



FACTS ABOUT THE 17-POINT “AGREEMENT”

Between Tibet and China

DIIR PUBLICATIONS

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“Agreement”**

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Dharamsala, 22 May 22

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The signed articles in this publication do not necessarily reflect the views of
the Central Tibetan Administration.

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FORWARD

23 May 2001 marks the 50th anniversary of the signing of the 17-point Agreement between Tibet and China. This controversial document, forced upon an unwilling but helpless Tibetan government, compelled Tibet to co-exist with a resurgent communist China. The People's Republic of China will once again flaunt this dubious legal instrument, the only one China signed with a "minority" people, to continue to legitimise its claim on the vast, resource-rich Tibetan tableland.

China will use the anniversary to showcase its achievements in Tibet to justify its continued occupation of the Tibetan Plateau. Important personages will be pulled out of their retirement to laud the development brought to Tibet since the "liberation". Most importantly, China will use the anniversary to deepen economic development policies designed to further integrate Tibet with China. Tibetans are being told that their salary or pensions would be withheld if they failed to participate in the anniversary festivities.

Why is China making such a fuss over an agreement, the terms of which the Chinese authorities had systematically violated and which was repudiated by His Holiness the Dalai Lama?

To find out, we present these research articles from independent scholars, including two by Chinese scholars. The articles constitute the most comprehensive and detailed examination of the background of this controversial agreement and the manner in which China imposed it upon a subjugated people.

With whatever fanfare China commemorates this infamous agreement, the glaring fact is that the struggle of the Tibetan people to secure a better future for themselves has intensified over these fifty years. The 50th anniversary celebration of the agreement will not whitewash this vital fact or the fact of the atrocities committed on the Tibetan people by the occupying power.

Fifty years after the so-called peaceful liberation of Tibet, Tibetans still risk their lives by negotiating the highest mountains in the world to escape to freedom. This clearly illustrates that for the Tibetan people the issue of Tibet is not over and their struggle to live and work in dignity and freedom in their own homeland still continues and the spirit of resistance grows.

For these reasons the Chinese authorities themselves—during China’s period of liberalisation in Tibet starting from the early 1980s to 1989—tacitly acknowledged the need to resolve the issue of Tibet through a process of negotiations with His Holiness the Dalai Lama when it accepted four fact-finding missions and two exploratory delegations from the Tibetan side. China needs to restart the stalled talks.

As such, this is as good a time as any for the Chinese authorities to re-examine and re-consider the two proposals His Holiness the Dalai Lama announced in Washington, D.C. and Strasbourg if China wants to solve the issue of Tibet, based on the reasonable aspirations of the Tibetan people.

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22 May 2001

“The 17-point Agreement”

The full story as revealed by the Tibetans and Chinese who were involved*

Compiled by the Department of Information and International Relations of
the Central Tibetan Administration

This write-up is based primarily on the accounts of Zhang Guohua, Lu’o Yus-hung, Baba Phuntsok Wangyal, Hao Guangfu, Ngabo Ngawang Jigme, Sampho Tenzin Dhondup, Kheme Sonam Wangdu, Lhawutara Thubten Tenthar, and Takla Phuntsok Tashi. Zhang Guohua was a member of the Chinese team in Beijing. Lu’o Yus-hung was an assistant of the Chinese team. Baba Phuntsok Wangyal was a translator for the Chinese team. Hao Guangfu was a telegraph operator of Zhang Jinwu, China’s first representative in Tibet. Ngabo Ngawang Jigme, Sampho Tenzin Dhondup, Kheme Sonam Wangdu and Lhawutara Thubten Tenthar were members of the Tibetan negotiating team in Beijing. Ngabo later became a vice-chairman of the Chinese NPC, whereas Lhawutara became a member of the Chinese Political Consultative Committee. Takla Phuntsok Tashi was a translator of the Tibetan team.

Introduction

After the occupation of eastern Tibet’s provincial capital, Chamdo, the People’s Republic of China (PRC), on 23 May 1951, forced Tibet to sign the 17-point “Agreement on Measures for the Peaceful Liberation of Tibet”. The alternative, the occupying forces said, was immediate military operation in the remaining parts of Tibet.

Commentaries in Chinese official publications maintain that the “agreement” reflected the Chinese government’s recognition of Tibet’s unique and distinct historical, political, and cultural status in relation to the PRC at that time. The PRC did not feel the need for such an “agreement” with any other area liberated by it.¹ In the recent years, political analysts have referred to this “agreement” as a blueprint of the PRC’s current “one country, two systems” formula.²

Whatever the case may be, Tibetans opposed this “agreement” as nothing less than a death warrant of their centuries-old history of independence. They were particularly indignant with the circumstances under which their delegates had been forced to sign it. In fact, Tibetan Prime Minister Lukhangwa clearly told Chinese Representative Zhang Jingwu in 1952 that the Tibetan “people did not accept the agreement”.³

Nevertheless, the Dalai Lama decided to work with the invading forces “in order to save my people and country from total destruction”. For eight years, he tried to abide by the terms of this document. China, on the other hand, showed no inclination to honour its own part of the “Agreement”; its People’s Liberation Army (PLA) immediately set out to inflict unbelievable atrocities upon the Tibetan people in order to hasten the occupation of Tibet and destruction of its distinct identity.

By 1959, the Dalai Lama realised that it was impossible to work with the Chinese authorities any longer. In March of that year he fled Tibet and, on his arrival in India, repudiated the “17-point Agreement” as having been “thrust upon Tibetan Government and people by the threat of arms”.

Invasion of Tibet and Fall of Chamdo

On 1 October 1949, the People’s Republic of China was founded. Soon after, Radio Beijing began to announce that “the People’s Liberation Army must liberate all Chinese territories, including Tibet, Xinjiang, Hainan and Taiwan.” In response, the Tibetan Foreign Office wrote to Mao Zedong on 2 November 1949 to say that “Tibet has from the earliest times up to now been an independent country whose political administration had never been taken over by any foreign country; and Tibet also defended her own territories from foreign invasions.”⁴ The Foreign Office letter asked for direct negotiations for the return of Tibetan territories annexed by China’s earlier governments. Copies of this letter were sent to the Government of India, Great Britain and United States. But these governments advised Tibet to enter into direct negotiations with China as any other course of action might provoke military retaliation.

In the meanwhile, the PLA marched into eastern Tibet and circulated a ten-point document, asking Tibetans to co-operate with China in “liberating” Tibet from foreign imperialists. This struck as a curious statement to the Tibetan government who knew that there were fewer than ten foreigners in the country. It responded by making a series of radio announcements stating that there were no foreign imperialists on Tibetan soil, that Tibet had never been part of China, and that if China invaded Tibet just as big insects eat

small ones, Tibet would fight back even if it were reduced to the female population.⁵

At the same time, the Tibetan government decided to send a delegation, consisting of two senior officials—Tsepon W.D. Shakabpa and Tsechag Thubten Gyalpo—and five assistants to negotiate with the PRC in a third country, possibly the USSR, Singapore or Hong Kong. China suggested Hong Kong as the venue, to which the Tibetan government agreed and directed its delegation to discuss the Foreign Office letter to Chairman Mao Zedong and the threatening Chinese radio announcements about an imminent “liberation of Tibet”. The government also instructed the delegation to secure the Chinese assurance that the territorial integrity of Tibet would not be violated, and to drive home the point that Tibet would not tolerate Chinese interference.⁶

On 7 March 1950, the delegates reached Kalimpong en route to Delhi. On reaching Delhi, they ran into an unforeseen problem: the British would not issue them the visas to travel to Hong Kong, probably because they did not want to antagonise China as the visa would have to be stamped on the passport issued by the Tibetan government. Thus, in June 1950 the Tibetan government instructed its delegates to hold negotiations in Delhi. The Chinese did not want this and suggested that the Tibetans should come to Beijing after a preliminary round of talks in Delhi with their new Ambassador to India.⁷

In the course of the negotiation, the Chinese Ambassador, Yuan Zhong Xian, demanded that the Tibetan delegation accept a three-point proposal: i) Tibet should be recognised as part of China; ii) Tibetan national defence will be handled by China; iii) Tibet’s political and trade relations with foreign countries must be conducted through China. They were then to proceed to Beijing in confirmation of the “agreement”.

The Tibetan government instructed the delegates to reject the Chinese proposal, particularly the first point. So the negotiation was suspended. By then China had already started its military offensive on Chamdo, eastern Tibet’s provincial capital. It happened on 7 October 1950, when Commanders Wang Qimei and Zhang Guohua led 40,000 PLA troops from the South-West Military Region in an eight-pronged attack on Chamdo. The Tibetan force, numbering 8,000 troops, engaged the PLA troops in fierce battles. By 19 October the Tibetans had fought 21 battles and lost over 5,700 men.⁸ Chamdo fell to the PLA and Kalon Ngabo Ngawang Jigme, provincial governor, was captured.⁹

The Chinese aggression came as a rude shock to India. In a sharp note to Beijing on 26 October 1950, the Indian Foreign Ministry wrote: “Now that the invasion of Tibet has

been ordered by Chinese government, peaceful negotiations can hardly be synchronised with it and there naturally will be fear on the part of Tibetans that negotiations will be under duress. In the present context of world events, invasion by Chinese troops of Tibet cannot but be regarded as deplorable and in the considered judgement of the Government of India, not in the interest of China or peace.”¹⁰ A number of countries, including the United States and Britain, expressed their support for the Indian position.

Back in Lhasa, the Tibetan Government decided to secure the UN mediation on Tibet’s behalf. It wrote to the UN Secretary General on 11 November 1950, appealing for the world body’s intervention. The letter said, in part: “Tibet recognises that it is in no position to resist the Chinese advance. It is thus that it agreed to negotiate on friendly terms with the Chinese Government... Though there is little hope that a nation dedicated to peace will be able to resist the brutal effort of men trained to war, we understand that the United Nations has decided to stop aggression wherever it takes place.”¹¹

The Tibetan National Assembly convened an emergency session and requested the Dalai Lama, only fifteen¹² at that time, to assume full authority as head of state and move his government temporarily to Dromo (Yatung), near the Indian border, so that he would be out of personal danger. At the same time the Tibetan Foreign Office issued the following statement: “Tibet is united as one man behind the Dalai Lama who has taken over full powers ... We have appealed to the world for peaceful intervention in (the face of this) clear case of unprovoked aggression.”¹³

On 17 November 1950, the Dalai Lama assumed power at a formal ceremony and wrote to Mao Zedong: “The relationship between Tibet and China has deteriorated during my minority. Now that I have taken responsibility, I wish to revive the past harmonious relationship between us.” The Dalai Lama asked Mao to release the Tibetan prisoners of war and withdraw Chinese troops from the Tibetan territory.¹⁴

On that very day El Salvador formally asked that the aggression against Tibet be put on the UN General Assembly agenda. However, the issue was not discussed in the UN General Assembly at the suggestion of the Indian delegation who asserted that a peaceful solution which was mutually advantageous to Tibet, India and China could be reached between the parties concerned. A second letter by the Tibetan delegation to the United Nations on 8 December 1950 did not change the situation.

Negotiations in Chamdo

In Chamdo, Ngabo Ngawang Jigme and other captured Tibetan officials had undergone “re-education” in Chinese Communist Party policies on minority nationalities and lenient treatment for collaborators.¹⁵ On the insistence of his captors, Ngabo sent two successive messages to Lhasa, requesting negotiations with China in Chamdo and offering his service as a negotiator. This, Ngabo assured, was the best means of preventing the military invasion of Tibet’s remaining areas. He also assured that the PLA would not march into Lhasa or undermine the safety of the Dalai Lama whilst the negotiations were in progress.¹⁶

Having lost eastern and northern Tibet to the PLA and lacking active international support, the Tibetan government accepted Ngabo’s suggestion and appointed a three-member delegation, consisting of Ngabo, and the Lhasa-based Khenchung Thubten Legmon and Sampho Tenzin Dhondup. On reaching Chamdo, Khenchung and Sampho handed the Tibetan government’s two letters to Ngabo. One letter named Ngabo as the leader of the delegation and instructed him to insist on Tibetan independence and the withdrawal of PLA troops from the Tibetan territory.¹⁷ The second letter was a five-point agenda for negotiations:

1. There is no imperialist influence in Tibet; the little contact Tibet had with the British was the result of the travels of the 13th Dalai Lama to India. As for the relationship with the United States, this was only commercial.
2. The Tibetan territories seized by earlier Chinese governments and later occupied by the PLA must be returned to Tibet.
3. In the event of foreign imperial influence being exerted on Tibet, the Tibetan government would appeal to China for help.
4. Chinese troops stationed in Kham and northern Tibet should be withdrawn.
5. In future, the Chinese government should not listen to trouble-making rumours of the Panchen Lama and Reting factions.¹⁸

When Ngabo presented the content of this letter, the Chinese responded with their own five-point position statement:

1. It is clear that the British and Americans have interfered in our affairs. This is evident from the fact that they prevented the Tibetan negotiating team (in India) from proceeding to Beijing.
2. The defence of the Motherland is the prime objective and troops must be

dispatched.

3. After the dispatch of our troops, we will ensure equality of nationalities and regional autonomy. The Tibetan army and the Dalai Lama's position will not be changed. The Dalai Lama should not go to a foreign country. He should retain the traditional position.
4. When the national regional autonomy is granted to Tibet, the Dalai Lama's traditional position will continue; there will be no change in this.
5. Regarding the relationship between different factions in Tibet, we will discuss and decide this in the interest of unity. We do not harbour vindictive desires.¹⁹

Negotiations in Beijing

Since the positions of the two sides were completely at variance, it was apparent that there was no point in continuing the negotiation in Chamdo. In view of this, Ngabo requested the Tibetan government to shift the venue of negotiations, either to Lhasa or Beijing. The Kashag decided on Lhasa. Shortly afterwards, however, the Chinese Embassy in New Delhi sent a message to the Dalai Lama's temporary headquarters in Dromo, proposing Beijing as the venue. The Dalai Lama accepted this proposal and sent a five-member negotiating team, consisting of the three delegates in Chamdo, plus Kheme Sonam Wangdu and Lhawutara Thubten Tenthar from Dromo. The team was to be assisted by Takla Phuntsok Tashi as the Chinese interpreter and Sadhutsang Rinchen as the English interpreter. While the delegates in Chamdo were asked to proceed directly to Beijing, those in Dromo were asked to take the sea route via India. They were instructed to refer all the important matters back to Dromo for final decision and were expressly not given the plenipotentiary authority to conclude an "agreement".²⁰ They were given a five-point directive for negotiations:

1. The religious country of Tibet has been independent from an early time; the close priest-patron relationship between Tibet and China, which has been in existence from an early time, should be continued and further strengthened.
2. The Tibetan government will continue to have the same kind of relationship with new China as it did with the Kuomintang government.
3. The Chinese representative and his staff-members in Tibet should not exceed 100; their security will be the responsibility of the Tibetan army.
4. Tibetan territories up to Dhartsedho (Ch: Kangting) must be returned to the Tibetan government, and all the Chinese civilian and military personnel must be withdrawn.

5. The Tibetan army will be responsible for defending Tibet's frontiers.²¹

On 29 March Ngabo's party left Chamdo. The journey took nearly a month, during which Baba Phuntsok Wangyal (head of public relations affairs of the 18th Army), Lu'o Yus-hung (Baba Phuntsok Wangyal's assistant), Deng Xiaoping and other Communist ideologues indoctrinated them on the virtues of Chinese Communist Party policies on minority nationalities and United Front efforts.²²

On 22 April they reached Beijing railway station to a tumultuous welcome by several hundred Chinese, including Premier Zhou Enlai, Vice-premier Gou Moru, Secretary of the Chinese People's Government Lin Beiqu, and United Front and Nationalities Affairs Commission Minister Li Weihan.²³ Four days later, on 26 April, the delegates from Dromo arrived at Beijing railway station and were received by Lin Beiqu, Li Weihan, other Chinese leaders, students, Ngabo's party and officials of Tashilhunpo Monastery.²⁴ The Tibetan negotiators were lodged in Beijing Hotel and isolated from any contact with the outside world.²⁵

On 28 April 1951, Li Weihan invited the Tibetan delegates to the Nationalities Affairs Commission office to discuss the "organisation, time and agenda of the negotiation". During the meeting, the Tibetans were given copies of the ten-point document, circulated earlier in eastern Tibet. They were asked to study this document as the agenda for discussion:²⁶

1. The Tibetan people shall unite and drive out the imperialist aggressive forces from Tibet; the Tibetan people shall return to the big family of the Motherland—the People's Republic of China.
2. Tibet shall have the right to exercise national regional autonomy.
3. The existing political system of Tibet will not be altered; the established status, functions and powers of the Dalai Lama will not be altered; officials of various ranks shall hold office as usual.
4. Religious freedom and monasteries will be protected; Tibetan people's freedom of religious belief, customs and tradition will be respected.
5. Without altering the existing Tibetan military system, the Tibetan army will be made part of the national defence force of the People's Republic of China.
6. The spoken and written language and school education of the Tibetan nationality will be promoted.
7. Tibetan agriculture, livestock raising, industry and commerce will be developed.

8. In matters relating to reforms in Tibet, the people and leaders of Tibet shall discuss and make decisions on the basis of people's wishes.
9. In so far as former pro-British, pro-America and pro-Kuomintang officials completely severed relations with them and do not engage in resistance and sabotage, they may continue to hold office irrespective of their past.
10. The PLA of China entering Tibet will strengthen national defence; the PLA will abide by the above-mentioned policies; the entire military expenses will be provided by the Central People's Government; the PLA will be fair in all buying and selling.²⁷

On 29 April 1951, the two sides met for the first round of negotiations at the military headquarters in Beijing.²⁸ The Chinese delegation was headed by Li Weihan, and included Zhang Jingwu (director of the People's Armed Forces Department), Zhang Guohua (leader of the 18th Army), and Sun Zhiyuan (political commissar of the South-West Military Region). Baba Phuntsok Wangyal and Lu'o Yus-hung assisted the Chinese team.²⁹

Li Weihan opened the negotiations by presenting the ten-point document and stated that this should be the agenda for discussion. The Tibetan delegation rejected the Chinese proposal and asked for discussions on the five points proposed by its government. In addition, Ngabo complained that the PLA troops from Xinjiang and Amdo (Qinghai) were moving towards Lhasa and Ngari, and that this would make it difficult for the Dalai Lama to live in Tibet. He asked for Beijing's assurance to halt the PLA's advance.³⁰ Li Weihan said he would refer the question of PLA advance to the "Central Government", but refused to discuss the Tibetan government proposal. The meeting ended after half an hour.

At the second meeting, on 2 May, Ngabo pressed the Tibetan position and stated that "Tibet had been an independent country and the past relationship with China had been one of priest and patron relationship."³¹ He stated that the PLA's continued advance on Tibet was the most crucial issue, and that unless there was a clear decision to halt this, the negotiation would run into problems.³²

Li Weihan pointed out that the question of the status of Tibet was not under discussion, and Chinese sovereignty over Tibet was non-negotiable.³³ He said that the purpose of the meeting was to discuss the 10-point proposal and no other issues should be added to the agenda. He added that the decision to deploy PLA troops in Tibet had been made by the Central Government. The PLA's advance on Tibet, he said, was beneficial to Tibet

as well as to the whole of China. He claimed that the Chinese Government was there to liberate the minority nationalities and counter imperialist aggression. Particularly, it was necessary to have a strong national army to protect Tibet's frontiers. He added that Britain and India recognised Tibet as part of China. Li went on to say that the PLA's advance on Tibet was China's internal affairs and that Britain and India had no right to interfere in this. He further added that China recognised the Dalai Lama's traditional position and that Chairman Mao had congratulated the Dalai Lama when he assumed Tibet's political power. Li threatened to strip the Dalai Lama of his position if he left for India.³⁴

As the Tibetans continued to stick fast to their position, the Chinese delegates assumed more and more threatening postures. At one point, Zhang Jingwu jumped on his feet, livid with anger. He said with the air of finality that the ten points for the liberation of Tibet was the Party's unanimous decision made at the time of the founding of the People's Republic of China. Thus, the second meeting ended in utter disappointment for the Tibetan delegates.³⁵

The third meeting, on 7 May, was no more encouraging. The Tibetans had no opportunity to speak; they were reduced to listening to a stream of threatening monologues from the Chinese interlocutors.

The fourth meeting, on 10 May, held yet another surprise for the Tibetans. Li Weihan started by commenting belligerently on the proceedings of previous meetings. Then, he unveiled Beijing's decision to establish a Military-Administrative Commission in Tibet upon the conclusion of the "agreement". The Tibetan delegates were completely taken aback. Lhawutara asked what would be the function and purpose of this Commission. Li stated that it would be the apex body to decide all political and military affairs of Tibet. Lhawutara countered if this would not undermine and contradict the position and powers of the Dalai Lama. Li flew into a fit of rage, and demanded to know who had told them that there would be no change in the power and position of the Dalai Lama. He asked the Tibetan delegates if they meant to oppose the establishment of the Commission. He told the delegates that if they did not agree to the proposal, they could return home any day, either before or after the armed liberation. The PLA troops, he said, were already stationed on Tibetan soil and that all it took to put them back into action was a simple telegram from Beijing. He asked the delegates to decide whether they wanted a peaceful liberation or an armed liberation.³⁶

In the following few days, there was no meeting. During that time, the Tibetan delegates

met several times in Ngabo's room, and expressed concerns over how the negotiations might end in the light of the Chinese delegation's constant use of threats and bullying tactics. Ngabo said, "Now, we are in Chinese hands; they can beat or kill us. If they bully us like this, there cannot be any agreement."³⁷

For over three weeks, since the Tibetan delegates' arrival in Beijing, the Chinese authorities had prevented them from having any contact with their government or with anyone who could communicate with their government. The Chinese said that the nature of the negotiations was very sensitive and that communicating with Lhasa or Dromo would compromise the confidentiality of the negotiation. The Chinese also stated that the facilities for communication with Lhasa were not adequate. Because of this, the delegates did not even know whether the Dalai Lama was still in Tibet or had left the country.

On 14 May the fifth meeting was held. By now, there was no doubt that if the Tibetans did not agree to the Chinese demand, the PLA would immediately resume its march into Tibet and bring death and destruction. Under the circumstances, the Tibetans decided that it was best to agree tentatively to the Chinese draft of the "agreement".³⁸ But they had one condition: if the Tibetan government and the Dalai Lama did not accept the "agreement" and if the Dalai Lama escaped from Tibet, they would need a guarantee that his power and position would be restored to him in the event of his return after four or five years. The Chinese agreed to this condition, but maintained that it should not be included in the main "agreement" since it could create unwelcome speculations when the document was announced to the world. Instead, the Chinese wanted this to be part of a separate, secret "agreement".³⁹

At the same time, the Chinese came up with a new proposal. They said that the differences between the Tibetan government and the Panchen Lama should be discussed, resolved and included in the "agreement". Ngabo replied that the Tibetan government had directed "us" to discuss the issues between Tibet and China, and not the internal matters of Tibet. He stated that the Panchen Lama issue should be discussed and resolved in another forum. The Chinese were adamant that if the internal issue of Tibet were not resolved, there was no point in signing the "agreement". Ngabo replied that if this were the case, the Tibetan delegates had no business in Beijing. "I request the Chinese government to see to the safe return of the four other delegates, including Kheme, to Tibet. As for me, I am a subject of Chamdo Liberation Committee. You can command me to return to Chamdo or to stay in Beijing." Turning to his four colleagues, he said, "Now that it has become impossible to sign the agreement, you may return to Tibet. I have requested the

Chinese government to ensure your safety. As for me, I am obligated to do whatever they tell me.” Thus, the negotiations broke down for a few days.⁴⁰

Whilst the negotiations were in abeyance, Sun Zhiyuan and Baba Phuntsok Wangyal visited Ngabo’s hotel to persuade him to agree to the inclusion of the Panchen Lama issue in the “agreement”. Ngabo adamantly opposed Sun’s suggestion and argued all day long. Finally, Sun suggested that they should agree to the phrasing that the status and functions of the Panchen Lama should be the same as when the Thirteenth Dalai Lama and the Ninth Panchen Lama had been in friendly and amicable relations with each other. Ngabo agreed and this became the sixth point of the “agreement”.⁴¹ Informal sessions like this were frequently held to exert pressure on the Tibetan delegates, who, according to Baba Phuntsok Wangyal, bargained hard for their own government’s position.⁴²

The 17-point “Agreement”

On 21 May the Chinese finalised the drafts of the main “agreement” and the separate, seven-point secret document. The main “agreement” was more or less the same as the 10-point document proposed in the beginning. It had 17 points and a lengthy preamble, claiming Chinese sovereignty over Tibet (*see appendix*). The Tibetan delegates saw the preamble for the first time on that day. Although the Chinese government has not released the contents of the separate, seven-point document, some of the clauses that Ngabo, Kheme and Takla Phuntsok Tashi have referred to in their statements and books are:

- If the Dalai Lama escapes from Tibet and returns after four or five years, his power and position will be restored to him. During the Dalai Lama’s exile, the Tibetan government will provide for all his personal needs.
- About one *jun* (20,000-men military division) of PLA will be stationed on the frontiers of Tibet. One or two Tibetan ministers will be given the rank of deputy commander of the PLA troops in Tibet. (The Tibetans then did not have any idea of how many men were there in one *jun*)
- The Tibetan government shall continue to retain 500 bodyguards for the Dalai Lama and 1,000 security personnel in various regions of Tibet. (This has reference to point 8 of the main “agreement”)
- The Tibetan Foreign Office shall be merged with the Chinese foreign relations branch office to be established in Tibet. The Tibetan Foreign Office personnel shall be given suitable positions in the Chinese foreign relations branch office. (This has reference to point 14 of the main “agreement”)

The Chinese delegates made it plain that the terms, as they now stood, were final and amounted to an ultimatum. No further discussion was permitted. The Tibetan delegation did not even get to contact its government for instructions.⁴³ It was given the choice of either signing the “agreement” on its own authority or accepting responsibility for an immediate military advance on Lhasa.

The Signing Ceremony

On 23 May, the Tibetan and Chinese delegates signed what came to be known as the “Agreement of the Central People’s Government and the Local Government of Tibet on Measures for the Peaceful Liberation of Tibet”. Since the Tibetan delegates were not authorised to conclude an agreement, they did not have their government seal; all they had were the seals of their respective positions in the government. However, they denied having them in order to indicate their disapproval of the “agreement”.⁴⁴ The Chinese then improvised wooden seals inscribed with the names of the delegates, and affixed them to the document (*see appendix for the original copy of the “Agreement” in Tibetan*). At that time, the Tibetan delegation warned the Chinese that they were signing the “agreement” only in their personal capacity and had no authority to bind either the Dalai Lama or the Tibetan Government to it.

On the next day the delegates had a meeting with Mao Zedong, during which he made a long speech, proclaiming his love and concern for Tibetans. He said that the Communist Party’s aim was to serve the cultural and economic development of Tibet and not to act as masters. “If the local Chinese officials oppress you, you must complain directly to us... This agreement is a matter of pride for both the Tibetans and Chinese.” He added that the Tibetans could even become the presidents of China and control Beijing.⁴⁵ The delegates also met Zhou Enlai during which he gave his response to Ngabo’s earlier letter, asking for the unification of Tibetan areas in Kham and Amdo under the existing Tibetan administration. Zhou Enlai said that since there were historical differences among the different Tibetan areas, it was not the right time to unite all the Tibetan areas under one administration. He, however, agreed that the Tibetan areas could unite after some years through dialogues between the two sides.⁴⁶

Tibetan Government’s Disapproval of the “Agreement”

On 27 May 1951, Radio Beijing broadcast the full text of the “agreement”. This was the first time the Dalai Lama and the Tibetan Government heard of the document; their

reaction was one of shock and disbelief.⁴⁷

Later, when the Tibetan government received a telegram from the delegates to confirm this news, it immediately sent a reply, reprimanding them for signing the “agreement” without consulting it. The government instructed the delegates to wait in Beijing for further instructions and to send the text of the 17-point Agreement and the seven-point secret agreement.⁴⁸ But the Chinese government told the Tibetan delegates that it was inconvenient to transmit the message telegraphically, and that, moreover, sending the 17-point agreement would lead to the loss of state secrets.

The delegates then proposed to travel to Dromo, via India, to report the “agreement” to their government. The Chinese objected to Ngabo’s travel via India, citing risk to his life from foreign agents.⁴⁹ Thus, the delegates left in two groups: Ngabo and Khenchung Thubten Legmon went home through Chamdo, along with Zhang Guohua and Baba Phuntsok Wangyal, while the remaining delegates travelled via India.

In the meantime, the Tibetan government received a telegraphic message to say that the Chinese Government representative, General Zhang Jingwu, was on his way to Dromo, via India. Some Tibetan officials suggested that the Dalai Lama should leave for India for safety. After a great deal of argument, everyone agreed that he should wait until the Chinese general arrived.⁵⁰

In Dromo, Zhang Jingwu and his colleagues asked the Tibetan government to send a telegram, congratulating the Chinese government for the “agreement”. The Tibetan ministers ignored his suggestion and switched to the discussion on protocols concerning his meeting with the Dalai Lama on the following day. Zhang insisted that, as a representative of the Central Government, he should meet the Dalai Lama on equal terms. When the meeting took place, he asked the Dalai Lama to send a telegram to Mao to welcome and accept the “agreement”. His Holiness ignored this suggestion. Hao Guangfu, Zhang Jingwu’s telegraph operator, later reported that some high-ranking Tibetan officials and even some delegates of the negotiating team opposed the circumstances and terms of the agreement.⁵¹

When the Tibetan delegation members, Kheme and Lhawutara, arrived in Dromo, they reported the circumstances of the “17-point Agreement” to the Tibetan ministers and requested an audience with the Dalai Lama. The ministers refused them audience to indicate their displeasure with the “agreement”.⁵² When Zhang Jingwu insisted repeatedly

on the congratulatory telegram regarding the “agreement”, the Kashag said that it would telegraph its reaction after meeting Ngabo in Lhasa. Zhang said that an earlier reaction would help to enhance the Dalai Lama’s reputation among the Chinese people. On 20 July the Kashag sent a telegram to China, stating that it would give its reaction after the arrival of Ngabo with the original text of the “agreement” and after discussing it in the Tibetan National Assembly.⁵³

On 21 July the Dalai Lama left for Lhasa. Zhang Jingwu followed two days later and arrived in Lhasa on 8 August. He expected the two prime ministers to come for his reception.⁵⁴ But the Kashag sent two lower-ranking officials, Kalon Lhalu Tsewang Dorje and Kastab Thubten Rabyang, to drive home the message that Tibet did not consider itself a part of China. This point was not lost on Zhang, who immediately set himself the task of implementing the “United Front” work, aimed at consolidating the Communist Party influence by enlisting the support of prominent members of the Tibetan society.⁵⁵

Zhang visited the two prime ministers repeatedly and asked them to radio their acceptance of the “17-point Agreement”. During one such session, Prime Minister Lukhangwa said, “Ngabo’s responsibility was to discuss a peaceful solution. He was not given the authority to discuss military matters. The 17-point Agreement is beyond our imagination. When Ngabo returns, he will report to us the circumstances surrounding the signing of the agreement. We will discuss the agreement after hearing his report. ...Tibet is a peace-loving, religious country. Therefore, it will be better for you to send an intelligent and competent representative rather than an army. China is a populous and powerful country. But it must work within its limits. If pushed beyond the level of tolerance, even a sleeping man will wake up and fight.”⁵⁶

The Dalai Lama reached Lhasa on 17 August. On 9 September around 3,000 Chinese troops, under the command of Wang Qimei and accompanied by Ngabo and Baba Phuntsok Wangyal, arrived in Lhasa. From 24-26 September Ngabo and the four other delegates addressed the Tibetan National Assembly to give a detailed account of how the “17-point Agreement” had been signed.⁵⁷ Lhawutara said that if the agreement was not seen to be beneficial to the government and people of Tibet, the delegates were willing to accept any form of punishment since “we signed it without asking for the approval (of the government)”.⁵⁸ The National Assembly, while recognising the extenuating circumstances under which the delegates had to sign the “agreement”, asked the government to accept the “Agreement”, provided the following conditions were fulfilled:

- There should be a limit on the number of PLA troops to be stationed in Tibet and that the soldiers should not converge on Lhasa, but proceed directly to the borders.
- The Tibetan government should have the right to raise with the Chinese authorities such points as are found to be unacceptable in the course of implementation.
- The powers of the Military-Administrative Commission should be confined to the maintenance of the PLA discipline.
- Matters relating to developmental activities, (e.g. mining), and border security should be decided according to the situation in Tibet.
- Whenever the Chinese government violates any provision of the “agreement”, the Tibetan government should have the right to intervene.⁵⁹

On the basis of this recommendation, the Kashag told Zhang Jingwu that it would radio its acceptance of the “agreement”, provided China agreed to three conditions:

- The powers and functions of the Military-Administrative Commission should be defined vis-à-vis the powers and functions of the Dalai Lama;
- Only a limited number of PLA troops should be stationed in Tibet; the responsibility for defending the important borders should be entrusted to the Tibetan army;
- All the Tibetan-inhabited areas should be united under the Tibetan government; Chamdo and other areas of Kham should be returned to the Tibetan government.⁶⁰

Zhang Jingwu ignored the first two points. Referring to the third point, he said that this should be decided later through a referendum conducted among the Tibetans in Sichuan, Gansu, Yunnan, and Qinghai.⁶¹

Soon, about 20,000 additional PLA troops came to central Tibet and occupied the principal cities of Ruthok and Gartok, and then Gyangtse and Shigatse. With this, the military control of Tibet was virtually complete. From this position of strength, China refused to reopen negotiations, and the Dalai Lama effectively lost the ability to either accept or reject any Tibet-China “agreement”. Now the only option before the Dalai Lama was to work with the Chinese and make the most of the “agreement” in the interest of his people. On 24 October, Zhang Jingwu sent to Mao Zedong a telegram in the name of the Dalai Lama to express support for the “agreement”. Four days later, on 29 October, a large contingent of PLA came to Lhasa under the command of Zhang Guohua and Tan Guansen.

At the same time, people's resentment against the "17-point Agreement" was increasing. Their resentment was fuelled further by the arrival of tens of thousands of Chinese troops and the resulting ten-fold increase in food prices, which raised the spectre of first famine in Tibet's history. The angry populace snapped the Chinese power and telegraph lines, threw rocks at the residences of the Chinese officials, spat on and beat up stray Chinese military or intelligence personnel. Posters came up at night, denouncing the Chinese occupation of Tibet.⁶² Resistance movements were formed, which the Chinese were determined to crush with brutal force.

On 31 March 1952, Mimang Tsongdu, People's Assembly for resistance, was born. On 1 April about 1,000 members of Mimang Tsongdu picketed Zhang Jingwu's residence and shouted slogans for Tibetan independence and the withdrawal of the PLA from Tibet. The Chinese immediately blamed the two prime ministers and "foreign imperialists" for inciting this. The Tibetan government was pressured to ban Mimang Tsongdu and force the resignation of the two prime ministers.⁶³

Now, there was no doubt in the minds of the Chinese leaders that Tibetans looked upon the "agreement" with sheer contempt. On 6 April 1952, Mao Zedong said, "Not only the two Silons (i.e. prime ministers) but also the Dalai and most of his clique were reluctant to accept the Agreement and are unwilling to carry it out... As yet we do not have a material base for fully implementing the agreement, nor do we have a base for this purpose in terms of support among the masses or in the upper stratum."⁶⁴

The Chinese leaders promptly set out to undermine the powers and positions of the Dalai Lama and the Tibetan government: First, the existing political and regional divisions were exploited and institutionalised in order to create rival centres of power. Secondly, new "Central Government" organs were created alongside the existing Tibetan institutions. Backed by the PLA, these new organs systematically wrested all powers from the Tibetan government. Thirdly, communist reforms were introduced in Kham and Amdo against the wishes of the Tibetan people; the Tibetan way of life was forcibly changed and hundreds of Tibetan religious and cultural institutions were razed to the ground. The Tibetans reacted by taking up arms against the Chinese. Thousands of Tibetans died in skirmishes; many went to jail and were never seen again. The resistance gradually spread to central Tibet, culminating in the National Uprising in Lhasa on 10 March 1959, and the escape of the Dalai Lama to India.

On his arrival in India, the Dalai Lama issued a press statement in Tezpur, Assam, on 18 April 1959. In it, the Dalai Lama stated that the “17-point Agreement” had been signed under pressure from the Chinese government. Then, on 20 June, he issued another press statement from his new headquarters in Mussoorie, in which he repudiated the “Agreement”, describing it as having been forced upon Tibet by invasion, threat and deceit. The International Commission of Jurists stated that through this repudiation Tibet legally “discharged herself of the obligation under the Agreement”.

NOTES:

(Endnotes)

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Reflections on the 17-point Agreement of 1951

By Song Liming

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In the modern history of Tibet, nothing has been more important than the 17-point Agreement of 1951.¹ It is the only formal Sino-Tibetan treaty since the treaty of 821. There is, however, a distinct difference between these two agreements. The treaty of 821 was concluded at a time when Tibet was powerful and independent. It called for Tibet and China to abide by the acknowledged frontiers. “All to east is the country of Great China; all to the west is the country of Great Tibet.”² By contrast, the 17-point Agreement declared that Tibet had become part of China, providing as it did that “the Tibetan people shall return to the big family of the Motherland—the People’s Republic of China” (Point 1); the Tibetan government should actively assist the People’s Liberation Army (PLA) to enter Tibet and consolidate their national defences (Point 2); Tibetan troops should be reorganised step by step into the Chinese army (Point 8); and China should be responsible for all of Tibet’s external affairs (Point 14). However, the same agreement promised that the Tibetan people would have the right to exercise autonomy in their ethnic region (Point 3); the Chinese government would not alter the existing political system in Tibet or the established status, functions, and powers of the Dalai Lama and the Panchen Lama (Point 4, 5); the religious beliefs, customs, and habits of the Tibetan people would be respected and lamaseries would be protected (Point 7); and internal reforms would take place only after consultations with Tibetan leaders and without compulsion by China (Point 11).

The 17-point Agreement is far from perfect. The lengthy preamble is typical, often illogical, communist propaganda. It states that the people of Tibet were being liberated from external and internal enemies—foreign imperialist and the Chinese Nationalist forces. This makes little sense. It is well known that on the eve of the Chinese army’s attack on Tibet, hardly any foreigners were in Tibet, and there were no Chinese Nationalists at all. Moreover, there has been no divergence between the Chinese Communists’ and Nationalists’ policies toward Tibet. Take, for example, the Sino-Tibetan negotiations in

1934, when general Huang Musong (the nationalists' deputy chief of the general staff) put forward the following proposal as the basis of the Sino-Tibetan agreement: While the Tibetan political system will be preserved and the Tibetan autonomy granted, Tibet must be an integral part of China and the Chinese central government would be responsible for diplomacy, national defence, communications, and appointment of high officials in Tibet.³ It looks almost as though this proposal laid down the foundations for the 17-point Agreement. In fact the only opponent of the Chinese Communists in Tibet was none other than the Tibetan government, which for years had maintained the country's independence and refused to be "liberated peacefully" before its troops were actually routed. It all had precious little to do with the foreign imperialists and nothing at all to do with the Chinese Nationalists.

The text of the 17-point Agreement has other defects. It is said that during the 1951 negotiations in Beijing, disagreement arose over various points. For example, on discussing Point 15 ("In order to ensure the implementation of this agreement, the central people's government shall set up a military and administrative committee and a military area headquarters in Tibet") the Tibetans argued that it conflicted with Point 4 that the central government would not alter the existing political system in Tibet. However, when the irritated Chinese threatened to renew military attack, the Tibetans decided they had to acquiesce. It may be added that Point 6 seems inconsistent with China's policy that Beijing should maintain control over Tibet, while at the same time the Dalai Lama and the Panchen Lama had some ill-defined authority. But it seems to me that these particular defects could have been resolved if the real purpose of the 17-point Agreement was to maintain Tibet's autonomy under China's sovereignty in the same way that the purpose of the Simla Convention of 1914 was to maintain Tibet's autonomy under China's suzerainty.⁴

A more serious question concerns the legality of the 17-point Agreement. One popular view holds that "because it was signed under duress, the Agreement lacked validity under international law."⁵ That the Agreement was signed under duress is self-evident, since the Tibetan government was coerced into accepting the agreement after troops in Kham suffered defeat and were in no position to resist the advance of the Chinese troops. However, that the Agreement lacked validity under international law for this reason is questionable. As some leading jurists have pointed out: "the law on the effect of duress on treaties is ... subject to conflicting opinions, and no useful purpose would be served by preferring one to the other."⁶ As with most peace treaties, the 17-point Agreement resulted from a war. If one prefers to think that treaties signed under

duress are illegal, one should use the same standard to judge the 17-point Agreement and other similar treaties—for example, the treaty between Tibet and Nepal of 1856 and the convention between Great Britain and Tibet of 1904, both of which were undoubtedly imposed on the Tibetans by others. It seems, though, that a double standard has been in effect here: on the one hand, the 17-point Agreement is seen as illegal; on the other hand, the treaties that Tibet concluded with the Nepalese and the British, respectively, under the same or similar circumstances are viewed as legal and even are used as evidence of Tibet's international personality and independence. By the same standard, one has to say that all three treaties are either equally legal or equally illegal. Thus Tibet either lost its independence by the 17-point Agreement even though it had been a full independent state in the past, or Tibet lacked the evidence of independence, at least during the Qing dynasty.

In fact scholars generally agree that Tibet was not a fully independent state during the Qing dynasty but was such only after 1912.⁷ Tibet's status vis-à-vis China has not been immutable and frozen; instead, it has been capricious and changeable. If 1951 saw a turning point in the history of Sino-Tibetan relations, 1912 had seen another one. With the outbreak of the Chinese Revolution of 1911 and the collapse of the Manchu Empire, the Chinese troops in Tibet were divided into two parts, one pro-emperor, the other pro-republicans. They fought against each other, and the Tibetans fought against them both, in the end successfully. By 1912, when the Thirteenth Dalai Lama returned from exile in India and ordered the expulsion of all Chinese, Tibet was free of Chinese control. There is no doubt that the changes in both 1912 and 1951 were accompanied by violence. The Tibetan government was reluctant to accept what happened in 1951, just as the Chinese government after 1912 had refused to recognise the *fait accompli*. The difference between the two is that the change in 1951 was a Sino-Tibetan agreement whereas in 1912 there was no real agreement (although the abortive Simla Conference tried to convince the Chinese to make an agreement with the Tibetans, as well as with the British). Thus the question is this: Was there a legal basis for Tibet's independence after 1912?

To this question there is one ready answer. Apparently [the British official Charles] Bell argued for the first time that the connection between China and Tibet originated with the Manchu dynasty, [based on mutual devotion to] Buddhism, and that logically the relationship came to an end with the extinction of that dynasty.⁸ This view has often been repeated. But when Bell made this pronouncement in 1946, he could not have foreseen an uncomfortable parallel, that of the transfer of power in India, which began in 1947, in which the Indians became the masters of an independent India in place of the

British. Following Bell's reasoning, one might say: "Inasmuch as the connection between India and Tibet was originated by the British Empire, it logically came to an end with the disappearance of the British from India." But insufficient attention has been paid to such a parallel. The following is another example of the double standard. By that standard, the Republic of China could inherit the Qing dynasty's rights in Tibet as the Republic of India had. Since the Republic of India had inherited British rights in Tibet without any problem, it is difficult to deny the similar claims of the Republic of China. Thus the legal basis for the independence of Tibet from 1912 to 1951 remained open to question.⁹

The 17-point Agreement is embarrassing not only to those who maintain that Tibet has been an independent state, but also to those who hold that Tibet has always been part of China. If China had had sovereignty over Tibet before 1951, why did China need to conclude the 17-point Agreement? No treaty or agreement should have been necessary had Tibet already been part of China. Some Chinese officials, both during the Qing dynasty and the Chinese Republic, thought this way. Here are two examples: On the eve of the Chinese army's entry into Lhasa in 1910, the Vice Amban Wen Zongyao wanted to make an agreement with the Thirteenth Dalai Lama; the Amban Lian Yu did not agree with him, however, arguing that Tibet was a dependent state of China and so no treaty needs to be concluded between them.¹⁰ In 1944 Shen Ts'ung-lien (Shen Conglian), the Chinese representative in Tibet, told the British that since Tibet was part of China, any settlement by means of a Sino-Tibetan treaty was out of the question. It would be superfluous and absurd for one part of a country to enter into international treaties with another part of the same country.¹¹ Of course this makes sense.

Accordingly, the 17-point Agreement has posed a paradox for the Chinese government: If it regards the Agreement as an accomplishment, it has to recognise that Tibet had not been part of China before 1951; if it insists that China has always had sovereignty over Tibet, then it has to admit that making an agreement was silly. Logically, it needed to make a choice, but in fact it seems to have been impossible for it to do so. It does not think it was a blunder to have made the 17-point Agreement, and that is a reasonable view. But on the other hand, it cannot bring itself to admit that Tibet had been a separate entity, otherwise what it had done in 1950 is not the liberation of Tibet, as it proudly declared, but rather the occupation of a nation, as most Western scholars see it. The Chinese Communists have called themselves the emancipators of the Chinese in general, and the liberators of the Tibetans in particular. By making such extravagant claims, they erected a hurdle too high for them to clear. As a result, what they try to do is to eat their cake and have it too; they insist that before 1950 Tibet had been part of

China, while greatly esteeming the 17-point Agreement and even celebrating the making of it on occasion.

Although the Chinese government is reluctant to make that choice, the 17-point Agreement actually makes it for them. Apart from the fact that China did conclude it, it is worth noting that in the agreement the Tibetan representatives were called plenipotentiaries, a title usually not given to delegates of a so-called local government. Moreover, Point 1 provided that “the Tibetan people shall return to the big family of the Motherland,” which implies that in the past Tibet had been out of the “big family of the Motherland.” Point 8 stipulated that “Tibetan troops shall be reorganised step by step into the PLA and become a part of the national defence of the PRC,” which acknowledges that Tibet, in the past, had had its own troops and that China had not been responsible for Tibet’s national defence. Point 14 specified that “the PRC shall have centralised handling of all external affairs of the area of Tibet,” which correctly implies that Tibet had previously conducted its own diplomatic affairs. History cannot be falsified; all the articles in the 17-point Agreement that established Chinese sovereignty over Tibet simply reveal the pre-existing reality: Before 1951 China had not controlled Tibet’s diplomacy and national defence and therefore had no sovereignty over Tibet. In fact most Western scholars agree that from 1912 to 1951 Tibet had been at least *de facto* independent, a view, to some degree, shared even by a few Chinese scholars.¹²

Since the 17-point Agreement ended Tibet’s independence, it was certainly a loss for the Tibetan government; but having maintained significant autonomy, the agreement in and of itself did not mean that they had lost everything. After Tibetan troops in Kham were routed, after hopes were dashed that neighbouring countries could aid them, and after appeals to the United Nations were went unheeded, the Tibetan government had few options. When news of the agreement’s conclusion was announced, Tibetan leaders in Dromo (Yatung) [on the Indian border] had two choices: accept the agreement or reject it and seek asylum in India. After long and heated debate, the National Assembly decided that the agreement could be accepted because it did not threaten the status and power of the Dalai Lama; nor did it endanger the traditional Tibetan religious and political system.

The Dalai Lama explained in 1959: “We were obliged to acquiesce and decided to abide by the terms and conditions in order to save our people and country from total destruction.” But eight years after accepting the agreement, the Dalai Lama and his government finally decided to leave Lhasa and seek asylum in India—precisely because

Tibetan autonomy was dying.

What the Tibetans lost in the agreement the Chinese gained, although the Chinese did not get all that they desired. By means of the 17-point Agreement, they forced the Tibetans to acknowledge, for the first time in history, China's sovereignty, so it was a great victory for them, enabling them to make their predecessors' dreams a reality. On the other hand, Tibet was promised a high degree of autonomy. For a dictator like Mao Zedong, this could not have been granted lightly. Actually, subsequent events revealed that the Chinese government was not satisfied with Tibet having autonomy; eventually Lhasa would have to be forced to make further concessions. But this would have to wait. As a newly established regime, apart from many internal difficulties, the Chinese government was preparing to "liberate" Taiwan, which was occupied by the Chinese Nationalists, and engaged in the Korean War against UN troops. Under such circumstances, the Chinese government urgently needed to resolve the Tibetan problem. The 17-point Agreement, therefore, is a compromise between the Chinese and Tibetan governments. This formula ostensibly allowed Tibet to have its own system within the framework of the Chinese People's Republic.

As mentioned above, Point 4 of the agreement stipulated that the Chinese government should not change the existing political system in Tibet. What was this political system? In the view of some, it was feudal serfdom; for others it was a dual religious-political system. In any case, it was different from the political system in China. This means that, in effect, the 17-point Agreement embodied a formula of "one country, two systems."¹³ This fact, however, has been generally ignored; most people believe that the formula of "one country, two systems" was invented by Deng Xiaoping for the settlement of the future of Hong Kong and Taiwan. This erroneous impression is shared even by the writers of the 17-point Agreement. For example, in the 1982 Sino-Tibetan exploratory talks, the Tibetans requested that "one nation, two systems" formula that Beijing had promised to Taiwan should be extended to Tibet because Tibet's unique historical status and special characteristics surely warranted special treatment. The Chinese rejected this on the grounds that Tibet's case was different since Sino-Tibetan relations had already been determined by the 17-point Agreement and "Tibetans should not turn back the wheels of history." But the Tibetans retorted that they had been compelled to repudiate the agreement because it was signed "under duress" and because the Chinese authorities in Tibet had betrayed it.¹⁴

In any case, the 17-point Agreement was short-lived. It died in 1959 when a Tibetan

popular revolt against Chinese rule was suppressed and the Dalai Lama and his followers fled to India. From then on, the Tibetan government-in-exile repudiated the 17-point Agreement as invalid. Although the Chinese government still claims that the agreement is legal, the Tibetan government (-in-exile) says that the Chinese government violated every undertaking in it and insists it was the Chinese who were responsible for the outbreak of the 1959 conflict and therefore the death of the agreement. On the other hand, the Chinese government charges that the Tibetans “deliberately violated and sabotaged the 17-point Agreement and intensified their efforts to split the motherland.”¹⁵

Thus the responsibility for the death of the agreement has also become a subject of dispute. Evidence indicates that the Chinese government failed to fulfil the obligations under the agreement. For example, in parts of Tibet they immediately began altering the existing political system by imposing the so-called democratic reforms, and soon they eroded the authority of the Dalai Lama in many ways. It is not quite accurate, however, to say that the Chinese government betrayed every clause of the agreement. It respected the clauses relating to China’s sovereignty over Tibet. What it failed to honour were the clauses concerning Tibet’s autonomy. On the other hand, just as the Chinese disliked “two systems,” the Tibetans disliked “one country”. They originally tried to impede the entry of Chinese troops into Tibet; since then, they have advocated Tibetan independence. The Sino-Tibetan conflicts, especially the revolt of 1959, were not only a reaction to the Chinese violation of the agreement but were also a protest against the agreement itself or an attempt to expel the Chinese from Tibet and to regain Tibetan independence. Thus it would be fair to say that regardless of the agreement between the Chinese and Tibetans, it led to the conflict of 1959 and eventually to the agreement’s demise. At most, one can argue that the Chinese bear more responsibility than the Tibetans.

The 1959 revolt is a watershed in the modern history of Sino-Tibetan relations. As Tibet lost its independence in 1951 by the signing of the 17-point Agreement, it lost its autonomy in 1959 with the death of the Agreement. Because of the flight of the Dalai Lama and his followers to India, there was a power vacuum in Tibet; the Chinese government then took the opportunity not only to fill the void but to institute the so-called democratic reforms. These “reforms” had already been completed in Inner Tibet, now they were to be implemented in Tibet proper as well, supposedly to advance Tibet from “the hell of feudalism” to a “socialist paradise”. Thus “one country, two systems” became “one country, one system,” and Tibetan autonomy from then on would be merely nominal. Undoubtedly it was the Chinese government that gave the *coup de grace* to the 17-point Agreement; all the Tibetan government did was to announce the news of its

death publicly. Thus it is ironic that, as occurred in the 1982 Sino-Tibetan talks, the Tibetans viewed the agreement as a vulgarity, while the Chinese cited it eagerly.

The death of the 17-point Agreement has been devastating for the Tibetans. In the 1959 conflict and the subsequent political movements, especially during the Cultural Revolution, thousands of Tibetans were killed,¹⁶ arrested, or taken to concentration camps. Tibetan cultural and religious institutions were destroyed.¹⁷ Oddly enough, the death of the agreement did not advance Chinese interests at all. Internally, the Tibetans are unhappy with direct Chinese rule, and the situation in Tibet has been tense. Externally, since 1959, China's Tibetan policy has been condemned by the international community, which had been silent when Tibet lost its independence in 1951. In short, the death of the agreement did not resolve the Tibetan issue; instead the issue has become more serious and more international. Accordingly, both the Chinese and the Tibetans in exile find it necessary to change the situation. Under these circumstances, at the very beginning of the post-Mao era, Sino-Tibetan negotiations resumed.¹⁸

The long Sino-Tibetan dialogues have yielded no results. In theory, there is plenty of room for agreement. The Tibetan government, except for a short period, has requested only Tibet's autonomy or the formula of "one country, two systems", as indicated in the recent talks of the Dalai Lama. The Chinese government has been insistent only on Chinese sovereignty over Tibet; the Chinese leaders, including Deng Xiaoping, have repeated that China is willing to discuss the resolve with the Tibetans all issues short of the independence of Tibet. In this sense, it should not be difficult to find a basis for Sino-Tibetan negotiations. In practice, though, no mutually acceptable basis for negotiations has been found. In 1981 the then general secretary of the CCP, Hu Yaobang, put forward the "Five-point Proposal to the Dalai Lama".¹⁹ The Dalai Lama rejected it firmly by remarking, "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." In 1988 the Dalai Lama issued the Strasbourg Proposal as the "framework for Sino-Tibetan negotiations".²⁰ The Chinese government refused it by arguing that "China's sovereignty over Tibet brooks no denial. Of Tibet there can be independence, no semi-independence, no independence in disguise."

If we analyse these two proposals on the basis of the 17-point Agreement, it is easy to see why the Tibetans feel that the Chinese government is not offering them very much. More precisely, the Chinese government is unwilling to give Tibet a high degree of autonomy, even that which was embodied in the 17-point Agreement, and now the

Tibetan government is unwilling to recognise China's full sovereignty, which was specified in the Agreement. By comparison, however, the Dalai Lama's proposal is closer to the agreement than was Hu Yaobang's—even though it was the Tibetan government that repudiated the agreement in 1959, while the Chinese government still regards it as legal. This strange phenomenon, coupled with the bizarre episode in the 1982 exploratory talks, suggests that the makers of the 17-point Agreement have forgotten everything about their product except its name. That explains why both the Chinese and Tibetans were so confused during the 1982 exploratory talks; in order to demand the formula of “one country, two systems” the Tibetans should have simply based their request on the agreement rather than on Beijing's promise to Taiwan; in order to refuse it, the Chinese should have avoided any mention of the agreement. One can speculate as to what, if the Tibetans and Chinese had argued along opposite lines, the result would have been. In a broader sense, had the Tibetan government accepted the agreement, should the Chinese government would have been amenable? Or if the Chinese government had made the same proposal, should the Tibetan government have been so angry? In short, can the 17-point Agreement serve as a basis for a new Sino-Tibetan historical compromise?

To return to the 17-point Agreement might cause the Tibetan government to lose face, since it publicly repudiated it in 1959. In politics, however, face should always be a secondary consideration. If Tibetan independence is the goal, then repudiation of the agreement is important; otherwise “independence” would be meaningless. If the government is willing to settle for the less, it can find the fundamental elements in the 17-point Agreement, such as the formula of “one country, two systems”. And it cannot expect to achieve other gains through negotiations with the Chinese. The Tibetan government should realise that in 1951, when it accepted the agreement, it lost Tibet's independence. If it should return to it now, at least Tibet would regain its autonomy. If the original motive for accepting the agreement was to avoid Tibet's total destruction, to return to it now would serve the same purpose. More important, if the government requested real Tibetan autonomy, or “one country, two systems” on the basis of the 17-point Agreement, the Chinese would have difficulty refusing it. It is also worth noting that to return to the 17-point Agreement would not necessarily mean restoring the traditional Tibetan political system, because, as indicated in the Strasbourg Proposal, the agreement provided that the Tibetan people, together with their leaders, would determine the nature of any new political system there.²¹ Besides, if the Tibetan government were to make clear that all it wants is “one country, two systems,” it would win more sympathy and support among the Chinese, especially those in Taiwan and Hong Kong, who so far have paid little attention to the Tibetan cause [but for whom the issue of “one country,

two systems” has much relevance].

One would expect the Chinese government to be more reluctant than the Tibetans to return to the 17-point Agreement, because by doing so it would be ceding substantial authority that it has enjoyed in Tibet. But since the government still regards that agreement as legal, how can it refuse to do so? Real autonomy, or the formula of “one country, two systems”, would not contradict its claim of sovereignty over Tibet, so it cannot interpret it as “turning back the wheels of history” or “independence in disguise”, as was its reaction to Tibetan’s request in 1982 and to Strasbourg Proposal. The government should realise that direct Chinese rule in Tibet after 1959 has proved to be a failure, and only real autonomy for Tibet can save the country from trouble both domestically and internationally. Moreover, to settle the Tibetan issue in this way would send a positive signal to Hong Kong and Taiwan. Currently, the Chinese government is eager to show good faith in the formula of “one country, two systems” to Hong Kong and Taiwan, but why should the people of Hong Kong and Taiwan trust the Chinese? China is undoubtedly responsible for the violation of the 17-point Agreement and thus, for the termination of Tibet’s “existing political system”. In order to prove its good faith with respect to the “one country two systems” promise to Hong Kong and Taiwan, Beijing, first of all, should acknowledge its past errors in the treatment of Tibet and grant Tibet its own political system and autonomy.

In consideration of Tibet’s actual situation, there is an urgent necessity for the Chinese and Tibetan governments to resolve the Tibetan issue through peaceful and reasonable negotiations as soon as possible. I believe that to return to the 17-point Agreement would be the most feasible, though perhaps not ideal, solution.

NOTES:

(Endnotes)

1 *Agreement of the Central People’s Government and the Local Government of Tibet on Measures for the Peaceful Liberation of Tibet* was concluded in Beijing by Chinese and Tibetan plenipotentiaries on 23 May 1951. It includes a preamble and a text of 17 points, so it is commonly known as the 17-point Agreement. It is said that three separate (secret) clauses exists dealing with the Tibetan army and police, the future of the Dalai Lama, and Tibetan currency. See Melvyn Goldstein, *A History of Modern Tibet, 1913-1951: The Demise of the Lamaist State* (Berkeley: University of California Press, 1991),

p. 770; and Tsering Shakya, “The Genesis of the Sino-Tibetan Agreement of 1951”, in *Tibetan Studies, Proceedings of the Sixth Seminar of International Association for Tibetan Studies* (Oslo: n.p., 1994).

2 For an English translation of the treaty of 821 as well as that of the 17-point Agreement, see Hugh Richardson, *Tibet and Its History* (Boulder and London: Shambala, 1984), appendix.

3 *Selected Files Relating to the Memorial Ceremony on the Demise of the Thirteenth Dalai Lama and the Reincarnation and Installation of Fourteenth Dalai Lama* (Shisan shi dalai yuanji zhiji he shisi shi dalai zhuanshi zuochang dang’an xuanbian) (Beijing: Chinese Centre for Tibetology and the Second Historical Archives, 1990), pp. 106-107.

4 For the best analyses of the Simla Convention see Alastair Lamb, *Tibet, China, and India 1914-1950, A History of Imperial Diplomacy* (Hertingfordbury, UK: Roxford Books, 1989), pp. 12-15.

5 Michael van Walt van Praag, “Introduction” to *The Legal Status of Tibet, Three Studies by Leading Jurists* (Dharamsala: Office of Information and International Relations, 1989).

6 “The Status of Tibet”, in *Tibet and the Chinese People’s Republic, A Report to the International Commission of Jurists by Its Legal Inquiry Committee on Tibet* (Geneva: International Commission of Jurists, 1960), p. 164.

7 The Sino-Tibetan relationship in the Qing dynasty has been generally interpreted by most Western scholars as that of protectorate or suzerainty, although by Tibetan and Chinese scholars, respectively, as that of Cho-yon (patron and priest) and sovereignty. See T. W. Shakabpa, *Tibet: A Political History* (New Haven and London: Yale University Press, 1967) and Li Tiehtsang, *The Historical Status of Tibet* (New York: King’s Crown Press, 1956).

8 Charles Bell, *Portrait of a Dalai Lama, the Life and Times of the Great Thirteenth* (London: Wisdom, 1987), p. 328.

9 Of course the similar question should be asked: “What is the legal basis for the

Manchu's rule in Tibet?" It is not easy to make a legal judgement as to what happened historically. In any case, students of history may limit themselves to studying what happened, and if possible, why it happened.

10 *Memorials to the Emperor by Amban Lian Yu* (Lian Yu zhu Zang chaodu), ed. Wu Fengpei (Lhasa: Renmin chubanshe, 1979), p. 110.

11 L/PS/12/4217, Viceroy to Secretary of State, October 1944. Lamb, p. 331.

12 For example, Shen and Liu remark: "Since 1911 Lhasa has to all practical purposes enjoyed full independence"; see Shen Tsung-lian and Liu Sheng-chi, *Tibet and the Tibetans* (Stanford: Stanford University Press, 1953; repr. New York, 1973), p. 62. Yang points out: "Before Liberation a situation of de facto semi-independence existed in Tibet." See Yang Gongsu, *A History of China's Struggle against Foreign Invasion and Interference in Tibet* (Zhongguo fandui waiguo jinlue ganshe Xizang difang douzheng shi) (Beijing: Zhongguo Zangxue chubanshe, 1992), p. 246.

13 Jiang Ping, former vice director of the Department of the United Front and now vice director of China's Centre for Tibetology, remarks that 1959 saw "the termination of the phase of coexistence of two political powers." See Jiang Ping and others, *The Tibetan Nationality's Regional Autonomy* (Xizang de minzu quyup zizhi) (Beijing: n. p., 1991), p. 55. The term *coexistence* is also used by Goldstein. See Melvyn Goldstein, "The Dragon and the Snow Lion: the Tibetan Question in the Twentieth Century," *Tibetan Review* (April 1991): 12.

14 Dawa Norbu, "China's Dialogue with the Dalai Lama 1978-90: Pre-negotiation Stage or Dead End?" *Tibetan Review* (May 1992): 13, 16.

15 *Tibet—Its Ownership and Human Rights Situation* (Beijing: Information Office of the State Council of the PRC, 1992), p. 22.

¹⁶ According to the Tibetan government, "More than 1.2 million Tibetans have died as a direct result of the Chinese invasion and occupation of Tibet". See *Tibet: Proving from Facts* (Dharamsala: Department of Information and International Relations, 1994).

¹⁷ Some believe that if the Agreement had remained intact, such a catastrophe might have been avoided. See Ngabo Ngawang Jigme, "The True Facts of the 10 March 1959 Event,"

China Tibetology [Beijing], no. 2 (1988): 5.

¹⁸ It is also said that the Chinese and Tibetans had been in contact since as far back as the early 1970s. See Tsering Wangyal, "Sino-Tibetan Negotiations Since 1959," in *Resistance and Reform in Tibet*, ed. Robert Barnett and Shirin Akiner (London: Hurst, 1994), p. 197.

¹⁹ It is stated in Hu's proposal that the Dalai Lama and his entourage are welcome to return and settle in China, and that if and when he returns, his political and economic privileges shall be as they were before 1959; he will be appointed vice-president of the National People's Congress as well as vice chairman of the Chinese People's Political Consultative Conference. It is said that the condition that the Dalai Lama had to reside in Beijing was withdrawn in 1986. See Dawa Norbu, "China's Dialogue with the Dalai Lama," p. 16.

²⁰ It is stated in the Strasbourg Proposal that China can remain responsible for Tibet's foreign policy; meanwhile, Tibet should have its own Foreign Affairs Bureau to deal with commerce, education, religion, and other non-political activities; as to defence, China have the right to maintain a restricted number of military installations in Tibet until such time as demilitarisation and neutralisation can be achieved through a regional peace conference and international agreement; it is also demanded that all of Greater Tibet, known as Cholkha-sum, should become "a self-governing, democratic political entity founded on law by the agreement of the people ... in association with the People's Republic of China." See *Government Resolutions and International Documents on Tibet* (Dharamsala: Office of Information and International Relations, 1989), pp. 11-15.

²¹ It is stated in the 17-point Agreement that: "[i]n matters related to various reforms in Tibet, there will be no compulsion on the part of the central government. The local government of Tibet should carry out reforms of its own accord, and when the people raise demands for reform, they shall be settled by means of consultation with the leading personnel of Tibet" (Point 11). In the Strasbourg Proposal it is stated that "whatever the outcome of the negotiations with the Chinese may be, the Tibetan people must be the ultimate deciding authority. Therefore, any proposal will contain a comprehensive procedural plan in a nation-wide referendum to ascertain the wishes of the Tibetan people."

The “17-point Agreement” Context and Consequences

By Claude Arpi

Claude Arpi has been following the Tibetan issue for the past 25 years. He is the author of The Fate of Tibet and has contributed numerous articles to Indian and international journals.

It will soon be 50 years since some representatives of the Tibetan Government signed with China an “Agreement on Measures for the Peaceful Liberation of Tibet”, better known as the “17-point Agreement”. It is said that this agreement was signed under duress in Beijing on 23 May 1951 by Ngabo Ngawang Jigme, Governor of the Eastern Province of Kham, who had been taken prisoner a few months earlier when the Chinese troops crossed the Upper Yangtse and captured Chamdo, the capital of the province.

We shall look at the context in which the Tibetan delegates were “trapped” into this Agreement in Beijing and the implications of their signature. The consequences for Tibet would be most momentous; Tibet would lose its independence. It was the first time that the Land of Snows agreed to be a “part of China” and to content itself with an “internal” arrangement between the Central Government in Beijing and what was now called the “local” Tibetan government.

We shall discuss its significance for India which now lost her buffer zone with China and suddenly acquired a new neighbour at her borders.

The Context

The Year of the Iron-Tiger: 1950

For centuries Tibet remain the most isolated place in the world. As the nation’s energies and time were concentrated on achieving spiritual goals, its defence was neglected. Until the beginning of the twentieth century, nobody, except perhaps the Thirteenth Dalai Lama, had bothered much about international developments.

In a way, formal recognition or boundary delimitation had been forced on the Tibetans by Younghusband's invasion¹ and later by Sir Henry McMahon at the Simla Conference.² At the end of the forties, Tibet had begun to wake up at the sight of the dark clouds gathering around the Land of Snows: an atheist "east wind" was threatening to blow over the sacred Shangri-La. Earlier, the Thirteenth Dalai Lama had mentioned the danger; in 1932, in his last Testament, he had warned his people:

Precautions should be taken at a time when the forces of degeneration are most prevalent and when Communism is on the spread. Remember the fate that befell the Mongolian nation when Communists overran the country and where the Head Lama's reincarnation was forbidden, where property was totally confiscated and where monasteries and religion were completely wiped out. These things have happened, are happening and will happen in the land of harmonious blend of Religion and Politics³

Nobody listened! The Iron-Tiger year and the following years were to be fateful for Tibet. For India too, the repercussions of these year's events would be incalculable.

It began on the New Year Day of 1950 or rather on the New Year Eve, when the Government of India decided to hurry through the recognition of the Communist regime in Beijing.

The first consequence was a warning note heard the next morning in the broadcast of the *New China News Agency*. It proclaimed, "The tasks for the People's Liberation Army (PLA) for 1950 are to liberate Taiwan, Hainan and Tibet... Tibet is an integral part of China. Tibet has fallen under the influence of the imperialists."

The next day, the green light to attack Tibet was given to Deng Xiaoping by Mao from Moscow; all preparations were left to Deng.

On 10 January 1950, Mao is said to have sent another telegram to the Second Field Army:

ordering that the preparation of the liberation should be accelerated and agreeing with Deng Xiaoping's proposal that the liberation of Tibet should be started simultaneously from all directions—from Sichuan in the east, from Yunnan in the south, from Qinghai in the north and from Xinjiang in the west.⁴

During the following months China was to assert again and again that Tibet was a part

of China's territory. On 22 January, an interesting conversation took place in Moscow between Mao Zedong and Joseph Stalin:

Mao Zedong: I would like to note that the air regiment that you sent to China was very helpful. Let me thank you Comrade Stalin, for the help, and ask you to allow it to stay a little longer so it could help transport provisions to (Chinese Communist Central Party Committee member and commander of the PLA's Second Field Army) Liu Bocheng's troops, currently preparing for an attack on Tibet.

Joseph Stalin: It's good that you are preparing the attack. The Tibetans need to be subdued. As for the air regiment, we shall talk this over with the military personnel and give you an answer.⁵

During the first months of 1950, the only thing which was not known to the Chinese was the degree of resistance by the Tibetans: would the Second Army of One-eyed Liu⁶ marched triumphantly into Tibet as the liberator, or would Tibet have to be "liberated" by force?

By the end of 1949, the Red Army had already entered certain areas of Eastern Tibet, mainly in Amdo Province, but though the "liberation" of Tibet had started, the full-fledged invasion had not yet begun. The Chinese knew that the real test would be the "liberation" of Kham.

This was what was at stake in the negotiations to be held between the Chinese and the Tibetan Mission in Delhi. Had the negotiations succeeded, the PLA would have come to Tibet "invited". The leaders of the Tibetan Mission were aware of it and for several months, though the Chinese had given the Mission an Ultimatum to "conclude" the negotiations by September, they were not keen to go to Beijing for talks.⁷

For the Chinese, if Tibet accepted to be a part of China, there would be no problem since China would only be entering its own territory.

The Negotiations that Never were

Both parties were keen to negotiate, but for different reasons. Tibet wanted to settle its eastern border with China as indicated in the Kashag's letter to Mao⁸ and regain its "lost" territories while China wanted to "liberate" Tibet as smoothly as possible.

The Chinese first suggested Hong Kong as the venue for the negotiations as it was “close to China” and “neutral” for the Tibetans. The first hurdle came when the British refused visa to the Tibetan delegation to enter Hong Kong.

The questions confronting British Officials in London were: should the British Government help the Tibetans to negotiate a settlement with Communist China? If so, should they grant a diplomatic or an ordinary visa to them, and this on a Tibetan travel document or on some other document?

A very ordinary problem, a simple visa, became an affair of state and had to be dealt with at the highest political level. The visa was eventually refused. Later Nehru explained why he thought the British had refused to grant visa for Hong Kong: “... this was because they did not like to give the impression that they were taking part in the talks.”⁹ For the Indian Prime Minister, India also was clearly not ready to “give the impression” that India was interested.

He therefore did not press to have the talks in Delhi.

The Tibetan Foreign Office in Lhasa took the opportunity to clarify the aims of the mission: they wanted to find an arrangement with the Chinese Government for the continuation of Tibet’s existing independent status.

The Tibetans had received information from eastern Tibet that the People’s Liberation Army was close to the Upper Yangtse, which at that time was the border between the Lhasa Government’s jurisdiction and Chinese controlled area.

They also knew that the Chinese government was ready to offer Tibet full autonomy within the People’s Republic; but Lhasa was certainly not prepared to accept such a proposal.

It was only the pressing military situation in Eastern Tibet which had caused the Mission to accept the risk of going to Hong Kong. They certainly preferred to negotiate in Delhi on a more solid ground.

On 17 June, a message from the Kashag finally arrived to say that Lhasa had agreed that the negotiations could be held in Delhi, though the Tibetan delegation had to wait and see if the Chinese would agree to conduct the talks through their newly appointed

ambassador to India.

The possibility of defending Tibet militarily was formally discussed at that time by the US and British Governments. The conclusion was that it was not easy to help the Tibetans as the terrain was not favourable and that in any case it was up to the Indian Government to decide since the arms or equipment would have to be shipped through India. The British made it clear once more that their interest in Tibet arose from its proximity to India and that interest was now vested with the Indian Government.

In September the Mission came to Delhi to meet the Indian Prime Minister who enquired about the progress of the talks. Nehru seemed unaware that the talks were supposed to have been held in Hong Kong. The minutes of the meeting said:

The Prime Minister enquired why they should be reluctant to go to Peking now when they were willing to go there three or four months ago. Mr. Shakabpa explained that they had instructions then to go to Hong Kong only and not to Peking. The Chinese had agreed to send a representative to Hong Kong to talk to them, with the understanding that all important questions would be referred by him to Peking.¹⁰

It is strange that Nehru did not know that the talks were fixed in Hong Kong and not in Peking.

The Prime Minister told them that although India was perfectly agreeable to Delhi being the venue, it was not for him to suggest this to the Chinese. It was for China and Tibet to settle where the talks should be held.

Shakabpa pointed out the precedence of the Simla Convention in 1914 when the British had invited the Tibetans and the Chinese for a Tripartite Conference and asked “why this could not be arranged now?” Nehru only repeated that “it was not possible for India to urge Peking to hold the talks in Delhi. This would mean that India had a dominant position over China and Tibet.”

The Chinese certainly did not want the negotiations to take place in India.

The minutes of the same meeting mention:

Mr. Shakabpa stated that his Government had written to the Chinese Government

suggesting Delhi as the venue. This letter had been returned from Hong Kong, probably by the post office. Similarly, a telegram containing the same suggestion had failed to reach Peking.

On the front in Eastern Tibet, preparations were progressing smoothly. Mao Zedong and his Political Commissioner in Sichuan had long since decided to invade the Land of Snows; the detailed plans for the final “liberation” of Tibet were being implemented.

An interesting information is given by Warren Smith in his *Tibetan Nation*. According to this book, Beatty, a Scottish missionary working in eastern Tibet, affirmed that a PLA officer had told him that “large numbers of yak, wild and domestic animals would be needed to feed the PLA troops [in Tibet]. The PLA officers and men talked of going on to India once Tibet was in their hand.”¹¹

It was certainly Mao’s plan, but he had to start from the beginning and soon “the task of marching into Tibet to liberate the Tibetan people, to complete the important mission of unifying the motherland, to prevent imperialism from encroaching on even one inch of our sovereign territory and to protect and build the frontiers of Motherland”¹² would be achieved.

The Role of India

During the first months of 1950, K.P.S. Menon, Indian Foreign Secretary, was not keen on the negotiations. Most probably, Menon was not happy to see them happen so close to China. He also understood that they would have a great impact on India’s security and India would certainly like to be consulted, which would be logistically difficult in the far-away Hong Kong.

Having been posted in Chungking and Nanjing, Menon knew fairly well the “trap” into which the Tibetan delegates had fallen in 1946 during the Goodwill Mission in Nanjing and the one that they had just avoided in 1948 when Shakabpa had led the Trade Mission. Menon had enough knowledge of the Chinese way of functioning to guess that if the Tibetans were to go to Hong Kong, the Chinese would certainly find ways to pull them to the mainland where they would be at a great diplomatic disadvantage. It would ultimately mean a treaty or an agreement to which India would not be a party, but one which might have serious strategic implications for it, considering the length of the border it shared with Tibet.

Further, we should remember that Tibet and Independent India had ratified the Simla Convention and both parties were bound by this treaty.

It was perhaps a hot potato¹³ for Nehru, but nevertheless Article V¹⁴ must have been in the Indian Government's mind. India had stepped into Britain's shoes and this Article remained valid.

However during those days, the general motto seemed to be "remain vague as far as possible." Undeniably it was easier for the Indian Prime Minister to let the weak Tibetan nation be devoured by the Chinese Dragon than to stick India's neck out for a weak and non-violent people.

In reality, the stakes were higher for India. Nehru's government had inherited the British treaties and the British borders: that is to say the Mc Mahon Line and the border in Ladakh.

In Beijing, the scene was different. Panikkar, the Indian Ambassador, had most probably managed to convince his contacts in the Chinese government that all "white men" were imperialists and that it was time for the Asian nations to reject the hostile imperialist forces. He must have assured Zhou Enlai that India was against the use of force.

The Chinese leadership knew that in occupying the Roof of the World, China would secure the position of dominance over other Asian nations and India in particular.

Since the telegram of Mao in January, it took only eight months for the 18th Corps of the Second Field Army to get ready to cross the Yangtse and defeat the ill-equipped and poorly motivated Tibetan army.

A blend of forceful diplomacy and display of strategic tactics as well as better knowledge of the enemy were chiefly responsible for the advance of the PLA in Tibet.¹⁵

For Panikkar and Nehru, the loss of Tibet was worth the price of liberating Asia from "Western Dominance". In London, Nehru's friend, Krishna Menon,¹⁶ had also begun the same litany against Western dominance.

It was the beginning of the non-aligned policy of the Government of India, a policy which amounted to India opposing whatever came from America and the West and very

often supporting whatever came from Moscow or Beijing.

By September, the negotiations had failed to bring the desired result for the Chinese and strategically Deng had to attack Tibet before the winter; after that, it would have been impossible for the young PLA to advance into the Roof of the World.

During all these months the Chinese leaders, particularly the mild-mannered Zhou Enlai, kept on assuring India through Pannikar that “China has no intention of using force against Tibet,” though he mentioned in August that it was China’s sacred duty to liberate Tibet. By the end of the September, everything was ready for the advance on Chamdo.

The Invasion of Kham

The attack occurred on 7 October 1950.

The main border post at Gamto Druga was overrun by the Chinese who used the same strategy as in Korea. Wave after wave of soldiers soon overpowered the Tibetan defenders, who fought well, but were finally massacred.

In the meantime another Chinese regiment crossed the Yangtse above Dengo and advanced rapidly towards Dartsedo (Kangting), marching day and night.

In the South, 157th PLA Regiment crossed the Yangtse and attacked the Tibetan troops near Markham. When they reached Markham, the local Tibetan Commander, Derge Se, surrounded by the Chinese troops, surrendered his force of 400 men.

The net (or Karma) was slowly closing in on Tibet.

The northern front lost ground day by day and the headquarters of the central zone was soon lost to the waves of young Chinese soldiers. They caught up with the retreating Tibetans at night in a place called Kyuhung where the Tibetans were decimated. The road to Chamdo was open.

Lhasa was finally informed on 12 October that the Yangtse had been crossed and that the Chinese had begun to “fulfil” their promise to “liberate” the Roof of the World.

At the same time, the opera season was in full swing in Lhasa. The aristocracy and the

Government were busy. For the Tibetan officials opera and picnic were sacred!

In Chamdo, no one panicked, though the number of prayers was increased. More and more lay people joined the monks and began circumambulating the monastery, incense smoke went higher and higher in the sky, the gods had to be propitiated. Ford said that the monks believed that “only the gods could give Tibet victory—which was unanswerable—and they were doing their bit by praying. They would pray twice as hard, or rather twice as often, and that would be of more use than taking up arms.”¹⁷

“The gods are on our side”, was the often repeated mantra in the town.

In the meantime, Lhasa continued to keep the news of the invasion secret. Ten days after the Chinese had crossed the Upper Yangtse, Ford heard an announcement from Delhi: Shakabpa and the Tibetan delegation were denying any attack on Tibet.

For 19 days the world would not know about the events in Kham.

Tibetans were not simply living in the real world. But their own world was fast disappearing without them realising it.

On 26 October, a news report from Calcutta stated:

Tsepon Shakabpa, leader of seven-men delegation to Peking told PTI today that this delegation was proceeding to Peking irrespective of the reported Chinese Communist invasion of Tibet. He had received final instructions from Lhasa to conduct negotiations in Peking on the future Sino-Tibetans relations only last Sunday, he said. The Delegation had not discussed the future of Tibet with the Chinese Ambassador in New Delhi during their stay there. They had only informal talks. A member of the delegation said that they were more interested in religion than in foreign affairs. He thought Tibet was of no significant strategic importance for military point of view.¹⁸

We shall see that the delegation was perfectly informed, but they still did not want to break the news. Tibet was sending a delegation more interested in religion than in foreign affairs to discuss with Mao the future of their nation!

On 27 October, *The Hindu* in Madras published the following piece:

The Tibetan delegation which left New Delhi this morning *en route* to Peking remained unperturbed over the reported entry of the Chinese troops into Eastern Tibet and the leader of the delegation pointed out that the area in question was always disputed territory, both China and Tibet claiming it as part of their territory.

The negotiating team was still pretending that nothing had happened, except for some minor disputes over “disputed territories”.

The analysis of Ford may be correct when he said:

I could only think it was a matter of habit. The Lhasa Government was so used to the policy of saying nothing that might offend or provoke the Chinese that it kept it on after provocation had become irrelevant. It was still trying to avert a war that had already broken out.¹⁹

But on 25 October, the Chinese announced to the world that Tibet was being “liberated”. A brief communiqué of *the New China News Agency (Xinhua)* said: “People’s army units have been ordered to advance into Tibet to free three million Tibetans.”

23 October 1950: A Telegram from Lhasa

We recently came across an extraordinary original document:²⁰ a coded telegram from the Tibetan Kashag in Lhasa to its representative in Delhi. The cable was sent through the Indian Ministry of External Affairs (MEA) and forwarded to the head of the Tibetan mission with a covering letter stating “with compliments”.

One can first remark that this telegram, routed through the MEA, shows to what extent the communications to and from Tibet were in fact a monopoly of Nehru’s government.

The telegram was addressed to “Chatsi”, “Cha” refers to Thubten Gyalpo, monk official administrating revenue of the Potala, and “tsi” to Shakabpa.²¹ It came as an answer to a telegram sent by the Delegation to Lhasa. Thubten Gyalpo and Shakabpa had asked for directions in the talks with Yuan, Chinese Ambassador, who, on 16 September, had proposed a three-point plan to solve the Tibetan issue. During this first meeting with the Tibetan delegates, Yuan had threatened that China would invade Tibet if the following points were not immediately accepted:

1. Tibet must accept that it is a part of China.
2. Tibet's defence must be handled by China.
3. All political and trade matters concerning foreign countries must be conducted through China.

The delegates were bluntly told that if the answer was not favourable, the Chinese troops massed on the eastern bank of the Yangtse would attack Tibet, while if the Tibetans accepted the proposal, Tibet would be “liberated” peacefully.²²

The Tibetans tried to gain time and referred the matter to Lhasa who took more than one month to answer; for Tibet, it was a vital question of survival.

By the time the reply from Lhasa came (23 October), the Chinese had already crossed the Yangtse; Chamdo had fallen and Ngabo, the Governor had been taken prisoner. Here is the answer from Lhasa:

On the eleventh day of the ninth moon, we sent a telegram, instructing you to proceed immediately to Beijing with our response to the three points. The response—as decided through a discussion between the ruler and ministers, and referred to the National Assembly—was cabled to you so that you would have no problem carrying out your mission. Now that you have received the telegram, you must be preparing to leave. However, His Holiness the Dalai Lama suggested that we should consult the unfailing Gems through a dough-ball divination to decide whether or not to accept the first Communist demand for suzerainty over Tibet, this being an important issue relating to the well-being of our religious and political affairs, and needing a decision that would not harm our short-and-long-term interests. Seeing the important merit of this suggestion, a dough-ball divination was conducted in front of the statues of Mahakala and Palden Lhamo in the Mahakala shrine at Norbulingka. The divination predicted that out of the three demands of the Communist government, the first one for Chinese suzerainty over Tibet should not be accepted as this will harm our religious and political interests in the short-and-long-term. Since the dough-ball divination is unfailing, you should proceed to Beijing without delay, as instructed in the earlier telegram. The instructions are very clear: the Chinese suzerainty over Tibet should not be accepted.

The decision which took more than a month was taken in consultation with all the different parties involved in decision-making in Lhasa, including the young Dalai Lama, the Kashag, the National Assembly and the god-protectors. The telegram continues:

There, you should meet important leaders of the Communist Government and regularly report their statements to us. In order to make your work convenient, we will reply immediately to each point of your report. On the first point, concerning the demand for acceptance of Chinese suzerainty over Tibet, you should not make the mistake of using any word that may suggest acceptance. The second and third points should be discussed without deviating from the instruction in the earlier telegram.

As it is the last document available regarding the policy to be followed for negotiations with the Chinese, we can assume that some of the modalities for the negotiations remained the same. It is very clearly stated here that the delegates should “regularly report their statements to us [Lhasa]. In order to make your work convenient, we will reply immediately to each point of your report”. We shall see that the procedure laid down was never followed during the negotiations in Beijing.²³

The telegram went on to mention a letter sent to Mao. It is not clear if it is the same letter supposed to have been sent in 1949 claiming all the “lost” Tibetan territories east of the Yangtse river.²⁴

Your telegram of last night said that the National Assembly’s letter to Mao Tsetung would cause harm. But this letter was the product of a unanimous decision at the Tibetan National Assembly. Therefore, you should take this letter and hand it to the concerned person immediately on your arrival in Beijing. As a matter of fact, you are well aware that you were selected from the best ecclesiastical and lay officials. The dough-ball divination confirmed your selection, showing that your karma puts you in the position to undertake this mission. Now, as this is a matter of our national interest, you should not be faint-hearted and narrow-minded in your discussion with the Chinese. If you keep the instruction of your government, as spelled out in the earlier telegram, in your mind and develop courage and far-sightedness, our polity will not suffer in the long run. Therefore, you should work with sincerity and diligence. You should not worry since we over here have been conducting a great deal of ritual prayers. On the twelfth day of the ninth moon in the Iron Tiger year [23 October 1950].

The last remarks can be explained by the reluctance of Shakabpa to go to Beijing due to the bad experiences he had had in 1948 during the Trade Mission's visit to China and further because he did not agree with Lhasa's intransigence. He felt, for example, that Tibet had no choice but to accept the first point.

This telegram was the last instructions given to the Mission while in India. The following week, the delegates were told not to proceed to Beijing as battle was shifted to the United Nations where an appeal was made.

The Appeal to the United Nations

During the last days of October, Lhasa sent feelers to Delhi to see if India would be ready to sponsor the Tibetan appeal in the UN. The Tibetan Government was quite confident that Nehru's government, which had always taken the side of oppressed people against imperialist and colonialist powers, would co-operate. India's reply was that it would certainly support an appeal from Tibet, but would not like to sponsor the appeal.

On 7 November, a formal letter was sent from Kalimpong by the Government of Tibet to the General Secretary of the UN appealing to the world body to come to Tibet's help.

The well-drafted appeal stated that the problem was not of "Tibet's own making" and that "the Tibetans were racially, culturally and geographically far apart from the Chinese." It compared their situation with Korea.

In Lhasa, the Tibetan Foreign Office nominated a delegation including Surkhang Dzaza and Trunikchenpo Chomppel to plead the Tibetan cause at the UN. It is not clear what happened to the delegation, but they never reached the seat of the UN. If they had, it would have certainly made a difference. But who would be interested to see Tibetan delegates in New York?²⁵

Till mid-November the position of the Government of India was clear: India would support the Tibetan case if raised by any other nation. Then India's position began to vacillate. Here we should remember that Nehru who must have had the Kashmir issue fresh in his mind had suddenly become quite disillusioned about the effectiveness of the UN.

At the same time he had a great ambition to play a role in the Korean issue. It appears from the archives that Nehru decided to sacrifice Tibet in order to continue to be a

mediator between China and the West in the Korean war.

In the course of the negotiations in New York, most of the representatives indicated that India was the nation most concerned and that they would follow India's lead.

The British point was that "the situation in Tibet is one which primarily concerns the Government of India and for this reason we would not ourselves wish to take the initiative."

Finally on 24 November, at the request of the tiny state of El Salvador, the matter came up for discussion in the General Committee of the United Nations. India and Great Britain moved for postponing the matter: Jam Saheb of Navanagar, Indian Representative, said that "the Indian Government was certain that the Tibetan question could still be settled by peaceful means, and that such a settlement could safeguard the autonomy which Tibet enjoyed for several decades while maintaining its historical association with China."

The matter was adjourned; the noose tightened on Tibet.

Fifty years later, the case still remains "adjourned"!

The door of the United Nations was closed in the face of Tibet.

On 30 December, Henderson, American Ambassador in Delhi, cabled the Secretary of State Acheson to inform him that:

Representatives GOI had repeatedly assured us it intended to do so [support Tibetan appeal]. Now appears views B. N. Rau and other Indian officials who do not wish India make any move in present world context which might offend Communist China have prevailed and GOI continues postpone taking initiative regarding Tibet in the UN. Seems likely Communist China will have taken over Lhasa and have fastened firmly its grip on Tibet before GOI prepared take lead in UN.²⁶

He concluded:

We seem faced with choice supporting some power other than India taking initiative or of continuing postpone hearing Tibetan pleas until autonomous Tibet ceases exist. We are wondering whether this would be to credit UN. Is it logical for UN

which gave Indonesia which was under Dutch sovereignty hearing to ignore Tibet? Will India, for instance, have greater respect for UN if merely out of deference to it, UN gives Tibet no opportunity present case?

Nehru did not realise at that time that by “dropping” the Tibetan issue, his own reputation with other small Asian and African countries would be tarnished.

The Discussions in Yatung

In November, the newly enthroned Dalai Lama decided to flee Lhasa and take refuge near Yatung in the Chumbi valley, a place close enough to the Sikkimese border, to be able to take refuge in India at short notice. He was following the example of his predecessor, who, in 1910, had taken refuge in Kalimpong after the Chinese troops had invaded Tibet.

In December 1950, Shakabpa and his colleagues were recalled to Chumbi valley to discuss the new situation with the Kashag. The main debate was: should the Dalai Lama seek asylum in India (or the West)? The Great Monasteries were very opposed to the Dalai Lama leaving the Land of Snows. They felt that without the Dalai Lama, the already low fighting spirit would be completely dissolved. In addition, they thought that the presence of the Dalai Lama was a sort of a guarantee that the Chinese would honour an eventual agreement.

After giving his report, Shakabpa left immediately for Kalimpong, leaving Thubten Gyampo to handle discussions with the officials. Goldstien said Shakabpa had found the atmosphere “unfriendly”. It was most probably not to the taste of everybody that a relatively junior officer (Tsepon) had assumed so much of importance during the previous months.

However, with all the doors for assistance closed (Western support, Indian mediation, appeal to the UN, etc.), it was finally decided to send a delegation to Beijing to hold talks with the Chinese.

Surkhang was still in India, and before returning to Yatung, he met Nehru in Delhi. The Tibetan government was still keen that India should participate in a Sino-Tibetan Agreement, as least as a guarantor. Nehru advised the Tibetans to accept that Tibet was part of China²⁷, but strongly urged them not to accept the deployment of Chinese troops in Tibet. He felt that the Tibetans should insist on keeping the control of defence matters.²⁸

It shows the blindness of Nehru. He was sending the little lamb to the butcher and at the same time requesting the lamb to plead India's case! When Nehru was not ready to help Tibet, how could he expect the weak Tibetans to defend India's security interests?

It is not clear how Delhi expected that once Tibetans had accepted Tibet as part of China, the PLA would remain outside the "Chinese territory". Beijing had made it clear from the beginning that the main task of liberating Tibet was to protect its "western borders".

The Delegation to Beijing

At the end of the discussions in Yatung, it was decided to send a delegation to Beijing to discuss the status of Tibet with the Communist leaders.

A cable from Henderson explains the state of mind of certain Tibetan officials:

... because Tibet had received no response from the United Nations and some of its member states with respect to its appeal regarding Communist China's invasion of Tibet in October 1950, the Tibetan authorities had fallen into a dejected and fatalistic frame of mind and appeared to be convinced that they would have to accede to the demands of the Communist China regarding Tibet.

However, the Dalai Lama did not give his representatives any plenipotentiary powers. They were asked to refer any important decision back to the Kashag in the Chumbi valley and were also requested to establish a wireless link between Yatung and Beijing to keep a daily contact. Unfortunately, this was not to happen.

In late March, the different parts of the team began to proceed to Beijing. From Yatung, Kheme Dzaza²⁹ and Lhawutara, a monk official, sailed from Calcutta to Beijing soon after Surkhang's return from Delhi. Ngabo Ngawang Jigme and the two delegates, who had left earlier to join him in Chamdo, went overland to Beijing. Ngabo had then been released after a short period of indoctrination. He was now Vice-Chairman of the "Chamdo Liberation Committee". While a prisoner in Chamdo, he is supposed to have told the Chinese: "We have been defeated and we are now your prisoners. Whether you keep me under house arrest or not, my hope was that we could have good negotiation and a peaceful settlement. That's all I can say."³⁰

At the same time Chinese troops began their propaganda:

With serious concern for the people of Tibet, who have suffered long years of oppression under American and British imperialists and Chiang Kai-shek's reactionary Government, Chairman Mao Tse-tung of the Central People's Government and Commander in Chief Chu Te of the People's Liberation Army ordered the People's Liberation Army troops to enter Tibet for the purpose of assisting the Tibetan people to free themselves from oppression forever.

All the Tibetan people, including lamas, should now create a solid unity to give the People's Liberation Army adequate assistance in ridding Tibet of imperialist influence and in establishing a regional self-government for the Tibetan people.

The fact that Ngabo had been in the hands of the Chinese for the past five months should have disqualified him automatically from being appointed as part of the team. It has not been explained why the Tibetan Kashag selected Ngabo to lead such a tricky negotiations, knowing that he had been under indoctrination by the Chinese.

At the end of April, Zhou Enlai, the Chinese Prime Minister, went himself to receive Ngabo and the Lhasa delegates at the Beijing station.

Ngabo did not follow the Tibetan tradition of presenting scarves to the Chinese leaders; he most probably felt ashamed of this old custom. He had cut his long hair to show the Chinese revolutionaries that he was a modern leader. It must have pleased the Communist Government immensely to see that at least one of the delegates had rejected the "olds".

The Negotiations

The negotiations finally started on 29 April 1951. The delegations were seated on either side of a huge table. The Chief Negotiator for the Chinese was Li Wei-han, Chairman of the National Minorities Commission.³¹ Ngabo Ngawang Jigme was the leader of the Tibetan delegation. Baba Phuntsok Wangyal³² was the official Chinese translator.

The Chinese delegation presented its own draft proposal. After several days of debate with each party sticking to its stand, the Tibetan delegation finally rejected the draft proposal. To "unlock" the situation, the leader of the Chinese delegation introduced an "amended" draft which was in fact more or less the same as the previous one. This time

the Chinese made it clear to the Tibetan delegation that they had no choice but to sign it. Sandutsang Rinchen reminisces the negotiation process in the following words:

Everything was more or less forced on us, because we had only one option [the Chinese one]. We were discussing point after point: the minor point, of course there was not any problem. But for the major points, whenever the Chinese wanted something and that the Tibetans did not want to give them what they wanted, the Chinese would say “we cannot accept this. And if you keep on insisting the only alternative is that we will give an instruction, we will immediately send a telegram and tell the army to move in. And it will be the end. There won't be any question of talk or agreement. We will occupy your country and will dictate the terms.”

In the words of the Dalai Lama, “It was not until they returned to Lhasa, long afterwards, that we heard exactly what had happened to them.”³³

The Dalai Lama added:

This was presented as an ultimatum, our delegates were not allowed to make any alterations or suggestions. They were insulted and abused and threatened with personal violence, and with further military action against the people of Tibet, and they were not allowed to refer to me or my government for further instructions.

This draft agreement was based on the assumption that Tibet was part of China. That was simply untrue, and it could not possibly have been accepted by our delegation without reference to me and my government, except under duress. But Ngabo had been a prisoner of the Chinese for a long time, and other delegates were also virtual prisoners. At last, isolated from any advice, they did yield to compulsion and signed the document. They still refused to affix the seals which were needed to validate. But the Chinese forged duplicate Tibetan seals in Peking, and forced our delegation to seal the document with them.

Neither I nor my government were told that an agreement had been signed. We first came to know of it from a broadcast which Ngabo made on Peking Radio. It was a terrible shock when we heard the terms of it. We were appalled at the mixture of Chinese clichés, vainglorious assertions which were completely false, and bold statements which were only partly true. And the terms were far worse and more oppressive than anything we had imagined.”³⁴

By signing this “Agreement on Measures for the Peaceful Liberation of Tibet”, Tibet lost her two-thousand-year-old independence.

The preamble stated:

The Tibetan nationality is one of the nationalities with a long history within the boundaries of China, and like many other nationalities, it has done glorious duty in the course of the creation and development of the Great Motherland.

Then India and the Western powers were targeted—the Agreement affirmed that the People’s Liberation Army entered Tibet:

... in order that influences of aggressive imperialist forces in Tibet might be successfully eliminated, the unification of the territory and the sovereignty of the Chinese People’s Republic (CPR) accomplished, and national defence safeguarded; in order that the Tibetan nationality and people might be freed and returned to the big family of the PCR.³⁵

The preamble states twice that the Tibetan delegation had full powers to negotiate, but we have seen that this was not correct. The delegation was supposed to refer back to the Kashag and the Dalai Lama for further orders and they never did so.

One sometimes wonders if the Chinese themselves really believed in imperialist influences in Tibet, but the repetition of the argument gave it the strength of a mantra.

It certainly had an effect on the Indian Government and in particular on Pannikkar, who would soon repeat it himself: “I do not think that there is anything wrong in the troops of Red China moving about in their own country.”

The Agreement authorised the entry of Chinese forces into Tibet and empowered the Chinese Central Government to handle the external affairs of Tibet. The Tibetan Army was to be integrated into the Chinese forces and a Committee was appointed in Lhasa to implement the Agreement.

One should note that no mention was made of India, even though many parts of the Agreement contradict certain articles of the Simla Convention which was still in force at that time.

The Announcement

A few days later, the Dalai Lama heard the announcement of the signing of the 17-point Agreement through Beijing Radio. He had not heard anything from Ngabo. When asked to comment on this, Takla Phuntsok Tashi made this comment:

The reason why the Dalai Lama got the news through Radio and not through Ngabo can be seen from the same angle as why the Dalai Lama was not approached during the decision making process. The Delegation did not want to give an official “approach” [stamp]. They had to make a very difficult choice. One choice was not to sign and have the Chinese taking over Chamdo and Tibet. The other choice was to wait for the Dalai Lama’s order, in which case the Tibetan Government would give a negative response and if this had happened, the army would invade Tibet and the delegation would have failed in its duties. So Ngabo and the delegation felt: “Right now, we will not make it an official version, we will not give it an official appearance, we will not consult the government. Later the Tibetan Government could say: “This was a private move initiated by this private group and they did not have the approval at all of the Tibetan Government and in case later on a foreign power intervene [get involves] they can say that with a clear conscience.”

After hearing the news of signing of the Agreement, the Dalai Lama telegraphed his delegation in Beijing that the agreement was not acceptable. He did not repudiate it immediately because he wanted to obtain a full first-hand report of the delegates. Unfortunately for Tibet, when the report finally came, it was too late; the Chinese had already started to implement it. The Chinese troops had reached Lhasa.

However, at the end of September 1951, the National Assembly discussed the Agreement. Ngabo and his five colleagues were present. Ngabo is said to have declared:

If you think it is wrong, then you can punish me, saying that we have ignored the inner instruction. For the five of us [the delegates] whatever you want to take, our body, life, property, whatever you have to do, go ahead and do it and we will have no regrets.³⁶

It seems that after a very long discussion in which the big monasteries felt that the Agreement would protect their interests and that the religious and monastic life would be safeguarded, the majority of the members of the Assembly decided to give it a try.

Tas Agency said that the Dalai Lama sent a telegram to Mao in October to inform him of the decision. It is doubtful if the telegram quoted by the Soviet news agency was ever sent by the Dalai Lama for the good reason that it is couched in such communist jargon which was completely foreign to the Dalai Lama and his administration in 1951. The telegram is stated to have said:

The local Government of Tibet, the monks and the entire Tibetan people expressed their unanimous support for this agreement. Under the leadership of Chairman Mao Tse-tung and the Central People's Government, they are actively helping units of the PLA which entered Tibet for the strengthening of the national defences, the driving out of imperialist forces from Tibet and the guaranteeing the sovereignty of the entire territory of the motherland.³⁷

The Chinese were far superior at the game of propaganda war.

It was only after crossing the Indian border to take refuge in India in April 1959 that the Dalai Lama was free to repudiate the 17-point Agreement.

The Consequences

The first and foremost consequence of the signature of the 17-point Agreement was that the Land of Snows lost its sovereignty and became a part of the "Great Motherland". For the first time in its 2000-year-old history, Tibet, had, in an official document, consented to be a province "within the boundaries" of China.

We have seen that the Tibetans were practically put in front of a *fait accompli*.

An Internal Matter?

A few years back, we asked the Dalai Lama if he considered the 17-point Agreement an "unequal Treaty" on Tibet.³⁸ He made an interesting point:

Even the Chinese (as far as the Tibetan language [of the Agreement] is concerned), have made a clear distinction between Treaty and Agreement. The Tibetan word for Treaty is "Chingyig", they [the Chinese] always say the 17-point Agreement is not "Chingyig" but it is "Droetun": an agreement between the Central Government

and the local Government. It is not a Treaty. Treaty is between two independent states. So, the very concept is like (“unequal”). And then the way it was signed: under duress. There is no doubt about it.

Ngabo, head of the Tibetan delegation in 1951 (and since then in the hands of China), emphasised a similar point in a recent declaration to *Xinhua* News Agency:

He [Ngabo] stressed that the agreement, known as the 17-article Agreement, is a document that falls into the category of domestic agreements, because it handles the relationship between the central government and a local government.

For the Chinese, it was the key victory. Ngabo added:

Early in the talks, representatives of both parties disagreed over questions such as whether PLA troops should march into Tibet. The five Tibetan representatives finally agreed that since major issues had been solved, such as the recognition of Tibet as part of China’s territory, all other issues were minor. Representatives of both sides soon reached an agreement on the march of PLA troops into Tibet.

Though the Chinese propaganda³⁹ pretended that the entry of the Chinese troops into Tibet was a “minor” issue, the fact that Ngabo accepted that Tibet was a region of China gave Beijing a free hand to enter its “own” land.

Under international law, what qualifies a state for an independent status is its ability to conduct a separate and independent foreign policy and to sign treaties on its own.

Having accepted to sign an “internal agreement” with the People’s Republic of China, Tibet surrendered its autonomous existence. Did Ngabo understand this legal point?

Michael van Walt Praag, in his *The Status of Tibet*⁴⁰, rightly argued that the Agreement was not legally valid because the Chinese used war to settle the Tibetan issue and under the *General Treaty of Renunciation of War* to which the Chinese government was also a signatory, no dispute should be settled “except by pacific means”. He made another valid point: in international law, an agreement, treaty or contract is valid only if both contracting parties sign by free and mutual consent, which was hardly the case for the 17-point Agreement. However, the legal position did not change the physical situation in Tibet and the occupation by the PLA.

Conditions Under which the Agreement was Signed

Now, let us have a look at the conditions under which this “unequal treaty” was signed. The Dalai Lama as well as most of the historians (except the Chinese) termed the Agreement as having been signed “under duress”. The first question therefore is: was there duress or not?

In this regard, two points are clear: one, there was no physical duress on the persons of the delegation; and two, the Tibetan representatives were under constant threat that the invading troops would continue their march to Lhasa. The Chinese leaders repeatedly told them that if they did not sign on the dotted line, dire consequences would follow. One can only ask what consequence would have followed had the delegates refused to sign?⁴¹

More importantly, we should remember that Ngabo was a prisoner of war when he left Chamdo for Beijing to participate in the talks. It is rather strange that a prisoner is suddenly requested to conduct negotiations of such an importance. Ngabo was not known to be a courageous leader. In fact, many people who have worked with him (like Robert Ford) did not think too much of him. They felt that he had too high an opinion of himself and he did not possess the acumen of someone like Lukhangwa.⁴²

In fact, it is certain that if Lukhangwa had been in Beijing, the Agreement would not have been signed without reference to the Dalai Lama in Yatung.

But history cannot be rewritten.

Nevertheless, let us not forget that though the Mission had been strongly advised not to give away the autonomy of Tibet (as well as defence and foreign affairs), Ngabo hushed up the Agreement without consulting the Tibetan Cabinet in Yatung. He bluntly lied when he recently declared:

Moreover, in accordance with the instructions of the Tibetan local government, the representatives were authorised to act as they deemed necessary and to deal independently with matters related to negotiations.

From all other sources, it has been proved that the delegation had no power to take such an important decision without referring the matter to the Tibetan Government. But Ngabo added:

Negotiations proceeded in a friendly and open atmosphere. Sometimes we had different views on some questions. But I think this was quite normal. The agreement signed is reasonable and acceptable.

Ngabo can be considered the epitome of the policy of appeasement. This political theory professed that more you are able to please the Chinese (or anybody else), kinder they will be with you.

Many Indian and Tibetan leaders were of the opinion that to get the best deal from the Chinese, it was better not to antagonise them.⁴³

After fifty years, one can see the results of this policy and the misery and the suffering it has triggered.⁴⁴

The 17-point Agreement: A Pretext?

Though considered by Ngabo and the Chinese as “reasonable and acceptable”, the fact remains that none of the “religious and cultural” clauses of the Agreement were implemented or respected during the following years.

The Dalai Lama recently told us:

The agreement has not been relevant [for us]. I should put this way, as a result of signing the 17-point Agreement, during few years, Tibet enjoyed some benefits in the sense that a certain autonomy in our way of life [for example in the fields of culture, religion] was granted; it was guaranteed in the Agreement. Later, in late fifties, all these guarantees were disregarded and the agreement became worthless. ...For some years, we derived some benefit, but later, it became plain military occupation.⁴⁵

From the Russian and other archives as well as from the Chinese leader’s declarations, it is clear that Tibet was going to be “liberated” anyway. Even the schedule for the operation was fixed and it depended more on the climatic conditions than anything else. Chamdo had to fall before the winter; this was done without any “agreement” or negotiations.

Again Ngabo is wrong, when he said that: “The central government [Beijing] sent troops into Tibet in accordance with the agreement. So there does not exist the question of

one party forcing another to do anything.”

The PLA first entered Tibet in October 1950 and only six months later the agreement was signed! The Liberation Army advanced towards Lhasa during the next summer after having taken Chamdo “on schedule”. For the Chinese, the ideal outcome of the Beijing talks was that the Tibetans would agree to be “part of the Motherland”. They could then enter their “own” territory. After it had happened (once the 17-point Agreement was signed), the “liberation” would proceed smoothly.

India’s Reaction: A Philosophical Acquiescence

In a telegram sent to Washington in early January, Henderson had noted:

GOI however, appears to have abandoned hope, and in view of this fact and its anxiety not to offend Peking it would not be easy to prevail on it to extend further assistance or to permit armed shipments through India for Tibet.⁴⁶

Though the Agreement meant an obvious loss of autonomy for Tibet which India had wanted to preserve, the attitude of hopelessness prevailed during the following months in New Delhi. At the same time, Nehru was trying to solve “more important” problems.

Bajpai, Secretary General of the Ministry of External Affairs, told Henderson⁴⁷ on 25 January that “GOI at present so immersed in problem maintaining world peace it was giving little thought to Tibet; in fact, he did not recall that Tibet was even mentioned during recent Common Wealth Conference.”

It explained the Indian Government’s lack of interest in its small and weak neighbour which was in the process of being devoured by giant China.

The American Archives tells us that it was only on 28 May⁴⁸ that the Chancelleries got to know about the agreement:

Importance underlined by 28 May press reports re Sino-Tibetan agreement (Embattle 3380, 28 May). Embassy has no confirmation and unable

estimate accuracy. Reports have thus far emanated from Peiping, Hong Kong, London and Kathman (Embdesp 389, 390, 391, 29 May). It may be reports based on agreement which Tibetan delegation at Peiping accepted and Tibetan Government considers agreement still required approval or ratification by Dalai Lama and Tibetan Government at Yatung.

It was still obvious to everyone (except to the Chinese) that the Tibetan Cabinet had to approve the deal.

On 31 May, Henderson met with Bajpai to ascertain the position of the Indian Government regarding the *Radio Beijing* announcement. It makes an interesting reading because we shall see that two weeks later, Nehru was to pretend to have no information about the content of the Agreement:

Bajpai⁴⁹ stated text agreement just recd from Pannikkar agreed with press version in all substantial respects. Pannikkar had commented very briefly, emphasising that agreement provided for trade and friendly relations with neighbouring countries. Bajpai intimated that Pannikkar had failed to secure any info during course of negots, and Steere⁵⁰ gained impression GOI taken by surprise at extend Tibetan capitulation.

The fact remained that the Indian government was not only surprised, but very unhappy with the turn of events. Nehru had briefed the Tibetans before their departure for Beijing that defence matters should not be relinquished by them. It was now too late:

Bajpai endeavoured gloss over fact GOI disappointed at Tibetan failure secure better terms and gave unmistakable indication that GOI feels helpless in face this development and is likely accept it without protest. He said India was heir to Brit policy which had sought achieve buffer state in Tibet against Russia and Chi. GOI however was not disposed create or support buffer states.

The American ambassador also stated that “US under no illusions that current attitude GOI is more sympathetic to Tibet cause than shown by actions to date”. It is however not clear on which facts are this information based.

The future will not prove the veracity of this statement. However, Henderson’s advice to the Tibetans was the “high desirability to enlist support GOI Tibetans” though they

should “be under no illusions likewise that mil⁵¹ assistance can be obtained for them”.

Four days later⁵² Henderson cabled again his assessment of the situation to the Secretary of State:

Although GOI surprised and apparently somewhat shocked at stiff conditions which according to announcement from Peiping, Communist China had imposed in Sino-Tibetan agreement, indications now are that it is inclined adopt attitude philosophic acquiescence. According to members UK HICOM (UK High Commission) who have discussed matter with responsible Indian officials latter inclined rationalise that in view historic and present friendship between India and China, Communist Chinese political and military control Tibet not likely have adverse effect on security India.

2. UK HICOM considering advisability suggesting Foreign Office authorise it urge GOI not remain passive in matter which involves danger for SOA. Members UK HICOM would like be able argue with Indian officials that if GOI bow Communist China “blackmail” re Tibet, Indian will eventually be confronted with similar blackmail not only re Burma but re such areas as Assam, Bhutan, Sikkim, Kashmir, Nepal.

But the Government of India did not react to the “Agreement”, even though some clauses were in clear contradiction with the Simla Convention.⁵³

On 11 June,⁵⁴ three weeks after the Agreement was signed, Nehru pretended at a press conference that he knew nothing. It was untrue as we earlier saw:

I do not know much more about it than you probably know. The story about an agreement being reached between the People’s Government in China and the Tibetan authorities has reached us too. That is all; no further development has taken place to our knowledge. It is not proper for me to react to something which is not complete, which is not fully known.

He remained extremely vague when asked about the status of Tibet:

Throughout this period some kind of Chinese suzerainty has been recognised in the past as well as Tibetan autonomy. We have certain interests there which are not

political but which are cultural, etc., which we should like to preserve. These are our approaches and we should like to preserve our cultural and trade interests in a friendly way with the people concerned.

Then a journalist asked him: “Will the presence of Chinese troops in Tibet hinder preservation of India’s interests?”

Again he preferred to remain vague when the security of India was at stake:

The facts are rather vague about the presence of forces, etc., and to what extent they might or might not hinder is also therefore not clear to me. Nothing of that kind has been suggested. Once the subject comes up, we shall naturally discuss it.

He also pretended that he had no news:

The only account we had were some celebrations in Peking, celebrations in the sense of some meeting or some other occasion, where the signing of the treaty was celebrated by toasts to various peoples including the Dalai Lama—both the Dalai Lama and the Panchen Lama.⁵⁵

Western Governments were quicker to react: on 6 June 1951 Kenneth Younger, spokesman of the British Government, commented that although the Agreement guaranteed Tibetan autonomy, he had grave doubts about the value of the guarantees. The British Government was convinced that India was bowing to “communist blackmail”. However, it decided to go along with the policy of the Government of India.

The United States government sent secret communications to the Chumbi valley and urged the Dalai Lama to repudiate the Agreement, leave Tibet and take asylum in a “friendly” country, like the United States or Sri Lanka.

After considering the possibility of leaving Tibet and taking refuge in India, the Dalai Lama bowed to the advice of some of his ministers and pressure from the great monasteries. On 17 August, after the visit of the Chinese General Zhang to Chumbi Valley, the Dalai Lama finally decided to return to Lhasa in the hope of renegotiating the 17-point Agreement.

The End

On 9 September 1951, several thousand Communist troops of the People's Liberation Army (PLA) entered Lhasa under the command of General Wang Qimei. Subsequently 20,000 troops began to occupy the most strategic points on the Tibetan plateau.

Once the military take-over of Tibet had been "legalised" by the 17-point Agreement, the communist plan unfolded. The next step for Beijing was to soften the Indian government with a well-orchestrated propaganda of "eternal friendship" (followed by "brotherhood" or *Hindi-Chini Bhai Bhai*) between the two Asian giants.

With no objection from the Government of India to the take-over of Tibet, Mao wanted the supremacy of the PLA to be established on the ground and for the purpose he began to build motorable access roads to the new "borders" of China.

However, the influx of fresh troops brought with it the first real problem in the new co-existence between the Chinese occupants and the Lhasa government. The first test arose over the availability of food. It was the most important logistical problem.

The following years saw one of the strangest upshots of the so-called "liberation" of Tibet and the nascent "eternal" friendship between India and China: the supply by India of grains for the Chinese troops stationed in Tibet.⁵⁶

For the first time in its history, the arrival of the PLA produced a breakdown of the Tibetan economy and it soon became difficult for the Tibetan (and the Chinese) Government to deal with the problem.

Lukhangwa, the courageous Tibetan Prime Minister, attempted several times to raise the matter with the Chinese authorities; he argued it was unfair to put such a burden on the Tibetan poor and that it was not necessary to keep so many troops around Lhasa. Chinese General Zhang became so furious that he requested the Dalai Lama to immediately remove Lukhangwa from office since he "was obstructing their welfare program".

Zhang told the Dalai Lama that the Tibetans had signed an agreement which mentioned that "Chinese forces should be stationed in Tibet" and that the Tibetan Government was "therefore obliged to provide them [the Chinese] with accommodation and supplies". He added that the Chinese "...had only come to help Tibet ...to protect her against imperialist domination and that they would go back to China.... when you can stand on

your feet, we will not stay here even if you ask us to.”⁵⁷

The Dalai Lama had no alternative but to dismiss Lukhangwa. It was the first breach of the Agreement.

India Leans towards China

We have seen that the main problem at that time was that India was much too preoccupied with the more “pressing” and “important” problems such as mediating in the Korean war.

For months and years to come, India would champion the cause of China and try to promote the entry of China into the United Nations in every possible forum.

In September 1951, India refused to participate in the San Francisco Conference to sign the Japanese Peace Treaty as it did not incorporate a clause for restoring Formosa to China.

Up to the time of 1962-attack on India, Nehru’s Government tried to appease China in every possible way. Pannikkar, as chief advisor to Nehru on Chinese matters, took the lead in defending the Communists. The Communist revolution in China was, for him, part “of the great Asian Resurgence”. “Asian Solidarity” and “Sino-Indian friendship” would soon become the two most popular slogans for many Indian politicians.

But the Chinese had planned their campaign with scientific perfection. After having forced the 17-point Agreement on the Tibetan government, they consolidated their military position in Tibet. Their strategy was clear: now that the matter had been “legalised” and since there had been no objection from the Government of India, the supremacy of the PLA had to be established militarily.

Very important construction work began immediately. Priority was given to motorable roads: the China-Lhasa via Nagchuka and the western Tibet road which would later become the Tibet-Xinjiang Highway. The first surveys were done at the end of 1951 and construction began in 1952.

Downgrading of the Indian Mission

In the exchange of Notes with the Chinese government, which occurred after the entry of the Chinese troops in Tibet, India never insisted on the rights that she had inherited from the Simla Convention.

In the early fifties, she still enjoyed several privileges in Tibet; apart from its Mission in Lhasa, there were three Indian Trade Marts with Agents posted in Gyantse and Yatung. These agents were entitled to military escort. The Post and Telegraph Service and a chain of rest houses were also under the Indian Government Control.

Ideologically, Nehru was not happy about these “imperialist” benefits, though he admitted that they were useful for trade. However, on the ground, the Indian government was finding it more and more difficult to keep these advantages after the arrival of the Chinese troops. The visitors and traders from India were harassed and put to hardship.

Soon after the agreement, the Chinese began pressing the Indian government to withdraw its Political Representative in Lhasa, though it was only in September 1952 that the Indian Representative was re-designated as a Consul-General under the Indian Embassy in Beijing.

This was a most serious and direct consequence of the 17-point Agreement.

The Indian Mission meant that Tibet was an autonomous entity; by downgrading it, the Indian Government was accepting officially and legally that Tibet was part of China.

Pannikkar was proud that “the main issue of our representation at Lhasa was satisfactorily settled”.⁵⁸ He was finally transferred from Beijing, but before leaving he declared that “there was no outstanding issue between us and the Chinese”.⁵⁹

Richardson saw this development differently:

That decision adroitly transformed the temporary mission at Lhasa into a regular consular post. But it was practical dimension of the fact that Tibet had ceased to be independent and it left unresolved the fate of the special rights acquired when Tibet had been in a position to make treaties with foreign powers and enjoyed by the British and Indian Governments for half a century.⁶⁰

At that point in time, the Government of India decided to renegotiate some of the arrangements it had with Tibet.

Though Pannikar had boasted that there were no outstanding issues, Delhi took the initiative and proposed negotiations in Beijing to resolve certain issues such as the trans-border trade and pilgrimage facilities. In December 1953, talks began; they were expected to last six weeks, but went on for six months.

On 29 April 1954, the representatives of the two countries signed the “Agreement on Trade and Intercourse between the Tibet region of China and India”.⁶¹ It was described by Acharya Kripalani as an agreement “born in sin”.⁶²

When the Panchsheel Agreement was signed it was considered by many as Nehru’s final capitulation to China, though Nehru considered it the best thing he had ever done.

The last and perhaps the most important consequence of the 17-point Agreement was that Tibet, an independent state for 2,000 years, had become “Tibet, region of China”; and this was sealed in a Treaty between two independent nations: India and China.

Tibet as an autonomous nation did not exist anymore.

Fifty years later, the situation remains the same.

NOTES:

(Endnotes)

1 In 1904.

2 In 1914.

3 Tibet.

4 See *Cold War International History Project Bulletin*; (Winter 95/96) on <http://cwihip.si.edu/default.htm>.

5 Ibid.

6 Liu Bocheng.

7 Beijing had always been a trap for the previous Tibetan delegations.

8 Letter addressed to Mr. Mautsetung: Tibet is a peculiar country where the Buddhist religion is widely flourishing and which is predestined to be ruled by the Living Buddha of Mercy Chenresig [the Dalai Lama]. As such, Tibet has from the earliest times up to now, been an Independent Country whose Political Administration had never been taken over by any Foreign Country; and Tibet also defended her own territories from Foreign invasions and always remained a religious nation.

In view of the fact that Chinghai and Sinkiang etc. are situated on the borders of Tibet, we would like to have an assurance that no Chinese troops would cross the Tibetan frontier from the Sino-Tibetan border, or any such Military action. Therefore please issue strict orders to those Civil and Military Officers stationed on the Sino-Tibetan border in accordance with the above request, and kindly let us have an early reply so that we can be assured. As regards those Tibetan territories annexed as part of Chinese territories some years back, the Government of Tibet would desire to open negotiations after the settlement of the Chinese Civil War. [British Foreign Office Records files (FO371/76317)].

9 The British would have had to give a visa on a Tibetan passport which was a sort of recognition of the special status of Tibet.

10 Selected Works of Jawaharlal Nehru (SWJN), Series II, Vol. 15, p. 434. Conversation with Tibetan Delegation, 8 September 1950.

11 Smith, Warren W., *Tibetan Nation* (New Delhi: Harper Collins, 1997), p. 273 quoted from *Invasion of Tibet by Chinese's Liberation Army*, US National Archives, (793B.00/8-2150).

12 Xinhua Communiqué, 1 November 1950, Peking.

13 The Convention, having been signed in Simla between British India and Tibet, had “imperialist” connotations for Nehru.

14 Article V said: “The Governments of China and Tibet engage that they will not enter into any negotiations or agreements regarding Tibet with one another, or with any other Power, excepting such negotiations and agreements between Great Britain and Tibet.”

15 Deng and Liu would be congratulated by Mao a few months later when they came to Beijing to celebrate the first anniversary of the Communist Republic (1 October 1951). Indeed the “liberation” had been unexpectedly smooth and without real problems.

16 He was then the Indian High Commissioner in London.

17 Ford Robert, *Captured in Tibet* (New York: Oxford University Press, 1990), p. 112.

18 *The Hindu*, Madras, 27 October 1950.

19 Ibid.

20 Collection Jean Lassale, Paris.

21 In the Tibetan tradition, a delegation was always headed by two officials: a monk and a lay. Shakabpa, the lay official was one of the four Tsepons or “Finance Secretaries”. Thubten Gyalpo was the Changzoe (administrator) of the monastic revenue.

22 Fifty years later, we still do not see the difference.

23 When, a couple of months later, some members of the delegation left Yatung for Beijing, they were again told to keep in daily wireless contact with the Dalai Lama’s government in Chumbi valley.

24 See letter printed earlier.

25 It appears that in January 1951, the United States was ready to issue a visa to the Tibetan team, who for some reasons did not take this opportunity. Some scholars think that Surkhang was waiting for an official invitation from one of the big powers.

26 United States Foreign Relations (USFR), Telegram 793B.00/12-3050 dated 30 December 1950. The Ambassador in India (Henderson) to the Secretary of State.

27 Point 1 of Chinese 3-Point Proposal.

28 Another Informant, Sadutsang Rinchen told us: “We met Nehru and asked for his advice: the Chinese had already marched and occupied Chamdo. The matter was: would they advance further militarily or would there be some peaceful negotiation and there would be no more fighting and killing. Nehru’s advice was: “You must negotiate and come to an understanding with the Chinese. There is no way you can fight the Chinese, but try to get the best terms possible”. That was Nehru’s advice but at the same time a key point he pointed out: “I would advise you to tell the Chinese that they would have no further danger and the Chinese need not have a huge military establishment in Tibet”. He said that we should insist on that. He was foreseeing that if the Chinese had a huge military establishment in Tibet it would become a cause of concern for India.”

29 He had led the Congratulation Mission to India in 1946.

30 Goldstein, Melvyn, *The Demise of the Lamaist State* (University of California Press: 1989), p. 742.

31 It would later be known as the United Front. This ministry still deals with the so-called “minorities” such as Tibetans, the Mongols or the Muslims of Xinjiang.

32 As a young boy, he had joined the Long March when the Communists passed through Batang and Eastern Kham. He later became the first Tibetan communist leader. He was for some time very close to Mao Zedong and the Chinese leadership until the late fifties when he was sent for “re-education” for anti-party activities. He is still living in Beijing today.

33 The Dalai Lama, *My Land and My People* (New York: Potala, 1977), pp. 87-88.

34 Ibid.

35 Text of the 17-point Agreement is available in many publications, one of them being van Walt van Praag, Michael, *The Status of Tibet* (Boulder: Westview Press, 1987).

36 Quoted by Goldstein, op. cit., p. 820.

37 Clippings in British Foreign Office file FO371/92998.

38 The Chinese often speak of “Unequal Treaties” imposed by the Western Powers (England, Russia, Japan, France) on a weak Manchu dynasty (for example the concession of Hong Kong or Macao).

39 Through Ngabo’s mouth.

40 van Walt van Praag, Michael, op. cit., p. 165.

41 In any case, the Chinese troops entered Lhasa in September 1951. They could have hardly entered earlier.

42 He soon was to be nominated as Prime Minister of Tibet.

43 This is based on the perception that the Chinese as a people have historically always shown hypersensitivity and if they feel cornered or at the risk of losing face, they overreact in the opposite direction; therefore, nothing should be done to displease them.

44 This will also be the hallmark of Nehru’s China policy in the years to come.

45 Interview, 28 March 2001.

46 USFR 793.00/1-1251 Telegram, The Ambassador in India (Henderson) to the Secretary of State, Secret, New Delhi, 12 January 1951.

47 USFR793B.02/1-2551, Telegram, The Ambassador in India (Henderson) to the Secretary of State, Secret, New Delhi, 25 January 1951.

48 USFR 793B.00/5-2951. The Charge in India (Steere) to the Secretary of State, Top Secret, New Delhi, 29 May 1951.

49 USFR 693.93B/5-3151: Telegram from The Ambassador in India (Henderson) to the Secretary of State, 31 May 1951. Interview with Bajpai to ascertain GOI info and attitudes Indo-Tibetan agreement.

50 Charge d’ Affaires in the American Embassy in India.

51 Military.

52 USFR 793.00/6-351 From The Ambassador in India (Henderson) to the Secretary

of State, Top Secret, Priority, New Delhi, 3 June 1951.

53 Particularly the reorganisation of the Tibetan Army into the PLA and the establishment of the Army headquarters at Lhasa.

54 SWJN, Series II, Volume 16 (1) p. 446. The Sino-Tibetan Agreement.

55 Sandutsang Rinchen told us: “In 1951 we also met Mao. After the 17-point Agreement was signed, the entire delegation went to meet him and there was a dinner (or a lunch, I do not remember), he was there. It was the first time that we met him. Later, in 1954, we met him again.

56 See Claude Arpi, *Feeding the Enemy Troops*, (Tibetan Review, New Delhi, March 2001).

57 The Dalai Lama, *My Land and My People*, (New York: Potala Corporation, 1977), p. 92.

58 Pannikar, K.M., *In Two Chinas* (London: Allen and Unwin, 1955), p. 175.

59 Ibid.

60 Richardson, H.E., *Tibet and Its History* (Boulder, Shambala, 1984), p. 196.

61 Known as the Paanchsheel Agreement; couched in Buddhist terms, the preamble of the Agreement stated the five principles of pacific co-existence.

62 “Born in Sin,” said Acharya Kripalani; “Born in Sind?,” jokingly retorted the Indian Prime Minister.

The Relevance of 17-point Agreement Today

By Dr. Michael van Walt van Praag

Dr. Michael van Walt van Praag is a distinguished international lawyer. He served as the General Secretary of the Unrepresented Nations and Peoples Organisation (UNPO) for eight years from 1991-1998. He has been a Visiting Scholar and Adjunct Professor to several universities. He is the author of *The Status of Tibet: History, Rights and Prospects in International Law*.

Fifty years after the signing of the “17-point Agreement for the Peaceful Liberation of Tibet” in Beijing, and 42 years after its repudiation by the Dalai Lama upon his escape to India, the document is still used by the Chinese government in attempts to legitimise its rule over Tibet. What is the status of this agreement today and what could its usefulness be in efforts to find a political solution to the current Sino-Tibetan conflict? Both questions are addressed briefly in this article. It is clear from the analysis that follows that the 17-point Agreement has no validity in international law, because it was imposed by the threat and use of force. At the same time, the substance of the agreement contains important elements that could serve to move Tibetan and Chinese leaders towards a constructive discussion on the future status of Tibet.

The Status of the 17-point Agreement

There is no question that under international law the 17-point Agreement (hereinafter “the Agreement”) never had any validity. Treaties and similar agreements concluded under the use or threat of force are invalid under international law *ab initio* (Vienna Convention on the Law of Treaties, Article 52¹). At the time of the negotiations in Beijing, in the spring of 1951, the People’s Liberation Army had defeated the small Tibetan army killing over half its officers and troops and Beijing threatened to continue its bloody march to Lhasa if the Tibetan government did not sign the Agreement presented to it.² China’s use of force and threat to use further force against Tibet therefore resulted in an “agreement” which not only had no validity at the time it was concluded, but which also could not be validated later, even by Tibetan leaders. Neither the Tibetan government, nor the Dalai Lama could give validity to this flawed Agreement because of its absolute nullity under international law.³ China’s argument, therefore, that the Agreement was valid because the

Dalai Lama allegedly sent a telegram to Mao Zedong on 24 October (five months after the agreement was concluded and, significantly, *after* the PLA took all major Tibetan cities and marched into Lhasa!) expressing his support for the Agreement, does not hold water.⁴ In fact, the Dalai Lama denies having sent the telegram personally, and states that it was written and sent in his name by the Chinese occupation authorities in Lhasa.⁵ Moreover, he repudiated the Agreement at the first opportunity he had of doing so in freedom, days after he escaped into exile in India, in 1959.⁶ If a treaty is procured by force, the “victim state” is never estopped from alleging its invalidity (i.e., can invoke its invalidity any time). Thus, the passage of eight years between the Agreement’s conclusion and the Dalai Lama’s formal denunciation of it has no bearing on its invalidity.⁷

It is true that the representatives of the Tibetan government were also personally threatened and coerced into signing. China claims that they were fully authorised and that they possessed government seals to prove that. In fact, Ngapo Ngawang Jigme and the others were authorised to discuss, but not to conclude any agreement. They expressly had NO government seals with them and the Chinese government manufactured their own wooden seals with each of the delegates’ names for them to affix on the document!⁸ Thus, even if the Agreement would not have been void *ab initio* for the reasons set out above, it would be *voidable* by the simple repudiation by the Tibetan side because the Tibetan negotiators were put under duress and exceeded their mandate.⁹ To cite the text of the imposed agreement, or the later alleged “endorsement” by the Dalai Lama, as China does, to prove the “full authorisation” of the Tibetan representatives¹⁰ is not only senseless, but also absurd: when the signatories have signed under duress, the text of what they have signed can hardly be used to prove that they were not coerced!

It is also worth noting that the government of the PRC has consistently held that all treaties imposed by the threat or use of force are invalid, even those concluded in the previous century.¹¹ Thus, by its own standards, the PRC cannot claim any rights or legitimacy on the basis of this Agreement.

Having said that, it is interesting and, perhaps, useful to examine to what extent the terms contained in or the spirit of the Agreement could have relevance today, fifty years after the Agreement was imposed on Tibet. It should be recalled that despite its imposition, and after failing to personally re-negotiate the Agreement,¹² the Dalai Lama tried hard to work with the Chinese authorities between 1951 and 1959 to implement the Agreement. In his words, “While I and my government did not voluntarily accept the Agreement, we were obliged to acquiesce in it and decided to abide by the terms and conditions in order

to save my people and country from the danger of total destruction.”¹³

As the International Commission of Jurists showed in their report, *Tibet and the Chinese People's Republic*¹⁴, the Chinese government repeatedly violated the terms of the Agreement, a situation which eventually led to the Tibetan uprising and the flight of the Dalai Lama, in 1959. Following these dramatic events, the Chinese government itself openly abrogated the Agreement, stating that it no longer considered itself bound by it and behaving accordingly. It is all the more interesting to note, therefore, China's renewed interest in and praise for the 17-point Agreement in recent years.¹⁵ Could the Agreement, however flawed, in any way contribute to the search for a solution acceptable to all stakeholders?

The Relevance of the 17-point Agreement to the Search for Peace

In order to determine whether the 17-point Agreement bears any relevance to efforts to find a solution to the Sino-Tibetan conflict today, this author first looks at the substance of the 17-point Agreement, disregarding the ideological and propagandistic rhetoric it contains. The article then focuses attention on the position adopted by the Dalai Lama on genuine Tibetan autonomy. Finally, the author compares the two approaches and draws some conclusions.

The Substance of the 17-point Agreement

The preamble of the Agreement opens with a statement of China's version of history entirely repudiated by Tibetans, including the Dalai Lama. It also contains a statement of Chinese policy towards “minority nationalities”, which is still the official policy of the PRC today. It also compares Tibet to Taiwan, as the two territories remaining to be “liberated”.

Whereas Article 1 declares that the Tibetan people “shall return to the family of the motherland—the People's Republic of China”, articles 2, 3 and 14 recognise that “the Tibetan people have the right to exercise national regional autonomy” and that the PRC is to be responsible for the external defence of the PRC, including Tibet, and for the “centralised handling of all external affairs of Tibet.”

Articles 4 to 16 provide the substance of the Tibetan autonomy. The competencies of the Tibetan national autonomous region comprise:

- the determination and implementation of its own political and government system,

- including the status, functions and powers of the Dalai Lama;
- ❑ the determination and implementation of political, social and economic policy (and reforms) in accordance with the wishes and demands of the people;
- ❑ the conduct of religious affairs in accordance with the religious beliefs, customs and habits of the Tibetan people and without the interference of the Central Government in the income of the monasteries; the Agreement specifically states that the monasteries shall be protected;
- ❑ the use of the Tibetan language.

According to those articles, the competencies of the Central Government of the PRC comprise:

- ❑ the conduct of national defence: to this end the Tibetan armies are integrated into the PLA; the PLA is to be stationed in Tibet and it shall respect Tibetan autonomy and take nothing from the Tibetan people. A limit was placed on the number of troops to be stationed in Tibet in a secret annex to the Agreement.¹⁶
- ❑ the conduct of the external affairs of Tibet, including political and commercial/trading relations with neighbouring states.

The Agreement provides that the development of education, agriculture, animal husbandry, industry and commerce will take place in accordance with actual conditions in Tibet. The Agreement does not indicate whether these areas fall within the competencies of the central or the autonomous government or of both jointly.

The Agreement also refers to the status, functions and powers of the Panchen Lama, which, it stipulates, should be maintained as this was when the 13th Dalai Lama and the 9th Panchen Lama “were in friendly and amicable relation with each other.”

The Substance of the Dalai Lama’s Proposal for Genuine Autonomy

Since 1979 the Dalai Lama has called on China to negotiate with him and his representatives to create a status of genuine autonomy for the Tibetan people, within the framework of the PRC. The most detailed presentation of the substance of such autonomy was given by the Dalai Lama in Strasbourg in 1988 (referred to frequently, and also in this paper, as the “Strasbourg proposal”).¹⁷ Although the Strasbourg proposal refers to an “association” of Tibet with the PRC, the Dalai Lama has since made it abundantly clear that his proposal envisions an autonomous Tibet *within* the PRC, not outside it.¹⁸ The proposal is more detailed in many points than the 17-point Agreement.

Substantively, the Strasbourg proposal provides for a Tibetan autonomy in which the autonomous region would have its own basic law (or constitution) and competencies in the fields of

- ❑ the political system and form of government
- ❑ domestic policy (i.e. internal Tibetan policy), including the areas of culture, education, human rights, and religion
- ❑ social and economic and development policy
- ❑ environmental policy

Under the Dalai Lama's proposal, the PRC Central Government would be competent in the conduct of foreign affairs and external defence. The Strasbourg proposal does, however, state that the autonomous government would be competent to develop international relations in the fields of religion, commerce, education, culture, tourism, science, sports and other non-political activities.

The Positions Compared

Clearly there are differences in the Tibetan positions as stated in the Strasbourg proposal and later statements, on the one hand, and in the Chinese position as stated in the 17-point Agreement, on the other. Both documents refer to the history of relations between the Chinese and Tibetans. But they do so in very different ways: the former stresses that Tibet has been part of China for a long time (note, however, the reference to Tibet "returning" to the "motherland"), whereas the latter stresses the independence of Tibet prior to the Chinese invasion in 1949/50. But the two positions also show a remarkable similarity in terms of the overall vision for a genuinely autonomous Tibet within the framework of the PRC state. They both affirm the PRC's responsibility for the external defence and foreign affairs of Tibet, and provide for extensive authority for the Tibetan autonomous government in terms of domestic policy and administration. Both documents recognise the right of Tibetans to decide their own system of government and to create their autonomous government.

From 1959 to this day, the PRC exercises control over Tibet through its Central Government. This, despite the creation in 1965 of a nominally autonomous Tibetan region and numerous equally nominally autonomous Tibetan prefectures and counties. Thus, today's situation is far from that envisaged under the 17-point Agreement, which forms the subject of this article.

The Agreement expressly recognises the right of the Tibetan people to “exercise national regional autonomy under the unified leadership of the Central People’s Government”. The Dalai Lama calls for genuine autonomy for Tibetans in the whole of Tibet, that is, the three regions of Kham, Amdo and U-Tsang (roughly equivalent to the present Tibetan autonomous region and the 13 Tibetan autonomous prefectures and counties, combined). Given the Chinese practice over the past decades with respect to autonomy, two issues emerge that are of major importance: the first concerns the degree of actual autonomy; the other the extension of that autonomy to all Tibetan areas.

The Degree of Autonomy

The PRC’s concept of regional autonomy “under the unified leadership of the Central People’s Government” fits in a centralised and unitary state model, wherein the autonomous authorities carry out policies determined at the central government level. The Dalai Lama’s concept of genuine autonomy, as laid out in the Strasbourg proposal, calls for a decentralised and democratic system of governance, where all decisions, except for those relating to defence and foreign affairs, are taken at the autonomous government level. The difference is the degree of constitutionally protected self-government envisaged for Tibetans. Stated differently, the question centres around whether the central government can autocratically “grant” and take away powers and responsibilities from the Tibetan autonomous entity at will, or whether the Central Government’s right and ability to interfere in Tibet’s affairs are clearly and constitutionally limited to its competence in the foreign affairs and defence spheres.

On the face of it, the 17-point Agreement and the Strasbourg proposal both set limits on the competence of the Central Government. But the Agreement is silent on the guarantees—constitutional or other—and is unclear with respect to the allocation of competencies not specifically named in the document as well as those of education, commerce, industry, agriculture and animal husbandry which are mentioned but not allocated. These would seem to be internal affairs which would typically fall under the competence of the autonomous authorities. But the Agreement does not state that.

The Extension of Autonomy to all Tibetan Areas

The Dalai Lama has made it clear that any discussion of genuine autonomy within the PRC must include and cover all Tibetan areas, not merely the so-called Tibet Autonomous Region (TAR) created by China in 1965.¹⁹ The 17-point Agreement’s express recognition of the right of the Tibetan people to exercise national regional autonomy would seem to be entirely in keeping with the Dalai Lama’s position in this regard. In reality, however,

the PRC has excluded most of Kham and all of Amdo from the purview of the Agreement and today refers only to the TAR as “Tibet”. The need to unify all Tibetan regions under one fully autonomous government was forcefully argued by the Tibetan negotiators in Beijing in 1951. Prime Minister Zhou Enlai did recognise the validity of this Tibetan demand and stated to the delegates on the day following the signing of the agreement that, although this was not the right time to unite all the Tibetan areas under one administration, this could be negotiated after some years.²⁰

Conclusions

The above brief analysis suggests that, despite the present centralised control over Tibet, there is considerable common ground between the substance and spirit of the 17-point Agreement and the stated position of the Dalai Lama, provided (1) the PRC takes its recognition of the right of the Tibetan people in the PRC to exercise national regional autonomy seriously, thus including all Tibetans and agreeing to unify all Tibetan regions as one administrative unit, and (2) the autonomy is constitutionally guaranteed to extend to all areas of competence except for the conduct of foreign affairs and national defence. These are central issues, which must be resolved. Provided these issues are satisfactorily addressed, an acceptable agenda for substantive negotiations between representatives of the Chinese government and the Dalai Lama could be drawn up that would include both the areas of convergence and of divergence in a manner that would encourage constructive and solution-oriented discussion of all important issues.

NOTES:

(Endnotes)

1 U.N. Doc. A/CONF. 39/27 (1969), 8 I.L.M. 679 (1969). Done at Vienna on 23 May 1969; entered into force on 27 January 1980.

2 Negotiations were opened with the presentation of a draft agreement by the Chief Chinese negotiator. It was totally rejected by the Tibetan team. After several days of heated debates, the Chinese side presented a second and final draft, no more acceptable to the Tibetans. It was, in effect, an ultimatum. No further discussion was allowed, the Tibetan team was prevented from contacting the Tibetan government for instructions, and was threatened with the immediate military advance on Lhasa if the Tibetan negotiators refused to sign. See Kashag Document 11(4)1; Wilson to Sec. Of State, 3 July 1951 and 10 July 1951, FRUS 7 (1951), p. 1729 and 1735, respectively.

3 Justice Eduardo Jimenez de Arechaga, at the time President of the International Court of Justice, explained the law as follows:

“If the treaty is tainted with relative nullity by reason of a defect of capacity, error, fraud or corruption, the injured party is free to invoke the invalidity of its consent, and it could agree to confirm the act—expressly or impliedly. On the other hand, if a treaty has been procured by force or is in breach of a rule of *jus cogens* there is no question of waiver or of estoppel resulting from the conduct of the state victim. This state or any other state may at any time allege the invalidity of a treaty obtained through duress or in violation of *jus cogens*.”

E. Jimenez de Arechaga, *International Law in the Past Third of a Century*, RECUEIL DES COURS 159 (1978) at p. 69. An agreement imposed on a state by another state whose superior forces have or are in the process of occupying, invading, or threatening the territory in violation of international law is *ipso facto* procured by the illegal threat or use of force and, consequently, is without any legal effect.

4 See *Is Tibet an ‘Independent Country?’ - On Van Praag’s ‘The Status of Tibet’*, Jing Wei, ed., China Issues and Ideas series, No. 1, 1991 (New Star Publishers, Beijing 1991) at pp. 53-54.

5 Interview with the Dalai Lama, Dharamsala, 1991.

6 See M. van Walt van Praag, *The Status of Tibet* (Westview, 1987) at p. 149.

7 E. Jimenez de Arechaga, *International Law in the Past Third of a Century*, RECUEIL DES COURS 159 (1978) at p. 69.

8 See Henderson to Mathews, 29 March 1951 and Steere to Sec. of State, 29 May 1951 in FRUS 7 (1951) at pp. 1611 and 1690, respectively. Kashag Doc. 11(4)1 and Wilson to Sec. Of State, 10 July 1951 in FRUS 7 (1951), at p. 1735.

9 Vienna Convention on the Law of Treaties, *Supra* note 1, Articles 47 and 51.

10 See Jing Wei, ed., *‘Is Tibet an Independent Country?’*, *Supra* note 4, at pp. 54-55.

- 11 See Jin Fu, *China's Recovery of Xianggang (Hong Kong) Area Fully Accords with International Law*, in *Beijing Review*, 26 September 1983, p. 15; and *Renmin Ribao* Editorial reprinted in *Beijing Review*, 1 October 1984, at p. 14. See also J. Cohen and H. Chiu, *People's China and International Law*, A Documentary Study (1974), pp. 62-63.
- 12 M. van Walt van Praag, *supra* note 5, at p. 149.
- 13 Statement by the Dalai Lama made on 20 June 1959, reported in the *New York Times*, 21 June 1959.
- 14 I.C.J., Legal Inquiry Committee on Tibet, *Tibet and the Chinese People's Republic* (Geneva 1960).
- 15 See, for example, articles in *Beijing Review* and other official publications at the time of the 40th anniversary of the 17-point Agreement in May 1991.
- 16 According to the persons involved in the negotiations in Beijing, there was a secret seven-point annex to the agreement in which it was stated that 20,000 men PLA would be stationed on Tibet's borders. The document was kept in Beijing and not given to the Tibetan delegates and is not available in Dharamsala.
- 17 Reproduced in: Department of Information and International Relations (DIIR), *Dharamsala and Beijing: Initiatives and Correspondence 1981-1993* (Dharamsala, 2nd ed. 1996), at pp. 43-49.
- 18 H. H. the Dalai Lama, 10 March Statement, 2000.
- 19 In this regard see 'Memorandum to Deng Xiaoping and Jiang Zemin from His Holiness the Dalai Lama', Dharamsala, 1 September 1992 (Translated from Tibetan) reproduced in DIIR, *Dharamsala and Beijing*, *supra* note 16, at pp. 61-76.
- 20 Interview with Takla Phuntsok Tashi, Dharamsala, 1981.

Tibetan Tragedy Began with a Farce

By Cao Changqing

Cao Changqing was deputy editor-in-chief of the Shenzhen Youth Journal, which was shut down by the Chinese authorities in 1987 after it published a series of articles by dissidents and called on Deng Xiaoping to retire. He came to the United States in 1988 and served as editor-in-chief of the dissident Chinese newspaper, Press Freedom Herald, in 1989. He has been a research fellow at Columbia University and East West Centre in Honolulu. He has been a columnist of Open Magazine (Hong Kong) since 1995 and contributing writer for several newspapers and magazines.

The Dalai Lama's second visit to Taiwan was a historic event that symbolises the ties between Taiwan and Dharamsala. After the people of Taiwan elected their native son, Chen Shui-bian, as president, in March 2000, ending the KMT's 50-year rule over the country, the democratic Taiwanese government invited the Dalai Lama to visit. The Tibetan spiritual leader postponed his visit many times, because, it was alleged, he did not want to provoke Beijing by visiting Taiwan. The Dalai Lama's concerns and precautions, however, were totally ignored by Beijing.

Before heading for Taiwan, the Dalai Lama told the press that Beijing had shut the door to dialogue and negotiations and had not allowed his delegation to go to Beijing. This was interpreted as a show of his disappointment toward Beijing.

In fact, the history of the Dalai Lama's dealings with Beijing is a history of disappointment and disillusionment, which began from the 17-point Agreement that was signed exactly half a century ago. It was that agreement that formalised Beijing's sovereignty over Tibet.

The 17-point Agreement was signed on 23 May 1951, and embodies two major principles: first, China has sovereignty over Tibet and is responsible for Tibet's national defence and diplomacy; second, Beijing guarantees the Tibetans' rights to a high degree of autonomy in the ethnic Tibetan region, and Beijing will not interfere with Tibet's culture, religion or social systems. This agreement looks like the earliest formulation of the "one country, two systems" scheme employed by Beijing today.

How could the Tibetans hand their sovereign rights over to the Chinese? Of the five Tibetan representatives who negotiated with the Chinese government and signed the agreement half a century ago, four have already died. The only survivor, Ngabo Ngawang Jigme, however, has been a high official in the Chinese government for several decades and can only parrot the official Chinese view, just as he did in a rare interview with *Asiaweek* last October.

In addition to the five Tibetan representatives, the Tibetan translator, Takla Phuntsok Tashi, also witnessed the whole process of the formation of the agreement. Takla also passed away two years ago, but fortunately I had a chance to interview him during a conference in London in 1997 and gained some firsthand knowledge about the negotiations.

Having studied Chinese in Nanjing in the 1930s and been educated at the KMT's Central Political School, whose chairman was Chang Kai-shek, Takla spoke fluent Chinese and remembered vividly the derivation of the 17-point Agreement.

"It was a result of force," said Takla. He recalled that, under attack by China's People's Liberation Army (PLA) led by Deng Xiaoping, the few thousand-strong, poorly-armed temporary Tibetan force was soon defeated by the end of 1950 and the Tibetan capital, Lhasa, was on the verge of falling into Chinese hands. The Tibetan government had no choice but to send a delegation to negotiate with the Chinese. After about a month of on-and-off negotiations, the Tibetan delegation had no choice but to sign the document without asking the permission of the Tibetan government. Ngabo Ngawang Jigme and other Tibetan representatives decided to take the responsibility, for they believed that the Tibetan army could not resist an onslaught by Chinese troops, and the consequences of its attempting to do so would be worse than anything imaginable for the Tibetans. They signed the agreement as a matter of expediency for the sake of Tibet's safety.

Although clearly aware that the agreement had not been approved by the Tibetan government, the Chinese authorities pretended that they did not know and went ahead to complete the implementation of the 17-point Agreement. They were anxious to formalise the agreement so that the Chinese army could enter Tibet with legitimacy, and thus avoid the condemnation of international society.

According to Takla, the personal seals of the Tibetan representatives, which were applied to the agreement, were made by the Beijing authorities. Since the Tibetan delegation was obviously unhappy with the pact, both sides further implemented an appendix to

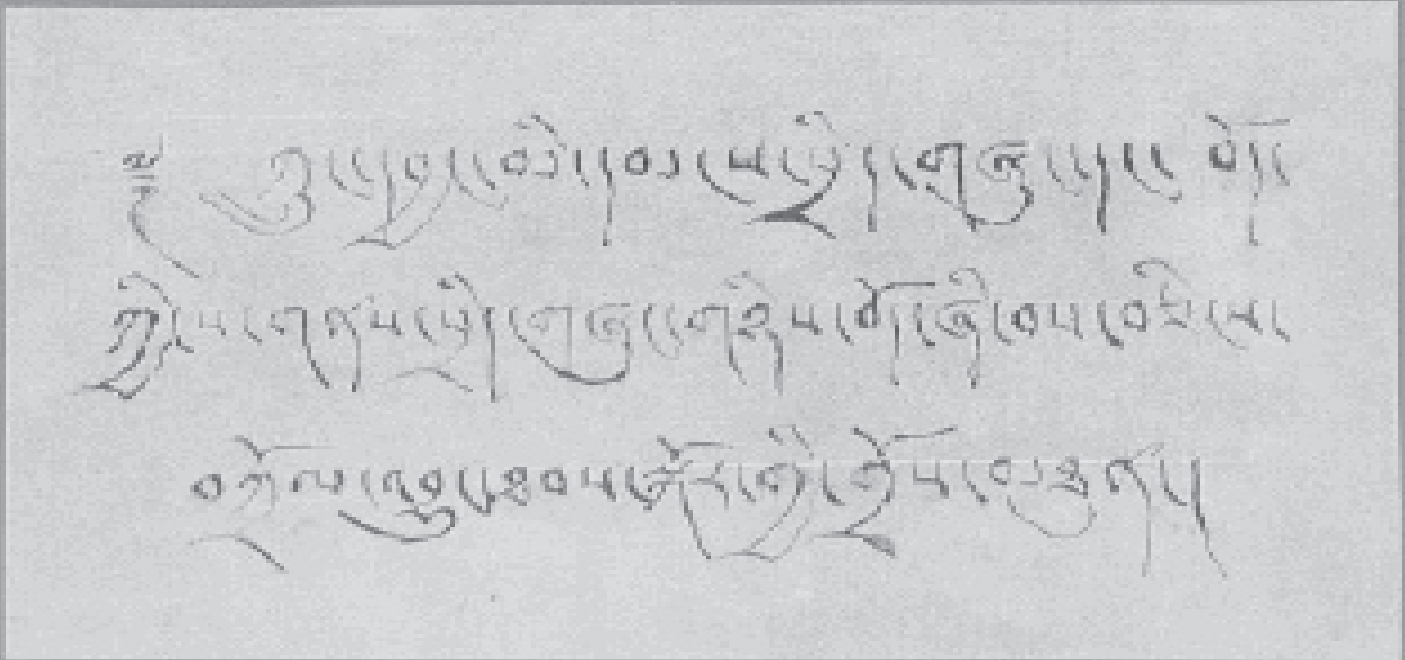
the agreement. According to the appendix, “If the Dalai Lama does not consent to the Agreement and escapes to another country, his living expenses should be provided by the Tibetan government in Tibet; and when he returns, his position as the political and religious leader of the Tibetan people will not be changed”. Despite the request of the Tibetan delegation, however, the Chinese authorities did not release the appendix along with the agreement, because they felt that it would invite ridicule from foreigners about China’s internal affairs. Beijing has not released the appendix to this day.

While legitimising China’s occupation of Tibet, the agreement also spells out the fact that before the agreement, Tibet did not fully belong to China, otherwise there would be no need for the Chinese authorities to force the Tibetans to sign any agreement. The Chinese army had taken Mongolia, East Turkestan and other provinces without any hesitation or agreement, and it could equally have swiftly taken over Tibet without much difficulty. But they did not do so and instead imposed an agreement. This, at least, means that even the Chinese did not believe that Tibet totally belonged to China and felt uncomfortable claiming sovereignty over Tibet, which is why they needed some sort of document to legitimise their occupation.

Without a doubt, this 17-point Agreement was imposed by force. The Dalai Lama and his government learned about the content of the agreement only from radio broadcasts. With hindsight, one can easily conclude that with or without the agreement, Tibet’s terrible situation would still be the same. Given the circumstances of half a century ago, however, the Tibetan delegation had at least two excuses for signing. First, facing an army that outnumbered the total population of Tibet, a bloody resistance was simply unthinkable. Second, the Tibetans (just like everybody else) could not foresee how far the communists’ evil would go, and naively believed that the tension at the time was only temporary, that eventually their relationship with China would very well be like the one they had with the KMT government, or with the Qing Dynasty. After all, the Tibetan people had managed their own affairs under such Chinese governments. It was certainly beyond the Tibetan people’s imagination that the Chinese government would not comply with the agreement that they themselves had imposed. Immediately after the Chinese army entered Tibet, the Chinese government broke the agreement—which clearly stated that the Tibetan people would have the right to exercise autonomy in their region and that the Chinese government would not alter the existing political system in Tibet—and started full-scale socialisation in Tibet. This of course enraged the Tibetan people and led to the 1959 uprising and the escape of the Dalai Lama and his 80,000 followers.

What the Dalai Lama seeks today appears to be not much more than what is already stated in the 17-point Agreement. Since the Chinese government has never bothered to comply with an already signed agreement, it is wonder that they will not enter into dialogue and negotiation with the Dalai Lama. Obviously, such unscrupulousness can only generate anger and resentment in the international community.

APPENDIX



? This Tibetan version of the Agreement is reproduced from the Chinese official publication, A Collection of Historical Archives of Tibet, published by Cultural Relics Publishing House and printed at China Earth Circumnavigation (Shekou) Printers, Hainan Island, 1995.

ॐ नमो भगवते वासुदेवाय ॥ श्रीगणेशाय नमः ॥ श्रीगणेशाय नमः ॥

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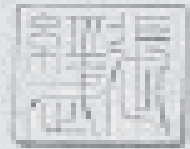
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Small handwritten cursive text or signature.

Large, bold Chinese characters in cursive script, reading "李維清" (Li Weiqing).



張經武



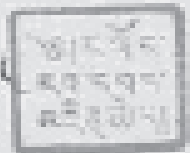
張國華



孫志遠



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? These are neither the seals of the Government of Tibet, nor of the offices of the delegates. For instance, Ngabo Ngawang Jigme's official seal as the governor of eastern Tibet is not affixed here.

The seals of the Tibetan delegates, as shown here, were improvised by Chinese government in Beijing. They bear only the personal names of the delegates.

The Agreement between the Central People's Government and the Local Government of Tibet on Measures for the Peaceful Liberation of Tibet*

The Tibetan nationality is one of the nationalities with a long history living within the boundaries of China and, like many other nationalities, it has performed its glorious duty in the course of the creation and development of our great motherland. But over the last 100 years or more, imperialist forces penetrated China, and in consequence also penetrated the Tibetan region and carried out all kinds of deceptions and provocations. Like previous reactionary governments, the Kuomintang reactionary government continued to carry out a policy oppressing and sowing dissension among the nationalities, causing divisions and disunity among the Tibetan people. And the Local Government of Tibet did not oppose the imperialist deceptions and provocations, and adopted an unpatriotic attitude towards our motherland. Under such conditions, the Tibetan nationality and people were plunged into the depths of enslavement and suffering.

In 1949, basic victory was achieved on a nation-wide scale in the Chinese People's War of Liberation; the common domestic enemy of all nationalities—the Kuomintang reactionary government—was overthrown; and the common foreign enemy of all nationalities—the aggressive imperialist forces—was driven out. On this basis, the founding of the People's Republic of China and the Central People's Government was announced. In accordance with the *Common Programme* passed by the Chinese People's Political Consultative Conference, the Central People's Government declared that all nationalities within the boundaries of the People's Republic of China are equal, and that they shall establish unity and mutual aid and oppose imperialism and their public enemies, so that the PRC will become one fraternal and co-operative family, composed of all its nationalities; that within the big family of all nationalities of the People's Republic of China, national regional autonomy shall be exercised in areas where national minorities shall have the freedom to develop their spoken and written languages and to preserve or reform their customs, habits and religious beliefs, while the Central People's Government shall assist all national minorities to develop their political, economic, cultural and educational construction work. Since then, all nationalities within the country, with the exception of those in the areas of Tibet and Taiwan, have gained liberation. Under the unified leadership of the Central People's Government and the direct leadership of

higher levels of people's government, all national minorities are fully enjoying the right of national equality and have established, or establishing, the national regional autonomy.

In order that the influences of aggressive imperialist forces in Tibet might be successfully eliminated, the unification of the territory and sovereignty of the People's Republic of China accomplished, and national defence safeguarded: in order that the Tibetan nationality and people might be freed and return to the family of the People's Republic of China to enjoy the same rights of national equality as all the other nationalities in the country and develop their political, economic, cultural and educational work, the Central People's Government, when it ordered the People's Liberation Army to march into Tibet, notified the Local Government of Tibet to send delegates to the central authorities to conduct talks for the conclusion of an agreement on measures for the peaceful liberation of Tibet.

In the later part of April 1951, the delegates with the full powers of the Local Government of Tibet arrived in Beijing. The Central People's Government appointed representatives with full power to conduct talks on a friendly basis with the delegates of the Local Government of Tibet. As a result of these talks, both parties agreed to conclude this agreement and guarantee that it will be carried in effect.

1. The Tibetan people shall unite and drive out imperialist aggressive forces from Tibet; the Tibetan people shall return to the family of the Motherland—the People's Republic of China.
2. The Local Government of Tibet shall actively assist the People's Liberation Army to enter Tibet and consolidate the national defence.
3. In accordance with the policy towards nationalities laid down in the Common Programme of the Chinese People's Political Consultative Conference, the Tibetan people have the right to exercise national regional autonomy under the unified leadership of the Central People's Government.
4. The central authorities will not alter the existing political system in Tibet. The central authorities also will not alter the established status, functions and powers of the Dalai Lama. Officials of various ranks shall hold office as usual.
5. The established status, functions and powers of the Bainqen Erdini (Panchen

Lama) shall be maintained.

6. By the established status, functions and powers of the Dalai Lama and of the Bainqen Erdini are meant the status, functions and powers of the Thirteenth Dalai Lama and the Ninth Bainqen Erdini when they were in friendly and amicable relation with each other.
7. The policy of freedom of religious belief laid down in the Common Programme of the Chinese People's Political Consultative Conference shall be carried out. The religious beliefs, customs and habits of the Tibetan people shall be respected, and lama monasteries shall be protected. The central authorities will not effect a change in the income of the monasteries.
8. Tibetan troops shall be reorganised by stages into the People's Liberation Army, and become a part of the national defence forces of the People's Republic of China.
9. The spoken and written language and school education of the Tibetan nationality shall be developed step by step in accordance with the actual conditions in Tibet.
10. Tibetan agriculture, livestock raising, industry and commerce shall be developed step by step, and the people's livelihood shall be improved step by step in accordance with the actual conditions in Tibet.
11. In matters related to various reforms in Tibet there will be no compulsion on the part of the central authorities. The Local Government of Tibet should carry out reforms of its own accord, and demands for reforms raised by the people shall be settled by means of consultation with the leading personnel of Tibet.
12. In so far as former pro-imperialists and pro-Kuomintang officials resolutely sever relations with imperialism and the Kuomintang, and do not engage in sabotage or resistance, they may continue to hold office irrespective of their past.
13. The People's Liberation Army entering Tibet shall abide by all the above-mentioned policies and shall also be fair in all buying and selling and shall not arbitrarily take a single needle or thread from the people.

14. The Central People's Government shall conduct the centralised handling of all external affairs of Tibet and there will be peaceful co-existence with neighbouring countries and the establishment and development of fair commercial and trading relations with them on the basis of equality, mutual benefit and mutual respect for territory and sovereignty.
15. In order to ensure the implementation of this agreement, the Central People's Government shall set up a military and administrative committee and the military area headquarters in Tibet, and apart from the personnel sent there by the Central People's Government, shall absorb as many local Tibetan personnel as possible to take part in the work. Local Tibetan personnel taking part in the military and administrative committee may include patriotic elements from the Local Government of Tibet, various districts and leading monasteries; the name-list shall be drawn up after consultation between the representative designated by the Central People's Government and the various quarters concerned, and shall be submitted to the Central People's Government for appointment.
16. Funds needed by the military and administrative committee, the military area headquarters and the People's Liberation Army entering Tibet shall be provided by the Central People's Government. The Local Government of Tibet will assist the People's Liberation Army in the purchase and transport of food, fodder and other daily necessities.
17. This agreement shall come into force immediately after signatures and seals are affixed to it.

[Signed by the representatives of the Central People's Government and the Local Government of Tibet on 23 May 1951]

His Holiness the Dalai Lama's Press Statements

Statement issued in Tezpur 18 April 1959

1. It has always been accepted that the Tibetan people are different from the Han people of China. There has always been a strong desire for independence on the part of the Tibetan people. Throughout history this has been asserted on numerous occasions. Sometimes, the Chinese Government have imposed their suzerainty on Tibet and, at other times, Tibet has functioned as an independent country. In any event, at all times, even when the suzerainty of China was imposed, Tibet remained autonomous in control of its internal affairs.
2. In 1951, under pressure of the Chinese Government, a 17-point Agreement was made between China and Tibet. In that Agreement, the suzerainty of China was accepted as there was no alternative left to the Tibetans. But even in the Agreement, it was stated that Tibet would enjoy full autonomy. Though the control of External Affairs and Defence were to be in the hands of the Chinese Government, it was agreed that there would be no interference by the Chinese Government with the Tibetan religion and customs and her internal administration. In fact, after the occupation of Tibet by the Chinese armies, the Tibetan Government did not enjoy any measure of autonomy even in internal matters, and the Chinese Government exercised full powers in Tibet's affairs. In 1956, a Preparatory Committee was set up for Tibet with the Dalai Lama as Chairman, the Panchen Lama as Vice-Chairman and General Chang Kuo Hua (Zhang Guohua) as the Representative of the Chinese Government. In practice, even this body had little power, and decisions in all important matters were taken by the Chinese authorities. The Dalai Lama and his Government tried their best to adhere to the 17-point Agreement, but the interference of the Chinese authorities persisted.
3. By the end of 1955 a struggle had started in the Kham Province and this assumed serious proportions in 1956. In the consequential struggle, the Chinese Armed Forces destroyed a large number of monasteries. Many Lamas were killed and a large number of monks and officials were taken and employed on the construction of roads in China, and the interference in the exercise of religious freedom increased.
4. The relations of Tibetans with China became openly strained from the early part of

February 1959. The Dalai Lama had agreed a month in advance to attend a cultural show in the Chinese headquarters and the date was suddenly fixed for the 10th of March. The people of Lhasa became apprehensive that some harm might be done to the Dalai Lama and as a result about ten thousand people gathered round the Dalai Lama's summer palace, Norbulingka, and physically prevented the Dalai Lama from attending the function. Thereafter, the people themselves decided to raise a bodyguard for the protection of the Dalai Lama. Large crowds of Tibetans went about the streets of Lhasa demonstrating against the Chinese rule in Tibet. Two days later, thousands of Tibetan women held demonstrations protesting against Chinese authority. In spite of this demonstration from the people, the Dalai Lama and his Government endeavoured to maintain friendly relations with the Chinese and tried to carry out negotiations with the Chinese representatives as to how best to bring about peace in Tibet and assuage the people's anxiety. While these negotiations were being carried out, reinforcements arrived to strengthen the Chinese garrisons in Lhasa and Tibet. On the 17th March, two or three mortar shells were fired in the direction of the Norbulingka Palace. Fortunately, the shells fell in a nearby pond. After this, the Advisers became alive to the danger to the person of the Dalai Lama and in those difficult circumstances it became imperative for the Dalai Lama, the members of his family and his high officials to leave Lhasa. The Dalai Lama would like to state categorically that he left Lhasa and Tibet and came to India of his own free will and not under duress.

5. It was due to the loyalty and affectionate support of his people that the Dalai Lama was able to find his way through a route which is quite arduous. The route which the Dalai Lama took involved crossing the Kyichu and the Tsangpo rivers and making his way through Lhoka area, Yarlung Valley and Tsona Dzong before reaching the Indian Frontier at Kanzey Mane near Chuthangmu.

6. On the 29th March 1959, the Dalai Lama sent two emissaries across the Indo-Tibetan border requesting Government of India's permission to enter India and seek asylum there. The Dalai Lama is extremely grateful to the people and Government of India for their spontaneous and generous welcome as well as the asylum granted to him and his followers. India and Tibet have religious, cultural and trade links extending over a thousand years and for Tibetans it has always been the land of enlightenment, having given birth to Lord Buddha. The Dalai Lama is deeply touched by the kind greeting extended to him on his safe arrival in India by the Prime Minister Shri Jawaharlal Nehru, and his colleagues in the Government of India. The Dalai Lama has already sent reply to this message of greetings.

7. Ever since the Dalai Lama entered India at Kanzey Mane, near Chuthangmu, he has experienced in full measure the respect and hospitality extended to him by the people of the Kameng Frontier Division of the North East Frontier Agency and the Dalai Lama would like to state how the Government of India's officers posted there had spared no efforts in making his stay and journey through this extremely well administered part of India as comfortable as possible.

8. The Dalai Lama will now be proceeding to Mussoorie which he hopes to reach in the next few days. The Dalai Lama will give thought to his future plans and, if necessary, give expression to them as soon as he has had a chance to rest and reflect on recent events. His country and people have passed through an extremely difficult period and all that the Dalai Lama wishes to say at the moment is to express his sincere regrets at the tragedy which has overtaken Tibet and to fervently hope that these troubles would be over soon without any more bloodshed.

9. As the Dalai Lama is the spiritual head of all the Buddhists in Tibet, his foremost concern is the well-being of his people and in ensuring the perpetual flourishing of his sacred religion and freedom of his country.

10. While expressing once again thankfulness at his safe arrival in India, the Dalai Lama would like to take this opportunity to communicate to all his friends, well-wishers and devotees in India and abroad his sincere gratitude for the many messages of sympathies and concern with which they have flooded him.

Statement issued at Mussoorie

22 April 1959

On the 18th April, I issued a statement at Tezpur. I did not wish to follow it up with another statement at this stage. However, I have seen a *New China News Agency* report implying that I was not responsible for this earlier statement. I wish to make it clear that the earlier statement was issued under my authority and indicated my views and I stand by it. I am making this brief statement to correct the wrong impression created by the *New China News Agency's* report and do not propose to state anything more at present.

**Statement issued at the Press Conference
held at Mussoorie
20 June 1959**

Ever since my arrival in India, I have been receiving almost every day sad and distressing news of the suffering and inhuman treatment of my people. I have heard almost daily, with a heavy heart, of their increasing agony and affliction, their harassment and persecution and of the terrible deportation and execution of innocent men. These have made me realise forcibly that the time has manifestly arrived when in the interests of my people and Religion and to save them from the danger of near annihilation, I must not keep silent any longer but must frankly and plainly tell the world the truth about Tibet and appeal to the conscience of all peace-loving and civilised nations.

To understand and appreciate the significance and implication of the recent tragic happenings in Tibet, it is necessary to refer to the main events which have occurred in the country since 1950. It is recognised by every independent observer that Tibet had virtually been independent by enjoying and exercising all rights of sovereignty, whether internal or external. This has also been impliedly admitted by the Communist Government of China, for the very structure, terms and conditions of the so-called Agreement of 1951 conclusively show that it was an Agreement between two independent and sovereign States. It follows, therefore, that when the Chinese armies violated the territorial integrity of Tibet they were committing a flagrant act of Aggression. The agreement which followed the invasion of Tibet was also thrust upon its people and government by the threat of arms. It was never accepted by them of their own free will. The consent of the Government was secured under duress and at the point of the bayonet. My representatives were compelled to sign the Agreement under threat of further military operations against Tibet by the invading armies of China leading to utter ravage and ruin of the country. Even the Tibetan seal which was affixed to the Agreement was not the seal of my representatives but a seal copied and fabricated by the Chinese authorities in Peking, and kept in their possession ever since.

While I and my Government did not voluntarily accept the Agreement, we were obliged to acquiesce in it and decided to abide by the terms and conditions in order to save my people and country from the danger of total destruction. It was, however, clear from the very beginning that the Chinese had no intention of carrying out the Agreement.

Although they had solemnly undertaken to maintain my status and power as the Dalai Lama, they did not lose any opportunity to undermine my authority and sow dissension among my people. In fact, they compelled me, situated as I was, to dismiss my Prime Ministers under threat of their execution without trial because they had in all honesty and sincerity resisted the unjustified usurpation of power by the representatives of the Chinese Government in Tibet. Far from carrying out the Agreement, they began deliberately to pursue a course of policy which was diametrically opposed to the terms and conditions which they had themselves laid down. Thus commenced a reign of terror which finds few parallels in the history of Tibet. Forced labour and compulsory exaction, a systematic persecution of the people, plunder and confiscation of property belonging to individuals and monasteries and execution of certain leading men in Tibet—these are the glorious achievements of the Chinese rule in Tibet. During all the time, patiently and sincerely I endeavoured to appease my people and to calm down their feelings and at the same time tried my best to persuade the Chinese authorities in Lhasa to adopt a policy of conciliation and friendliness. In spite of repeated failures, I persisted in this policy till the last day when it became impossible for me to render any useful service to my people by remaining in Tibet. It is in those circumstances that I was obliged to leave my country in order to save it further danger and disaster.

I wish to make it clear that I have made these assertions against the Chinese officials in Tibet in the full knowledge of their gravity because I know them to be true. Perhaps the Peking Government is 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.

It is necessary for me to add that before I visited India in 1956, it had become increasingly clear to me that my policy of amity and tolerance had totally failed to create any impression on the Representatives of the Chinese Government in Tibet. Indeed, they had frustrated every measure adopted by me to remove the bitter resentment felt by my people and to bring about a peaceful atmosphere in the country for the purpose of carrying out the necessary reforms. As I was unable to do anything for the benefit of my people, I had practically made up my mind when I came to India not to return to Tibet until there was a manifest change in the attitude of the Chinese authorities. I, therefore, sought the advice of the Prime Minister of India who has always shown me unfailing kindness and consideration. After his talk with the Chinese Prime Minister and on the strength of the assurances given by him on behalf of China, Mr. Nehru advised me to

change my decision. I followed his advice and returned to Tibet in the hope that conditions would change substantially for the better, and I have no doubt that my hopes would have been realised if the Chinese authorities had on their part carried out the assurances which the Chinese Prime Minister had given to the Prime Minister of India. It was, however, painfully clear soon after my return that the representatives of the Chinese Government had no intention to adhere to their promises. The natural and inevitable result was that the situation steadily grew worse until it became impossible to control the spontaneous upsurge of my people against the tyranny and oppression of the Chinese authorities.

At this point I wish to emphasize that I and my Government, have never been opposed to the reforms which are necessary in the social, economic and political systems prevailing in Tibet. We have no desire to disguise the fact that ours is an ancient society and that we must introduce immediate changes in the interests of the people of Tibet. In fact, during the last nine years several reforms were proposed by me and my Government, but every time these measures were strenuously opposed by the Chinese in spite of popular demand for them, with the result that nothing was done for the betterment of the social and economic conditions of the people. In particular, it was my earnest desire that the system of land tenure should be radically changed without further delay and the large landed estates acquired by the State on payment of compensation for distribution amongst the tillers of the soil. But the Chinese authorities deliberately put every obstacle in the way of carrying out this just and reasonable reform. I desire to lay stress on the fact that we, as firm believers in Buddhism, welcome change and progress consistently with the genius of our people and the rich traditions of our country, but the people of Tibet will stoutly resist any victimisation, sacrilege and plunder in the name of reforms, a policy which is now being enforced by the representatives of the Chinese Government in Lhasa.

I have attempted to present a clear and unvarnished picture of the situation in Tibet. I have endeavoured to tell the entire civilised world the real truth about truth, the truth which must ultimately prevail, however strong the forces of evil may appear to be today. I also wish to declare that we Buddhists firmly and steadfastly believe in peace and desire to live in peace with all the peoples and countries of the world. Although recent actions and policies of the Chinese authorities in Tibet have created strong feelings of bitterness and resentment against the Government of China, we, Tibetans, lay and monk alike, do not cherish any feelings of enmity and hatred against the great Chinese people. We wish to live in peace and ask for peace and goodwill from all the countries of the world. I and my Government are, therefore, fully prepared to welcome a peaceful and amicable solution

of the present tragic problem, provided that such a solution guarantees the preservation of the rights and powers which Tibet has enjoyed and exercised without any interference prior to 1950. We must also insist in the creation of a favourable climate by the immediate adoption of the essential measures as a condition precedent to negotiations for a peaceful settlement. We ask for peace and for a peaceful settlement, but we must also ask for maintenance of the status and the rights of our State, and people.

To you, gentlemen of the Press, I and my people owe a great debt of gratitude for all that you have done to assist us in our struggle for survival and freedom. Your sympathy and support have given us courage and strengthened our determination. I confidently hope that you will continue to lend the weight of your influence to the cause of peace and freedom for which the people of Tibet are fighting today. Gentlemen, I thank you, one and all, on behalf of my people as well as on my own behalf.