

Promoting a Resolution to the Tibet-China Dispute Act

[Public Law 118–70]

[This law has not been amended]

【Currency: This publication is a compilation of the text of Public Law 118–70. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To amend the Tibetan Policy Act of 2002 to modify certain provisions of that Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. [22 U.S.C. 6901 note] SHORT TITLE.

This Act may be cited as the “Promoting a Resolution to the Tibet-China Dispute Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) It has been the long-standing policy of the United States to encourage meaningful and direct dialogue between representatives of the People’s Republic of China and the Dalai Lama, his or her representatives, or democratically elected leaders of the Tibetan community, without preconditions, to seek a settlement that resolves differences.

(2) Nine rounds of dialogue held between 2002 and 2010 between the People’s Republic of China authorities and the 14th Dalai Lama’s representatives failed to produce a settlement that resolved differences, and the two sides have held no formal dialogue since January 2010.

(3) An obstacle to further dialogue is that the Government of the People’s Republic of China continues to impose conditions on substantive dialogue with the Dalai Lama, including a demand that he say that Tibet has been part of China since ancient times, which the Dalai Lama has refused to do because it is inaccurate.

(4) Article 1 of the International Covenant on Civil and Political Rights and Article 1 of the International Covenant on Economic, Social and Cultural Rights provide, “All peoples have the right of self-determination. By virtue of that right

they freely determine their political status and freely pursue their economic, social and cultural development.”.

(5) The United States Government has never taken the position that Tibet was a part of China since ancient times.

(6) China signed the International Covenant on Civil and Political Rights on October 5, 1998, and ratified the International Covenant on Economic, Social and Cultural Rights on March 27, 2001.

(7) Under international law, including United Nations General Assembly Resolution 2625, the right to self-determination is the right of a people to determine its own destiny and the exercise of this right can result in a variety of outcomes ranging from independence, federation, protection, some form of autonomy, or full integration within a State.

(8) United Nations General Assembly Resolution 1723, adopted on December 20, 1961, called for the “cessation of practices which deprive the Tibetan people of their fundamental human rights and freedoms, including their right to self-determination”.

(9) Secretary of State Antony Blinken, in a May 26, 2022, speech entitled “The Administration’s Approach to the People’s Republic of China”, said that the rules-based international order’s “founding documents include the UN Charter and the Universal Declaration of Human Rights, which enshrined concepts like self-determination, sovereignty, the peaceful settlement of disputes. These are not Western constructs. They are reflections of the world’s shared aspirations.”.

(10) The Tibetan Policy Act of 2002 (22 U.S.C. 6901 note), as amended by the Tibetan Policy and Support Act of 2020 (subtitle E of title III of division FF of Public Law 116-260), in directing the United States Government “to promote the human rights and distinct religious, cultural, linguistic, and historical identity of the Tibetan people” acknowledges that the Tibetan people possess a distinct religious, cultural, linguistic, and historical identity.

(11) Department of State reports on human rights and religious freedom have consistently documented systematic repression by the authorities of the People’s Republic of China against Tibetans as well as acts of defiance and resistance by Tibetan people against the People’s Republic of China policies.

(12) The Tibetan Policy Act of 2002 (22 U.S.C. 6901 note) specifies that the central objective of the United States Special Coordinator for Tibetan Issues is to promote substantive dialogue between the Government of the People’s Republic of China and the Dalai Lama, his or her representatives, or democratically elected leaders of the Tibetan community.

SEC. 3. [22 U.S.C. 6901 note] STATEMENT OF POLICY.

It is the policy of the United States—

(1) that the Tibetan people are a people with a distinct religious, cultural, linguistic, and historical identity;

(2) that the dispute between Tibet and the People’s Republic of China must be resolved in accordance with international

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law, including the United Nations Charter, by peaceful means, through dialogue without preconditions;

(3) that the People's Republic of China should cease its propagation of disinformation about the history of Tibet, the Tibetan people, and Tibetan institutions, including that of the Dalai Lama;

(4) to encourage the People's Republic of China to ratify the International Covenant on Civil and Political Rights and uphold all its commitments under the International Covenant on Economic, Social and Cultural Rights; and

(5) in accordance with the Tibetan Policy and Support Act of 2020—

(A) to promote substantive dialogue without pre-conditions, between the Government of the People's Republic of China and the Dalai Lama, his or her representatives, or democratically elected leaders of the Tibetan community, or explore activities to improve prospects for dialogue, that leads to a negotiated agreement on Tibet;

(B) to coordinate with other governments in multilateral efforts towards the goal of a negotiated agreement on Tibet; and

(C) to encourage the Government of the People's Republic of China to address the aspirations of the Tibetan people with regard to their distinct historical, cultural, religious, and linguistic identity.

SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) claims made by officials of the People's Republic of China and the Chinese Communist Party that Tibet has been a part of China since ancient times are historically inaccurate;

(2) the current policies of the People's Republic of China are systematically suppressing the ability of the Tibetan people to preserve their religion, culture, language, history, way of life, and environment;

(3) the Government of the People's Republic of China is failing to meet the expectations of the United States to engage in meaningful dialogue with the Dalai Lama or his representatives or to reach a negotiated resolution that includes the aspirations of the Tibetan people; and

(4) United States public diplomacy efforts should counter disinformation about Tibet from the Government of the People's Republic of China and the Chinese Communist Party, including disinformation about the history of Tibet, the Tibetan people, and Tibetan institutions, including that of the Dalai Lama.

SEC. 5. MODIFICATIONS TO THE TIBETAN POLICY ACT OF 2002.

(a) TIBET NEGOTIATIONS.—Section 613(b) of the Tibetan Policy Act of 2002 (22 U.S.C. 6901 note) is amended—

(1) in paragraph (2), by striking “; and” and inserting a semicolon;

(2) in paragraph (3), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new paragraph:

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“(4) efforts to counter disinformation about Tibet from the Government of the People’s Republic of China and the Chinese Communist Party, including disinformation about the history of Tibet, the Tibetan people, and Tibetan institutions, including that of the Dalai Lama.”.

(b) UNITED STATES SPECIAL COORDINATOR FOR TIBETAN ISSUES.—Section 621(d) of the Tibetan Policy Act of 2002 (22 U.S.C. 6901 note) is amended—

(1) by redesignating paragraphs (6), (7), and (8) as paragraphs (7), (8), and (9), respectively; and

(2) by inserting after paragraph (5) the following new paragraph:

“(6) work with relevant bureaus of the Department of State and the United States Agency for International Development to ensure that United States Government statements and documents counter, as appropriate, disinformation about Tibet from the Government of the People’s Republic of China and the Chinese Communist Party, including disinformation about the history of Tibet, the Tibetan people, and Tibetan institutions, including that of the Dalai Lama;”.

(c) DEFINITION.—The Tibetan Policy Act of 2002 (22 U.S.C. 6901 note) is amended by adding at the end the following new section:

“SEC. 622. DEFINITION

“For purposes of this Act, the term ‘Tibet’ refers to the following areas:

“(1) The Tibet Autonomous Region.

“(2) The areas that the Government of the People’s Republic of China designated as Tibetan Autonomous, as of 2018, as follows:

“(A) Kanlho (Gannan) Tibetan Autonomous Prefecture, and Pari (Tianzhu) Tibetan Autonomous County located in Gansu Province.

“(B) Golog (Guoluo) Tibetan Autonomous Prefecture, Malho (Huangnan) Tibetan Autonomous Prefecture, Tsojang (Haibei) Tibetan Autonomous Prefecture, Tsolho (Hainan) Tibetan Autonomous Prefecture, Tsonub (Haixi) Mongolian and Tibetan Autonomous Prefecture, and Yulshul (Yushu) Tibetan Autonomous Prefecture, located in Qinghai Province.

“(C) Garze (Ganzi) Tibetan Autonomous Prefecture, Ngawa (Aba) Tibetan and Qiang Autonomous Prefecture, and Muli (Mili) Tibetan Autonomous County, located in Sichuan Province.

“(D) Dechen (Diqing) Tibetan Autonomous Prefecture, located in Yunnan Province.”.

SEC. 6. AVAILABILITY OF AMOUNTS TO COUNTER DISINFORMATION ABOUT TIBET.

Amounts authorized to be appropriated or otherwise made available under section 346 of the Tibetan Policy and Support Act of 2020 (subtitle E of title III of division FF of Public Law 116-260) are authorized to be made available to counter disinformation about Tibet from the Government of the People’s Republic of China

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and the Chinese Communist Party, including disinformation about the history of Tibet, the Tibetan people, and Tibetan institutions, including that of the Dalai Lama.