



**Testimony of Richard Gere
Chairman of the Board of Directors
International Campaign for Tibet
before the
Tom Lantos Human Rights Commission**

July 14, 2015

Co-chairman McGovern and Co-chairman Pitts, and other Members of the Tom Lantos Human Rights Commission, thank you for holding this important hearing today, and for inviting me to speak on the human rights situation in Tibet.

I am here as the Chairman of the Board of Directors of the International Campaign for Tibet (or ICT for short), which, since 1988, has been working to promote human rights and democratic freedoms for the people of Tibet. I feel that it's particularly appropriate for the Tom Lantos Human Rights Commission to be holding this hearing today in light of Tom Lantos' steadfast commitment to Tibet, and his deep relationship with His Holiness the Dalai Lama.

It is with profound sadness that I give these remarks today. Tenzin Delek Rinpoche was one of the most highly respected and revered Tibetan lamas. He was a teacher to tens of thousands of Tibetan and Chinese students. Arrested in 2002, Rinpoche spent the last 13 years of his life serving a life sentence for crimes he did not commit. After being tried in a closed session on charges of "terrorism and inciting separatism" and without due process of law, the worst possible outcome has arrived. Rinpoche has died in prison, while in the custody of the Chinese government. This is a profound tragedy for Tibetans and Buddhists throughout the world. The death of Tenzin Delek Rinpoche is a tragic reminder of the injustices endured by Tibetans for exercising their right to religious freedom, and of the grim state of human rights in Tibet.

On July 6, His Holiness the Dalai Lama turned 80 – a birthday of particular import in Tibetan culture—as well as our own. As someone who has been involved in the Tibet cause for more than 30 years, I was deeply moved to see the outpouring of support, warm wishes, and reverence for the Dalai Lama expressed by people all over the world on this important occasion.

Most poignantly, Tibetans across the Tibetan plateau – adults and children – have defied bans on celebrations of the Dalai Lama's birthday and have both publicly and privately celebrated his 80th birthday, in what is arguably the most significant collective assertion of Tibetan solidarity, cultural identity and reverence for His Holiness since protests swept across Tibet in March

2008.¹ The courage and devotion required for such acts was on full display in many of the photos that have circulated online; one image that particularly resonated with me is of a well-known young Tibetan author, recently released from prison, who posted a photo of himself on social media wearing a t-shirt conveying a happy birthday message for his Holiness.

Change *will* come to Tibet; it's not a matter of if, but when. It may take time, but we need to act. As the Dalai Lama has said, change can only take place through action. We each have a role to play, and we must act now and consistently.²

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I was asked to speak today on behalf of the International Campaign for Tibet on the human rights situation in Tibet. Given time constraints, let me begin by stating simply: The tragic human rights situation in Tibet continues to deteriorate. The death of Tenzin Delek Rinpoche while being arbitrarily detained in a Chinese prison for the last 13 years is but the latest, egregious example. Chinese government and Communist Party leaders persist in their repressive policies in Tibet, which deny Tibetans fundamental rights that the Chinese government is obligated to protect under the Universal Declaration of Human Rights and the many international human rights treaties it has ratified as well as the P.R.C's own constitution. China's constitution and other national laws purport to guarantee rights to freedom of religion, expression, movement, and cultural and linguistic identity. But in Tibet, (as ICT's recent research and reports document), such rights not only are not protected, but when Tibetans attempt to exercise these freedoms, the consequences can be grave: long prison sentences following conviction on vague criminal charges, disappearances,³ and torture,⁴ which can be so severe that badly injured Tibetans are often released from detention "early" so that they will die outside of official custody.⁵ Tenzin Delek Rinpoche died in custody, however, and now Chinese officials are refusing to release his body to his family and community.⁶

¹ International Campaign for Tibet, "Dalai Lama's 80th birthday celebrated in Tibet despite Chinese clampdown," June 29, 2015, <http://www.savetibet.org/dalai-lamas-80th-birthday-celebrated-in-tibet-despite-chinese-clampdown/>.

² Daniel Goleman, *A Force for Good: The Dalai Lama's Vision for Our World*, Bantam Books (2015), at 20.

³ International Campaign for Tibet, "Tibetan survivors of self-immolation: repression and disappearance, March 19, 2015, <http://www.savetibet.org/newsroom/tibetan-survivors-of-self-immolation-repression-and-disappearance/>.

⁴ See, e.g., Golog Jigme, Statement at "Lockdown in Tibet" panel at UN in Geneva, June 15, 2015, <http://www.savetibet.org/golog-jigme-statement-at-lockdown-in-tibet-panel-at-un-in-geneva/>; International Campaign for Tibet, "The teeth of the storm: lack of freedom of expression and cultural resilience in Tibet," June 14, 2015, <http://www.savetibet.org/the-teeth-of-the-storm-new-report-documents-dangers-for-free-expression-of-tibetans-and-resilience-of-a-new-generation/>.

⁵ International Campaign for Tibet Special Report, "Torture and impunity: 29 cases of Tibetan political prisoners (2008-2014)," February 26, 2015, <http://www.savetibet.org/torture-and-impunity-29-cases-of-tibetan-political-prisoners/>.

⁶ International Campaign for Tibet, "Death in prison of revered Tibetan religious leader: armed forces deployed as Tibetans express their grief," July 13, 2015, <http://www.savetibet.org/death-in-prison-of-revered-tibetan-religious-leader-armed-forces-deployed-as-tibetans-express-their-grief/>.

Since 2009, more than 140 Tibetans have self-immolated, most protesting Chinese policies in Tibet and calling for a return of the Dalai Lama. ICT has reported on local regulations and policy guidelines that have the effect of criminalizing virtually any expression of religious or cultural identity as “separatist” or of “the Dalai Clique.”⁷ In addition, family members, associates, and community members of self-immolators may also be subject to criminal charges or other penalties—a form of collective punishment that contravenes both Chinese law and international human rights standards.⁸ The opaque language in the PRC National Security Law, passed by the National People’s Congress Standing Committee on July 1, will only make things worse for Tibetans who seek to exercise their fundamental rights of religious freedom, expression and freedom of assembly and association.⁹ Two other draft laws, the counter-terrorism law and the foreign NGO management law, which are in the final stages of the legislative process, will mean even more repression and human rights abuses, and even less space for Tibetans to assert their cultural, religious, and linguistic identity.¹⁰

Access to Tibet is severely restricted, which makes researching and reporting on human rights, religious freedom and religious teachings, as well as other issues in Tibet, extremely challenging. Access restrictions dramatically limit information flows in both directions. As ICT, the U.S. State Department and others have reported—in contravention of the foundational principle of reciprocity in diplomatic relations—the Chinese government strictly limits access to Tibet for foreign diplomats, journalists, and citizens. A special permit is needed to travel to Tibet, and requests to visit are routinely denied. The most recent State Department Human Rights Report on China, including Tibet, notes that in 2014, 12 requests for diplomatic access to the Tibet Autonomous Region were made by the U.S. government, but none was granted. The Chinese government also restricts foreign journalists’ access to Tibet, and in the rare event a request to visit is granted, the journalists’ movements and interactions on the ground are tightly controlled and monitored. The virtual lockdown of Tibet prompted Co-chair McGovern to introduce for himself and Co-chair Pitts, and several other representatives, the Reciprocal Access to Tibet Act of 2015 (H.R.1112), which provides, broadly speaking, that Chinese officials responsible for designing and implementing the Tibet-specific travel restrictions be denied visas to visit the U.S. as long as such travel restrictions are in place. I support this effort by Co-chairs McGovern and Pitts and urge the House to pass this bill as soon as possible.

⁷ International Campaign for Tibet, “Praying and lighting butter-lamps for Dalai Lama ‘illegal’: new regulations in Rebkong,” April 14, 2015. <http://www.savetibet.org/praying-and-lighting-butter-lamps-for-dalai-lama-illegal-new-regulations-in-rebkong/>

⁸ International Campaign for Tibet, “Acts of significant evil: The criminalization of Tibetan self-immolations,” August 2014. <http://www.savetibet.org/acts-of-significant-evil-2/>

⁹ National Security Law of the People’s Republic of China (unofficial English translation), ChinaLawTranslate, July 1, 2015, <http://chinalawtranslate.com/en/2015nsl/> International Campaign for Tibet, “Alarm at repressive new laws in China on counter-terror, security and NGOs,” June 3, 2015, <http://www.savetibet.org/alarm-at-repressive-new-laws-in-china-on-counter-terror-security-and-ngos/>.

¹⁰ International Campaign for Tibet, “Alarm at repressive new laws in China on counter-terror, security and NGOs,” June 3, 2015, <http://www.savetibet.org/alarm-at-repressive-new-laws-in-china-on-counter-terror-security-and-ngos/>; “ICT joins coalition of NGOs in urging the U.S. to raise human rights concerns in upcoming U.S.-China Strategic and Economic Dialogue,” June 17, 2015, <http://www.savetibet.org/tag/us-china-strategic-and-economic-dialogue/>

It's not just that Americans and other foreigners can't get into Tibet; more critically, Tibetans can't get out, nor can they move freely within Tibet. Such restrictions on movement and travel, both domestically and internationally, violate Chinese law and international human rights standards. Yesterday, the International Campaign for Tibet and Human Rights Watch issued two reports on the Chinese government's widespread denial of passports to Tibetans — a result of discriminatory and repressive Chinese policies — which among other things, hinder Tibetan Buddhists' right to practice and study their religion, and, indeed, threaten the very survival of Tibetan Buddhist teachings, which are based on oral transmission.¹¹ The intensification of the policy denying passports to Tibetans has coincided with a sharp drop in the number of Tibetans who have appeared at major teachings given by the Dalai Lama in India. In July 2014, for the first time ever, there were fewer Tibetans from inside Tibet present at His Holiness' Kalachakra teaching in Ladakh, India, than Chinese Buddhists (from China, Taiwan, and elsewhere).

In 2012, a group of young Tibetans from inside Tibet wrote ICT a letter conveying how happy they were to learn that His Holiness was giving teachings and helping people all over the world. They continued: "But today a foreign monk has a better chance of receiving the teachings of our land than we do. Until our generation, Buddhism has thrived here, giving a strong sense of moral value, of compassion. We are the first generation to have no direct access to His Holiness' teachings, or opportunity for a complete religious education."¹²

An alarming example of the Chinese government's violation of the right to religious freedom in Tibet is the government's insistence that only it has decision-making authority over the reincarnation of the Dalai Lama, or even if he will reincarnate. This assertion not only contravenes the longstanding practice of Tibetan Buddhist religious traditions and the Dalai Lama's own instructions and reflections about his reincarnation, but also common sense. It is up to His Holiness to decide if, where and how he incarnates, and the Chinese Party-state has absolutely no right or authority to interfere. The official Chinese position is farcical.

Tibet matters: its culture, religion, history, language, environment; they all matter and we must do what we can, now, to protect and preserve them. The U.S. Congress has played a critical role in highlighting the issues facing Tibetans in China, and in crafting U.S. policy toward Tibet. The Tibetan Policy Act of 2002, whose purpose is to "support the aspirations of the Tibetan people to safeguard their distinct identity," established the position of the Special Coordinator for Tibetan Issues in the State Department, and institutionalized mechanisms for ensuring that Tibet and concern for the Tibetan people's struggle would be embedded in U.S. government policies and programs.

¹¹ International Campaign for Tibet, "A policy alienating Tibetans' – the denial of passports to Tibetans as China intensifies control," July 13, 2015.

¹² International Campaign for Tibet, "Storm in the Grasslands: Self-immolations in Tibet and Chinese policy," December 10, 2012, at 45. <http://www.savetibet.org/storm-in-the-grasslands-self-immolations-in-tibet-and-chinese-policy/>.

Congress has consistently shown support for Tibet and programs supporting Tibetans, and I've seen firsthand the positive impact such aid has had for overburdened Tibetan refugee settlements, and know how meaningful other assistance is that supports preservation of Tibetan cultural and linguistic traditions. Having spent long periods in the field in India and Nepal with Tibetan exiles, I was heartened to learn that Representatives Jim Sensenbrenner and Zoe Lofgren recently reintroduced the Tibetan Refugee Assistance Act of 2015 (H.R.2679), which would provide 3,000 immigrant visas to qualified displaced Tibetans over a three-year period. The bill would support the well-being of the Tibetan exile community as they strive to find a peaceful solution for Tibet, help the overburdened settlements in India and Nepal, and would give displaced Tibetans the opportunity to flourish as Tibetan-Americans, empowering new generations of Tibetan leaders.

Congressional funding for the Tibetan language services of Radio Free Asia (RFA) and Voice of America (VOA) have been instrumental in ensuring that independent news is available on the Tibetan plateau on a daily basis, and it serves to amplify what is happening here, in Washington, to those whom it most directly affects: Tibetans in Tibet. For example, Tibetan services of RFA and VOA reported on the recent introduction of two resolutions, one in the House and one in the Senate, honoring his Holiness on the occasion of his 80th birthday. And the Tibetan services are here today covering this hearing. Attention, concern, and action from the U.S. Congress and the Administration, as well as the broader international community, provide hope and encouragement to Tibetans in Tibet, and beyond.

ICT applauds the Defending Freedoms Project launched by the Tom Lantos Human Rights Commission, along with the U.S. Commission on International Religious Freedom and Amnesty International USA, which aims to heighten attention for political prisoners and human rights around the world by encouraging Members of Congress to adopt a prisoner of conscience. We are heartened that the Defending Freedoms Project list of prisoners includes, among others, Gedhun Choekyi Nyima, the 11th Panchen Lama, who was kidnapped by the Chinese government as a six-year old child, and who has been missing — in Chinese custody — since 1995,¹³ Kunchok Tsephel, founder of a Tibetan literary website, who in 2009 was sentenced to 15 years in prison in a closed trial on “disclosing state secrets” charges for what many believe was related to content on his website relating to the 2008 protests. Another political prisoner on the Defending Freedoms Project list I would like to draw your attention to is Lobsang Tsering, a monk from Kirti monastery, who was sentenced to death with a two-year reprieve in 2013 on “intentional homicide” charges for allegedly inciting several Tibetans to self-immolate. We hope Members will adopt these prisoners of conscience soon, and also highlight the case of Khenpo Kartse (Khenpo Karma Tsewang), who is also mentioned in H.Res.337. I had intended

¹³ International Campaign for Tibet, “China attempts to legitimize its Panchen Lama through a major speech as the real Panchen Lama’s birthday approaches,” April 21, 2015, <http://www.savetibet.org/china-attempts-to-legitimize-its-panchen-lama-through-a-major-speech-as-the-real-panchen-lamas-birthday-approaches/>.

to focus on the urgency of Tenzin Delek Rinpoche's case today, but instead, his tragic death reminds us that we must act *now* on behalf of all political prisoners in Tibet.

Congress has been a leading voice in recognizing His Holiness the Dalai Lama as a pivotal figure, not only for Tibetans, but for the world. In awarding the Dalai Lama the Congressional Gold Medal in 2007, then-Speaker Pelosi stated that Congress was honoring the Tibetan people and the Dalai Lama "for his many enduring and outstanding contributions to peace, nonviolence, human rights and religious understanding." These sentiments were echoed last month in a bipartisan resolution introduced by Senator Dianne Feinstein in the Senate (S.Res.200), and by Congressmen McGovern, Pitts, Engel and Salmon in a press statement accompanying the introduction of the bipartisan House Resolution (H.Res.337), which honors the Dalai Lama and calls for substantive dialogue between China and the representatives of the Dalai Lama to address Tibetan grievances and secure genuine autonomy for Tibet as guaranteed in the Chinese constitution.

The International Campaign for Tibet applauds the passage of the House and Senate resolutions honoring the Dalai Lama and addressing the situation in Tibet. Their passage sends a strong message of support to Tibetans inside Tibet, and in the diaspora —Nepal, India, the U.S. and elsewhere — that the U.S. Congress and American people, including Tibetan-Americans, care about Tibet and its future — its religion, culture, language, and the realization of democratic freedoms and human rights for its people.

Early last month, I had the opportunity to speak with a dozen or so bright young Tibetan-Americans who took part in ICT's annual Tibetan Youth Leadership Program, and I was struck by their passion for Tibet and His Holiness, and their identification as both Tibetan and American. They care deeply about Tibet and the tragedy facing Tibetans inside Tibet, and want to see Congress and the Administration act on the values that they also hold dear: promotion and protection of human rights and democratic freedoms. I feel profound sadness that many young Tibetan-Americans, and their parents and grandparents, are denied visas to China, foreclosing return to their homeland for the older generation, and preventing the younger generation from ever setting foot in Tibet.

Co-chairmen McGovern and Pitts, I would like to raise another issue that you touched on in H.Res.337 — a concern that has been central to His Holiness for decades: environmental degradation in Tibet. This is a particularly timely in light of the United Nations Climate Change Conference (COP21) in Paris this December, and Pope Francis' recent encyclical on climate change.¹⁴

¹⁴ "Climate Change, Wisdom and Experience," July 7, 2015, <http://www.dalailama.com/news/post/1295-climate-change-wisdom-and-experience>; "Dalai Lama tells Glastonbury of the need to speak out on climate change," The Guardian, June 28, 2015, <http://www.theguardian.com/music/2015/jun/28/dalai-lama-glastonbury-verdict-isis-unthinkable>.

As the source of Asia's major rivers, and with the biggest reserve of fresh water outside the Arctic and Antarctic, the Tibetan plateau is of great strategic significance for China, India and the region, as well as the whole world. The Tibetan plateau is warming nearly three times as fast as the rest of the globe. Climate change is causing Tibet's glaciers to melt and its permafrost to thaw, with enormous implications for the security and well-being of millions of people downstream.

China is now pursuing a number of dams and inter-river water transfer projects in Tibet which threaten to cause further damage to the plateau's ecosystem, and possible devastation in downstream communities. As the populations of South and Southeast Asia continue to grow, water scarcity will become more acute, which could lead to devastating conflicts between China and its neighbors over water resources.

The Dalai Lama's promotion of global interdependence and protection of the environment was one of the reasons that he was awarded the Nobel Peace Prize in 1989. It is the world's loss that, as a leader exiled from his country, the Dalai Lama cannot be at the table in Paris. But COP21 provides a vitally important opportunity for the U.S. government to take the lead in connecting the global battle against climate change with the significance of the Tibetan plateau and its water, and also in pressing the Chinese government to involve the Tibetan people in its strategies and decision-making to address climate change.

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As Leader Pelosi and I recently wrote in an op-ed published in the Wall Street Journal, the Dalai Lama "is a religious leader and a man whose message of peace and the universal values of love, compassion and respect has never mattered more." As many Chinese people seek a new understanding of Tibet, and turn to Tibetan Buddhism, there is a sense of a shared struggle for freedom among Tibetans and Chinese—a desire to be free from the constraints of an authoritarian state. We urge China to adopt the compassionate leadership embodied by His Holiness' vision, which would lead to a more stable and genuinely secure China.

The profound connection between His Holiness and the people of Tibet, as evidenced most recently by the 80th birthday celebrations in Tibet despite the serious risks involved, is unshakeable. With his steadfast commitment to nonviolence, and the depth of Tibetans' reverence for him, the Dalai Lama is the one individual who can ensure implementation of a peaceful resolution to the crisis in Tibet. The Chinese government must immediately stop vilifying the Dalai Lama, and instead view him correctly, as an essential partner in dialogue for resolving Tibetan grievances and establishing genuine autonomy within the People's Republic of China under his Middle Way approach. Security and stability is in the balance — not just in Tibet and China — but also in the region, given Tibet's key geopolitical position, and the environmental issues that are also affecting neighboring countries. I urge Congress and the Administration to take advantage of every opportunity, such as Xi Jinping's visit to Washington

this September, and the COP21 in Paris in December, and in other multilateral fora, to continue to press China to change its failed policies in Tibet, and to hold a meaningful dialogue with the Dalai Lama or his representatives.

As the United States is the only country in which support for Tibet is embedded in policy, we ask Congress to press the Administration to take the lead among like-minded countries in stressing to the Chinese government that its policies in Tibet are not untouchable “internal affairs” or otherwise off-limits as a self-proclaimed “core interest.” Chinese policy in Tibet must be viewed, and challenged, as a litmus test—an emergent paradigm for how China will manage a new global order that it hopes to establish. The U.S. has a unique leadership role to play, not only because of the existence of the Tibetan Policy Act and its mandates, but also in light of “the unwavering friendship between the people of the United States and the people of Tibet,” as H.Res.337 so aptly puts it.

Co-chairmen McGovern and Pitts, and other Members of the Tom Lantos Human Rights Commission, thank you again for holding this hearing, and for inviting me to speak. I look forward to your questions.

RECOMMENDATIONS:

- There are concrete actions that Congress can take now to effect change in Tibet and improve the human rights situations for Tibetans. We urge Members of Congress to call on the Chinese government to return the body of Tenzin Delek Rinpoche to his family and monastic community, and to act with restraint towards Tibetans seeking to express their grief. We further urge Members to make public statements expressing their concern about the death of Tenzin Delek Rinpoche, and call for an independent investigation of the cause of his death.
- ICT urges Members of the House to immediately adopt the remaining Tibetan political prisoners on the Defending Freedoms Project list, which include the 11th Panchen Lama, Kunchok Tsephel, and Lobsang Tsering, and make best efforts to call attention to their cases, and press the Chinese government for their immediate and unconditional release.
- To highlight and address the restrictions on access to Tibet, ICT encourages Members of Congress to request to visit Tibet, and for the House to pass the Reciprocal Access to Tibet Act (H.R.1112). ICT also supports continued efforts by the U.S. government to establish a consulate in Lhasa.
- We further urge the House to pass the Tibetan Refugee Assistance Act of 2015 (H.R.2679).

- ICT also encourages Congress to press the U.S. government to raise Tibetan human rights issues at every opportunity when meeting with Chinese government counterparts, such as at high-level bilateral dialogues, multilateral meetings, and state visits, including the upcoming visit by Xi Jinping to the U.S. in September, and the United Nations Climate Change Conference (COP21) in Paris in December. We recommend that when members of Congress go to the P.R.C., or meet Chinese officials elsewhere, they seek to actively engage with Chinese Communist Party representatives on issues of Tibet's future, and to raise specific cases of political prisoners. We further echo the recommendation made in H.Res.337 calling on the U.S. Government to emphasize in meetings with Chinese counterparts that government interference in the Tibetan reincarnation process is a violation of the right to religious freedom.
- Given the significance of the Tibetan plateau as an epicenter of global climate change, we encourage Congress to press the U.S. government to take the lead in connecting the global battle against climate change with the significance of the Tibetan plateau and its water, and for the Chinese government to involve the Tibetan people in its strategies to address climate change.
- To advance the protection of human rights in Tibet and hold Chinese human rights abusers accountable, ICT recommends that Congress pass the Global Magnitsky Human Rights Accountability Act (S.284/H.R.624).