the Tibetan people.... The report of the international commission jurists shows, moreover, that the actions of the Chinese government in Tibet constitute a deliberate attempt to suppress permanently the autonomy of Tibet.”

The British delegate continued, “Her majesty’s government in the United Kingdom have in the past recognized Chinese suzerainty over Tibet only on the condition that Tibet retained its autonomy, we cannot agree that any such suzerainty entitles the Chinese government to claim immunity from the condemnation of the world
and to be able freely to impose on the Tibetan people in the spurious name of progress the terrible sufferings to which I have referred.\textsuperscript{30}

Refuting the statement made by USSR representative, the representative of the United States, stated that the representative of Soviet Union has seen “fit to attempt to point for the General Assembly a fictitious picture of the situation in Tibet ....and also has seen fit to try to impugn might almost say insult-the integrity of that commission and its legal inquire committee....” Therefore, the United States would like very much to see a relaxation of the International tensions and cold war chilliness caused by the communist mistreatment of the Tibetan people.\textsuperscript{31} The vote on the inclusion of the item, “the question of Tibet”, was in favour, opposed and 35 abstaining.\textsuperscript{32} Despite having, for the first time, been accused by violating Tibetans’ right to self-determination, China did not react to the 1960-61 UN debate on Tibet with a flurry of propaganda as had been the case in late 1959. In fact, Chinese propaganda in Tibet virtually ceased after the end of 1959, with the exception of two reports by the Panchen Lama, one in January 1961 and one in October 1961. B.N. Mullick, the then head of Indian Intelligence, suggests that the PRC at that time adopted a semi-isolationist policy, considering its disputes with both the US and the

\textsuperscript{30} Ibid., p. 306-307.

\textsuperscript{31} Ibid., p.308.

\textsuperscript{32} Vote of the GA confirming the inclusion of Tibet in its agenda, UNDOC A/PV. 1014, 25 Sept. 1961.
Soviet Union, its had relations with India and many Asian states, and its failure to gain admission to the UN.\textsuperscript{33}

Despite its international isolation, the PRC found that American as UN opposition to its role in Tibet was in effective as long as China was not a member of the UN and did not have to defend itself there. The PRC had gained total and undisputed control over Tibet. International criticism of China's role in Tibet was primarily confined to question of human rights, and not the issue of the legitimacy of Chinese sovereignty over Tibet. The PRC may therefore have decided that its best policy was to consolidate its control quietly and implement its changes in Tibet with as little publicity as possible. The best policy from now on might be to remove the Tibet issue from international scrutiny. The resolution was clearly a great victory for the Tibetans, but in practice it had no effect and has remained dormant ever since. The resolution at the UN and the growing international support for Tibet had placed India in a delicate situation. Her decision to abstain at the UN had baffled the Indian public and, most importantly, failed to appease the Chinese, who were convinced that the Tibet issue had deliberately been internationalized by India. The growing tension over the border made India even more cautious about the activities of the Tibetans. In reality the GOI did its utmost to

avoid any association between the question of asylum for the Dalai Lama and the border dispute and constructed obstacles to deter the Tibetans from gaining any foreign support. By the mid sixties the Tibetan issue was beginning to fade away from the international arena despite an attempt in 1965 to revive it at the UN. By then, however, the international community had accepted the Tibetan situation as a fait accompli.

'Resolution of 1965' the final appeal to the United Nations.

In 1962, the Panchen Lama, the most important religious leader remaining in Tibet as well as the Head of the then Tibetan government presented China's Premier, Zhou Enlai with a one hundred and twenty page report, known as "the 70,000 character petition", which detailed the tragedy Tibet was suffering. The secret report, which came to light only recently, attributed mass starvation among Tibetans at the government directives, and expressed fears that Chinese policies were aimed at the eradication of religion and could lead to the elimination of Tibetans as a distinct people.\(^{34}\)

\(^{34}\) The Tibet Information Network released the report in 1996. "Secret Report by the Panchev Lama criticizes China"< TIN News Updata, 5 October 1996. In August 1962, the Panchen Lama was ordered to undertake a self-criticism, and a year later was subjected to a 50-day struggle session in China before being sent to Beijing to spend 14 of the following 15 years in detention or under virtual house arrest. He was fully rehabilitated only in 1988, the year before he died. Ibid. See also the Panchen Lama speaks. Text of the Panchen Lama's Address to the TAR Standing Committee meeting of the National people's Congress held in Peking on 28 March 1987, Dharmasala, Department of Information and International Relations, 1991.
In December 1964, the International Commission of Jurists reported on “Continued violations of Human Rights in Tibet” based on statements from Tibetan refugees arriving in India. The ICI did not directly examine the refugees, but received their statements from third parties. These statements, revealed that “the domination and persecution of the Tibetan people at the hands of the Chinese people's Republic and its army of occupation in Tibet is continuing unabated”. In particular, the evidence disclosed” a continuance of ill-treatment of many monks, lamas, and other religious figures, resulting in death through excessive torture, starvation and forced labour...

In response to the ICJ report and another appeal from the Dalai Lama the issue of Tibet was reintroduced at the United Nations, El Salvador, Ireland, Malaysia, Malta, Nicaragua, Philippines and Thailand introduced a draft resolution in August 1965, essentially repeating the language of the previous (1959 and 1961) resolution on Tibet.

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36 Ibid., p.42.
37 Ibid., p.44.
38 UN DOC A/6081, 23 Sept. 1965
39 UN DOC. A/5931,1965)
The debate was, as usual, characterized by an ideological split along cold war lines. Although the sponsors attempted to disassociate the Tibetan situation from cold war issues that proved impossible since the socialist bloc again accused United States imperialism of raising the “non-existent issue of Tibet”. The Philippines, India, Ireland, Nationalist China, New Zealand, El Salvador, Malta, Guatemala, United States, Nicaragua, Australia, Corta Rica, Malaysia and Norway spoke in favour of the resolution. Albania, Romania, Soviet Union, Hungary, Algeria, Poland, Czechoslovakia, Longo, Cuba, Guinea and Bulgaria spoke against.

Although most of the sponsors stated that they did not wish to raise ideological or political issues, and intended to confine themselves to the question of fundamental human rights, the Philippines representatives made a forceful statement challenging both China’s claim to rule over Tibet and the nature of Communist “national liberation” movements. The Philippines representative cited recent testimony from refugees collected by the ICJ as evidence that the “Chinese communist plan to destroy the distinctive character of the Tibetan nation in nearing completion” China’s claim to have liberated Tibet from imperialism was also challenged.

To this day, the Chinese communists have not identified the “aggressive imperialist forces” in Tibet. Is it any wonder that people of
many emerging countries of Asia, Africa and Latin America have come
to look with deep suspicion on what have been euphemistically
described as "movements of national liberation". The phase, sacred in
the memory of freedom fighters everywhere, has been abused for
selfish ideological reasons. The record of the Chinese communist
occupation of Tibet conforms to the worst type of imperialism and
colonialism past and present.  

The Philippines representative maintained that the political and
human rights aspects of the Tibetan question were linked, and that
"Unless the political problem is solved, the human situation will be
extremely difficult to alleviate". Because Tibetans were a separate
people having their own distinct culture, language and religion, as well
as a recent history of independence of China, political factors
reinforced human rights considerations "If the people of Tibet are
entitled as members of the human family to the protection of the
charter and the Universal Declaration of Human Rights, then they are
doubly entitled to such protection by reason of their status as an
independent nation". While other states reiterated that discussing
Tibet contributed interference in internal affairs.

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40 Ibid., p.3.

41 Ibid., p.4

42 UNDOC. A/PV 1401, paras. 9-39 (Albania), 83-96 (Romania), 125-135
(USSR), 151-155 (Algeria), 156-164 (Poland), 165-173
(Czechoslovakia), 184-193 (Congo), 194-201 (Cuba).
However, various delegations reiterated the Tibetans right to self-determination in unequivocal terms and expressed grave concern about the worsening human rights violations and suppression in Tibet.43

India for the first time spoke in favour of a UN resolution in Tibet, a shift in position due to the 1962 border war with China. She pointed out that Tibet's demand for self-determination essentially should be seen in the context of statement made repeatedly by His Holiness the Dalai Lama to the effect that he is a not seeking independence for Tibet but reconciliation with the Chinese. What is involved, therefore, is the restoration of Tibet's autonomy in the real sense through the reversal of circumstances that have impinged on that autonomy. That Tibetan autonomy is a fiction today is proved to the hilt by the fact that even in a purely religious matter like the nomination of new Panchen Lama, the Chinese have recently imposed their own will on the people of Tibet arrogating to themselves the rights that belong to His Holiness the Dalai Lama.

In regard to the restoration of Tibet's autonomy, the responsibility of the Government of India is well nigh total. Nothing

43 For instance, Thailand, Ireland, UN DOC. A/PV. 1394, 14 Dec 1965, paras. 43-58, 59-77; UN DOC A/PV. 1401, paras. 1-8 (New Zealand), 40-63 (El Salvador), 64-82 (Malta), 97-106 (Guatamala), 107-124 (USA), 136-145 (Nicaragua), 174-183 (Australia); UNDOC. A/PV. 1402, paras 59-65 (Costa Rica).
proves it better than the statement of the Indian Government at the United Nations on the question of Tibet in 1965. Mr. Zakaria (India) said that:

“As representatives are aware, for the past fifteen years the question of Tibet has been from time to time under the consideration of the United Nations, It was first raised here in 1950 at the fifth session of the General Assembly, but it could not be placed on the agenda, in fact, my country opposed its inclusion at that time because we were assured by China that it was anxious to settle the problem by peaceful means. However, instead of improving, the situation in Tibet began to worsen, and since then the question has come up several times before the General Assembly of the United Nations. Our delegations participated in the discussion at the Four tenth session in 1959 and although we abstained from voting we made it clear that because of our close historical, cultural and religious ties with the Tibetan, we could not but be deeply moved and affected by what was happening in that region. We hoped against hope that wiser counsel would prevail among the Chinese and that there would be an end to the suffering of the people of Tibet”

A little later in the same statement, Dr. Zakaria summed up the situation prevailing in Tibet as follows on behalf of the Government of India. "However, the passage of time has completely belied our hopes. As the days pass, the situation becomes worse and cries out for the attention of all mankind. As we know, ever since Tibet came under the stronghold of China, the Tibetan have been subjected to a continuous and increasing ruthlessness, which has few parallels. Fighting a "counter-revolution", the Chinese have indulged in the worst kind of genocide and the suppression of a minority race". The Indian delegate to the UN continued to point out the following facts which stand out stubbornly and irrefutably in connection with Chinese policy in Tibet: such as:

1. The autonomy guaranteed in the Sino-Tibetan Agreement of 1951 has from the beginning remained a dead letter.

2. Though increasing application of military force, the Chinese have in fact obliterated the autonomous character of Tibet

3. There has been arbitrary confiscation of properties belonging to monasteries and individuals and Tibetan government institutions.

4. Freedom of religion is deemed to the Tibetans, and Buddhism is being suppressed together with the system of Priests, monasteries, shrines and monuments.
5. The Tibetans are allowed no freedom of information or expression.

6. There has also been carried out a systematic policy of killing, imprisonment and deportation of those Tibetans who have been active in their opposition to Chinese rule.

7. The Chinese have forcibly transferred large numbers of Tibetan children to China in order to denationalize them, to indoctrinate them in Chinese ideology and to make them forget their own Tibetan religion, culture and may of life; and

8. There has also been a large-scale attempt to bring Han Chinese into Tibet, and thereby make, Tibet Chinese and overwhelm the indigenous people with a more numerous Chinese populations.\textsuperscript{45}

India now supported "fully and wholeheartedly, the cause of people of Tibet."\textsuperscript{46}

Moreover, India claimed that China had violated its guarantee to allow Tibetan autonomy and had turned Tibet into a base for aggression against the northern frontiers of India.

\textsuperscript{45} Ibid., p.42.

Ireland also brought up the issue of Tibet's political status, stating that Tibet could rightly claim to have been an independent country in the past. The period during which Tibet acknowledged Chinese suzerainty could not be held to constitute a denial of its right to independence, since to do so would be to deny the claim to independence of many members of the United Nations who had been, at one time or another, under foreign domination. Ireland also belittled those who denied that Tibetans were suffering any violations of their human rights and who had offered the Panchen Lama's testimony to bolster their claim in the past, but who were now silent on the status of the Panchen came and had ceased to quote his testimony.\(^{47}\) The nationalist Chinese delegate did not question Tibet's status as part of China but claimed that the issue was "the result of the fact that an inhuman, oppressive and tyrannical communist regime has been imposed on the mainland of China". The nationalist government had also received information on the food situation in Tibet, and described shortages as due to "large scale confiscation of food and livestock.... To feed the army of occupation and the large volume of civilian Chinese who have settled in Tibet, and also to send to China to meet strategies

for Tibetan resistance and refugees, some of whom had settled in Taiwan, and would continue to do so.\textsuperscript{48}

Malaysia once again spoke forcefully and eloquently in support refuting the change that it was acting on any but humanitarian interests, and making the case that human rights violation were a legitimate issue for UN discussions. The Malaysian representatives pointed out that people everywhere were under the domestic jurisdiction of some country; thus, if domes jurisdiction were to be involved in every case, then UN human rights resolutions would be meaningless. and thought it the moral duty of the international community to "lift the pall of darkness" over Tibet, even if ever so little, in order to "bring some comfort to an ancient people" whose rights were being" systematically, almost scientifically, suppressed and crushed."\textsuperscript{49}

The Soviet Union and its satellite once again accused the United States of drumming up the Tibet issue for cold war purposes and, now, of attempting to divert attention from its role in Vietnam.

\textsuperscript{48} Ibid., 11.

Violations of human rights in Tibet were denied by recitations of Chinese claims of having brought freedom and progress to Tibetan.50

United Nation’s action on the Tibet issue ended as it had begun, inaction. Although many countries were sympathetic to the Tibetan’s plight there was little they could do beyond expressing those sympathies. Support for Tibet was necessarily confined to human rights issues; the claim to sovereignty over Tibet could not be discussed because no country had recognized Tibetan sovereignty in the past and none wished to challenged. Chinese sovereignty in the present. Tibet’s acceptance of the Seventeen-point Agreement had essentially eliminated the issue of Tibet’s political states.

In the end, India was right in its opinion that discussion of Tibet at the UN would serves no purpose since “nobody was going to send an army to Tibet” Even the United States, which supposed. Tibetan self-determination and might have opposed communism in Tibet as in Korea, found that it was politically, legally and logistically impossible to come to Tibet’s aid, especially without the cooperation of India. No country, the US included, was willing to support more than a moral condemnation of China in the UN; but, even if they had been willing to approve some action, the Soviet Union retained its power to veto. The

Soviets had learned the lesson of Korea and would not be absent for another UN vote on an anti-Communist policy action; the Soviet Union and the entire socialist block therefore vigorously opposed the discussion of Tibet at the UN.

Indian attitudes towards the Dalai Lama and his government were to change drastically after the Sino-Indian war. Although the Indian could never acknowledge the Dalai Lama’s administration is the legitimate government, they relaxed their restrictions over the activities of the Tibetans and allowed the Dalai Lama to set up a complex administrative system which had total control over the affairs of the refugees. This time India would have liked to have seen the Tibetan issue debated at the UN but it had neither the influence to muster enough support, nor would it have been able to defend itself against the occasion of being anti Chinese.51 He writes that the Indian Prime Minister Shastri was thinking of recognising the Tibetan government - in - exile but died before he made his final decision. If India had recognised the Tibetan government - in – exile, it would have been most likely that China would have broken off diplomatic relations. With the rift between China and the Soviet Union, the Americans were not willing to antagonize China further by bringing up the Tibetan question at the UN. The growing international stature of communist

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China and eventual rapprochement between China and America in the early 1970s eclipsed Tibet's international significance and its propaganda value for the west. The Tibetan issue was swiftly abandoned. The UN finally noted to condemn China for human rights violations in Tibet, but even this moral victory was diminished by the fact that the PRC was not a number of the UN and therefore could not ignore its restrictions. Tibet's potential patrons all eventually had to face the fact that there was little they could do to oppose Chinese control over Tibet. United Nations propaganda on Tibet had failed to obscure the facts of what many countries considered a fundamental issue of territorial aggression of one nation against another.