



**General Assembly
Human Rights Council
11th session**

**Item 6 : Universal periodic review
People's Republic of China**

Mr. President,

It is naturally with deep concern that we followed the first UPR of the People's Republic of China (PRC) as it concerns almost the quarter of the world's total population. Of course we acknowledge the improvement in terms of economic and social rights, but we can't ignore, on the 20th Anniversary of the Tiananmen manifestations, the poor implementation of the cultural, as well as the civil and political rights.

Mr. President,

As a general comment, we make this statement in reference on the recommendation made to the PRC by the distinguished delegation of New Zealand during the UPR of China which called for the resumption of dialogue between the Chinese Government and representatives of His Holiness the Dalai Lama.¹ We strongly regret that the Chinese Government decided not to accept this very important recommendation to help resolve the long-standing Sino-Tibetan conflict.

Mr. President, it has now been 30 years since direct contacts and talks between the two sides began in 1979 after the then Chinese leader Deng Xiaoping conveyed the position that "except independence all other issues can be settled through discussions".² Years later, this policy was repeated by the former Chinese premier Li Peng in an interview with Xinhua News Agency on 19 May, 1991.

The past eight rounds of talks began in 2002 after almost a decade of no direct contacts. However, the present impasse on substantive negotiations came about after the Chinese authorities totally rejected the "Memorandum on Genuine Autonomy for Tibetan People", within the framework of the Constitution of the People's Republic of China, a document that was requested from the Tibetan side by PRC in July 2007. This Memorandum has now become the first public document on the demands of the Tibetan side to achieve autonomy for the six million Tibetan people.

¹ New Zealand stated that it has been a consistent supporter of dialogue to achieve meaningful outcomes that address the interests of all communities in Tibet and it understands that China intends to resume this dialogue and recommended that (e) it do so while the United Kingdom urged that substantive dialogue take place between the Chinese authorities and representatives of the Dalai Lama.

² Gyalo Thondup reconfirms Deng Xiaoping's offer on Tibet talks:

<http://www.phayul.com/news/article.aspx?id=23254&article=Gyalo+Thondup+reconfirms+Deng+Xiaoping%E2%80%99s+offer+on+Tibet+talks>

Mr. President,

We believe resumption of dialogue between the two sides would be welcomed by the international community since such contacts and eventual negotiations could, with courage and compromise on both sides, result in a sustainable solution that satisfies both parties. However, the genuine commitment of the Chinese Government to this process as a tool for real progress for Tibet must be called into question when China holds a repeated position of the door being "open" for talks with the representatives of the Dalai Lama.

Another reality is the growing calls from both within and outside China for substantive dialogue on the Tibetan Issue:

- On 22 March, 30 Chinese scholars while issuing a statement on Tibet suggested: "We hold that we must eliminate animosity and bring about national reconciliation, not continue to increase divisions between nationalities. A country that wishes to avoid the partition of its territory must first avoid divisions among its nationalities. Therefore, we appeal to the leaders of our country to hold direct dialogue with the Dalai Lama.

- On 2 April, 2008 in a statement on behalf of The Elders by Desmond Tutu said: "That solution is offered by our friend and brother His Holiness the Dalai Lama, who has never sought separatism, and has always chosen a peaceful path. We strongly urge the Chinese government to seize the opportunity he provides for a meaningful dialogue. Once formed, this channel should remain open, active and productive. It should address issues that are at the heart of the tension, respecting the dignity of the Tibetan people and the integrity of China."³

- On 12 December 2008, United Nations Secretary-General Ban Ki-moon while urging dialogue on Tibet with representatives of His Holiness the Dalai Lama said that he hopes "the Chinese authorities will continue to resolve this issue through dialogue in a sincere manner, so all the concerns concerning Tibet will be resolved smoothly and harmoniously."

In conclusion, Mr. President,

We would like to recommend to the Chinese authorities to seriously engage with the Representatives of the Dalai Lama to further the Sino-Tibetan Dialogue as urged by the UN Secretary-General and give serious consideration to the recent Chinese think-tank report which urged the "introduction of laws and regulations as represented by ordinance in the Tibet Autonomous Region and other autonomous areas, to change the current status quo" by introducing lower laws in accordance with the Regional Ethnic Autonomy Law.

Thank you, Mr. President.

11th June 2009

3 Statement on Tibet from Desmond Tutu on Behalf of The Elders