

THE RIGHT TO DEVELOPMENT ON THE TIBETAN PLATEAU

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Despite China's increasing prosperity, poverty continues to plague the majority of Tibetans living under its authority. According to the UN Development Program, Tibet is the poorest and least developed region of China with a human development index of only 0.39 placing it within the bottom 12 of a list of the world's 49 officially recognized "least developed countries", between Rwanda and Mali. This compares with China's HDI currently listed by the UNDP as .718 and belies claims that economic development and poverty alleviation programs on the plateau have produced significant results for the Tibetan people.

This disparity between Tibet and China is reflected between Tibetan and Chinese populations living within Tibet itself. Financial incentives for Chinese workers and entrepreneurs have encouraged increased in-migration to Tibet, while political repression and discriminatory social and fiscal policies have entrenched a two-class economic and social system based primarily on race. In China's reformed economy, the Tibetan people have very few alternatives and little hope.

China's Western Development Strategy: Stability through Developmentⁱ

It was in this context that on June 17, 1999, while addressing the National Forum on the Reform of State-owned Enterprises, Chinese President Jiang Zemin first announced a vague new program entitled China's "Western Development Strategy" (WDS), describing it as a means to "strengthen national unity, safeguard social stability and consolidate border defence". Western governments and the private sector were quick to jump on the program, which framed its objectives within an attractive discourse of modernization and reform. For Tibetans, however, the WDS meant something quite different. It threatened further political repression, economic marginalization and the exploitation of Tibet's natural resources.

China's western region comprises 23 % of its population and 56 percent of its land area, including the Tibet, Xinjiang (East Turkestan) and Ningxia Hui Autonomous Regions, Qinghai, Gansu, Sichuan, Yunnan, Shaanxi and Guizhou provinces and Chongqing municipality. To be successful, the WDS requires an ambitious plan of infrastructure development and foreign investment. Having had little past success with international development assistance projects in Tibet (during the 1990's, the World Food Program, the European Union and World Bank each cancelled proposed projects due to human rights concerns and charges of mismanagement and corruption), China has renewed efforts to attract private foreign investment in light of its new accountability as member of the World Trade Organisation (WTO). In October 2000, Tibet's Department of Foreign Trade and Economic Cooperation hosted an international trade fair in Hong Kong specifically to encourage foreign investment in Tibet. The fair offered over 100 projects in a variety of sectors, including transportation, energy, mining, agriculture, military/defence, environmental services, health services and education.

Protecting the Right to Development in Tibet

In its *Declaration on the Right to Development*, the United Nations re-affirmed the importance of the right to self-determination as an underlying principle of development (art.8). The right to self-determination is protected by law in both the *International Covenant on Civil and Political Rights* and the *International Covenant on Economic, Social and Cultural Rights*, which state that “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” (art.1)ⁱⁱ. Article 5 of the *Declaration on the Right to Development* preconditions development on the elimination of human rights violations resulting from racial discrimination, foreign domination or occupation.

With foreign capital set to stake a claim in Tibet in spite of its political situation, the Tibetan Government in Exile has issued a series of guidelines aimed at making the best of a bad situation. These *Guidelines for International Development Projects and Sustainable Development in Tibet* (the full text is available at <http://www.tibet.com/aidTibet.html>) set out basic principles for ethical investment in Tibet in an effort to protect the Tibetan culture, promote rural development, secure land rights, and encourage Tibetan participation in the local economy. Specific recommendations encourage hiring of Tibetans in management positions; provision of loans and credit to Tibetan entrepreneurs; use of Tibetan language for public and educational documentation; skill training and other forms of technical assistance. The *Guidelines* also provide sector-specific criteria for ethical investment including in areas prioritized by the WDS. These include agriculture, energy, environmental services, healthcare and education.

China’s Investment Guidelines violate human rights in Tibet

In conjunction with the 2000 Hong Kong trade fair, the Government of the Tibet Autonomous Region published its own set of recommendations, entitled *Guidelines for Investment in Tibet* (Xu Minyang, ed). These guidelines are preoccupied with incentives for investment and contain no protection for local people or their culture. Instead they set out the range and limitations of preferential policies for foreign investment in Tibet. China’s guidelines for investors in Tibet include land give-aways that violate a number of human rights principles. Perhaps most significant among these is article 1.2 of both the *International Covenant on Economic, Social and Cultural Rights* and the *International Covenant on Civil and Political Rights*, which states that

“All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.”

Among the preferential policies described in China’s *Guidelines* are:

- special provisions for investors in Ngachu (a key stop on the controversial Golmud-Lhasa rail line) including the use of local “farmland, forests, grasslands”;

- first priority authorization to develop land and underground resources for those investors involved in construction of railways or rail stations;
- “free funds” to purchase land at 50% of its value with associated fees waived for high-tech and infrastructure investors;
- fee waivers for investment above USD 10 million;
- special treatment of investor requests for long-term or resident visa applications;
- exemption of income and operating taxes for projects such as infrastructure, transportation and energy development.

The Golmud-Lhasa Railway

A secret report written in the 1970's by the US Central Intelligence Agency and released in 1993, *The Integration of Tibet: China Progress and Problems*, cited the lack of a railway as the primary reason why Beijing had so far failed to fully assimilate Tibet into China. As part of China's WDS program for Tibet, that railway is now becoming a reality.

The railway from Golmud in Amdo (Qinghai) province to Lhasa was originally conceived during the 1950's but its three primary purposes have not changed. First it will facilitate the movement of military troops. Second, it will facilitate the in-migration of ever-increasing numbers of Chinese entrepreneurs and workers taking advantage of the various incentives outlined above and further marginalizing the Tibetan people. Third it will provide the means to export Tibet's natural heritage - its resource riches - to the industrialised eastern regions of China.

The *China Peoples Daily* reported on March 7, 2001 that the Government of China is “technically and financially capable” of constructing the railway without foreign assistance despite the special needs associated with building rail over permafrost. Nevertheless, observers have pointed out that building and operating the railway in Tibet will require skills, technology and equipment in related project areas such as control systems, communications and signalling systems, mechanized maintenance of tracks, urban planning, engineering and environmental impact assessment services. Most of these are likely to require foreign involvement.

Development of Tibet's Oil and Gas Reserves

The China National Petroleum Corporation (CNPC), already notorious for its partnership with Talisman in Sudan, has begun construction of a controversial gas pipeline originating in Tibet's Tsaidam Basin. Each year, the pipeline will move 3 –5 billion cubic meters of gas 2500 km from Sebei in eastern Tibet to Lanzhou in Gansu province. Tsaidam's estimated reserves could supply China's current gas needs for up to seven years.

The Tibetan Government in Exile has voiced strong concerns about the project, warning that it threatens the delicate ecosystems in the region and will deplete local resources for the sole benefit of China's industrialized but energy-starved eastern regions. As a state-owned monopoly, the CNPC holds exclusive rights to all of Tibet's oil and gas in what Tibetans say amounts to appropriation of their natural heritage.

Despite such problems, western corporations have poured billions of dollars into China's oil sector. BP/Amoco and the Italian company, Agip, have been targeted by a coalition of non-governmental organizations for their participation in CNPC's plans for the Tibet pipeline while Canadian groups have pointed to CIDA, which has provided the CNPC an astounding \$29 million in public funds for provision of "training and practical demonstration in such specialized fields as natural gas and oil exploration and development... pipeline and transportation technology, environmental protection and management and enhanced oil recovery"ⁱⁱⁱ.

Conclusion

China's WDS and its recent WTO accession have opened Tibet's fragile economy to the world. The Tibetan people did not participate in these two processes that now form the framework for Tibet's development. While increased foreign presence in Tibet could be a positive force for change, there is little evidence that western governments or transnational corporations have considered the human rights implications of their involvement in the restive region. Will economic reform result in democracy and human rights for the Tibetan people? Or will it facilitate the violation of their rights and become China's final solution for its Tibetan problem? Unless a rights-based development strategy forms the base of economic and social policy in Tibet, the Tibetan people stand to gain little from China's new reforms.

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ⁱ For an excellent review of China's western development strategy, see *China's Great Leap West*, Tibet Information Network, UK, 2000, www.tibetinfo.net. See also Government of Canada descriptor at www.dfait-maeci.gc.ca/china/business/westerndev-e.asp

ⁱⁱ The United Nations General Assembly has passed three resolutions supporting Tibet, citing various violations to the fundamental rights of the Tibetan people, including their right to self-determination. China ratified the International Covenant on Economic, Social and Cultural Rights in 2001.

ⁱⁱⁱ http://www.acdi-cida.gc.ca/cida_ind.nsf/eff12ba4cbb097c1852566ce00644c8a/b91cbf7836f58e368525676800564ac5?OpenDocument#For%20more%20about