

India and the Tibetan Peaceful Struggle for Autonomy: Contemporary Human Rights Challenges

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Abstract

The Tibetan issue is related to one of the most significant human rights of the people, the right to self-determination. The disintegration of the Soviet Union and its impact on Eastern Europe has brought the right to self-determination of people once again into prominence. New nations came into existence in Eastern Europe by applying this international principle. The forceful subjugation of a people through coercive means has been considered a violation of international human rights. The right of the nation to territorial integrity on the one hand, and the right of people to self-determination on the other, was called into question. The Tibetan issue is also the test of the relative significance of right to the territorial integrity of state and the right to self-determination of the people. This paper is an attempt to examine India's response to the Tibetan issue and the significance of the right to self-determination of the people in this era of greater significance added to human rights protection and promotion in international relations and also the expansionist policy being followed by the communist totalitarian regime in the People's Republic of China (PRC).

Keywords: Tibet, China, India, Human Rights, Right to Self-Determination, expansionism.

Introduction

In the post-cold war period, human rights issues assumed great significance in national, regional and, international politics. At the national level, all democratic countries have placed human rights as an important component in their domestic as well as external policy decisions. The regional groupings for better economic interactions among nations, to maintain and foster their common interests, also have upheld the human rights principles and practices in their

interactions. Again, the UN enacted legislative measures towards the protection and promotion of human rights at the global level and have gained more importance in international relations and wider acceptance among member countries. The end of ideological clashes in global politics has facilitated such a change in the international system.

Today, nations pay more attention to economic security rather than pure military security, one of the foremost concerns during the cold war. The globalization process as well as the existence of international problems such as international terrorism and environmental degradation has united the nations than ever before. The horizontal nuclear weapon proliferation has altered the international power structure. No nation whatsoever powerful can single-handedly maintain its security. International terrorism poses a grave threat to the security of nations than the threat from nation-states. Nuclear weapon proliferation especially in the context of international terrorism further poses challenges to the traditional concept of security. The blurred boundary between national security and international security on the one hand, and the human security and national security on the other, demands a new approach towards security. It is in this context that one has to view various international issues especially issues concerned with human rights protection and promotion.

This paper attempt to examine India's response towards the Tibetan issue from a human rights perspective. The Tibetan issue is related to one of the most significant human rights of the people, the right to self-determination. The disintegration of the Soviet Union and its impact on Eastern Europe has brought the right to self-determination of people once again into prominence. New nations come into existence in Eastern Europe by applying this international principle. The forceful subjugation of a people through coercive means has been considered violation of international human rights. The right of the nation to territorial integrity on the one hand, and the right of people to self-determination on the other, was called into question. The Tibetan issue is also the test of the relative significance of the right to the territorial integrity of state and right to self-determination of the people.

The Tibetan Issue

The Tibetan issue is embedded in the history of Tibetan nationalism and Tibet - China relations. The history of Tibetan nationalism and the Tibet - China relations may be divided into four main periods. (Jr, 2003) The first phase (630-842) is that of the consolidation of the Tibetan state from the beginning of Tibetan history up to the fall of the Tibetan

empire in 842. During this period the territory and people of the Tibetan Plateau were politically unified by the Tibetan empire. It was the only time in history that all of Tibet was unified under an independent centralised Tibetan state. And it is during this period that political identities, the fundamentals of later Tibetan nationalism were consolidated.

After the collapse of the Tibetan empire in 842, Tibet was not again politically unified until the mid-13th century when Tibetan lamas established a political – spiritual relationship known as cho - yon or priest - patron relationship with the Mongol empire. Tibet was a dependent state under the Mongol Yuan (1260-1368) and Manchu Ching (1644-1911) dynasties. Tibet was independent of Chinese influence during the native Chinese Ming dynasty (1368–1644). During the second phase, Tibet was under the direct rule of China for a short span of three years from 1911-14.

In the third phase (1914–1950) Tibet experienced modern imperialist pressures and Tibetan nationalism was aroused. Tibetan nationalism was stimulated in the early 20th century by the British imperialist interest in Tibet and the Chinese attempt to impose more direct control over Tibet. With the British patronage, Tibet managed to achieve de facto independence, however, it failed to gain international recognition to its independence.

In the fourth period (1950 to the present) Tibetan independence was forcibly eliminated. The People's Liberation Army (PLA) marched into Tibet in 1950 and annexed Tibet through a 'peaceful liberation'. China has generally imposed its will on the Tibetan people. Tibet was forced to sign an agreement with China in 1951 known as the '17-Point Agreement on Measures for the Peaceful Liberation of Tibet'. The Chinese consider this agreement as a measure to liberate Tibetan territory from imperialist forces. From the Tibetan perspective, such 'liberation' was imposed and promises of autonomy stated in the agreement were not being followed. And the Tibetan national identity comes under intense pressure from China for the 'socialist transformation' of Tibetan society. The Tibetan culture was subjected to assimilationist pressure during the Cultural Revolution (1966-1976). However, Tibetan nationalism survived and grown under Chinese rule. After 1980, in the period of liberalized Chinese policies in Tibet, Tibetan culture and nationalism revived. During this phase, Tibetans gained international support to their plea for the right to self-determination. (Jr, 2003)

The Right to Self-determination

Generally, the right to self-determination is the right of people to determine their destiny. In particular, the right allows a 'people' to choose their political status and to determine their form of economic, cultural, and social development, free of outside interference. Exercise of this right can result in a variety of different outcomes ranging from political independence to forms of autonomy/independence or association to full integration within a state. The importance lies in the right of choice so that the outcome of a people's choice should not affect the existence of the right to make a choice. In practice, the possible outcome of an exercise of self-determination will often determine the attitude of governments towards the actual claim by a people. Thus, while claims to cultural autonomy may be more readily recognized by states, claims to independence are more likely to be rejected by them. Nevertheless, the right to self-determination is recognised in international law as a right of process, and not of the outcome, belonging to peoples and not to states or governments. It is important to note that self-determination has never simply meant absolute independence. Most importantly, it means the free choice of people to determine their status. This right remains an ongoing choice of the people as to their governance, and their economic, social and cultural development. It is a constant entitlement to the people. It is also important to note that democracy in itself does not necessarily satisfy the requirements for the implementation of self-determination although democracy and aspects of self-determination are closely linked. In cases where democracy is defined as the rule of the majority and the people claiming the right to self-determination constitutes a numerical minority in the state in question, a democratic system does not necessarily respond to the needs of the minority people. (Berkin, 2000)

The UN and Right to Self-determination

After the Second World War, the principle of self-determination was developed in various UN instruments. The United Nations Charter Article 1(2) states: The purposes of the United Nations are to develop friendly relations among nations based on the respect of the principle of equal rights and the self-determination of peoples. Again article 55 enjoins each member state of the United Nations to create stability and well-being "based on respect for the principle of equal rights and self-determination of peoples". (Charter) The UN Charter was followed by the Universal Declaration of Human Rights (UDHR) of 1948. (UDHR, 2006) Again, by 1960, with the adoption of the Declaration on the

Granting of Independence to Colonial Peoples, the principle was elevated to the position of an unconditional right. (UN, UNDocRes1541)

This declaration and the related declaration, the Declaration Concerning the Implementation of the Right to Self-determination, affirmed the right to immediate self-determination for peoples under "alien, colonial or oppressive domination" and called for a "speedy and unconditional end to colonialism in all its manifestations". (UN, UNDocRes1541) The Declaration on the Granting of Independence marks a significant shift in the law of self-determination. For the first time, in the case of colonial entities, it stressed that "inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence". (UN, UNDocRes1541) Meanwhile, the Declaration Concerning the Implementation of the Right to Self-determination outlined three methods by which the self-determination of non-self-governing territories could be achieved. These methods are independence; free association and integration; the standards of democratic participation. The UN General Assembly had made it clear that the favoured outcome for a process of decolonization was to be independence.

In 1966, the International Covenants on Civil and Political Rights and the International Covenant on Economic Social and Cultural Rights were adopted and opened for signature, ratification, and accession. Article 1 of the International Covenant on Civil and Political Rights states; "all peoples have the rights to self-determination. Under this right, they may freely determine their political status". Articles 1 (2) of Covenant note that self-determination shall include a right to dispose of wealth and resources - economic self-determination, while Articles I (3) oblige state parties to the Covenants "to promote the realisation of the right to self-determination". (Book, 2006) The ICCPR has been ratified by 161 of the 193 members of the UN. Five other countries including China have signed but not ratified. All nations are therefore bound both by their adherence to UN Charter and by its signature of the ICCPR to respect the principles of self-determination of the people. The International Covenants do not appear to limit the right to self-determination to people classified as non-self-governing by the United Nations. The implication is that the right belongs to 'all people' and must be respected by all states, not only those who may be in a trust relationship with dependent people. State practice has commonly accepted the legal interpretation that the right to self-determination belongs primarily to people under colonial or alien rule. The applicability of the principles to classic colonial cases was largely unquestioned in the post-World War II period. And nearly a billion people were liberated

from colonial rule through its implementation during this period in the Afro-Asian region. The controversy arises particularly when applying to people other than those in classical colonial situations.

The 1971 UN Declaration on the Principles of International Law Concerning Friendly Relations and Cooperation Among States, develops the rights of equal rights and self-determination still further and offers alternatives to independent statehood including self-determination through free association with an independent state. (Nations, 2006) Though it declares the rights of all people to have these rights to freely determine, the Declaration is silent on how the objectives should be accomplished.

Again, the description of the 'people' that comes under the right to self-determination was controversial. In 1989, UNESCO convened a meeting of jurists and scholars to clarify the concept of 'people' rights. In its final report and recommendations, the panel adopted the following description of a 'people':

A group of individual human beings who enjoy some or all of the following common features: (a) a common historical tradition; (b) racial or ethnic identity; (c) cultural homogeneity; (d) linguistic unity; (e) religious or ideological affinity; (f) territorial connection; (g) common economic life. (2) The group must be of a certain number which need not be large...but which must be more than a mere association of individuals within a State; (3) the group as a whole must have the will to be identified as a people or the consciousness of being a people... (4) The group must have institutions or other means of expressing its common characteristics and will for identity. (UNESCO, 1989)

If we apply this definition, it appears that the Tibetan people fulfill all the requirements for self-determination as envisaged in the UNESCO report. Further the UN, through various instruments, holds that the right of self-determination is a prerequisite to the enjoyment of all other fundamental human rights.

Again in 1993, the United Nations World Conference on Human Rights held in Vienna affirmed in the final Declaration which has been adopted unanimously by all states that the right to self-determination is part of the international law of human rights. The declaration states;

All peoples have the right to self-determination. By virtue of that right, they freely determine their political status and freely pursue their economic, social and cultural development. Taking into account the particular situation of peoples under colonial or other forms of alien

domination or foreign occupation, the World Conference on Human Rights recognises the right of peoples to take any legitimate action, in accordance with the Charter of the United Nations, to realise their inalienable right to self-determination. The World Conference on Human Rights considers the denial of the right to self-determination as a violation of human rights and underlines the importance of the effective realisation of this right. In accordance with the Declaration on Principles of International Law concerning Friendly Relations and Co-operation Among States, in accordance with the Charter of the United Nations, this shall not be construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent states conducting themselves in compliance with the principle of equal rights and self-determination and thus possessed of a government representing the whole people belonging to the territory without distinction of any kind. (UN, UNDoc)

Thus, the UN through various declarations and reports has clearly stated the significance of rights to self-determination as human rights and unambiguously described the term 'people'. The Tibet history clearly shows that they are a distinct people who have a distinct culture of their own. This again supports the Tibetan claim for political status and pursues independently their economic, social, and cultural life. Though the declarations and reports of the UN envisage restrictions in the exercise of the right to self-determination of the people it applies only to countries that practice a democratic system of government and not to an authoritarian system of government. In a democratic system, people have the freedom to practice their respective cultures without any hindrance. However, in the case of China, the authoritarian system under the Chinese Communist Party restricts the freedom of people to preserve and protect their respective cultural identity intact. The progress of the democratic system of government, after the establishment of the UN, further points towards the inevitability of a democratic system in the preservation of cultural identity. Thus, when the question of the relative significance of the two international principles, such as rights of the states in the preservation of territorial integrity and sovereignty on the one hand and people's right to self-determination arises, it is important to examine the prevalent system of government. A totalitarian system seldom protects the rights of minorities. Since the Chinese communist party controls the central as well as provincial administration, the aspirations of religious minorities including the Tibetan people are often suppressed.

India and the Tibet issue

Tibet has existed throughout history as a distinct civilization with rich culture, language, religion, polity, and identity. India and Tibet have maintained strong religious and trade ties, and have shared a peaceful border through the centuries. But the advent of British power in the Indian sub-continent altered the nature of this relationship. Regarding the British trade interest in Tibet, Sir Francis Younghusband stated:

Tibet have always had relation and intercourse with one another. And it is the necessity for regularizing and harmonizing the intercourse and for putting it in a business-like footing that has been the cause of our (British) interest in the country.¹

The British policy towards Tibet was shaped by the 'great game' and the need to prevent Russia from posing a threat to India. It was against this backdrop that the British called for the tripartite Shimla conference in October 1913, which was attended by representatives from British India (Henry McMahon), Republican China (Chen Yifan) and, Tibet (Lonchen Shatra). The goal was to settle the boundary between British India and Tibet on the one hand and between Tibet and China on the other. As a result of the conference, Shimla Agreement of 1914 was reached, which the Chinese representative initialed but only under British pressure. The Agreement divided Tibet into Inner and Outer Tibet. China was given sovereignty over Inner Tibet but only suzerain control over Outer Tibet. And the boundary between India and Tibet was demarcated, with the British retaining trading and extra-territorial rights in Outer Tibet.²

On the eve of its independence, India looked at Tibet as an independent country. There were several reasons for this, besides the Tibetan claims. While leaving Tibet in 1949, both the nationalist Chinese Representative and the British Counsel-General in Lhasa had acknowledged in their parting submissions that Tibet enjoyed effective independence. (Muni, 2009) Not only this, Mao Tse-tung had stated that he owed to Tibet "our only foreign debt and someday we must pay the Tibetans for the provisions we received from them." This was to recognise the Tibetan assistance in food and shelter offered to Mao and his revolutionary cadres during the Long March. (Muni, 2009) During the Second World War, Tibet had maintained a sort of neutrality and did not allow the use of its territory by the allied forces to assist China, though, after the allied victory in the war, Tibet promptly sent envoys to the United States, the United Kingdom, and China to felicitate them.

India and the Tibetan Peaceful Struggle for Autonomy...

Independent India inherited the British policy on Tibet, which considers it as a buffer zone with de facto independent status under Chinese suzerainty. Accordingly, on the eve of independence, Prime Minister Jawaharlal Nehru invited Tibet as an independent participant in the Asian Relations Conference in New Delhi in March 1947. The Chinese delegation protested against the flying of the Tibetan flag at the conference venue, and in the Prime Minister's first gesture of accommodation of the Chinese on Tibet, the Tibetan flag was removed. However, he continued to refer to Tibet as an independent country, equating it to Nepal, Afghanistan, Sri Lanka and Myanmar. (Conference, 1947) On gaining independence, the Indian government wrote letters to all those governments with which it has had treaty relations. A similar letter was sent to Tibet as well, stating:

The Government of India would be glad to have an assurance that it is the intention of the Tibetan government to continue relations on the existing basis until new arrangements are reached that either party may wish to take up. This is the procedure adopted by all other countries with which India has inherited Treaty relations from His Majesty's Government. (Muni, 2009)

The Chinese, however, took a strong exception to India's approach and extended arguments against Tibet's independence.

A marked change in India's stand on Tibet was visible in a position paper prepared in the Ministry of External Affairs in India; it was underlined that India could not afford to "prejudice her relations with so important a power as China by aggressive support for unqualified Tibetan independence." (Muni, 2009) Similarly, India also did not endorse Tibet's attempt to raise the question of Chinese military intervention at the UN General Assembly. The Tibetan Government appealed to the United Nations for its intervention through a letter to the Secretary-General on November 7, 1950, when the People's Liberation Army (PLA) entered into Tibet.

Though there is a little hope that a national 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 happens. (Document, 1999)

Subsequently, on 17 Nov 1950, El Salvador formally under the US initiative took a step to bring the Chinese aggression against Tibet to the notice of the UN General Assembly and asked to include the Chinese aggression against Tibet on its agenda. However, the matter was not

taken up by the UN for discussion at the suggestion of the Indian delegation. The Indian delegation asserted that a peaceful solution that is mutually advantageous to Tibet, India, and China could be reached between the parties concerned. India also maintained that the Tibetan autonomy would be safeguarded which Tibet had enjoyed for several decades while maintaining its historic association with China. (Bhatt, 1999) India's appeasement policy towards China had once again reflected in the UN when the Tibetan issue was discussed.

Again, the then Prime Minister of India, Jawaharlal Nehru ignored the strategic implication of Chinese control over Tibet for India, though the Deputy Prime Minister, Sardar Vallabhbhai Patel, who in his letter of 7 November 1950 to Prime Minister Jawaharlal Nehru, cautioned him about the appeasement policy of India towards China on the Tibetan issue. The main points raised in the letter are:

1. The Chinese Government has tried to delude us by professions of peaceful intention.
2. The final action of the Chinese, in my judgment is little short of perfidy. The tragedy of it is that the Tibetans put faith in us; they chose to be guided by us, and we have been unable to get them out of the meshes of Chinese diplomacy or Chinese malevolence.
3. Even though we regard ourselves as friends of China, the Chinese do not regard us as their friends.
4. We have to consider what new situation now faces us as a result of the disappearance of Tibet, as we knew it, and the expansion of China almost up to our gates.
5. We can, therefore safely assume that very soon they will disown all the stipulations which Tibet had entered into with us in the past.
6. That throws into a melting pot all frontier and commercial settlements with Tibet on which we have been functioning and acting during the last half a century.
7. While our Western and North-Western threat to security is still as prominent as before, a new threat has developed from the North and the North-East. Thus, for the first time, after centuries, India's defence has to concentrate on two fronts simultaneously. (L, 2001)

Similarly, another Indian leader, B. R. Ambedkar, stated, "By letting China take control over Lhasa (the Tibetan capital), the Prime Minister has, in a way, helped the Chinese to bring their armies on the Indian

borders." Prime Minister Jawaharlal Nehru's other political associates such as Jayaprakash Narayan also disagreed with him for his soft approach towards China on Tibet (Muni, 2009)

India appears to have decided in favour of the British formula of accepting "Tibetan autonomy under Chinese suzerainty." This again appears to have formed the basis of the Panchsheel Agreement³ between China and India in April 1954. As a part of this agreement, India withdrew its "military escorts stationed at Yatung and Gyantse in the Tibet region of China." Other Indian facilities in Tibet such as the post, telegraph, and public telephone services were also handed over to China. Indian trade agencies and facilities for the pilgrimage continued to operate in Tibet but they came under strict Chinese control.

It appears that the Panchsheel Agreement sacrificed Tibet's historical status of a tributary state with full autonomy in its domestic matters at the altar of the Sino-Indian friendship. The People's Republic of China (PRC) could establish its full legal claims over Tibet only after Jawaharlal Nehru recognized Tibet as a part of China in 1954 as per the Panchsheel agreement. Subsequently, China began to make a formal claim on territory along the Indo-Tibetan border using the provisions of the 1954 treaty as its rationale. China's claims are primarily based on Tibetan and not Chinese documents which could only be valid if India recognized Tibet as part of China.

In the post-1949 period, when the PRC came into being, India had urged China to let Tibet continue as an autonomous region in line with its historical status, religious, cultural, and political identity. However, the entry of the People Liberation Army in 1950-51 into Tibet ended its independent status and eventually brought to the fore the India-China border issue. Of the 3488 kms long Indian border with China, the eastern and middle sectors in Arunachal Pradesh, Uttar Pradesh, and Himachal Pradesh, lie along with Tibet, and the only border in Ladakh touches Xinxiang province of PRC. So, two-third of India's border problem is with Tibet and only one-third with China. (Bhatt, 1999)

In the beginning, India's position on Tibet was based on recognizing it as an independent nation. Tibet represented itself as an independent country at the Asian Relations Conference held in New Delhi in March 1947. However, India subsequently gave up this position on 29th April 1954, when it signed an agreement with China on trade and intercourse between India and Tibet. Under the terms of the agreement, India gave up all extra-territorial rights and privileges that it had inherited from Britain and recognized Tibet as part of China. This appeasement policy,

in effect, was a unilateral concession without the Indian government gaining anything in return.

India's Response towards the Tibetan Right to Self-determination

Independent India was not very sympathetic to the Tibetan demand for independence. However, when the PLA entered Tibet, India did not hesitate to deplore China's invasion of Tibet. In a note dated October 26, 1950, the Ministry of External Affairs, Government of India, told the Chinese foreign office how it looked at the event:

In the context of world events, invasion by Chinese troops of Tibet cannot but be regarded as deplorable and in the considered judgment of the Government of India, not in the interest of China or peace. (L, 2001)

This statement clearly shows India's stand on the Tibetan issue in the initial period. Again, when the PLA entered into Tibet, the Indian Prime Minister, Jawaharlal Nehru stated in the Indian Parliament on 7th December 1950:

It is not right for any country to talk about its sovereignty or suzerainty over an area outside its own immediate range. That is to say, since Tibet is not the same as China, it should ultimately be the wishes of the people of Tibet that should prevail and not any legal or constitutional arguments — the last voice in regard to Tibet should be the voice of the people of Tibet and of nobody else. (Nehru, 1961)

Jawaharlal Nehru's statement at the Indian Parliament was significant in many respects. It reflected India's stand on right of the people. It also manifests a clear understanding of the Tibetan question.

In the beginning, India had supported Tibet's claim for self-determination. However, a marked change in India's stand on self-determination was visible after the Indo - China bilateral agreement of 1954, known as Panchsheel. As per the agreement India had accepted China's claim on Tibet. Though India failed to provide any support to the Tibetans' right to self-determination when it had taken up at the UN General Assembly in 1958, India had provided political asylum to Dalai Lama and his followers in 1959.

The 1954 Panchsheel agreement between India and China was violated in 1962 when the Chinese troop invaded Indian territory. Even the Chinese attack did not deter India from supporting the PRC entry into

the UN.⁴ India had followed a policy of appeasement with regard to China and accepted China's claim on Tibet. The India - China border problem is embedded on the Tibetan issue as China had two-third of the border with India through Tibet, and India's border with Tibet was well-settled by Mc Mahon line. Thus, a solution to the Indo - China border problem also lies in the settlement of Tibetan claim for the right to self-determination.

In this context, the Dalai Lama's five-point peace plan for Tibet, known as the Strasbourg Proposal of June 1988 assumes great significance. The proposal called for the transformation of "the whole of Tibet, including the eastern provinces of Kham and Amdo," into a zone of peace and nonviolence. The establishment of a peace zone "would be in keeping with Tibet's historical role" as a "buffer state separating the continent's great powers." (Lama, 1988) Dalai Lama explained the relevance of the Strasbourg Proposal:

Historically, relations between China and India were never strained. It was only when Chinese armies marched into Tibet, creating for the first time a common border that tensions arose between the two powers, ultimately leading to the 1962 war. Since then, numerous dangerous incidents have continued to occur. A restoration of good relations between the world's two most populous countries would be greatly facilitated if they were separated-as they were throughout history-by a large and friendly buffer region. (Lama, 1988)

The proposal that Tibet should become a buffer region is almost identical to the Indian government's proposal for the demilitarization of Tibet, an idea India desired before independence. (Zhao, 1996) After independence, India advocated this idea until the 'liberation of Tibet' by the PLA in 1950. However, the Dalai Lama's call for the establishment of a peace zone or demilitarization of Tibet has failed to draw a positive response from the Chinese government, to which it was addressed. A demilitarized buffer zone along the Indo - China border would have brought peace to the region. It also would have accelerated the bilateral interaction between the two major Asian powers, India and China.

Conclusion

It appears that it was the appeasement policy towards China that prompted India to take the official stand of considering Tibet as an integral part of China and follow the 'One China' policy. However, the emerging international power structure, as well as the international movement towards democratic form of government and the protection

and promotion human rights initiated by international/regional organizations, nation-states and civil societies, demands formal support for the Tibetan right to self-determination from India, the largest democratic country in the world. India's strong political leadership, as well as the nuclear power status, also appears to be a supporting factor to play an assertive role in the Tibetan people's peaceful struggle for autonomy. India had played an assertive role in the protection and promotion of the right to self-determination of the Bangladesh people in 1971.

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Notes

- [1] Sir Francis Younghusband, *India and Tibet A History of the relation which have sustained between the two countries from the time of Warren Hasting to 1910 With a particular account of the mission to Lhasa of 1904*, Orient Publishers, Delhi, 1971 p 417
- [2] For details see Carole McGranahan, *Empire and the Status of Tibet: British, Chinese, and Tibetan Negotiations 1913-1914* in Alex Mckey, Ed. *The History of Tibet Modern Period 1895-1959*, Vol III, Routledge, Curzon London 2003 pp 267-295. Shimla Conference In 1913, the British convoked a conference at Shimla, India to discuss the issue of Tibet's status. The conference was attended by representatives of the British Empire, the newly founded Republic of China, and the Tibetan government at Lhasa. The British plenipotentiary, Sir Henry McMahon, introduced the plan of dividing Tibetan-inhabited areas into "inner Tibet" and "outer Tibet" and apply different policies. "Inner Tibet," includes Tibetan-inhabited areas in Qinghai, Gansu, Sichuan and Yunnan provinces, would be under the jurisdiction of the Chinese government. "Outer Tibet," covering approximately the same area as the modern "Tibet Autonomous Region" would enjoy autonomy, would be under the administration of the Tibet Government at Lhasa as well as the "suzerainty" of China, (A suzerain is a state which has certain authority over a dependent state). A boundary between Tibet and British India, later called the McMahon Line, was drawn on a map referred to in the treaty.
- [3] (i) Mutual respect for each other's territorial integrity and sovereignty; (ii) mutual non-aggression (iii) mutual non-interference in each other's internal affairs; (iv) equality and mutual benefit; and (v) peaceful co-existence.
- [4] In the wake of its full scale and wanton invasion of India in the early hours of October 20, 1962, Prime Minister Nehru said in a broadcast to his countrymen, "Perhaps there are not many instances in history where one country (that is, India) has gone out of her way to be friendly and cooperative with the Government and people of another country (that is, China) and to plead their cause in the councils of the world, and then that country returns evil for good". Quoted in L Mehrotra n 23 p 16