In This Issue

Tibetan Protest Activity
In recent weeks, Tibetan grievances erupted into a cascade of public protests across Tibetan areas of China. As events unfolded on the ground, the Commission assessed and reported information as it became available in a series of CECC Analysis pieces. Looking back on these pieces now offers a useful retrospective on how events in Tibetan areas – and our understanding of them – developed and changed over time. We are pleased to include these reports (as of March 27, 2008), in addition to CECC Updates on other issues and areas, in this newsletter.

CECC Updates
- Beijing Court Sentences Hu Jia to 3 Years 6 Months' Imprisonment
- Land Rights Activist Yang Chunlin Sentenced to Five Years
- Xinjiang Authorities Pledge Crackdown Against "Three Forces"
- New Internet Regulations Tighten State Control Over Audio and Video Content
- House Church Leader Zhou Heng Released From Detention
- Party, Government Launch New Security Program, Patriotic Education, in Tibetan Area
- Foreign Minister "Freedom of Speech" Comments At Odds With Arrests, Detentions
- "Bilingual" Policy Reduces Use of Ethnic Minority Languages in Xinjiang Preschools
- China's Long-Awaited Action Plan on Trafficking Aims To Provide "Sustainable" Solutions

CECC Updates

Commercial Rule of Law
Olympics
Status of Women

Ethnic Minority Rights
Political Prisoner Updates
Tibet

Freedom of Expression
Press Freedom
Xinjiang

Human Trafficking
Religion
All Updates

Beijing Court Sentences Hu Jia to 3 Years 6 Months' Imprisonment

The Beijing Number 1 Intermediate People's Court sentenced activist Hu Jia on April 3 to three and a half years' imprisonment and one year deprivation of political rights for "inciting subversion of state power," according to an April 3 Xinhua article (no longer available via Xinhua, but reprinted via Boxun; shorter English version available via China Daily). Article 105, Paragraph 2 of China's Criminal Law makes inciting others "by spreading rumors or slanders or any other means to subvert the State power or overthrow the socialist system," a crime punishable by up to five years in prison, or no less than five years for "ringleaders and the others who commit major crimes." The Beijing court found that from August 2006 to October 2007, Hu had "incited subversion" through essays he posted on foreign Web sites and telephone interviews he gave to foreign news agencies, according to the Xinhua article. Li Jinsong, one of Hu's lawyers, said it was unlikely that Hu would appeal the ruling, according to an April 3 Reuters article.

Click here for the full analysis. This link will open in a new Web page.

Land Rights Activist Yang Chunlin Sentenced to Five Years

Yang Chunlin, the land rights activist who organized a petition titled "We Want Human Rights, Not the Olympics," was sentenced to five years in prison on March 24 by the Jiamusi City Intermediate People's Court in Heilongjiang province for "inciting subversion of state power," according to March 24 articles by the Associated Press and Chinese Human Rights Defenders (CHRD). The court also sentenced Yang to two years deprivation of political rights, according to CHRD. Procuratorate officials alleged that the petition received heavy foreign media coverage and hurt China's image abroad, and accused Yang of writing essays critical of the Communist Party and accepting 10,000 yuan (US$1,430) from a "hostile" foreign group, according to a February 19 Reuters article (via the Guardian) and a March 25 Guardian article. The Civil Rights & Livelihood Watch Web site, a site that supports rights defenders in China, reported on March 28 that Yang would appeal the ruling.

Click here for the full analysis. This link will open in a new Web page.
Xinjiang Authorities Pledge Crackdown Against "Three Forces"

Officials in the Xinjiang Uighur Autonomous Region (XUAR) renewed a pledge in early March to crack down against the government-designated "three forces" of terrorism, separatism, and religious extremism. The government has waged a longstanding campaign against the "three forces" and has used its anti-crime campaigns as a pretext for severe rights abuses in the XUAR. The pledges came as the government provided limited details on recent alleged terrorist activities in the region.

Click here for the full analysis. This link will open in a new Web page.

New Internet Regulations Tighten State Control Over Audio and Video Content

New regulations, which went into effect January 31, further tighten the state's control over online audio and video content in China. Notably, the Provisions on the Administration of Internet Video and Audio Programming Services (the Provisions) now require state ownership in companies providing these services (hereinafter referred to as A/V companies), although the Chinese government has said it will not impose this requirement on the mostly private companies already in operation. In addition, the Provisions reaffirm the requirement for A/V companies to obtain an "Internet Audio/Visual Program Transmission License" from the government, increase companies' obligation to maintain records of content they host, and extend liability to "major investors and managers." In conjunction with the Provisions, the State Administration of Radio, Film, and Television (SARFT) said it had recently conducted an inspection of select audio and video Web sites, according to a March 20 announcement on the SARFT Web site. As reported in a March 22 Wall Street Journal article (subscription required), the inspection campaign, which lasted from December 20, 2007, to February 20, 2008, resulted in the closure of 25 video Web sites. Another 32 Web sites received warnings about their content. Among the "major problems" cited in the announcement were Web sites posting content containing "obscenity and pornography," "terror and violence," or which "endangered the security and interests of the state," as well as Web sites operating without a license to broadcast video and audio content.

Click here for the full analysis. This link will open in a new Web page.

House Church Leader Zhou Heng Released From Detention

Authorities in the Xinjiang Uighur Autonomous Region released house church leader and bookstore manager Zhou Heng from detention on February 19 after holding him for over six months for alleged involvement in plans to receive and distribute religious literature. According to a February 21 China Aid Association article, authorities dropped the charges against him. As noted in the Congressional-Executive Commission on China Political Prisoner Database, Zhou was initially detained on August 3, 2007, while picking up a shipment of books reported to be Bibles donated by overseas churches for free distribution in China. Authorities formally arrested Zhou on August 31 and accused him of "illegal operation of a business." Authorities limited Zhou's meetings with defense counsel, and officials rejected his family's request to post bail. The Saybagh (Shayibake) District People's Procuratorate in the XUAR capital of Urumqi reportedly returned the case to the public security bureau in November due to "insufficient evidence," but Zhou remained in detention until February 19. It is unclear what steps, if any, authorities took in accordance with the Criminal Procedure Law to seek formal extensions for detaining Zhou beyond the normal permitted period of two months after arrest.

Click here for the full analysis. This link will open in a new Web page.

Party, Government Launch New Security Program, Patriotic Education, in Tibetan Area

Official Chinese Communist Party and government sources in Ganzi (Kardze) Tibetan Autonomous Prefecture (TAP), Sichuan province, have published unusually detailed accounts of anti-separatism and patriotic education activity in Ganzi county, and of a pilot security initiative underway in selected villages. A January 4, 2008, Ganzi Daily article (translated in OSC, 12 February 2008) noted that the county's remote location and "historical reasons" (a reference to Ganzi's reputation for pro-independence sentiment) had made the work of "maintaining public order and safeguarding stability . . . very arduous." Ganzi, one of 18 counties in the prefecture, has been the site of more known political detentions of Tibetans (55) by Chinese authorities than any other county outside the Tibet Autonomous Region (TAR) since the current period of Tibetan political activism began in 1987, based on data available in the Congressional-Executive Commission on China Political Prisoner Database.

Click here for the full analysis. This link will open in a new Web page.

Foreign Minister "Freedom of Speech" Comments At Odds With Arrests, Detentions

Chinese Foreign Minister Yang Jiechi said that it is "impossible" for someone in China to be arrested for saying "human rights are more important than the Olympics," a statement that conflicts with the recent arrest, detention, and questioning of a number of Chinese citizens who have publicly criticized China's human rights record in relation to the Olympics. According to a February 28 Reuters article, Yang told reporters that Chinese citizens enjoy "extensive freedom of speech." His comments followed a meeting that day in Beijing with Britain's foreign minister. "No one will get arrested because he..."
said that human rights are more important than the Olympics. This is impossible. Ask 10 people from the street to face
custom police officers and ask them to say 'human rights are more important than the Olympics' 10 times or even 100
times, and I will see which security officer would put him in jail," Yang reportedly said.

Click here for the full analysis. This link will open in a new Web page.

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"Bilingual" Policy Reduces Use of Ethnic Minority Languages in Xinjiang Preschools

A new program in the Xinjiang Uighur Autonomous Region (XUAR) strengthens government measures to promote Mandarin Chinese at the preschool level via educational instruction that the government describes as "bilingual" but that places primacy on Mandarin at the expense of ethnic minority languages. According to a February 28 article from the Urumqi Evening News (via Tianshan Net), authorities in the XUAR implemented a program in February to send student-teachers from the Xinjiang Preschool Teacher's College to preschools in Kashgar prefecture to supplement the area's shortage of bilingual teaching staff. Students who volunteer for the one-semester program receive various benefits, including a monthly subsidy for living expenses and preferential treatment once they enter the job market. Based on the results from this group of student-teachers, authorities will expand the scope of the program, the article reported.

Click here for the full analysis. This link will open in a new Web page.

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China's Long-Awaited Action Plan on Trafficking Aims To Provide "Sustainable" Solutions

China's first national plan to combat trafficking of women and children formalizes cooperation among agencies and establishes a national information and reporting system. The State Council's General Office issued China's National Plan of Action on Combating Trafficking in Women and Children (2008-2012) on December 13, 2007. The long-awaited plan, which was submitted for approval in July 2006, went into effect on January 1, 2008, and will be implemented over the next five years. Its overall goal is to "prevent and severely crack down" on crimes of trafficking, and provide care for trafficking victims. (An English translation of the plan is available from Open Source Center (registration required), and quotes from that translation are used here.) The plan sets specific targets, and outlines measures for the prevention of trafficking, prosecution of traffickers, protection of victims, and strengthening of international cooperation. The plan designates the Ministry of Public Security (MPS) as the lead agency in implementing the plan, and calls for coordination among 28 agencies, including the Ministry of Civil Affairs, Ministry of Labor and Social Security, and the All-China Women's Federation. According to Du Hangwei, Director of the MPS' Criminal Investigation Bureau, the plan seeks to provide "sustainable and long-term solutions to human trafficking," as reported in a December 13 China Daily article.

Click here for the full analysis. This link will open in a new Web page.

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Tibetan Protest Activity

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Tibetan Protests Continue and Spread Further
Official and Estimated Detentions Surpass 2,000
Senior Delegation to Lhasa Signals Continuation of Policies Causing Tibetan Grievances

March 27, 2008

Tibetan protests have continued and spread even in the presence of substantial security forces. As of March 27, the number of counties in which protests have occurred has increased to at least 42. Official Chinese reports have acknowledged more than 1,000 detentions of persons who surrendered to authorities for rioting. In addition, unofficial reports estimate that authorities have detained at least another 1,200 Tibetan protestors.

Current Status

Protest. As of March 27, Tibetan protests were reported in at least 42 county-level locations, as well as in Chengdu (the capital of Sichuan province), Lanzhou (the capital of Gansu province), and Beijing. Protests have occurred at multiple locations in several counties.

Locations of the 42 counties: Tibet Autonomous Region (TAR), 10; Tibetan Autonomous Prefectures (TAPs) in Qinghai, 12; TAPs in Gansu, 6; TAPs in Sichuan, 12; other county-level locations in Qinghai, 2. These figures show that about three-quarters of the county-level locations are outside the TAR. It remains unclear whether the protests have or have not spread widely in the TAR, or if information about their spread is unavailable.

Death. The estimated number of Tibetan deaths currently reported by the Tibetan Centre for Human Rights and Democracy (TCHRD) and the Tibetan government-in-exile (TGiE) differ significantly.
• TCHRD reported on March 25 a total of 79 Tibetan deaths.

• The TGIE reported approximately 140 deaths as of March 25, and published a list of the names and details of 40 of the Tibetan deaths on March 26.

• Following the Dalai Lama's March 18 statement that he would "resign" his role in political affairs if violence continued, the CECC saw no reports of violent incidents occurring on March 19-23.

• A March 24 clash between Tibetan protestors and security forces in Luhuo (Draggo) county in Ganzi (Kardze) TAP resulted in the deaths of one Tibetan and one policeman, and injuries to other Tibetans and security personnel.

• On March 25, the Dalai Lama repeated his intention to resign if violence continues.

Detention. In response to official ultimatums, authorities reported by March 27 the surrender of a total of more than 1,000 Tibetans who engaged in "beating, smashing, looting, and burning" during riots. Such information is not available for every area where rioting occurred. Most-but not all-Tibetan protests and protestors were peaceful. As of March 25, official detention and charge information is available for fewer than 15 cases of peaceful protest (Lhasa, March 10).

• Number and location of 1,044 surrenderors: Lhasa (280 by March 25); Linzhou (Lhundrub) county (94 by March 17); Gannan (Kanlho) TAP, Gansu (289 by March 23); Aba (Ngaba) county, Aba Tibetan and Qiang Autonomous Prefecture, Sichuan (381 by March 24).

• TCHRD estimated that authorities detained more than 1,200 Tibetan protestors as of March 25. The figure does not include Tibetans who surrendered to authorities.

• The unofficial estimate of 1,200 detainees may be low. The number of protestors whom police detain is likely to be significantly higher, perhaps by a multiple, than the number of Tibetans who surrender voluntarily for committing violent acts during a riot.

Senior Delegation to Lhasa Signals Continuation of Policies Causing Tibetan Grievances

Senior Officials Visit Lhasa. The first high-level delegation of senior Party and government officials to Lhasa since the outbreak of the protests visited Lhasa on March 23-24. Minister of Public Security Meng Jianzhu led the delegation. The group visited sites including Drepung and Sera Monasteries and the Jokhang Temple. In addition to Meng, the delegation included Minister Ye Xiaowen of the State Administration for Religious Affairs, as well as Zhu Weiqun and Sita, senior officials in the Party's United Front Work Department-among the officials most directly associated with the policies and conditions against which Tibetans have protested.

• Attacks on the Dalai Lama, Patriotic Education. Meng told members of management committees at the monasteries that the Dalai Lama is "unfit to be a true follower of Buddhism," and that the Party and government would "deepen education in patriotism" in monasteries.

• Interference with the Institution of Tibetan Buddhist Reincarnated Teachers. Ye Xiaowen oversaw the issuing last year of national regulations that control the recognition, seating, and instruction of persons whom Tibetans believe are reincarnated Buddhist teachers.

• Stalled China-Dalai Lama dialogue. Zhu Weiqun and Sita have served as interlocutors for the Dalai Lama's envoys during their visits to China since the dialogue resumed in 2002. The Dalai Lama's Special Envoy issued his least optimistic statement to date following the most recent round of dialogue in June-July 2007.

Current Status

PROTESTS. The cascade of Tibetan protests that began on March 10 has spread despite strict security measures and localized lockdowns across the Tibet Autonomous Region (TAR) and the Tibetan autonomous areas of Qinghai, Gansu, and Sichuan provinces.

• By March 21, Tibetan protests were reported in 34 county-level locations, mostly in Tibetan autonomous areas, as well as in Chengdu (the capital of Sichuan), Lanzhou (the capital of Gansu), and Beijing. Reports emerged on March 21 of protest activity that occurred on March 20 in four counties where protests previously had not been reported.

• Locations of the 34 counties: TAR (6); Qinghai (11); Gansu (6); Sichuan (11). It is not known if the reason there have been fewer reports of protest activity in the TAR is that there actually have been fewer protests, or that information about protests has not been leaving the TAR. Security levels are generally higher in the TAR than in other areas where Tibetans live.

Tibetan Protests Continue to Spread
Surrender Ultimatum in Gansu
March 21, 2008

Tibetan protests have continued to spread even as Chinese security forces maintain existing security lockdowns, impose additional lockdowns in new protest locations, and implement preventive security measures in other locations. The CECC has not seen reports of violent Tibetan protest activity taking place after the Dalai Lama's March 18 statement that he would "resign" (from involvement in political affairs) if violence continued. The last reported Tibetan deaths resulting from lethal force used to suppress protests or riots were on March 18.

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DEATH. The estimated total of Tibetan deaths declined even as the number of Tibetans reportedly shot and killed by Chinese security forces in Sichuan and Gansu during protests on or prior to March 18 increased. The Tibetan Centre for Human Rights and Democracy reported on March 19 a total of at least 70 deaths, lower than the estimate of about 100 deaths reported previously. The reason for the change, and whether the estimated number of deaths in Lhasa has declined, is not known at this time.

- Away from Lhasa, security forces reportedly shot and killed 3 Tibetans on March 11 in Daocheng (Dabpa) county (Sichuan), up to 23 Tibetans on March 16 in Aba (Ngaba) county (Sichuan), up to 19 Tibetans on March 16 in Maqu (Machu) county (Gansu), and at least 3 Tibetans on March 18 in Ganzi (Kardze) county (Sichuan), according to unconfirmed reports.

DETENTION. Security officials continue to detain large numbers of Tibetans in house-to-house searches in Lhasa and locations in Qinghai, Gansu, and Sichuan. Few detainees have been named, and only in unofficial reports. The total number of detentions is likely to have surpassed 1,000 and to be rising steadily, but estimates are increasingly unreliable in the absence of solid information.

Surrender Ultimatum: One Passed, One Approaching, Others Possible

- 94 Tibetan residents of Linzhou (Lhundrub) county, adjoining Lhasa, surrendered to county authorities by the March 17 deadline (Tibet Daily). It is likely that the 94 Linzhou residents are in addition to the Lhasa total, which reached 105 by March 18.

- Six of Gannan's eight counties are reportedly sites of protest activity. Several of the protests included large numbers of monks and/or ordinary Tibetans. The total number of protestors in Gannan may exceed substantially the total number of protestors in Lhasa.

Ultimatums in Qinghai and Sichuan have not been reported to date, but may be in place based on the examples established in Lhasa and Gannan, and given the consistency previously observed in the implementation of security policies.

Tibetan Protests Spread
March 18, 2008

Tibets have maintained efforts to protest at a significant scale and across a wide geographic area. Authorities establish a security lockdown at new protest locations, but protests continue to develop in other locations. Authorities have detained substantial numbers of protestors, many of whom could face prosecution and imprisonment.

Current Status

- Protest. By March 18, Tibetan protests occurred in more than 20 counties, most of them in Tibetan autonomous prefectures located in Qinghai, Gansu, and Sichuan provinces. Monks lead many of the protests, but ordinary Tibetans and students are protesting as well. Tibetan independence and support for the Dalai Lama, including his return to Tibet, are principal themes. Tibetan university students in Beijing and Lanzhou, the capital of Gansu province, have held candlelight vigils.

- Death. By March 18, Tibetan sources reported as many as 100 Tibetan fatalities. Approximately 80 Tibetans were reportedly shot by PAP in Lhasa on March 14. The Tibet Autonomous Region (TAR) governor claimed that PAP were unarmed and did not fire a shot. The governor reported that Tibetans were responsible for 16 deaths of "innocent civilians." Video footage of rioting in Lhasa showed Tibetans attacking and beating non-Tibetans. Security forces have shot and killed Tibetans in locations outside the TAR, including at least 15 persons in Aba county in Sichuan province.

- Detention. Despite the difficulty of obtaining and verifying information, a review of reports suggests that by March 18 the total number of detentions is likely to be approaching or to have surpassed 1,000. Authorities may release a substantial number of detainees if they cooperate with interrogators, but the rest are likely to face criminal prosecution and imprisonment, or be ordered (without trial) to serve periods of up to three years of reeducation through labor.

Planned or Spontaneous?

Chinese officials claim that protests have been "organized, premeditated, and carefully plotted by the Dalai clique." The charge as stated is unlikely to be valid for a number of reasons. For example:

- The number of Tibetans who have submitted themselves to county authorities by March 18 is an official count and reflects the effect of the ultimatum.

- The enormous scale of the protests makes the charge unrealistic. Protestors in Lhasa and other places have continued to develop or develop in other locations.

- The ultimate in the TAR province has been issued since the March 15 notice.

- The number of Tibetans who have submitted themselves to county authorities by March 18 is an official count and reflects the effect of the ultimatum.
China's security establishment has the expertise and resources to detect such plans and prevent their completion. Chinese security resources include monitoring technology and informants embedded in Tibetan monasteries in China and in Tibetan communities in India.

Tibetan resentment and anger have been increasing sharply since 2005. Tibetans view the run-up to the Olympics as a window of opportunity during which international onlookers may take greater notice of issues and protest actions.

Collective Tibetan willingness to risk protest and punishment, evidenced by the spreading protests, has reached high levels after more than 10 years of declining protest due in part to China's effective security measures. The missing catalyst was opportunity, which Lhasa monks saw on March 10. The monks could have arrived at a decision and set out to protest within a few hours.

The monks appear to have been inspired by the Burmese Buddhist monastic protests of September 2007. From the time Tibetans began to rebuild Tibetan Buddhist monasteries in the early 1980s, there is no precedent for Tibetan monks in their hundreds, wearing robes, to leave monasteries and attempt to walk into an urban center to protest against the Chinese government.

The only alternative to blaming "the Dalai clique" available to Chinese officials would be for them to recognize the failure of Chinese policies and legal measures to protect Tibetan culture, language, and religion, and the failure so far of the Regional Ethnic Autonomy Law to empower Tibetans to manage their local affairs. Instead, officials choose to blame their problems with Tibetans on external factors, especially the Dalai Lama, and to conflate Tibetan objections to Chinese policies and legal measures with criminal attempts to incite "splitism."

Surrender Ultimatum, "People’s War"

On March 15, the TAR provincial-level court, prosecutor's office, and public security bureau issued a joint ultimatum that Tibetans involved in rioting in Lhasa on March 14 must surrender to authorities by midnight on March 17 or face severe punishment. On March 17, the TAR Communist Party newspaper called for a "people's war" against separatism that would strike back "tit-for-tat" at "the Dalai clique" and draw on their "bitter hatred of the enemy."

Tibetan rioters who carried out violent activities during the March 14 riot appear to be the target of the ultimatum, based on a translation posted on the International Campaign for Tibet Web site.

The ultimatum states three points: (1) persons who surrender and provide information about the criminal activity of other persons will receive lighter or no punishment; (2) persons who shelter "criminal elements" will face severe punishment; and (3) citizens who "actively report and expose" the crimes of others will receive commendations and awards.

Lhasa security personnel detained "hundreds" of persons in house-to-house searches starting on March 15 (before the deadline), and "hundreds" more after the deadline, according to reports.

Tibetan Protest
March 14, 2008

Widespread reports emerging from Tibetan areas of China starting on March 10 suggest that simmering Tibetan frustration is turning into a boil.

Background

Tibetan resentment and anger have been increasing over the past two and one half years in three key areas of Tibetan life: religious, urban, and pastoral.

a. New legal measures closely regulating monastic life in the Tibet Autonomous Region starting in January 2007, and new nationwide measures controlling the identification and seating of reincarnated Tibetan teachers from last September, have fundamentally changed the outlook for Tibetan Buddhism and Tibetan Buddhists.

b. The new Qinghai-Tibet railway is fundamentally changing the economic and employment outlook for Tibetans in Lhasa and nearby urban centers, as well as changing the ethnic and cultural character of those urban areas.

c. The program to settle nomads into fixed communities is nearing completion and has brought severe disruption to that large and not-so-visible sector of Tibetan culture. Now the new measures on religion are interfering with the monasteries and the reincarnated teachers that Tibetan nomads cherish.

Why Now?

March 10 is linked very closely to the Dalai Lama (particularly Tibetans' loss of the Dalai Lama when he escaped into exile in March 1959). The Dalai Lama's remarks in this year's March 10 speech were more frustrated and poignant than any in recent years. The remarks were not incitement to action, but Tibetans would have been moved deeply by his candor. Several exiled Tibetan activist groups were explicitly seeking to "renew the rebellion" (the 1959 Lhasa Uprising) by attempting to march to Tibet, but it is unlikely that these groups have influence enough to have played a significant role in Monday's events.

Current Government Strategy

During the first days of the confrontation, authorities in Lhasa and other places appeared to be trying to contain the situation by locking down the hotspots and generally avoiding confrontation that could result in casualties and detentions. By Chinese government standards, that is restrained behavior. But by late Friday, reports of gunfire and civilian casualties...
emerged, which if accurate would signal a shift to a more aggressive approach by authorities.

**Key Variables**

The two key variables are whether, (1) Tibetans will maintain their efforts to protest on a significant scale in more locations than Chinese authorities can control, and if Tibetans renew the effort to protest whenever the lockdown eases; and (2) if authorities begin to utilize more aggressive security measures to deal with protestors, or if authorities quietly start detaining and imprisoning key actors in the protests over the coming days, weeks, and months. If either happens, the situation could worsen and spread in unpredictable ways.

**How likely is a repeat of Lhasa 1989 (when China declared martial law)?**

Not very likely at this point unless authorities become desperate to quell major disturbances. The Chinese government has nothing to gain by conspicuous exercise of firepower or the imposition of martial law. Authorities likely will want this to subside without roiling the domestic or international scene in the run-up to the Olympics. Declaration of martial law in Lhasa would come at considerable cost to Chinese officials if calls for an Olympic boycott intensify as a result.