

**International Network of Parliamentarians on Tibet (INPaT)
Tibetan Election Observation Mission (TEOM)**

**FINAL REPORT
April 2011**

**HISTORIC ELECTIONS OF TIBETAN INSTITUTIONS IN EXILE ARE
DEEMED FREE AND FAIR DESPITE MANY CHALLENGES**

**INTERNATIONAL
NETWORK OF
PARLIAMENTARIANS
ON TIBET**



The Tibetan democratic institutions established in exile since 1960, successfully ensured to Tibetans living in exile the exercise of their right to vote on the elections for the Kalon Tripa and the Tibetan Parliament in Exile when held on 20 March, 2011 all over the world.

Introduction

On the occasion of the 50th Anniversary of the Tibetan Democracy Day on 2 September, 2010, INPaT Bylakuppe Statement called, "upon the Election Commission of the Tibetan Government in Exile to invite international election monitoring entities to observe the 2011 parliamentary and Kalon Tripa elections."

Subsequently, INPaT was formally invited by the Tibetan Parliament in Exile (TPiE) to observe the elections and INPaT accepted, "to initiate a process of observing the final elections on 20 March, 2011 in different parts of the world where Tibetan exiles vote for their leaders in the Cabinet and the Parliament."

On 7 February, 2011 a Memorandum of Understanding between the INPaT and the Tibetan Election Commission was signed in Dharamsala to ensure proper formal procedures for the establishment of the Tibetan Election Observation Mission (TEOM).

On 20 March, 2011, INPaT's Tibetan Election Observation Mission (TEOM), as part of a worldwide initiative, deployed teams of experts to observe the elections when Tibetans voted at polling stations in Belgium, Canada, India, Nepal, Switzerland and the United States of America, to elect the Kalon Tripa (Chairman of the Tibetan Cabinet) and the 44 members of the 15th Tibetan Parliament in Exile (TPiE).

Given that this was the first instance where international observers were present at Tibetan Elections in exile, and that these were held in several nations, the TEOM was not a full-fledged election monitoring exercise in accordance with international accepted norms and technical requirements.

TEOM aimed not only to lend its support to the democratic institutions of the Tibetan refugee community established during the past 50 years, but also to fully understand the nature and challenges of this unique Tibetan election process conducted worldwide, and convey its findings to the international community and the Tibetan leadership and people.

Historical Background of the Tibetan election process in Exile

Soon after establishing the Tibetan Government in Exile (TGiE), after he was forced to flee from Tibet in 1959, His Holiness the Dalai Lama decided to create a system in which a popularly elected Parliament would be able to exercise people's power in the exile Tibetan administration. In the beginning of 1960 (7th Day of 12th moon in the Earth Hog Year) he addressed the Tibetan people in Bodh Gaya, India and asked the people to elect their representatives through universal adult suffrage. Elections were duly held and the first elected representative body in Tibet's history "the Commission of Tibetan People's Deputies (CTPD)" took oath on 2 September, 1960. The Tibetan community observes this historic date as Democracy Day.

Currently, the TPiE has 47 members. U-Tsang, Do-toe and Do-med, the three traditional provinces of Tibet, elect 10 members each, including two women members for each provinces, while the four schools of Tibetan Buddhism and the traditional Bon faith elect two members each. Four members are to be elected by Tibetans in the West: two from Europe and two from North America. In addition, His Holiness the Dalai Lama has the discretion to exercise or not to exercise the provision to nominate one to three members. There are several clauses for the election of the Speaker and Deputy Speaker of the Tibetan-Parliament-in-Exile. The Tibetan Parliament members are elected through two rounds of voting, preliminary and final. Since 2001, also the Kalon Tripa., the Head of the Tibetan Central Administration, is directly elected by Tibetans living in exile, also through two rounds of voting.

Analysis of Pre-Election Day

Although the main focus of TEOM was on the final Election Day, an analysis of the entire election process suggests that these elections were historical in many respects, and can be considered a legitimate expression of the will of Tibetans living in exile.

A preliminary round of elections was held on 3 October 2010, but was not observed by INPaT TEOM.

The final elections were held against the backdrop of the request by His Holiness the Dalai Lama, made on 10 March, 2011 - 52nd Anniversary of the Tibetan National Uprising Day of 1959 - that the Tibetan Parliament in Exile amends the Tibetan Charter as far as it concerns the leading political role conferred to the Dalai Lama.

The Dalai Lama proposal that he wished to relinquish his political leadership role among the Tibetan institutions in Exile to allow him to concentrate his time on his spiritual and religious role and on the promotion of secular ethics and religious harmony in the world, stirred a vigorous debate in the Tibetan exiled community at all levels.

Secondly, these were the first elections held in exile since the 2008 Uprising in Tibet, when of thousands of Tibetans took to the street in many parts of Tibet to demand that the Chinese authorities respect human rights and basic freedoms. It has been widely and independently reported that the demonstrations were repressed brutally by Chinese authorities, which have since then increased the limitations to the free exercise of religious freedom of Tibetans, to the use of the Tibetan language in schools, to the right to a fair trial and to freedom of expression and assembly.

It is also known that the repression of the 2008 demonstrations provoked a vibrant debate and the mobilization of the Tibetan Community in exile on the issue of what should be the strategy to follow to improve the condition of Tibetans living in Tibet. Several opportunities, both institutional and private, have been organized by Tibetans in exile over the last three years to discuss this, including the question of the dialogue between the Tibetan Government in Exile (Central Tibetan Administration) and the Chinese Government.

It should also be noted that the Tibetan Community in exile, despite being made of a population of only around 180,000 refugees, has been able, over several decades, to nurture a variety of institutions and mechanisms that are increasingly based on the principles of open dialogue and democracy, which makes it a unique experience worldwide.

Thirdly, following the holding of the first direct elections of the Kalon Tripa in 2001 and 2006, this was the first time that the post of the Head of the Tibetan Central Administration was openly contested. All three remaining candidates, after the preliminary election of 3 October, 2010 were secular and campaigned vigorously for that role.

The open campaign for the Kalon Tripa was certainly an element that contributed to the increased information and interest of the Tibetan population in the election process.

As a result, an unprecedented number of Tibetan media outlets, associations, NGOs and one political party took an increasingly prominent role in the electoral campaign, organizing dozens of events that were held all over the world where Tibetans live, and that mostly aimed at informing and educating the Tibetan population about the elections.

Assessment and Observation

TEOM delegations were composed mostly of parliamentarians and assistants to parliamentarians.

All TEOM teams received full cooperation from the Tibetan election officials present at the polling stations during the observation. Elections were administered professionally and in an orderly way and no incidents were reported either inside or outside of the polling stations. Campaign materials and activities were not visible at the polling stations or in their vicinity.

Generally, voters showed enthusiasm for the election process. In some instances, long lines of people waiting to vote were present since the opening of the polling stations. The waiting time of voters - which in some instances

was more than 3 hours - provoked in several location overcrowding, which is a reason for concern because it could potentially reduce the turn out of voters or create confusion during the voting process.

It should be noted that in order to vote, every Tibetan must register in advance and cannot register on Election Day. Time for registration was considered adequate.

The voters' lists were observed to be accurate and reports of people not able to exercise their vote were not made. Also the identification process was adequate, through the matching of the name on the voters' list and that on the green book that is given to every Tibetan living in exile. Voting more than once was also effectively prevented by the stamp that election officials put on the green book at the time of voting.

Generally, all election materials were available and questions by voters were clarified by the election commissions. The teams observed that there were no people "assisting" the voters inside the voting booths, or unauthorized persons inside the polling stations.

Secrecy of the vote was ensured by the fact that every Tibetan entered the polling booth alone. In some instances, the setting of the polling booth could be improved with more stable structures.

One specific concern is related to the vote of nuns in retreat. Instead of moving the ballot boxes to the place of retreat - with a potential risk of manipulation of the content of the boxes - nuns in retreat should be allowed to vote by mail in the weeks before the elections.

In some instances, where counting was observed locally, TEOM found that ballot boxes were delivered with seals and seals were broken under observation of the TEOM and of independent Tibetan election observers. There were no unauthorized persons present at the counting process, which was implemented under the authority of the regional election commissioner and members. TEOM could not identify flaws in the process of counting at the local level.

INPaT TEOM was briefed by the Tibetan Election Commission that the central vote counting in Dharamsala took then place from 12-15 April, 2011 under the supervision of Tibetan Observers. The central counting was observed by 8 Members of the Tibetan Parliament in Exile, representing the different provinces and the five religious traditions of Tibet. The length of time from election-day to the beginning of the counting at the central level - more than 20 days - and the very length of the

counting at the central level, before the public announcement of the final results, is a reason for serious concern to TEOM and should be reduced drastically to few days thanks to up to date technologies and systems of communication.

As regards the situation in Nepal, TEOM observers testified that it was impossible for Tibetans to vote on 20 March in Kathmandu. Similar reports were obtained by other regions of the country; subsequently, the Tibetan Election Commission has officially reported that Tibetans living outside the capital Kathmandu, have been able to vote at a later stage. This limitation to the exercise of the right to elect their representatives of Tibetan refugees living in Nepal - reportedly due to political pressure on the Nepalese Government by Chinese authorities - is a reason for serious concern for the international community; it should be noted that following the October preliminary round of elections, Nepalese authorities confiscated several ballot boxes in the polling stations organized by Tibetans.

Final results

On 27 April 27 as scheduled, the Tibetan Election Commission officially announced the results of the elections both for the Kalon Tripa and for the Tibetan Parliament in Exile.

It was reported that out of the 83,399 registered voters around the world, over 49,184 (approximately 59%) Tibetans voted in the final elections. According to the Tibetan Election Commission, in 2006 election, out of the 82,620 registered voters for the final round of TPiE election, 43,302 Tibetans voted.

Kalon Tripa Result

Dr. Lobsang Sangay: 27051 votes (55.00%)

Mr. Tenzin N. Tethong: 18,405 (37.42%)

Mr. Tashi Wangdi: 3,173 (6.44%)

The full election results can be viewed at this link:

<http://tibet.net/en/index.php?id=2276&articletype=flash&rmenuid=morenews&tab=1TabbedPanels1>

While no dates was announced, the Tibetan Election Commission will hold by-election to fill the 2 seats from U-Tsang province since the candidates were not able to secure the 33% votes required to be elected to the Tibetan Parliament.

At the time writing this report, INPaT TEOM was not informed of there being any complaints on the results declared.

Recommendations

To the Tibetan Parliament in Exile:

INPaT TEOM urges the 15th Tibetan Parliament in Exile to further improve the Tibetan democratic system by reviewing the electoral laws to reflect general international standards and recommendations, including those submitted by the Tibetan Election Commission, in particular:

- timely and proper vote counting procedures, including counting of ballots, should be carried out at each polling station and at the central level in the presence of independent observers and representatives from all candidates. While recognizing logistical problems, with today's technology, the count should be completed within 2-3 days and made public immediately after;
- appropriate electoral financing rules should be instituted, reflecting the best international standards, including limits on donations and expenditures and the mandatory public disclosure of all contributions received by the candidates (with a minimum threshold to be indicated);
- the promotion of more women candidates is a desirable goal and rules should be amended to achieve this goal, including availability of resources.
- rules regarding voting rights of monks and nuns and about regional voting need to be updated to reflect the evolution of Tibetan society in exile over the last decades; in fact, the current electoral system for the election of the Tibetan Parliament in exile produces the peculiar effect that, while secular Tibetans vote either for 10 or 2 candidates depending on the region they belong to or where their family comes from, monks and nuns have 2 additional votes to elect the representatives of their religious school.
- in many polling stations, long lineups resulted in voting delays of 2/3 hours or more. Provision of appropriate resources will reduce this problem, with additional election officials at polling stations;
- All candidates should be requested to submit their opinions to the Parliament on how to improve the process.
- Use of bilingual ballot papers in the countries where young Tibetans born in exile might not be capable of reading the Tibetan language should also be provided.

As a final consideration TEOM wishes to note that the proposal made by His Holiness the Dalai Lama to the

Tibetan Parliament in exile on 10 March, 2011, to amend the Tibetan Charter concerning his institutional and political functions, is in line with international democratic standards concerning the separation between the role of religious authorities and political institutions.

Acknowledgements

INPaT TEOM would like to thank His Holiness the Dalai Lama, the Tibetan Government in Exile, the Tibetan Parliament in Exile and the Tibetan Election Commission and all other institutions, including Tibetan NGOs for providing full understanding, cooperation and assistance to our mission, and who were very generous and accommodating.

TEOM similarly applauds that the Tibetan election process was not interfered with in the host countries, Belgium, Canada, India, Switzerland and the United States of America, where our mission was deployed.

TEOM wholeheartedly thanks all the members and parliamentarians who joined our mission, as this report would not have been possible without their assessment and recommendations. We thank the support staff who accompanied the mission, including those from the International Campaign for Tibet and Tibetans at the local level.

TEOM acknowledges the financial support received from the National Endowment for Democracy (NED).

INPaT TEOM Members

Belgium

Ms. Laura Haajamo, Office of Ms. Heidi Hautala, Member of European Parliament (MEP) Ms. NORDSTROM LAURA, Office of Ms. Hautala, MEP Ms. Kadri Vanem, Adviser to MEP Mr. Tunne Kelam

Canada

Ms. Peggy Nash, President, New Democratic Party, Canada

Mr. Patrick Brown, Member of Parliament (MP)

Mr. David Sweet, MP

Mr. Devinder Shory, MP

India

Mr. Matteo Mecacci, Member of Italian Parliament and Co-Chair INPaT Tibetan Election Observation Mission
Senator Consiglio Di Nino, Canada

Ms. Alexandra Clark, Assistant to Mr. Edward McMillan-Scott, Member of European Parliament (MEP)

Ms. Helen Willetts, Assistant to Mr. Edward McMillan-Scott, MEP

Ms. Katrin Baldursdottir (Iceland)

Mr. Richárd KOVÁCS, Assistant to SÓGOR Csaba, MEP

Ms. Zsuzsa-Anna Ferenczy, Assistant of M. László TÓKÉS, MEP

Nepal

Mr. David Kilgour, Former-cabinet Minister of Canada,

Ms. Cheri DiNovo, Member of Legislative Assembly, Ontario, Canada

Mr. Baldvin Jónsson, Iceland

Switzerland

Mr. Thomas Mann, Member of European Parliament (MEP) and Co-Chair INPaT TEOM

Mr. Csaba Sogor, MEP

Mr. Marino Busdachin, General Secretary, Unrepresented Nations and Peoples Organisation (UNPO).

United States of America

Mr. Joe Findlay, Lawyer Ms. Mary Beth Markey, President, International Campaign for Tibet

INPat Secretariat Co-ordinator

Ms. Tsering Jampa, Executive Director, International Campaign for Tibet Europe

INPaT TEOM Co-ordinator and Rapporteur

Mr. Ngawang Choephel [Drakmargyapon]

Contacts:

Mr. Matteo Mecacci - +39 347 968 2837

Mr. Thomas Mann - +32 32 228 45318

Senator Consiglio Di Nino - +1 613 943 1454

Ms. Tsering Jampa - + 31 6 2900 4547

INPat Secretariat

Vijzelstraat 77, 1017 HG Amsterdam, the Netherlands, +31 20 330 8265