

Democracy in Exile

Special Report 2012



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Tibetan Centre for Human Rights & Democracy



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Preface

Before the Chinese occupation of Tibet, the Tibetan people had a political system, referred to in Tibetan as *Chos srid zhung 'drel*, whose temporal and religious head was the Dalai Lama, considered by the Tibetan people as the embodiment of *Chenrezi*, or the Buddha of Compassion. Even as the rest of the world was undergoing massive social, economic, political and technological transformation, unprecedented in world history, Tibet remained relatively isolated. It was not that modernization and modern ideas had not penetrated the Land of Snows. In fact the thirteenth Dalai Lama, after he was driven into exile in India in the first decade of early 20th century, acutely felt the need for Tibet to embrace modernization if she was to save herself from foreign domination. After returning to Tibet from exile in 1911, he immediately embarked on a mission to modernize his country. Towards this end, he dispatched Tibetan children to England to receive modern education, reformed the Tibetan military, and even founded a modern secular English school at Gyantse. However, his modernization efforts could not succeed due to resistance from some of the conservative elements of the Tibetan ruling class.

Similarly, many decades after the passing away of the thirteenth Dalai Lama, in the first quarter of the 20th century, Gendun Chopel, an avant-garde Tibetan historian and poet, saw the danger looming over the heads of the Tibetan people due to the general skepticism that prevailed vis-à-vis the changes that were taking place throughout the world. During his travels to the Indian subcontinent in 1930s, he personally witnessed the revolutionary political changes taking place in that country, as Indian people were for the first time seriously confronting and challenging the rule of the British Empire. Apart from engaging in scholarly studies - writing and translating

important foreign works into Tibetan - he was reflecting on ways to overcome the threats hanging over Tibet. His solution was to found a progressive political party called Tibet Reform Party together with some of his comrades in Kalimpong in 1939. However, like those of the thirteenth Dalai Lama, his efforts could not bear fruit. The consequences have been tragic as the Land of Snows fell to the invading forces of the People's Republic of China in 1949.

Taking a cue from history, the fourteenth Dalai Lama, when he arrived as a refugee in India, immediately embarked on reforming the exile Tibetan society. The first initiative he took was to launch democratic reforms and establish Tibetan schools that would give Tibetan students both a Tibetan and modern education. The exile Tibetan administration was organized and made to function along modern democratic trends. Principles of democratic governance such as the separation of powers among the three branches - legislature, executive, and judiciary - were embraced. A new charter was drafted and approved by the exile Tibetan parliament that guaranteed the right of universal suffrage to the Tibetan people.

More democratic reforms ensued under the guidance of the Dalai Lama, as in 2001, when the Tibetans were for the first time allowed to directly elect Kalon Tripa, the head of the exile Tibetan administration. Perhaps the most significant reform the Dalai Lama initiated occurred in 2011, when he formally and publicly devolved his political authority, causing enormous anxiety among the Tibetan people. The new Kalon Tripa, Dr. Lobsang Sangay, who assumed his post in 2011, now has 'enormous shoes to fill,' having been designated as the 'political successor to the fourteenth Dalai Lama.'

As history testifies, and as the Dalai Lama has demonstrated through the reforms he introduced, that democracy (as defined by historian Eric Hobsbawm as 'the growing role of common man in the affairs of the state') is a humane form of government, ensuring the basic

rights and freedoms of the citizens. More than fifty years of Tibetan democratic experience also taught us that democracy can be given a helping hand by enlightened leaders from the top. However as long as ordinary people, the man and woman on the street, are not empowered, the fruits of democracy cannot fully ripen.

This brief report that documents the history of Tibetan democracy in exile is but a small effort on the part of the Tibetan Centre for Human Rights and Democracy to inform the Tibetan people about the various democratic initiatives and progresses we have made over more than five decades in exile. The report also provides a brief introduction to the political system of the People's Republic of China and how Tibet is ruled under this system. Due to unavoidable circumstances such as lack of time and resources, the report did not turn out as comprehensive as we would have wished it to be. The report has many omissions, as it has not covered the Tibetan civil society - NGOs and the press - and the voices of ordinary Tibetans in and outside Tibet: farmers, nomads, sweater sellers and so on. Similarly, the aspirations of Tibetan youth, of their trials and tribulations, are conspicuously missing. The Centre believes that until and unless these voices are listened to and given expression, Tibetan democracy would not move forward. It is our hope that all these omissions would be addressed in the near future.



1. Defining Democracy

Political scientist Karl Popper gives the simplest definition of democracy: ‘democracy is a system that makes it possible to get rid of a government without spilling blood.’ He, therefore, explicitly underlines the need for peaceful evolutionary change in society than violent overthrow of it by bloody revolution.

A more cynical view of democracy is the one proposed by British Prime Minister Winston Churchill calling it “the worst form of government except for all the others,” clearly indicating the messy process of democracy, including the restrictions placed on executive power by Parliament, elections, parties, and all the rest.

Another famous and widely used definition of democracy is the one by Abraham Lincoln: “government of the people, by the people and for the people.”

Robert A. Dahl defines democracy as: “a set of rules and principles, a constitution that will determine how the association’s decisions are to be made. And [the] constitution must be in conformity with one elementary principle: that all the members are to be treated (under the constitution) as if they are equally qualified to participate in the process of making decisions about the policies the association will pursue.”

The British historian Eric Hobsbawm defines democracy as “the growing role of common man in the affairs of the state.”

As clearly indicated by the definitions of the above-cited political scientists, philosophers and statesmen, democracy is the voice of the people which creates institutions, which in turn control the government and make it possible to change it without violence. In this sense, the Greek word *demos*, the people, are the sovereign that

gives legitimacy to the institutions of democracy.

In short, democracy is a form of political process that creates a set of institutions whose primary aim is to give legitimacy to the use of political power through answering three key questions: 1) how to achieve change in society without violence? 2) How to, through a system of checks and balances, control those in power in a way that gives people assurance they will not abuse it? And 3) how to ensure the people—all the citizens—have a voice in the exercise of power?”

Criteria for Democracy

According to Robert A. Dahl, among others, there are basically five distinct features or criteria to establish whether a society, nation or state is democratic. These are: 1) Effective Participation, 2) Voting Equality, 3) Enlightened Understanding, 4) Control of the Agenda and 5) Inclusion of Adults

Why the five Criteria?

The above criteria, especially the first two, are necessary to ensure political equality among the members in policy-making for their society, nation or state. If any of the criteria is not maintained, the goal of political equality (without which democracy is a sham) cannot be achieved. For instance, if some members are given more opportunities to express their voices, then their choice of policies are likely to prevail. There are also constant dangers of a tiny minority of members hijacking the decision-making process by curtailing opportunities for others to discuss agendas. The criterion of effective participation was exactly meant to avoid this error.

As to the third criteria, enlightened understanding, people might object that every citizen may not possess the equal capacity to arrive at enlightened understanding, so why feign this? However, such an assumption is basically misguided and elitist. As is often

proved by ordinary people, when it comes to making political decisions that affects their lives, they are intelligent enough to make the right choices provided they are given adequate opportunities to learn about the matters before by consultation, discussion and deliberation. As the great Athenian leader Pericles said in a famous oration commemorating the city's war dead in 431 B.C.E: "Our ordinary citizens, though occupied with pursuits of industry, are still fair judges of political matters... and instead of looking on discussions as a stumbling block in the way of action we think it an indispensable preliminary to any wise decision action at all." Indeed the public "knows it all." On the other hand, as Paulo Freire, author of 'Pedagogy of the Oppressed', pointed out, one has to be careful that such 'learning' does not become another exercise in emulating the oppressor: "No pedagogy which is truly liberating can remain distant from the oppressed by treating them as unfortunates and by presenting for their emulation models from among the oppressors. The oppressed must be their own example in the struggle for their redemption'.

The fourth criterion - control of the agenda - is indispensable to ensure that democracy is not hijacked by a minority of elites, policy makers, property owners, and turn it into an oligarchy. The elites of the society, nation or a state often holds the notion that they are the best to frame policies, and therefore, are secretly opposed to the idea that all should be treated as political equals in the affairs of the state. They often do this through the ingenious means of forming 'executive committees' whose membership would be open not to all the citizens, but the 'best informed and able' deputies, who will draft constitutions.

In the process, they ensure that only those agendas come up on the table that advance their own interests which are often touted as representing the will of the people. Such arrangements, on reflection, violate the principle of political equality for all members, and thus what is required is a constitutional arrangement that will satisfy the

fourth criteria and thus ensure that the final control of the agenda rests with the members as a whole. As Freire said: “Any situation in which some men prevent others from engaging in the process of inquiry is one of violence;... to alienate humans from their own decision making is to change them into objects.”

It is also worth stating that not everyone sees liberal democracy as a utopian ideal. For example, Marxists believe that in a capitalist state all “independent” media and most political parties are controlled by capitalists and one either needs large financial resources or to be supported by the ruling class to win an election. Lenin believed that in a capitalist state, the system focuses on resolving disputes within the ruling class and ignores the interests of the proletariat or labour class which are not represented and therefore dependent on the ruling classes’ good will.

2. The Exile Experience

The Dalai Lama in his public statement on the 52nd Tibetan National Uprising Day on 10 March 2011 formally announced the devolution of his political power to an elected leader. When he first broke the news about the decision to a noted Indian journalist during a television interview, speculations and emotions ran deep over the announcement in the Tibetan community. In the subsequent days, news reached every part of the world, which pitched emotions of the Tibetan people both inside Tibet and in exile. Supposedly independent commentators from China started to draw conclusions that it is yet another trick by the Dalai Lama to deceive the international community. Some Tibetan commentators too were sharp to point out that the statement by their leader will have impact only on the administrative activities of the exile Tibetan government. However, what actually unfolded was far more dramatic and significant.

In a written message to the Tibetan-Parliament-in-Exile, the Dalai Lama provided further evidence of his long term plan of democratizing the Tibetan society and as part of that process one of the most important landmark decision was dissolution of the historical form of Tibetan government – *Ganden Phodrang* – in order to make way for a full fledged democratic form of Tibetan government. This sudden statement caught all by surprise and shocked the Tibetan world. One independent Tibetan commentator went so far as to conclude that the Tibetan people know only two Dalai Lamas as “Great” (the fifth and thirteenth Dalai Lamas) and heavily criticized the current Dalai Lama for ending the *Ganden Phodrang* government as “his personal property”.

The vexed issue of Tibet is now 53 years old since China’s complete invasion of Tibet in 1959. The Tibetan freedom struggle in the

last five decades has received enormous global recognition as the international profile of Tibet rose steadily. Unlike the initial years where some governments struggled to learn about the political and actual status of Tibet, today Tibet is known as an issue at the household level globally. With the rise of international profile of Tibet, the People's Republic of China also rose in the global scenario. With economic reforms in China, the nation has risen steadily as a global economic power in the last three decades. Today PRC commands global respect due to its newfound economic status. Tibet's struggle for freedom is being fought in the shadow of this reality.

Tibet's quest for freedom through formal dialogue began in late 1970s and early 1980s when envoys of the Dalai Lama held exploratory talks with the Chinese leaders in light of four fact-finding delegations to Tibet. The contact broke off in 1993 and it was only resumed in 2002. Since then, the Dalai Lama's envoys had nine rounds of formal talks with the government of PRC. The last round of talk was held in January 2010 and since then no further round of parleys could take place. In the aftermath of spring 2008 uprising in Tibet, the Dalai Lama in October 2008 made the famous statement "my trust in the Chinese government is getting thinner and thinner".

In March 2011, Tibetans in exile went to polls to elect a new Kalon Tripa (de facto Prime Minister). Just days prior to the final round of election, the Dalai Lama announced his decision to withdraw completely from political life and in his message to the Tibetan parliament in May 2011, he called for an end of the *Ganden Phodrang* government of Tibet. This created a stir within the Tibetan community both emotionally and politically. Despite numerous appeals by individuals, organizations and most importantly by the Tibetan-Parliament-in-Exile (TPiE), the Dalai Lama held fast to his decision. Eventually the decision prevailed and history was made

when *Ganden Phodrang* government was ended thus marking a new era of Tibetan governance where in religion and politics were separated.

In August 2011, Dr Lobsang Sangay, a Harvard-trained academic became the first elected political leader of the Tibetan people. Dr Sangay's inauguration ceremony on, 8 March 2011, in the exile Tibetan capital of Dharamsala in northern India, received widespread coverage from the international media.

Separation of Religion and Politics

In the aftermath of Chinese occupation of Tibet, in exile the Dalai Lama carried forward the democratization process he had already started in Tibet. The Central Tibetan Administration (CTA) popularly known as the Tibetan-Government-in-Exile was set up on the principles of democracy. With a modest beginning, the democratization process gradually and firmly strengthened year after year. Since the change from the traditional system of governance to a modern political system based on genuine democracy was a major reform, the Dalai Lama as the architect of Tibetan democracy skillfully introduced crucial reforms usually every ten years. After the direct election of the Kalon Tripa in 2001, the logical conclusion of the process was to separate religion from politics. Although initially the Dalai Lama officially did not mention anywhere regarding separation of religion and politics, dissolution of the erstwhile Ganden Phodrang government with its spiritual genesis gave definite impression that religion is being separated from politics. It was later confirmed through interviews given by the Dalai Lama to the media.

The Dalai Lama in his message to the Tibetans during a public teaching in Dharamsala on 19 March 2011 stated, "So now is the right time to end the dual system of governance established during

the fifth Dalai Lama and retain the kind of unanimity and recognition gained by the first four Dalai Lamas in the spiritual domain. Particularly, the third Dalai Lama received the honorific title of an ecumenical master with yellow hat. So like them I will continue to take spiritual responsibilities for the remaining part of my life... Ganden Phodrang reverting back to its role and responsibility as being the spiritual head as during the times of the second, third and fourth Dalai Lamas have great significance and reason." The current and the future Dalai Lamas if there are reincarnations will continue to inspire the Tibetan people as the institution still remains and henceforth remains purely spiritual.

Interference and Attacks on the Institution

While the Dalai Lamas have provided great leadership over Tibet, the institution has been politically interfered with and attacked on numerous occasions. Since the Dalai Lama holds the highest office in the power structure of the Tibetan government and is also the spiritual apostle, anyone who controls him in effect controls Tibet.

Historically the Manchus as foreigners interfered and tried to control the Dalai Lama through introduction of the procedure of drawing of lots from the Golden Urn in recognizing reincarnate lamas. The Tibetan aristocracy also tried to control the Dalai Lamas for personal gains and privileges. On numerous occasions they have sought the help of Manchus in order to meet their personal objectives in gaining power.

It is clearly demonstrated throughout Tibetan history, the interregnum period is the most vulnerable period. During the death of a Dalai Lama and the maturity of the next one, invaders and oppressors of the Tibetan people have taken full advantage of the situation and launched their attacks. Some of the Dalai Lamas did not live long and died in their childhood. The 8th to the 12th Dalai

Lama did not live long which can be attributed to internal rivalries and manipulation from outside.

Law on Reincarnation

Under the current occupation of Tibet by the Chinese regime, the Communist Party of China (CPC) has clearly made known their intentions in installing the 15th Dalai Lama when the current one passes away. While the CPC plays a waiting game with an aging Dalai Lama (who turned 77 in July 2012), public instructions have already been issued to legitimize control of the next Dalai Lama.

The case of the 11th Panchen Lama, Gendun Choekyi Nyima, who was abducted in 1995 at the age of six and never again seen by the Tibetans and the outside world despite international pressure is a stark reminder that the government of China can go to any length to implement its political strategy.

In September 2007, the State Administration of Religious Affairs (SARA) made effective an Order No 5 “Management measures for the reincarnation of living Buddhas in Tibetan Buddhism”. The decree made it crystal clear that the government will have the ultimate authority in recognizing the reincarnate lamas thereby making reincarnate lamas illegal and invalid if they have not been approved by the Chinese government. The decree states, “It is an important move to institutionalize management on reincarnation of living Buddhas. The selection of reincarnates must preserve national unity and solidarity of all ethnic groups and the selection process cannot be influenced by any group or individual from outside the country.” It also requires that temples, which apply for reincarnation of a living Buddha must be “legally-registered venues for Tibetan Buddhism activities and are capable of fostering and offering proper means of support for the living Buddha.” It can be concluded that this order allows the government to effectively control the reincarnation of Tibetan reincarnate lamas both inside

the “Tibet Autonomous Region” and other Tibetan areas in present day China. Essentially this decree aims to legally install and control the 15th Dalai Lama when the time comes.

The Communist Party although claims to be atheistic in its ideology and considers “Religion is Poison”, its immense interest and interference in the religious and spiritual matters of the Tibetan people as exhibited especially in recent years have its foul intentions. When the Dalai Lama announced his devolution of political powers and retirement, it stirred great interest and debates globally. The Chinese authorities in Tibet were quick to state their position as their plans and designs seem to derail flatly. On the sidelines of National People’s Congress in Beijing, Padma Choling, the Chinese-appointed governor of Tibet talking to the media on 7 March 2011 said, “We must respect the historical institutions and religious rituals of Tibetan Buddhism. I am afraid it is not up to anyone to abolish the reincarnation institution or not.” He further said, “Tibetan Buddhism has a history of more than 1,000 years, and the reincarnation institutions of the Dalai Lama and Panchen Lama have been carried on for several hundred years”.

Just few days later, in his annual speech on the 52nd Tibetan National Uprising Day on 10 March 2011, the Dalai Lama confirmed their worst speculations when he formally declared the devolution of political power and thereafter called for the dissolution of the Ganden Phodrang government in a message to the Tibetan-Parliament-in-Exile. The decision by the 14th Dalai Lama to devolve political power to an elected leader and dissolution of the erstwhile Ganden Phodrang government in effect derails the Chinese government plans. The government of the PRC received a huge blow in its systematic planning and calculations made to control the next Dalai Lama and thus control Tibet.

2.1 Democratization : Process in Exile

Instituting Legislative Body

In February 1960, during a huge gathering of Tibetans in the holy Buddhist site of Bodhgaya in the northeastern Indian state of Bihar, the Dalai Lama promulgated democracy as a system of governance for Tibet and its community in exile. He encouraged the people to start practice of democratic self-rule.

The advice was acted upon and a people's representative body was established on basis of the three traditional Tibetan provinces (U-Tsang, Dotoe and Domey) and four schools of Tibetan Buddhism (Sakya, Gelug, Nyingma and Kagyu). On 2 September 1960, the first Commission of Tibetan People's Deputies (CTPD) was formed. Every year the day is celebrated as the Tibetan Democracy Day.

Draft Constitution

A year later, on 10 October 1961, the Dalai Lama circulated an outline draft for a new democratic constitution amongst the Tibetan diaspora. Although the Tibetans unanimously appreciated the proposed document, they expressed opposition to the provision, which curtailed the powers of the Dalai Lama. On 10 March 1963, the "Constitution of Tibet" which combined principles of Buddhism and democracy and consisted of 10 chapters and 77 articles was promulgated. The Constitution was called a "draft" as it was to be finalized in consultation with the Tibetans inside Tibet. The Constitution recognized the supremacy of international law, the United Nations Charter, the Universal Declaration of Human Rights and it also renounced the use of force as a national policy.

Over the next five decades the legislative organ of the Tibetan-Government-in-Exile improvised in its functioning to meet the

standards of modern open democracy. In 1965, the Commission was entrusted with the authority to abolish the traditional practice of appointing both monk and lay officials to each office and to abolish the various hereditary titles and prerogatives. The rules of the public service were restructured and new ranks and designations were framed. In the second and third CTPD, the number of deputies was increased from 13 to 17 as reservation seats for an elected woman representative from all the three provinces and appointment of an eminent Tibetan were introduced. On 3rd May 1966, a separate Commission house and Secretariat was set up. The Deputies of the Assembly had been given authority to oversee the functioning of the various departments of the government-in-exile by 1969. However, the Kalons as the Executives were still not accountable to the Assembly. In 1969, the third CTPD discontinued the biannual meetings and started an Annual (National Level) General Meeting. The First Annual General Meeting was held in 1970 during the fourth CTPD and the practice was continued till 1981. Towards end of the third CTPD the deputies began to oversee the working of the departments as they had gained considerable insights into the working of the administration as they had been attached to the government departments. The Commission scrutinized the work reports of the government departments and the Kashag was made accountable to public grievances. During the term of the fourth CTPD, the Tibetan Freedom Movement sub-committees (Tibetan: Bod Rangwang Denpai Legul) were set up at Tibetan settlements and areas of Tibetan residence all over the world. The Committee was initiated by a group of Tibetans from Varanasi aimed at arousing Tibetan public support for action plan for the cause of Tibet's freedom.

In 1974, the election system, which till then was rudimentary and inconsistent, was put under review. New electoral rules were put in place on 21 November 1974 in accordance with the facts and incorporation of positive elements from the Indian electoral system.

Surprisingly, the reservation for women deputies was removed which continued until 1991. In another significant positive development, the financial budget of all the departments of the Government-in-Exile was put under authority of the Commission as the income and expenditure of the Government-in-exile started to be approved and sanctioned during the annual meeting of the National Working Committee. Until 1975, the Kashag as the Executive branch was also controlling budgets and there was no financial accountability to the CTPD.

On 5 October 1977, a deputy for Bon religion, the pre-Buddhist indigenous religion of Tibet, was included in addition to the four schools of Tibetan Buddhism. The term of the Cabinet Ministers was fixed at five years term in 1979 and the parliament-in-exile was renamed as the Assembly of Tibetan People's Deputies.

Confusion over Restructuring of Representation

In 1981, in view of the longstanding campaign by the Tibetan Youth Congress (TYC) since 1974 to elect the deputies irrespective of provinces, the High-Level Standing Committee decided to hold the election to the eighth ATPD as per TYC petition. However, the people from Dotoe province objected to the decision citing the then prevalent system to be adequate. The decision was reviewed to decide that a one-time voting would be conducted for the eighth ATPD and the Dalai Lama would then appoint deputies from the primaries. The Dalai Lama reduced the number of provincial deputies by half, which brought down the total strength of deputies to the Assembly to 12. As proposed by the High-Level Standing Committee the Dalai Lama selected and appointed deputies to the ATPD from the primary voting list. When the Election Commission announced the election schedule for the ninth ATPD, the Dotoe Tibetans again demanded for the continuation of prevailing system. On the advice of the Dalai Lama, a meeting

was organized by the ATPD comprising of representatives of the provinces, TYC and new arrivals from Tibet. Since the meeting could not reach a clear-cut decision, it was resolved that the Dalai Lama should appoint deputies to the ATPD so long as a unanimous decision could not be reached. The ninth and tenth ATPD did not last long as they were in power for one and two years respectively.

For three years, between 1987 and 1990, there was confusion in the exile leadership on how to set up a representative legislative body. The options were either to establish the body devoid of provincial representation to gear itself towards a freedom movement or to set it up according to representative democracy and governance. On the repeated advice of the Dalai Lama to form a truly democratic society, in August 1989, a conference was convened by the Kashag calling 230 participants representing the ATPD, civil servants, NGOs and new arrivals from Tibet to solicit their opinions and views. On 11 May 1990, a Special Congress was called and accordingly it was decided that the ministers should continue to be appointed by the Dalai Lama whereas the deputies to the ATPD no longer required approval from the Dalai Lama. The Kashag and the ATPD were both dissolved and an interim Kashag was elected until a new charter was proclaimed to implement the reforms.

Terms and Number of Deputies in the Tibetan Parliament

	Term Start	Term End	No of Deputies
1st CTPD	2 September 1960	19 September 1964	13
2nd CTPD	20 February 1964	1 September 1966	17
3rd CTPD	2 September 1966	24 November 1969	17
4th CTPD	25 November 1969	24 December 1972	16
5th CTPD	25 December 1972	4 May 1976	16
6th CTPD	5 May 1976	1 September 1979	17

7th ATPD	2 September 1979	1 September 1982	17
8th ATPD	2 September 1982	1 September 1987	12
9th ATPD	2 September 1987	1 September 1988	12
10th ATPD	2 September 1988	11 May 1990	12
11th ATPD	29 May 1991	28 May 1996	46
12th ATPD	29 May 1996	30 May 2001	46
13th ATPD	31 May 2001	30 May 2006	43
14th TPiE	31 May 2006	30 May 2011	43
15th TPiE	31 May 2011		44

*CTPD = Commission of Tibetan People's Deputies, ATPD = Assembly of Tibetan People's Deputies, TPiE = Tibetan-Parliament-in-Exile

Source: Tibetan-Parliament-in-Exile

Charter for the Tibetans-in-Exile

During the interregnum period between 12 May 1990 to 28 May 1991, a Constitution Review Committee was formed to review the existing draft constitution for future Tibet proclaimed in 1963 and accordingly draft a democratic Charter for the Tibetans-in-Exile on the basis of realities of the situation in exile. The Committee after consulting a number of Tibetans as well as non-Tibetan experts and scholars and on the basis of draft constitution of 1963, the Five Point Peace Plan of 1987, the Dalai Lama's address to the European Parliament in 1988, and the Dalai Lama's address to the 10th ATPD in 1988 and the Special Congress in 1990, a Charter for the Tibetans-in-Exile was promulgated.

Giant Leap in Democracy

The 11th Assembly, which assumed legislative powers in 1991, was expanded for a more inclusive and participatory representation. The former 12-member Assembly was expanded to a 46-deputy

legislative body. The representation was broken up as ten deputies each from the three provinces (U-Tsang, Dotoe, Domed) of Tibet, two deputies each from the four schools of Buddhism and also from Bon religion, two representatives from Tibetans in Europe, one (now two) representative from Tibetans in North America and three representatives (not exercised in the current and last Assemblies) appointed by the Dalai Lama on the basis of their distinguished service and merit.

The Assembly was empowered to elect the Kalons (Ministers) who would form the Kashag (Cabinet). Earlier the appointment of Kalons was the exclusive prerogative of the Dalai Lama. According to the new change, the Kalons as the Executives have to account to the Assembly and defend their activities and functioning to a critical Assembly. The Assembly was empowered to impeach the Kashag, Justice Commissioners and heads of the independent bodies by two-thirds majority.

If the Assembly deems it right, it can even impeach the Dalai Lama by a three-fourth majority vote. According to the Charter adopted on 14 June 1991, if a candidate secures 70% of the assembly votes, he or she could be declared as a Kalon.

However, it turned out to be impractical as the parliament failed to elect the Kalons and the Dalai Lama was yet again requested to appoint them. In 1993, this provision was amended to enable the election of Kalons by the parliament on the basis of number of votes they secured.

Three Pillars of Democracy

In order to arbitrate civil litigations within the Tibetan community in exile, a Supreme Justice Commission was formally inaugurated on 11 March 1992 as the apex tribunal. This body was vested with

the power to interpret the Tibetan laws if any conflicting views contest the law. With the establishment of the Supreme Justice Commission, the Tibetan-government-in-exile was firmly based on the three pillars of democracy with the complete checks and balances and accountability system in place. Three independent bodies of the Audit Commission, Public Service Commission and the Election Commission were instituted to audit the accounts of all the offices, to recruit civil servants and to oversee elections for the Central Tibetan Administration respectively.

Refining Democracy

In an effort to further refine democracy, in September 2003 the Dalai Lama recommended that his appointment of three eminent Tibetans as deputies to the parliament and also the appointment of heads of the three independent bodies of the CTA should cease. Accordingly he did not exercise his direct nominations power to both the 14th as well as 15th Tibetan-Parliament-in-Exile. In view of the population shift in the Tibetan diaspora, proposals were made to increase the number of seats for the representatives from North America and to include seat for a deputy from the fledging Tibetan community in Australia. Although the latter proposal could not be realized, in September 2010 the 14th TPiE approved the increment of representation from North America. This amendment was implemented in the current 15th TPiE, which was sworn in May 2011.

Direct Election of Kalon Tripa: A Key Milestone

In order to further democratize the election of Kalons as executives of the Central Tibetan Administration, the Dalai Lama proposed reforms in election of Kalons. In September 1998, the Dalai Lama made recommendations that the ATPD elect a Chief Kalon who will in turn nominate his ministerial colleagues to be approved by

the parliament. Alternatively it was suggested that the Kalons be collectively elected by the ATPD, civil servants above the rank of Deputy Secretary, Local Tibetan Assemblies, the Tibetan Freedom Movement Sub-Committee members and representatives of NGOs. After much deliberations and debates for over two years, it was decided that the Kalon Tripa be directly elected by the people. Accordingly the Charter was amended to provide for the direct election of Kalon Tripa and the Kalon Tripa appoints his or her ministerial colleagues on approval by the ATPD.

In September 2001, the first directly elected Kalon Tripa by the Tibetan community in exile assumed power. It was a key milestone in the democratization of Tibet. Henceforth the Dalai Lama began to state that he was in “semi-retirement” position. Ten years later, the third direct election of Kalon Tripa on 20 March 2011 assumed historical significance as the Dalai Lama devolved his political powers and resigned into a purely spiritual domain. In landmark elections, Harvard academic Dr. Lobsang Sangay emerged victorious in both the preliminary and final round of elections beating two prominent and experienced leaders in the race. The election turned out to be one of the most active and participatory election (out of 83,399 voters around the world, 49,184 or approximately 59% voted in the March 2011 final election) by the Tibetans fiercely debating merits and demerits of each candidate often hitting the lows of political rivalries in mature democracies around the world. In the end, the Tibetan people chose Dr. Sangay for his promise of “Unity, Innovation and Self-Reliance”.

Result of final election held on 20 March 2011

S. No.	Name	Native Place	Present Residence	No. of Votes	Vote Percentage
1.	Lobsang Sangay	Lithang	United States	27051	55.00%

2.	Tethong Tenzin Namgyal	Lhasa	United States	18,405	37.42%
3.	Tashi Wangdi	Lhoka	Europe	3 3,173	6.44%

Source: Tibetan Election Commission, CTA

Result of preliminary election held on 3 October 2010

S. No.	Name	Native Place	Present Residence	No. of Votes
1.	Lobsang Sangay	Lithang	United States	22,489
2.	Tethong Tenzin Namgyal	Lhasa	United States	12,319
3.	Tashi Wangdi	Lhoka	Europe	2,101
4.	Lobsang Jinpa	Tsarong	United States	1,545
5.	Khorlatsang Sonam Topgyal	Gonjo	Mussoorie	605

Source: Tibetan Election Commission, CTA

Empowering Democracy: Devolution of Political Powers of the Dalai Lama

In the late 2010 and in the run-up to election of the third Kalon Tripa of the Central Tibetan Administration, the Dalai Lama announced that he is devolving political powers and resigning from active politics. Despite repeated appeals from all sections of the Tibetan people both inside and outside Tibet and exile institutions appealing the Dalai Lama to remain both the spiritual and political leader of Tibet, the Dalai Lama stood firm on his decision for the long-term benefit of the Tibetan people and Tibetan democracy.

According to the exile Tibetan Charter, there are nine executive powers in article 19 that the Dalai Lama enjoys as the Head of State. When the Dalai Lama steadfastly rejected all the appeals to hold on to power and continue as the Head of State, there was no option but to make amendments to the Charter to legally formalize the devolution of political powers. Altogether about 40 amendments were made to the Charter to make the devolution legal and institutional. Of all the relevant articles, article 19 of the Charter went through maximum amendments as it deals with executive powers that politically empower the Dalai Lama. At the time of this report going to the press, debates are ongoing regarding some amendments, which might lead to further changes. (More Details on Amendments)

Following are the amendments adopted by the end of 11 session of the 14th TPiE:

1) Signing Bills into Acts

Earlier the Dalai Lama as Head of the State (Tibetan: Mirik Genzin) of the Tibetan people signed bills passed by the Tibetan parliament into acts to be enforced legally. Since the Dalai Lama withdrew completely from political life, the position of Head of State became void. According to advice of the Dalai Lama, Tibet became a republic. While there are many theories on republicanism like the most common definition of a republic having a leader through election besides a Head of State, the Tibetans accept Tibet to be a republic as there are elected leaders in the executive and legislative organs of democracy although there is no Head of State. In the absence of Head of State, the Charter Review Drafting Committee recommended the Speaker of the Parliament to be given the power to sign bills into acts. However, the parliament decided against the recommendation and in fact gave the power to Kalon Tripa who will sign the bill to make it an act. In the event the bill is not signed within 14 days since its adoption, the bill automatically becomes an act.

2) Issuing Ordinance

The Dalai Lama as the head of state issued ordinances (Tibetan: Katsa) in the past. The ordinances were issued before the parliament convenes and had legal enforcement power. With the relinquishing of political power, the Dalai Lama's power to issue ordinances was removed in the Charter. However, in the event of national urgency, the Dalai Lama can still issue ordinance according to which the Tibetan Parliament will hold an additional session to debate, deliberate and to decide whether to enact it as law or not.

3) Recognition of distinguished figures and citizens

Although this power has never been exercised, the Dalai Lama as Head of State gives official recognition to distinguished figures and citizens. The Kalon Tripa as head of government would henceforth exercise this power.

4) Start and end of parliament sessions

Earlier the Dalai Lama holds power to allow start of the two annual sessions of the parliament as well as its conclusion. According to amendment to the Charter, the Speaker and Standing Committee of the Tibetan-Parliament-in-Exile will decide when to hold the parliament sessions and also its conclusion.

5) Dalai Lama's statements to the parliament

Earlier the Dalai Lama issued statements to the parliament either in person or through written statements. According to amendment to the Charter, issuing of statement by the Dalai Lama has been removed from article 19. However, according to the amendments, article 1 section 2 allows a provision to include statements by the Dalai Lama or when the Tibetan people ask him for statements.

6) Dissolution of Parliament

The Dalai Lama's power to dissolve parliament has been removed from the Charter. It was recommended that the Kalons (eight at the maximum including the Kalon Tripa), Speaker and Deputy Speaker of the Parliament and three Justice Commissioners of the Tibetan Supreme Justice Commission be empowered to dissolve the parliament with three fourth majority meaning a vote of nine can dissolve the parliament. However, this was objected as the Kalons under the Kalon Tripa can act as one voice and since they hold eight votes out of 13, an extra vote from either of the two Speakers or three Justice Commissioners ensure the dissolution of parliament which unjustly empowers the Kalons as a vote bloc.

In the history of democracies around the world, except for the dissolution of Scottish Parliament in September 2009, perhaps no parliament in the world has been dissolved. The upper and lower houses of the parliament ensure no dissolution as the upper house always remain undissolved although the lower house had been dissolved on the advice of Prime Minister or Council of Ministers or by the President. Although individual parliamentarian can be relieved by two third majority of parliament, no consensus could be reached upon how and who can dissolve the Tibetan parliament.

7) Dissolving Kashag

The Dalai Lama's power to dissolve the Kashag has been removed from the Charter. Instead the power has been transferred to the parliament who can dissolve the Kashag by two third majority (28 deputies) of total strength (44 deputies) of the parliament.

8) Special Meeting

According to Article 59 of the Charter, the Dalai Lama can direct the parliament to organize a special meeting or the Kashag

and parliament can either seek guidance or appeal the Dalai Lama to hold special meeting on urgent national situation. The Dalai Lama's power to call upon special meeting has been removed from the Charter and instead the Kashag, Speaker and Deputy Speaker of the TPiE have been empowered henceforth to collectively call upon special meetings in the future. Till date only one special meeting had been called upon in November 2008 in the aftermath of spring 2008 uprising in Tibet.

9) Referendum

The Dalai Lama holds the power to hold referendum in deciding important national issues. Till date no referendum had been held although it was discussed on at least two occasions. In the aftermath of 1987 mass protests in Tibet and the Strasbourg proposal in 1988, a referendum was almost called upon but for the Tiananmen Square student demonstrations and the subsequent massacre in Beijing in 1989. After the issuance of 'Guidelines for a future Tibet' in 1992, the Dalai Lama withdrew the Strasbourg proposal and a referendum process to solicit opinion of the people began in 1994 but the actual election was not carried out as majority of the public opined that they would follow whatever the Dalai Lama decide for them. In the Charter amendment, the power to hold referendum has been transferred to the parliament by two-third majority when the parliament is in session or else by two third majority of the standing committee of the TPiE and Kashag.



A lone man scans through the campaign posters, India (2011)



An officer registers a voter's voluntary contribution green book, India (20 March 2011)



Community leaders guarding the ballot box, Dharamsala, India
(20 March 2011)

Photos courtesy: David Huang



Tibetan Parliament in Exile in Session (Reuters, 2011)



Ganden Phodrang Labrang in Drepung Monastery, Lhasa, Tibet

Decentralization of Power: Election of Tibetan Settlement Officers and Local Tibetan Assemblies

Exile Tibetans in South Asia live in settlements scattered throughout India, Nepal and Bhutan. Each settlement has a Settlement Officer who as the principal officer is mandated to look after the wellbeing of the residents and is charged with overall control of running the settlement.

The Settlement Officer usually appointed by the CTA in Dharamsala, north India, functions as the liaison between the settlement and the Department of Home (CTA) and is the principal source of official information for the settlement residents. The Settlement Officers' daily task ranges from adjudicating disputes to communicating

with group leaders and outside authorities, and monitoring every activity in the settlement. There are clusters of camps or villages in each settlement. Each village elects a camp leader who reports to the Settlement Officers forming the base of a democratic pyramid. Bigger settlements have cooperative societies for economic assistance. The representatives to the cooperative society's Board of Directors are elected by the people.

As of August 2012, 42 out of the 47 larger settlements have elected local assemblies (see Appendix 6 for a list of Local Tibetan Assemblies in Tibetan settlements). Local Tibetan Assembly where it functions consists of prominent personalities elected from the settlement who hold the responsibility in overseeing the work of the settlement officers. The Settlement Officer is accountable to the Local Tibetan Assembly and has to seek clearance for any activity, projects and financial matters related to the settlement. The local assembly is in turn accountable to the public.

Over the years of evolution of Tibetan democracy, it becomes imminent that power must be decentralized to the grass roots level in order to have a sound and healthy democratic governance of people. Articles 71 to 95 of the Charter for Tibetans-in-Exile primarily stipulate that the Tibetans should elect their settlement officers and also constitute a local assembly by election (see appendix 5 for the primary relevant articles). Towards realizing full democratization of the Tibetan governance system in exile, two important landmark initiatives in decentralizing power have been undertaken by the Central Tibetan Administration in Dharamsala; elections of Tibetan Settlement Officers and the Local Tibetan Assemblies. It has been envisioned that the initiatives would bring democratization in local governance through important transformation in election of settlement officers and local Tibetan assembly – the key local level institutions for local governance; one for administration while the other to monitor and check the activities of the settlement office

and its officers as well as bring local grievances and issues on table for effective local governance. An elected officer from the settlement itself could bring about much needed changes and improvements for he or she would be thoroughly known to the settlement environment. The current practice of appointing the officers from outside the settlement leaves a gap in good governance as he or she may not be accustomed to the work environment and needs of the settlements. Moreover, since new appointments are made every three years, the officers could not bring about much improvement in the settlements.

Although a lot of importance has been attached to the initiative, there is much rejection by the public especially in electing Settlement Officers. Numerous reasons can be attributed for the rejection amongst which fear of internal politics and question of neutrality by Settlement Officers remain the primary concerns. Comparatively constituting Local Tibetan Assemblies have received a much better response from the settlement residents. Although election of the Local Tibetan Assembly has been successful, only four settlements have currently elected their Settlement Officers.

Despite these initiatives till date, the Tibetan public has never fully accepted the concept. To the large majority of them, a Settlement Officer is seen as the representative of the Dalai Lama sent from the exile government headquarter in Dharamsala, north India. While they complain about inability of some Settlement Officers in looking after needs of their areas due to short tenure (a Settlement Officer's term is three years which is renewable), however, they see them to be a direct representative of the Dalai Lama and hence regard them with high respect and authority. Being an outsider, they are perceived to be neutral who can pass judgments on the basis of merits and not on nepotism.

In early 2007 and 2008, the Tibetan Centre for Human Rights and

Democracy (TCHRD) conducted a survey on election of Settlement Officers and Local Tibetan Assemblies in three large settlements in south India and small settlements scattered in northeast India. The response from the public was overwhelmingly in favour of CTA headquarter in Dharamsala to appoint the Settlement Officer rather than they electing one by themselves. While the majority of public favours constitution and election of Local Tibetan Assemblies in the two of the largest settlements in Bylakuppe, south India, till date no assembly could be established due to issues of representation. Although the Charter for Tibetans-in-Exile stipulate the people to freely elect their deputies according to their merit, the disagreeing parties demand equal representation on basis of the three traditional provinces just as the prevailing system in election of TPiE. Due to contradiction between the Charter and demand of public, till date the largest and the oldest Tibetan settlement in South India functions without a Local Tibetan Assembly.

Figures of Survey conducted in Three Tibetan Settlements in South India in February 2007

Dickyi Larso settlement (14 camps) (Bylakuppe, South India)			
Survey on appointment or election of Settlement Officer (Number of survey participants: 488)		Survey on constitution of Local Tibetan Assembly (Number of survey participants: 482)	
Appointed by the CTA	By Election	Favour	Not- Favour
339	139	445	33

Lugsum Samdrupling settlement (12 camps) <i>(Bylakuppe, South India)</i>			
Survey on appointment or election of Settlement Officer (Number of survey participants: 1381)		Survey on constitution of Local Tibetan Assembly (Number of survey participants: 1676)	
Appointed by the CTA	By Election	Favour	Not- Favour
683	661	1474	190

Rabgayling Settlement (14 camps) <i>(Hunsur, South India)</i>			
Survey on appointment or election of Settlement Officer (Number of survey participants: 346)		Survey on constitution of Local Tibetan Assembly not conducted as there already exist a functioning assembly in the settlement	
Appointed by the settlement CTA	By Election		
239	96		

* Few remained neutral in the survey questionnaire options. The number deducted from the total by adding those who participated is the number of participants who chose to remain neutral

SOURCE: Tibetan Centre for Human Rights and Democracy (TCHRD) February 2007

Figures of Survey conducted in Three Tibetan Settlements in North-East India in February 2008

Tibetan Settlements in Darjeeling, Sonada, Mirik, Kurseong, Pokrapong (North East India)			
Survey on appointment or election of Settlement Officer (Number of survey participants: 232)		Survey on constitution of Local Tibetan Assembly (Number of survey participants: 232)	
Appointed by the CTA	By Election	Favour	Not- Favour
142	91	221	11

Tibetan Settlement in Gangtok (North East India)			
Survey on appointment or election of Settlement Officer (Number of survey participants: 232)		Survey on constitution of Local Tibetan Assembly (Number of survey participants: 71)	
Appointed by the CTA	By Election	Favour	Not- Favour
47	23	63	8

* Few remained neutral in the survey questionnaire options. The number deducted from the total by adding those who participated is the number of participants who chose to remain neutral

Source: Tibetan Centre for Human Rights and Democracy (TCHRD), February 2008

Settlement Officers Elected by Public

S. No.	Settlement	Name of Settlement Officer	Vote percentage	Start of tenure
1	Bir Derge	Jagoetsang Se Donyoe	79.23%	11-April-2003
		Jagoetsang Se Donyoe	97.04%	1-June-2006
		Sonam Topga	72.00%	1-June-2009
		Jagoetsang Se Donyoe	88.16%	2-Feb-2010
		Tsering Phuntsok	53.93%	1-Feb-2012
2	Dharamsala	Tsering Phuntsok	69.39%	1-Dec-2007
		Sonam Dorjee	53.60%	22 Aug-2011
3	Ladakh	Dhondup Tashi	73.00%	15-Jan-2010
4	Solan Bon Settlement	Tsochok Tenzin	51.92%	8-July-2002
		Tsochok Tenzin	51.33%	8-July-2005
		Druk Se Tenzin	69%	1-Oct-2008
		Phurbu Wangden	76.23%	1-Aug-2009
		Yungdung Chime		1-Aug-2012
5	Nepal Jwalakhel Samdupling	Phunling Karma Dawa	81.22%	8-Nov-2011
6	Nepal Chorten	Tsering Dhondup	87.13%	10-April-2010

Source: Tibetan Election Commission, CTA, 2012

Conclusion

Tibet in the early to mid 20th Century was repeatedly attacked and invaded by the Manchus, Nationalist China and thereafter by Communist China. Old Tibet could not match the then new and modern ideology of communism and the rise of Communist Party in China. Eventually Tibet fell.

Amidst the political storm the young 14th Dalai Lama as the ruler of Tibet upon seeing shortcomings and inequalities prevalent in the society made efforts to reform and modernize Tibet. However, his efforts could not be carried out for long in the wake of Communist China's invasion and his subsequent exile into India.

In his foreword to the Draft Constitution promulgated in 1963 in India, the Dalai Lama stated: "Even prior to my departure from Tibet in March 1959, I had come to the conclusion that in the changing circumstances of the modern world, the system of governance in Tibet must be modified and amended so as to allow the elected representatives of the people to play a more effective role in guiding and shaping the social and economic policies of the State. I also firmly believed that this could only be done through democratic institutions based on social and economic justice."

The democratization of Tibet has been a gradual and steady process. It is an absolutely top down initiative with the Dalai Lama as the architect of modern Tibetan democracy. The general common opinion of the Tibetan community is that "our democracy is a gift from the Dalai Lama". And it is rightly so. In a modern world where political leaders fight hard to keep their power intact, the Dalai Lama has gradually ushered in an open democracy despite constant rejections and push backs by the Tibetan people. While autocratic leaders strove hard to cling on to power and prestige during the 'Arab Spring' in 2011, the Tibetan people debated and deliberated through Tibetan National General Meeting and the parliament-in-

exile on how best to reform and strengthen democracy in accordance with the wishes of the Dalai Lama. Decision by the Dalai Lama devolving political powers to an elected leadership and resigning into purely spiritual matters was unpopular, yet it was enforced by him and later legalized by the Tibetan-Parliament-in-Exile.

The democratic model of Tibet is partially parliamentary and partially presidential with slightly leaning more towards the parliamentary form of democracy. Being historically and culturally nearer to India and also because of it being the host nation, the Tibetans had modeled their democracy on the Indian parliamentary form of democracy sans the political parties. The major changes ushered in during the 1990 democratic reform have been based heavily on the Indian system. In the absence of multiple political parties and especially since the direct election of Kalon Tripa by the Tibetan people in 2001 and subsequently vesting all the political powers in him in 2011, Tibetan democracy assumed strong characteristics of the US presidential form of democracy. Tibetan democracy is unique and it is an evolving process.

In the formative years since democracy was introduced in the Tibetan community, the supposedly independent organs of democracy were merged to work together in the absence of expert guidance. In the absence of proper infrastructure in the initial years, the legislators of the Tibetan Parliament- in-Exile worked in government department buildings till the 3rd CTPD. Tenure of the parliamentarians varied between two to three years term till the 6th CTPD. An election monitoring commission and laws were then not introduced leading to inconsistent patterns of tenure as well as composition of deputies to the parliament. It was only after the 1991 reform that the legislative body resumed consistency and came closer to the standards of democracy prevailing in other countries.

The pre-1959 government of Tibet saw no woman in office. Tibet was then a socially and politically male dominated conservative

society. As women's rights and empowerment campaign grew stronger globally, the Tibetan society was also touched by it. After the first term of the Commission of Tibetan People's Deputies (1960-1964), reservation quota for women representative each from the three provinces were introduced in the second and third CTPD. However, in November 1974 a new set of electoral rules came into effect and the gender reservation was removed. This backslide was reversed in 1991 when reforms were introduced and two seats out of ten were reserved for women deputies in the Tibetan parliament. Currently about 25 percent of deputies in the Tibetan parliament are women.

The voluntary monetary contribution by every Tibetan under the Tibetan Freedom Movement forms the single largest source of income for the Central Tibetan Administration. Each year every adult Tibetan and minors in India pay Rs.58 and Rs.15 respectively as his or her contribution to the Tibetan Freedom Movement. Those living in western countries contribute higher amount in view of the economic situation (Employed-\$96, Unemployed-\$46, Senior-\$46, Student-\$36). This contribution (sometimes misunderstood as tax) accounting for about 60 percent of annual expenses of the CTA has a dual role of assertion of Tibetan identity and long-term sustainability of the government-in-exile for the restoration of freedom in Tibet.

Tibetan democracy with its two-phase election system is one of the most refined forms of democracy closest to that of direct democracy. The stages of election with an initial preliminary round to solicit nomination from the public and later a final round of election amongst the nominees ensure that the elected leaders truly represent the public and that they truly have the people's mandate. The two-phase election rule is applied universally during elections at all levels from that of Kalon Tripa, Tibetan-Parliament-in-Exile and Settlement Officers. Although workload involved in electing the leaders is time consuming and incurs heavy expenses for the

small budget of the CTA, nevertheless the process has been carried out vigorously for about two decades.

Decentralization of power to the grass roots level administration has been a policy initiative of the Central Tibetan Administration since promulgation of Charter for the Tibetans-in-Exile in 1991. The initiative has been partially successful in the fact that one important component of effective local governance through Local Tibetan Assemblies have been constituted in 37 out of the 48 larger Tibetan settlements in South Asia. However, the election of Settlement Officers have failed despite all the emphasis and repeated attempts to persuade the public to elect their Chief Officer. As of 2011, there are only four settlements where there are elected Settlement Officers. In some areas, attempts were made in the past but failed and the CTA in Dharamsala have been requested to appoint one. Fear of internal politics, equal representation and perception of Settlement Officer as the representative of the Dalai Lama are primary reasons due to which the initiative could not succeed completely.

The devolution of power by the Dalai Lama and consequent amendments made to the Charter for Tibetans-in-Exile ensure that democratic model of Tibetan democracy is genuine and truly democratic. The Dalai Lama's decision to devolve power was unpopular in the Tibetan community as it clearly became evident through the Second Tibetan National General Meeting held in May 2011. Despite the overwhelming opinion of the Tibetan people in disagreement with the decision, appeals by the Tibetan-Parliament-in-Exile, organizations and individuals from Tibet, the decision was carried forward and imposed on the people. The Dalai Lama as the visionary leader of Tibet has rightly separated religion and politics for the long term benefit of the Tibetan people who face an uphill task of freedom struggle against might of the government of People's Republic of China. Freedom struggle of the Tibetan people will truly be a people's struggle with a clear mandate won genuinely through democracy.

3. Political System of People's Republic of China

The Communist Party of China

The most powerful political institution in China is the Chinese Communist Party. It has 80 million members, constituting approximately 6% of China's 1.34 billion population.. Anyone above the age of 18 is eligible to become a member of the party provided they "accept and abide by the Party's constitution and policies and are atheists." Moreover, the membership is disproportionately male, female members make up less than a quarter of the total.

Each member of the party is further organized into a branch, cell or other specific units of the party, so as to participate in the regular activities of the party. Party units are spread throughout the country; existing throughout the official and semi-official institutions, including in state owned industries and universities.

Because the Party controls everything in the country, including all avenues for political, economic and social advancement, young people have no option but to join for career reasons. The policies of the party are enforced from the top to the bottom of the organization through directives. The Party also organizes nationwide 'educational campaigns' to ensure that members conform to its ideology and remain loyal. Often, party members are required to engage in studying the speeches and important policy documents framed by the senior leadership. For instance, they are compelled to study Hu Jintao's "concept of scientific development," and the "theory of socialism with Chinese characteristics." Other typical study sessions enforced by the Party's Propaganda Department include concepts

like the “Six Why’s.” Among the ‘Six Why’s’ are why the separation of powers and a Western-style multi-party democracy system is not acceptable to China. In short, to quote a Beijing University Professor, the party “is like God. He is everywhere. You just can’t see him.”

Politburo Standing Committee (PSC)

The most powerful decision-making body of the Chinese communist party is the Politburo Standing Committee, comprising of nine members, all of whom are members of the larger entity called the Politburo, which began its present term with a membership of 25. Politburo members in turn are all members of a broader grouping of Communist Party officials, called the Central Committee, which has approximately 370 full and alternate members.

In order to ensure strict Party control, members of the PSC serve as heads of other important political institutions. For instance, Hu Jintao, apart from being the Secretary General of the CCP, also serves as the Chairman of the Central Military Commission, and the country’s head of State as President. Wu Bangguo (the second most powerful PSC member) is the Chairman of the National People’s Congress (NPC), while Wen Jiabao (the third most powerful member) is the Premier of the State Council. Similarly, Jia Qinglin (another member of the PSC) heads the Chinese People’s Political Consultative Conference (CPPCC), which is responsible for overseeing the Party’s relations with non-Communist groups. Other important portfolios for other PSC members are the propaganda department; management of the Party bureaucracy and Hong Kong and Macau; finance and economics; Party discipline; and the internal security system.

Politburo

After the Politburo Standing committee, the next highest decision-making body of the Chinese communist party is the Politburo,

comprising of 24 members. Apart from the nine members of the PSC, Politburo members include the heads of major departments of the Party bureaucracy, the two highest ranking officers in the Chinese military, State Council Vice Premiers, a State Councilor, and Party leaders from important cities and provinces. The Politburo presently has only one female member. Because of its size and the geographical diversity of its members, the Politburo is not involved in the day-to-day affairs and decision-making responsibilities of the party.

Central Committee

In addition to the Politburo Standing Committee and the Politburo, is the Central Committee. According to the constitution of the Chinese Communist Party, the Politburo Standing Committee and the Politburo derive their power from the Central Committee, whose members are responsible for “electing” the members of Politburo, Politburo Standing Committee, and Party General Secretary, and making “decisions” on the composition of the Party’s Central Military Commission. But in reality, all decisions are made by the Party’s top officials, who provide a list of nominees to the Central Committee, which has no choice but to approve them.

Central Committee members are made up of leaders from the provinces, the central ministries, the military, the central Party organization, state-owned enterprises, educational institutions and “mass organizations” such as the Communist Youth League.

Party’s National Congresses

The Central Committee members are elected by delegates (approximately 2000) of the Party National Congresses, which are held every five years. The delegates are also responsible for “approving” the Party General Secretary’s report to the Congress, which basically outlines the Party’s statement and agenda for the next five years. The Party’s 18th Congress will be convened later this

year and will appoint a new generation of leaders expected to be headed by Xi Jinping.

Between Party Congresses, held every five years, the Central Committee should meet at least once a year. This meeting is called plenum (or plenary session), and is focused on setting the direction for the country in a specific area, such as the Five-Year plan for China's economy; it also approves of major personnel decisions such as that in October 2010 by approving the appointment of Xi Jinping as the first vice chairman of the CMC, a move widely seen as the last step in Xi's preparation to become the boss of the Communist Party in 2012. The plenum or plenary session ends with the party issuing a public document, called a communiqué which announces all the major decisions that have been made.

Other important bureaucratic institutions operating under the Central Committee and the party secretariat are:

- 1) The Organization Department which is responsible for training officials and assigning them to positions across the party and state, legislatures, state-owned corporations; universities and other public institutions.
- 2) The Propaganda (or Publicity) Department, responsible for spreading the message of the party (indoctrination) and the control of media.
- 3) The Central Commission of Politics and Law, which is meant to ensure party's control over the internal security apparatus.
- 4) The United Front Work Department, which is responsible for developing relations with Taiwan, Hong Kong, Macau, non communist groups, 'ethnic minorities,' and Chinese living outside mainland China.
- 5) The Party's International Development, which handles relations with foreign political parties; this department is influential in developing China's relations the so-called 'fellow socialist countries' like North Korea.

All the above departments and its branches extend deep down into various aspects of government - provincial and local- and society, thus ensuring supreme control of the Chinese Communist Party over the people of China.

The People's Liberation Army (PLA)

The People's Liberation Army (PLA) is China's military. The PLA reports to both a Party Central Military Commission (CMC) and a State CMC, which are both presently headed by Hu Jintao, who is also the Communist Party General Secretary and State President. The Party CMC and State CMC are actually a single body, and the former is the real source of military power and authority. Unlike in other countries, the PLA is the army of the Party, not of the nation, which means the PLA are primarily responsible for protecting the interests of the Party. This point has been emphasized by them time and again.

The PLA's role in politics has been a source of intense debate. There has been enough discussion in China about the need to remove the military from party politics and become a professionalized force. Towards this end, analysts give the evidence of military not having any representation in the Communist Party's top decision-making body, the PSC, since 1997. Similarly, of the present 24 seats on the Politburo, only two of them are uniformed military officers.

Yet the military continues to wield enormous influence. For instance, nearly 20% of Central Committee members have military affiliations. It has a direct connection to the Communist Party General Secretary, the top official in the Chinese political system, through the Central Military Commission. Senior military officers serve on "Leading Small Groups" which deliberate on important issues such as foreign affairs, national security, and Taiwanese affairs. Some individuals of the military are also influential in the media as

commentators on foreign policy.

General Political Department

A major instrument of the Party's control over the military is through the General Political Department (GPD), one of four "general departments" of the military represented on the CMC. The GPD's responsibilities, among other things, are to provide political training, military media and cultural activities; the GPD is also responsible for military personnel matters, including management of personnel dossiers, promotions, and job assignments. The GPD political commissars serve alongside military commanders at all levels of the PLA; and they head the Party committees in all PLA units. Almost all PLA officers are Party members.

Other PLA Departments

Other departments of the PLA are the General Political Department (GPD), which is responsible for operations, intelligence, professional education, and foreign affairs; and the General Logistics Department (GLD), which handles military pay, supplies, healthcare, and transportation; and the General Armaments Department (GAD), which manages the PLA's weapons and equipment needs and also oversees China's manned space program.

CMC also has four other general departments, dominated by the ground forces, to supervise the three military service branches. This includes China's strategic missile forces, the Second Artillery Force, and seven military regions, also known as military area command. The People's Armed Police (PA), a paramilitary force, also play an important role in quelling domestic unrest. The PAP reports to both the Central Military Commission and the State Council, through the Ministry of Public Security. It is ultimately overseen, however, by the Party's Central Commission of Politics and Law.

The State

The State is the second most important political structure in China. In the past, both the Party and the State worked together as one entity, operating under the slogan “the Party’s absolute and unified leadership.” However, with the emergence of Deng Xiaoping as China’s supreme leader, the Communist Party took steps to separate party and government functions. It gave its authority to a cabinet, known as the State Council, and “people’s governments” at lower levels in managing the day-to-day administrative affairs of the country.

However, the party still continues to exercise strict control over the State system by maintaining a strong presence in it. For instance, the top officials at each level of the State system are members of the Party. Moreover, Party committees are deeply entrenched in the State Council, ministries, and government departments at every level. The powerful Communist Party bodies, that exist in parallel to the State bodies, make all the important decisions and sets all the policy direction at all levels of the country; the State system simply implements and executes those decisions.

Recently, State leaders focus only on managing China’s economy, leaving all “political” matters, such as ideology and personnel, to the Party. The officials working for the government are civil servants, the most senior of whom are party members. Career advancement within China’s civil service is decided by how well civil servants carry out their responsibilities and achieve their specified goals, without getting involved in any scandal. Consequently, one of the most effective means of the State’s political control its personnel evaluation.

State President and Vice President

The highest ranking state officials in China are the State President

and Vice President. In the past, both positions were predominantly ceremonial and involved few duties, but since 1993 China's Communist Party General Secretaries have begun serving concurrently as State Presidents, as Hu Jintao does at present.

The State Council

The locus of power in the State system, is the State Council: China's cabinet. It is headed by a Premier or Prime Minister, who also serves as the Communist Party's third highest ranking official. Since the State system is responsible for managing the day-to-day economic affairs of the nation, the Premier is China's most senior and important economic official. Apart from this, the premier also serves as heads of other portfolios.

Vice-Premiers and State Councilors

Underneath the Premier are the four Vice Premiers of the State Council, who also serve as members of the Communist Party Politburo; and five State Councilors. Each Vice Premier and State Councilor has a specific portfolio. The country's most senior diplomat is a State Councilor, presently Dai Bingguo, who oversees the Ministry of Foreign Affairs.

Apart from these, the State Council is composed of the State Council Secretary General, Heads of government ministries and commissions, the Governor of China's central bank, and China's Auditor General. Ministries are led by Ministers and Commissions by Chairmen. Every Ministry or Commission has an entrenched Communist Party committee, which makes all the major decisions plus oversees ideology and personnel matters. For the most part, the Minister or Chairman also serves as the Head of his institution's Communist Party committee.

Not all Ministries and Commissions are equal. MIIT and the National Development and Reform Commission are considered

“super-ministries,” as they enjoy more power in policy debates than other Ministries, such as the relatively weak Ministry of Health.

The Four State Council Offices

The State Council includes four entities known as the State Council offices; each with its own professional staff. The first is the State Council Legislative Affairs Council (SCLAO) which plays an important part in forming national regulations and laws. It is also responsible for drafting the government’s legislative agenda on a year-to-year basis, followed by working closely with relevant government ministries and agencies to implement the agenda. Moreover, the Legislative Affairs Office advises the State Council on the legal implications of ratifying or participating in international treaties, and for issuing legal interpretations of administration regulations and so on.

The second is the Hong Kong and Macao Affairs office, which advises the Chinese leadership on matters related to the two Special Administrative Regions, both of which returned to Chinese sovereignty in the 1990s after long periods as British and Portuguese colonies. The other two offices are a Research Office and an Overseas Chinese Affairs Office.

The National People’s Congress (NPC)

The National People’s Congress (NPC), China’s bicameral legislature, is the third major political institution in China. Article 57 of China’s constitution states that the NPC is “the highest organ of state power,” responsible for overseeing the Presidency, the State Council, the State Central Military Commission, the Supreme People’s Court, and China’s national level public prosecutor’s office, the Supreme People’s Procuratorate. In reality, the NPC does not enjoy any real, substantive powers because it is controlled by the Communist Party.

The NPC's main work is to hold a ten-day-long annual full session every March, attended by all of the NPC's almost 3,000 deputies. The next full session of the NPC will be held in March 2013, during which a major leadership transition would be approved, including a new President and Premier, and new Vice Premiers and State Councilors. During the annual sessions, NPC deputies are required to approve the reports, laws, and candidates put before them, usually by overwhelming margins. As a result, many leading observers describe the NPC as a "rubber stamp" parliament.

The annual full session of the NPC congress is so brief, as a result of which much of its work is undertaken by its approximately 175-member Standing Committee, which meets about half a dozen times a year. The NPC comprises of nine other specialized committees and a legislative affairs work committee, all of which review and revise draft legislation before sending it to the Standing Committee or the full Congress for action.

As in the State Council, the party is deeply entrenched in the NPC. For instance, the chairman of NPC is a member of the Politburo Standing Committee, currently holding the second highest rank party official. Moreover, the deputies are not directly elected; they are all nominated by the Communist Party. Therefore, unless one is deeply loyal to the party and its policies, one cannot be expected to be nominated.

The NPC election rules allow for the representation of so-called ethnic minority groups, the military, women, and other groups, including the Party itself. Due to the lack of any separation of powers in China, the President, Premier, and other top leaders are all NPC deputies. Deputies serve for five-year terms.

The NPC is the top most layer of a nation-wide system of People's Congresses. Although elections have been introduced for the

deputies of the lowest level of People's Congresses, candidate lists are controlled by the Party and elections are uncontested.

Judiciary

In China, the judiciary is not independent. The Party influences the judicial courts mainly through the Party Committee, the Political-Legal Committee, and the Organization Department. The Political-Legal Committee (PLC) comprises of the Deputy Party Secretary in charge of political-legal affairs, the President of the Court and Procuracy, and Heads of the various ministries or bureaus including public security, state security, justice, civil affairs, and supervision.

Through the PLC, the party directly interferes in the courts' handling of cases, thus violating the basic principles of the rule of law. The PLC is involved in politically sensitive cases, especially ones that can have significant impact on the local economy, and involve conflicts between the courts and the procuracy or government. Ironically, the PLC members are not necessarily required to have studied law; most of them have no legal formal training and have risen up mainly through the party ranks.

The Party's influence is also exerted through judicial appointments and promotions. The appointment of presidents, vice-presidents, division chiefs and vice-chiefs of the courts are all approved or vetoed by the Party Organization Department.

The dominance of the party, as a result, prevents the judiciary and the legal profession from achieving greater autonomy and independence. Moreover, it is detrimental to the development of a healthy legal system and the rule of law in China.

The Chinese People's Political Consultative Conference (CPPCC)

Officially, the Chinese People's Political Consultative Conference (CPPCC) system engages in "political consultation" with the Communist Party, it performs "democratic supervision" of the Party, and "participates in the deliberation and administration of state affairs. In practice, however, the CPPCC are a platform, approved by the party for a few select prominent citizens (many of whom are non-Communists) to make suggestions about aspects of public policy. But the Communist Party is not obliged to act upon those suggestions. The institution therefore might influence policy debates, but is essentially powerless. The government calls the CPPCC members "political advisors."

Other Political Actors

Apart from the formal institutions of government and party power, other political actors influence China's political system often from behind the scenes. These include:

Media

Although the Chinese media has been totally under the control of the Party, which "guides public opinion," with its version of stories, the rise of the commercial media and the increasing spread of new information technologies has slowly eroded the Party's ability to control the flow of information.

Communist Party media outlets like the People's Daily now co-exist with more lively commercially publications. Although controlled by the party and subject to Propaganda Department censorship, such publications add provocative spin to Party-approved news and expose scandals. Similarly, the Global Times, a sister paper to the People's Daily, is currently the country's most feisty tabloid.

However, the most significant development has been the growth of Twitter-like services known in China as “weibo” (literally micro-blogs). This has empowered citizens to share news and views directly with each other, giving them the opportunity to talk about sensitive issues that are normally brushed under the carpet by the official media.

Some micro-bloggers have millions of followers and their writings have the power to change the terms of public discourse. The total number of internet users today reaches 513 million; nearly 40% of the population.

Big Business

In China, the government doesn't allow foreign and private investment in what it refers to as “strategic industries.” As a result, state-owned enterprises (SOE's) have been able to control economic fields such as oil, electric power, finance, telecommunications, and defense. Although the managers of these firms are all appointed by the Organization Department of the Chinese Communist Party and are obliged to advance the party's interests, because of their technical knowledge of industries and markets, they often influence policy making decisions.

Think Tanks and Research Institutes

After the United States, China currently has the biggest number of think tanks (425) in the world. Known as Research Institutes they are affiliated with various other government ministries and universities. For instance, the China Institute for Contemporary International Relations (CICIR) is affiliated with the Ministry of State Security, while the Centre for Strategic and International Studies is affiliated with the elite Peking University.

Research institutes are quite influential, as they take commissions and grants from the Party or the State, so as to write reports and

papers, in which they outline recommendations to the policy makers. Experts in research institutes also serve as advisors to various official bodies; they keep a high media profile by writing newspaper columns or giving TV interviews to journalists and participating in talk shows. Besides that, they participate in domestic and international conferences and seminars along with other foreign scholars and officials, informing them of China's policy discourse; their writings are often published in international scholarly journals too.

University Academics

University academics play an influential role in policy-making debates by penning reports, articles and books, and also by serving as advisors to various government bodies and media commentators. Chinese universities however are not autonomous institutes. They are managed by the Ministry of Education, although a few of them are run by the military and other central government ministries; moreover, the Communist Party, through its party committees, is deeply embedded in the universities. The party committees not only make major decisions on behalf of the university, but also manage the ideological, personnel, propaganda, and financial matters.

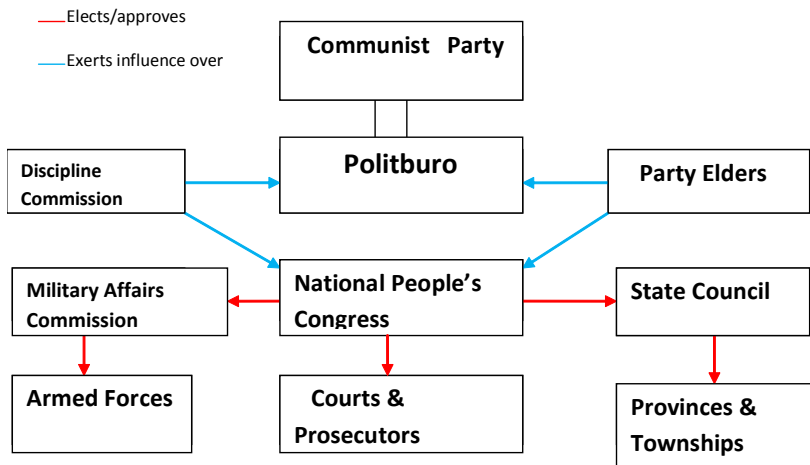
Government-organized Non-government Organizations (GONGOS)
Unlike western countries, in China, non-governmental organizations (NGOs) that enjoy relative autonomy are legally not allowed. In their place, China has "social organizations," which are officially registered and controlled. They are referred to by scholars in the West as GONGOs, or "Government-Organized Nongovernment Organizations."

GONGOs are staffed by retired officials or government-approved ones. GONGOs can still play an influential role, because they are usually headed by recently-retired senior officials who have status and deep connections with Chinese government officials. Moreover, government ministries and Communist Party departments, due to

a lack of staff and human resources, often outsource parts of their work to GONGOs.

Grassroots NGOs

Grassroots non-governmental organizations do exist in China, although in order to function they have to be officially registered and approved. Grassroots NGOs face many obstacles, including difficulties in getting funds for their activities. They are not able to function autonomously, as they are invariably funded by the government. Some of the grassroots NGOs that have tried to raise sensitive issues such as public awareness about environmental protection and health hazards have had to face harassment from the security apparatus. Through organized petitions and open letters to the deputies of People's Congress and members of People's Political Consultative Conference, grass root NGOs attempt to influence government policy decisions, such as revision of laws discriminating against such groups as carriers of Hepatitis B and HIV.



Source: BBC News

3.1 Democracy with Chinese Characteristics?

The People's Republic of China officially claims itself as a democracy. Its constitution declares itself as "socialist state under the people's democratic dictatorship led by the working class and based on the alliance of workers and peasants..." and that "all power belongs to the people. The organs through which the people exercise state power are the National People's Congress and the local people's congresses at different levels. The people administer state affairs and manage economic, cultural and social affairs through various channels and in various ways in accordance with the law."

The constitution further states that "the state organs of the People's Republic of China apply the principle of democratic centralism. The National People's Congress and the local people's congresses at different levels are instituted through democratic election. They are responsible to the people and subject to their supervision. All administrative, judicial and procuratorial organs of the state are created by the people's congresses to which they are responsible and under whose supervision they operate. The division of functions and powers between the central and local state organs is guided by the principle of giving full play to the initiative and enthusiasm of the local authorities under the unified leadership of the central authorities."

It also proclaims to have given all nationalities within the People's Republic of China equal status. Article 4 states that "all nationalities in the People's Republic of China are equal. The state protects the lawful rights and interests of the minority nationalities... Regional autonomy is practised in areas where people of minority nationalities live in compact communities; in these areas, organs of self- government are established for the exercise of the right of autonomy...The people of all nationalities have the freedom to use and develop their own spoken and written languages, and to preserve or reform their own ways and customs."

The constitution also guarantees fundamental rights of its citizens, declaring them as “equal before the law... the right to vote and stand for election, regardless of nationality, race, sex, occupation, family background, religious belief, education, property status, or length of residence... freedom of speech, of the press, of assembly, of association, of procession and of demonstration... and freedom of religious belief.”

A quick glance at some of the impressive provisions of the Chinese constitution therefore may influence an ordinary reader, unfamiliar with the actual workings of the Chinese political system, to conclude that the country is walking the path of democracy, ensuring all its ‘citizens have equal treatment.’ However, the ground reality is that China is an authoritarian regime dominated entirely by a single party, the Chinese Communist Party, where basic fundamental freedoms such as freedom of expression, of assembly and press are severely curtailed. For instance, in 2012 Freedom House listed China, because of its repression in Tibet, among the world’s most repressive authoritarian regimes along with countries like North Korea, Sudan and Burma. Similarly, Amnesty International and Human Rights Watch in their annual reports severely criticize China for failing to uphold basic civil, political, economic and democratic rights of its citizens and for the routine harassment and persecution of human rights activists. The most objective way to judge whether the People’s Republic of China is democratic or authoritarian is by establishing if China fulfills the five fundamental criteria of democracy expounded by Robert Dahl.

Effective Participation or the Monopoly of the Chinese Communist Party?

One of the most important criteria of democracy is the effective participation of every citizen in the decision-making process through multiparty elections. Effective participation refers to the right of every member of a society, nation or state to equally participate in

the decision making process that affects their lives. The members should have all opportunities to let their views known to other members as to what the policies should be before they are framed.

However, in China only members of the Chinese communist party (CCP), comprising of around 60 million out of the total 1.2 billion population, have a right to participate in the country's policy making decisions. Even decisions within the CCP are not arrived at through democratic procedures. In theory, the CCP's democratic centralism allows for debate and discussion of policy among Party members but in practice, democratic centralism has created a hierarchical and authoritarian political dynamic where senior Party officials expect total compliance and obedience from junior officials. The actual decisions are made by the party's most powerful policy and decision-making entity, referred to as the Politburo and its Standing Committee, comprised of the Party's two dozen or so most powerful senior officials.

Liu Xiaobo, the imprisoned Nobel Peace laureate, wrote in 2007 that:

“the power of every official at every level [in China] comes not from below, from the people, but from above, from higher levels within the structure of private authority.”

Voting Equality or Rubber Stamp Parliament?

Another important criterion of democracy is the right of citizens to vote for and elect their own leaders, who will then frame policies on their behalf. Every member should have an equal opportunity to cast their votes and all votes should be treated as equal.

In China, however, universal suffrage does not exist as citizens have no right to participate in democratic elections and choose their own leaders. The 3,000 deputies of the National People's Congress

(NPC), the country's parliament, are not popularly elected by the Chinese people but rather are selected for five-year terms by the next lower tier of "people's congresses"—deputies at the provincial and municipal level, as well as by members of the armed forces. As a result, it has very little political power. The candidates for the NPC elections are selected and approved of by the Communist Party; the entire process being overseen by CCP "election committees."

The deputies meet annually for about 15 days to officially set government policy and select China's leadership. The full NPC officially selects the PRC's President, Premier, and cabinet-level officials, allowing the PRC government to assert that these officials have been vetted through "elections" by representatives of the Chinese people. In reality, the NPC's role is simply to "rubberstamp" leadership decisions that have been already been made in secret by senior Party officials after a lengthy process of negotiation and maneuvering.

Enlightened Understanding or Orwellian Censorship?

Karl Popper explains enlightened understanding as:

“within reasonable limits as to time, each member must have equal and effective opportunities for learning about the relevant alternative policies and their likely consequences.”

In other words, having a broad understanding of all the issues that will be discussed, and policies that will be framed accordingly.

A true democracy is possible, according to Robert A. Dahl, when citizens are fully informed about the alternative choices of policies, which is possible only when they are given free access to information. Therefore, free information and independent media play a critical role in forming a mature democracy, as they help citizens gain enlightened understanding by providing them with

effective opportunities ‘for learning about the relevant alternative policies and their likely consequences.’

Such a free flow of information and independent media is lacking in China. All information that is critical of the Chinese state and government is immediately censored; journalists publishing ‘negative’ reports are threatened, intimidated, arrested and, without any due process of law and fair trial, imprisoned with the likely prospect of torture.

Some famous Chinese dissident writers, bloggers and journalists who have faced the wrath of official censorship and imprisonment include Ai Wei Wei, the outspoken artist and designer of the Beijing Olympics’ Bird’s Nest stadium, who was detained for his critical views about the way of life in China, calling Beijing “a nightmare,” a city of “desperation,” in which those who have no money and official connections have “no hope,”.

Liu Xiaobo, the Nobel Peace Prize winner, now serving eleven years; the blind civil rights lawyer Chen Gyangcheng, long under house arrest and prohibited contact with all visitors (Chen is now in exile in the United States); and Wang Yi, who exposed tainted milk and enforced abortions, and therefore had to spend a year in detention.

Foreign journalists reporting in and about China are also not spared. According to Jonathan Mirsky, who worked as a journalist for over forty years in China:

“... what is the worst that can happen to a foreign writer who displeases the Party? In China, he can be threatened, even when walking in the street or his phone can be tapped, deliberately. He can be banned. Or, if he lives and writes abroad, as I do now, what he publishes in China can be expunged. There are two messages here: we don’t like your

ideas, and nothing like this is going to be published in China if we can prevent it.”

Similarly, Perry Link, an eminent Sinologist, famously described the repression suffered by Chinese writers in these terms:

“a giant anaconda coiled in an overhead chandelier. Normally the great snake doesn't move. It doesn't have to. It feels no need to be clear about its prohibitions. Its constant silent message is 'You yourself decide,' after which, more often than not, everyone in its shadow makes his or her large and small adjustments—all quite naturally.”

As a result, Chinese citizens- including young college and university graduates are deprived of the realities of China's modern history—be it the occupation of Tibet, the famine of 1959-61, the Cultural Revolution, and Tiananmen massacre in 1989, all of which have been blacked out.

“Charter 08” a document published in 2008 demanding basic human rights in China, states the need to end the “practice of viewing words as crime,” if China is to establish an open, democratic and free society. However, the leading signatory of the Charter, Liu Xiaobo, was imprisoned for “subversion of state power” for organizing the publication of this document.

Control of the Agenda

Another key criteria of a well functioning democracy, according to Robert Dahl, is whether the members of a given society have every right and equal opportunity to decide how and what sort of issues will be put on the agenda. In fact, in advanced democracies the policies of the association, society, nation and state are always open for change and subject to review, if the members think it

feasible. For instance, citizens in the United States, by participating in Congressional and Presidential elections, can influence the agendas of their government. Politicians have to court their voters by promises of focusing on issues and agendas that positively affect their lives. Elections of Congress and the President every four years also give ample opportunities for the citizens to review and change previously existing policies and agendas. Such relative control by citizens on government agendas does not exist in the People's Republic of China. Although the Chinese constitution provides provisions for its citizens to participate in the affairs of state, in reality all the agendas - social, political, economic, military etc. - are put forward and controlled by the ruling Communist Party through its rubberstamp National People's Congress.

Inclusion of the Adult

Similarly, a mature democracy provides the right for every adult member of society to be a citizen of the state and enjoy the rights associated with citizenship, including the right to vote and participate in the electoral and decision-making process. Universal adult franchise is the norm in every democracy, whereby a person above the age of 18 has the right to vote in the elections. But in China, universal suffrage has been a distant dream, as its leaders are not popularly elected by the people. Although lowest level government elections have been introduced in villages, and some benefits have resulted out of them, most observers consider them farces, as elections and candidates for the village heads are all controlled and approved by the Communist Party officials, who in turn are selected by senior officials of the party. Under such circumstances, the majority of Chinese people are unable to participate in the policy-making decisions of their country.

3.2 China's Tibet: Regional Autonomy or Colonialism?

With the Chinese occupation of Tibet in 1949, the Tibetan plateau has been split into the Tibet Autonomous region (TAR) and other Tibetan areas, all of which are incorporated into the provinces of Qinghai, Gansu, Yunnan and Sichuan. According to the population census of the Chinese government released in 2005, there are 5 million Tibetans on the Tibetan plateau. Since China's invasion, Tibet has been subjected to immense suffering and tragedy. Because of the policies of Chinese communists, Tibetan identity based on Tibetan language, religion and culture, has been diluted and is on the verge of extinction. In short, China's violent and repressive policies in Tibet clearly contravene the basic aspirations of the Tibetan people.

Regional Ethnic Autonomy

According to articles 112 to 122 of the Chinese constitution, regional ethnic autonomy would be established in the areas where so-called minorities live. During the second session of the National People's Congress held on May 31 1984, it was decided that adequate autonomy would be provided to minority areas in accordance with the provisions of the Chinese constitution. In practice, however, over the last fifty years or more of the Chinese occupation of Tibet, Tibetan people have been deprived of any autonomous powers. Instead, Tibet has been ruled with iron-fist repression and violence. Despite this, Tibetan people have been resisting China's illegitimate occupation and repression through non-violent means, such as peaceful demonstrations, writing articles, asserting the Tibetan religion and traditions and so on.

Autonomous Units

Soon after the establishment of the so-called Tibet Autonomous Region in Lhasa on September 1, 1965, the first session of the TAR people's congress was held. Legally, TAR people's congress is supposed to have been invested with the highest decision making powers, with special responsibilities for regional autonomy. In practice, however, the real powers are exercised by the regional communist party, and till today the most powerful position in the TAR (secretary of the communist party) and other autonomous prefectures has been held by a Chinese.

Moreover, the central ministries in Beijing, especially the State Ethnic Affairs Commission, directly intervene in framing policies and making decisions for the TAR. Since 2003, the Chinese Communist Party appointed special Commissions to oversee the affairs of the TAR. According to the information released by the office of the TAR communist party, in 2006, there were more than 140 thousand party members, and 12,200 branches of the party in TAR.

The Communist Party is the life blood of China's rule in Tibet. In TAR, Tibetan autonomous prefectures, districts and villages, it is the regional Communist party and its local branches that control everything. For instance, the communist party of Lhoka (Chinese: Shannan) prefecture controls and oversees Lhoka prefectural government, congress, court and so on.

Within the various government bodies of the TAR and other Tibetan autonomous prefectures and areas, the party is deeply embedded through its party committees. Every office is headed by two officials, one of which is a member of the Communist Party and the other that of the government. Of the two of them, however, the former enjoys more authority and power. For instance, in a Tibetan district,

although the district head is appointed by the district people's congress, but the real power is exercised by the secretary of the district communist party. Similarly, the secretary of the Communist party takes all the decisions of the Public Security Bureau (PSB) and is more powerful than the head of the PSB. In short, the Party, is all pervasive and controls everything; embedded in every office, school, factory, professional bodies and so on.

TAR People's Congress

According to the Chinese constitution, the People's Congress is the most powerful organization in the Tibet Autonomous Region. In practice, however, TAR People's Congress has to work under the direct supervision of the Communist Party. Members of the TAR People's Congress are not directly elected by the people; they are rather appointed and approved by the Party, which controls all the political, economic and military powers in China. Moreover, citizens do not enjoy any democratic rights and even within the Party organization, democracy is lacking, as the major decisions are made by a minority of top Party members.

Conclusion

For more than six decades, since coming to power in 1949, the Chinese Communist Party has been ruling the People's Republic of China. Although the party's grip on power in China continues to remain iron-fisted and unchallenged, China's political institutions and political culture have undergone some changes over the decades. One of the primary reasons the CCP has not suffered the fate of its Soviet counterpart is precisely this ability to adapt to the changing conditions in China and around the world.

Today, despite the fact that the Party continues to maintain absolute power in China and is unwilling to share it with other non-elements

of the party, the political system is not as monolithic as it used to be during the dictatorial reign of Mao Zedong and Deng Xiaoping. Jockeying for power among various leaders and institutions at every level of the nation is the order of the day. Often fierce power struggles exist among the members of the Communist Party's nine-man Politburo Standing Committee and 25-member Politburo, China's highest decision-making bodies. The power struggle also exists among the ministries of the government; between ministries and provincial governments; among provinces; and also among various branches of the military.

Even the members of the National People's Congress-China's rubber-stamped parliament- at times attempts to assert their distinct identity against the government, the courts, and the public prosecutor's office. Ever since Deng's policy of opening up and liberalization that introduced economic reforms, other political actors have also started to influence policy debates. These include diverse media, state-owned and private corporations, official and semi-official research institutes, university academics, officially sponsored associations and societies, and grassroots non-governmental organizations.

However, the biggest challenge China's ruling class faces is its inability to manage successful political transitions. This year the Party is going to hold its 18th National Congress, during which a whole host of new leaders are expected to assume leadership of the country. Xi Jinping is widely expected to replace Hu Jintao as the General Secretary of the Chinese Communist Party and the President of the nation. Historically, however, China's political transition had often been bloody and traumatic, as was shown by the purge of Gang of Four and Hua Gua Feng, after the death of Mao Zedong. This year, the world has already witnessed the downfall of Bo Xilai from power, exposing the serious rift in the leadership, and thus raising doubts about the country's long term political stability and viability of the current political system, which puts the Party above

the law and curtails fundamental freedoms for citizens such as right to free speech and association.

Although China's current Prime Minister, Wen Jiabao publicly expressed the need for political reforms, he has been vague as to what sort of reforms should be introduced. The upcoming new leadership also appears to be clueless and unimaginative regarding this need for political reforms.

Within Tibet, despite Chinese official propaganda claims that 'democratic reforms' have paved the way for what it calls "regional ethnic autonomy" and that the Tibetan people have now become "masters of their own affairs," Tibetan people are still subjected to severe repression. The main task of the Chinese regime, according to scholar Samten Karmay, is to "exterminate national sentiments" and "erase Tibet's identity," by destroying, among other things," a certain number of edifices regarded as national monuments, including Yumbu Lakhang, which is reputed to have been the palace of the first Tibetan king, Nyatri Tsenpo. Indeed, like any colonized country, where the 'natives' have little or no say in running their own affairs, all the major administrative decisions in "Tibet Autonomous Region" (and other Tibetan autonomous areas) are taken by the Chinese Communist Party through its Regional CCP. Tibetans simply have no choice other than to rubber stamp Communist Party decisions, as members of the Party occupy key government posts and only a few important appointments are held by trusted non-Party members.

Even within the TAR Communist Party, Tibetan members do not enjoy key positions and power. For instance, the post of the Secretary of the TAR Communist Party, which is the most powerful position on the plateau, has never been given to an ethnic Tibetan. It has always been held by a Chinese since China's occupation of Tibet in 1959.

As in 'mainland' China, some sort of voting does take place for lower-level administrators in Tibet, but such elections are farcical given the fact that they are not conducted in a free and fair manner. The Chinese masters pre-determine the candidates based on their loyalty and class background, and the Tibetans are then ordered to vote for a certain number of candidates. The list of candidates comes down from the Communist Party leaders. Often, there are three to six candidates from whom people have to elect one.

A true practice of autonomy would require a broad separation of powers between the party and state apparatus. But in China, and in Tibet, the Communist Party rules the roost and claims absolute power; therefore, Party instructions contravene government decisions at every level as well as the laws themselves. A legal vagueness prevails and autonomy can at any moment be abolished. Moreover, the concept of a "unitary multinational [Chinese] state" is underpinned by the consensus that the "supreme value of the day" is "stability," and whenever "stability" is threatened, as it is often in Tibet by "separatist forces," that is assertion of Tibetan national identity and pride in the form of Tibetan language, tradition, religion, culture and arts, all semblance of 'autonomy' is immediately squashed.

China's rule in Tibet is a highly centralized form of governance aimed to exercise control of 'unruly natives' rather than to provide them with 'autonomy' and make them 'masters of their own affairs.'

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Appendix 1 :

Statement of His Holiness the Dalai Lama on the 52nd Anniversary of the Tibetan National Uprising Day, 10 March 2011

Official translation of the original statement delivered in Tibetan language,
Department of Information and International Relations,
Central Tibetan Administration Dharamsala, India
<http://tibet.net/tb/wp-content/uploads/2011/03/HH-DL-10-march.pdf>

Today marks the 52nd anniversary of the Tibetan people's peaceful uprising of 1959 against Communist China's repression in the Tibetan capital Lhasa, and the third anniversary of the non-violent demonstrations that took place across Tibet in 2008. On this occasion, I would like to pay tribute to and pray for those brave men and women who sacrificed their lives for the just cause of Tibet. I express my solidarity with those who continue to suffer repression and pray for the well-being of all sentient beings.

For more than sixty years, Tibetans, despite being deprived of freedom and living in fear and insecurity, have been able to maintain their unique Tibetan identity and cultural values. More consequentially, successive new generations, who have no experience of free Tibet, have courageously taken responsibility in advancing the cause of Tibet. This is admirable, for they exemplify the strength of Tibetan resilience.

This Earth belongs to humanity and the People's Republic of China (PRC) belongs to its 1.3 billion citizens, who have the right to know the truth about the state of affairs in their country and the world at large. If citizens are fully informed, they have the ability to distinguish right from wrong. Censorship and the restriction

of information violate basic human decency. For instance, China's leaders consider the communist ideology and its policies to be correct. If this were so, these policies should be made public with confidence and open to scrutiny.

China, with the world's largest population, is an emerging world power and I admire the economic development it has made. It also has huge potential to contribute to human progress and world peace. But to do that, China must earn the international community's respect and trust. In order to earn such respect China's leaders must develop greater transparency, their actions corresponding to their words. To ensure this, freedom of expression and freedom of the press are essential. Similarly, transparency in governance can help check corruption. In recent years, China has seen an increasing number of intellectuals calling for political reform and greater openness. Premier Wen Jiabao has also expressed support for these concerns. These are significant indications and I welcome them.

The PRC is a country comprising many nationalities, enriched by a diversity of languages and cultures. Protection of the language and culture of each nationality is a policy of the PRC, which is clearly spelt out in its constitution. Tibetan is the only language to preserve the entire range of the Buddha's teachings, including the texts on logic and theories of knowledge (epistemology), which we inherited from India's Nalanda University. This is a system of knowledge governed by reason and logic that has the potential to contribute to the peace and happiness of all beings. Therefore, the policy of undermining such a culture, instead of protecting and developing it, will in the long run amount to the destruction of humanity's common heritage.

The Chinese government frequently states that stability and development in Tibet is the foundation for its long-term well-being. However, the authorities still station large numbers of troops all

across Tibet, increasing restrictions on the Tibetan people. Tibetans live in constant fear and anxiety. More recently, many Tibetan intellectuals, public figures and environmentalists have been punished for articulating the Tibetan people's basic aspirations. They have been imprisoned allegedly for "subverting state power" when actually they have been giving voice to the Tibetan identity and cultural heritage. Such repressive measures undermine unity and stability. Likewise, in China, lawyers defending people's rights, independent writers and human rights activists have been arrested. I strongly urge the Chinese leaders to review these developments and release these prisoners of conscience forthwith.

The Chinese government claims there is no problem in Tibet other than the personal privileges and status of the Dalai Lama. The reality is that the ongoing oppression of the Tibetan people has provoked widespread, deep resentment against current official policies. People from all walks of life frequently express their discontentment. That there is a problem in Tibet is reflected in the Chinese authorities' failure to trust Tibetans or win their loyalty. Instead, the Tibetan people live under constant suspicion and surveillance. Chinese and foreign visitors to Tibet corroborate this grim reality.

Therefore, just as we were able to send fact-finding delegations to Tibet in the late 1970s and early 1980s from among Tibetans in exile, we propose similar visits again. At the same time we would encourage the sending of representatives of independent international bodies, including parliamentarians. If they were to find that Tibetans in Tibet are happy, we would readily accept it. The spirit of realism that prevailed under Mao's leadership in the early 1950s led China to sign the 17- point agreement with Tibet. A similar spirit of realism prevailed once more during Hu Yaobang's time in the early 1980s. If there had been a continuation of such realism the Tibetan issue, as well as several other problems, could easily have been solved.

Unfortunately, conservative views derailed these policies. The result is that after more than six decades, the problem has become more intractable.

The Tibetan Plateau is the source of the major rivers of Asia. Because it has the largest concentration of glaciers apart from the two Poles, it is considered to be the Third Pole. Environmental degradation in Tibet will have a detrimental impact on large parts of Asia, particularly on China and the Indian subcontinent. Both the central and local governments, as well as the Chinese public, should realise the degradation of the Tibetan environment and develop sustainable measures to safeguard it. I appeal to China to take into account the survival of people affected by what happens environmentally on the Tibetan Plateau.

In our efforts to solve the issue of Tibet, we have consistently pursued the mutually beneficial Middle- Way Approach, which seeks genuine autonomy for the Tibetan people within the PRC. In our talks with officials of the Chinese government's United Front Work Department we have clearly explained in detail the Tibetan people's hopes and aspirations. The lack of any positive response to our reasonable proposals makes us wonder whether these were fully and accurately conveyed to the higher authorities.

Since ancient times, Tibetan and Chinese peoples have lived as neighbours. It would be a mistake if our unresolved differences were to affect this age-old friendship. Special efforts are being made to promote good relations between Tibetans and Chinese living abroad and I am happy that this has contributed to better understanding and friendship between us. Tibetans inside Tibet should also cultivate good relations with our Chinese brothers and sisters.

In recent weeks we have witnessed remarkable non-violent struggles for freedom and democracy in various parts of North Africa and

elsewhere. I am a firm believer in non-violence and people-power and these events have shown once again that determined non-violent action can indeed bring about positive change. We must all hope that these inspiring changes lead to genuine freedom, happiness and prosperity for the peoples in these countries.

One of the aspirations I have cherished since childhood is the reform of Tibet's political and social structure, and in the few years when I held effective power in Tibet, I managed to make some fundamental changes. Although I was unable to take this further in Tibet, I have made every effort to do so since we came into exile. Today, within the framework of the Charter for Tibetans-in-Exile, the Kalon Tripa, the political leadership, and the people's representatives are directly elected by the people. We have been able to implement democracy in exile that is in keeping with the standards of an open society.

As early as the 1960s, I have repeatedly stressed that Tibetans need a leader, elected freely by the Tibetan people, to whom I can devolve power. Now, we have clearly reached the time to put this into effect. During the forthcoming eleventh session of the fourteenth Tibetan Parliament in Exile, which begins on 14th March, I will formally propose that the necessary amendments be made to the Charter for Tibetans in Exile, reflecting my decision to devolve my formal authority to the elected leader.

Since I made my intention clear I have received repeated and earnest requests both from within Tibet and outside, to continue to provide political leadership. My desire to devolve authority has nothing to do with a wish to shirk responsibility. It is to benefit Tibetans in the long run. It is not because I feel disheartened. Tibetans have placed such faith and trust in me that as one among them I am committed to playing my part in the just cause of Tibet. I trust that gradually people will come to understand my

intention, will support my decision and accordingly let it take effect.

I would like to take this opportunity to remember the kindness of the leaders of various nations that cherish justice, members of parliaments, intellectuals and Tibet Support Groups, who have been steadfast in their support for the Tibetan people. In particular, we will always remember the kindness and consistent support of the people and Government of India and State Governments for generously helping Tibetans preserve and promote their religion and culture and ensuring the welfare of Tibetans in exile. To all of them I offer my heartfelt gratitude.

With my prayers for the welfare and happiness of all sentient beings.
10 March 2011, Dharamsala

Appendix 2 :

Message of His Holiness the Dalai Lama to the Fourteenth Assembly of the Tibetan People's Deputies,

March 14th 2011

Translation of the original statement written in Tibetan language
The Office of the Dalai Lama, Dharamsala, India
<http://dalailama.com/messages/tibet/retirement/message-to-14th-assembly>

To the members of the Fourteenth Assembly of the Tibetan People's
Deputies,

It is common knowledge that ancient Tibet, consisting of three provinces (Cholkha-sum) was ruled by a line of forty-two Tibetan kings beginning with Nyatri Tsenpo (127 BCE), and ending with Tri Ralpachen (838 CE). Their rule spanned almost one thousand years. During that time, Tibet was known throughout Inner Asia as a powerful nation, comparable in military power and political influence with Mongolia and China. With the development of Tibetan literature, the richness and breadth of the religion and culture of Tibet meant that its civilisation was considered second only to that of India.

Following the fragmentation of central authority in the 9th century, Tibet was governed by several rulers whose authority was limited to their respective fiefdoms. Tibetan unity weakened with the passage of time. In the early 13th century, both China and Tibet came under the control of Genghis Khan. Although Drogon Choegyial Phagpa

restored the sovereignty of Tibet in the 1260s, and his rule extended across the three provinces, the frequent change of rulers under the Phagmo Drupas, Rinpungpas and Tsangpas over the next 380 years or so resulted in a failure to maintain a unified Tibet. The absence of any central authority and frequent internal conflicts caused Tibet's political power to decline.

Since the Fifth Dalai Lama's founding of the Ganden Phodrang Government of Tibet in 1642, successive Dalai Lamas have been both the spiritual and temporal leaders of Tibet. During the reign of the Fifth Dalai Lama, all the 13 myriarchies or administrative districts of Tibet enjoyed political stability, Buddhism flourished in Tibet and the Tibetan people enjoyed peace and freedom.

During the late 19th and early 20th centuries, Tibet not only lacked adequate political governance, but also missed the opportunity to develop effective international relations. The Thirteenth Dalai Lama assumed temporal power in 1895, but was compelled to flee to Mongolia and China in 1904, due to the invasion of British forces, and to India in 1910, when the Manchu China invaded. Once circumstances allowed him to return to Tibet, the Thirteenth Dalai Lama re-asserted Tibetan sovereignty in 1913. As a result of what he had learned in exile, the Thirteenth Dalai Lama introduced modern education and made reforms to strengthen the government of Tibet. Although these steps produced positive results, he was unable to fulfil his overall vision, as is evident from his last political testament of 1932, the year before his death. Despite the lacklustre political leadership and short-comings of the regents and their administrations, the Ganden Phodrang Government has on the whole provided stable governance for the last four centuries.

Since I was young, I have been aware of an urgent need to modernize the Tibetan political system. At the age of sixteen, I was compelled to assume political leadership. At that time I lacked a thorough

understanding of Tibet's own political system, let alone international affairs.

However, I had a strong wish to introduce appropriate reforms in accordance with the changing times and was able to effect some fundamental changes. Unfortunately, I was unable to carry these reforms any further due to circumstances beyond my control.

Soon after our arrival in India in April 1959, we set up departments with Kalons (Ministers) in charge of education, preservation of culture and the rehabilitation and welfare of the community. Similarly, in 1960, aware of the importance of democratization, the first Commission of Tibetan People's Deputies was elected and in 1963 we promulgated the Draft Constitution for a Future Tibet.

No system of governance can ensure stability and progress if it depends solely on one person without the support and participation of the people in the political process. One man rule is both anachronistic and undesirable. We have made great efforts to strengthen our democratic institutions to serve the long-term interests of the six million Tibetans, not out of a wish to copy others, but because democracy is the most representative system of governance. In 1990, a committee was formed to draft the Charter for Tibetans-in-Exile and a year later the total strength of the Assembly of Tibetan People's Deputies (ATPD), the Tibetans in exile's highest law-making body, was increased. In 1991, the Eleventh ATPD formally adopted the Charter for Tibetans-in-Exile and assumed all legislative authority. Given the limitations of our life in exile these are achievements of which we can be proud.

In 2001, the Tibetan people elected the *Kalon Tripa*, the political leader, directly for the first time. Since then, I have been in semi-retirement, no longer involving myself in the day-to-day administration, but able to dedicate more time to general human

welfare.

The essence of a democratic system is, in short, the assumption of political responsibility by elected leaders for the popular good. In order for our process of democratization to be complete, the time has come for me to devolve my formal authority to such an elected leadership. The general lack of experience and political maturity in our democratic institutions has prevented us from doing this earlier.

Given that the line of Dalai Lamas has provided political leadership for nearly four centuries, it might be difficult for Tibetans generally and especially those in Tibet to envisage and accept a political system that is not led by the Dalai Lama. Therefore, over the past 50 years I have tried in various ways to raise people's political awareness and encourage their participation in our democratic process.

In my 10th March statement of 1969, for instance, I stated, "When the day comes for Tibet to be governed by its own people, it will be for the people to decide as to what form of government they will have. The system of governance by the line of the Dalai Lamas may or may not be there. In particular, the opinion of the forward-looking younger generation will be an influential factor."

Similarly, in my 10th March statement of 1988, I stated, "As I have said many times, even the continuation of the institution of the Dalai Lama is for the people to decide." Since the 1980s, I have repeatedly advised the *Kashag*, ATPD and the public that Tibetans should take full responsibility for the administration and welfare of the people as if the Dalai Lama were not there.

I informed the Chairman of the Thirteenth ATPD and the then Chief Justice Commissioner that I should be relieved of functions related

to my political and administrative status, including such ceremonial responsibilities as the signing of bills adopted by the legislative body. However, my proposal was not even considered. On 31st August 2010, during the First Tibetan General Meeting (organized by ATPD), I explained this again in detail. Now, a decision on this important matter should be delayed no longer. All the necessary amendments to the Charter and other related regulations should be made during this session so that I am completely relieved of formal authority.

I want to acknowledge here that many of my fellow Tibetans, inside and outside Tibet, have earnestly requested me to continue to give political leadership at this critical time. My intention to devolve political authority derives neither from a wish to shirk responsibility nor because I am disheartened. On the contrary, I wish to devolve authority solely for the benefit of the Tibetan people in the long run. It is extremely important that we ensure the continuity of our exile Tibetan administration and our struggle until the issue of Tibet has been successfully resolved.

If we have to remain in exile for several more decades, a time will inevitably come when I will no longer be able to provide leadership. Therefore, it is necessary that we establish a sound system of governance while I remain able and healthy, in order that the exile Tibetan administration can become self-reliant rather than being dependent on the Dalai Lama. If we are able to implement such a system from this time onwards, I will still be able to help resolve problems if called upon to do so. But, if the implementation of such a system is delayed and a day comes when my leadership is suddenly unavailable, the consequent uncertainty might present an overwhelming challenge. Therefore, it is the duty of all Tibetans to make every effort to prevent such an eventuality.

As one among the six million Tibetans, bearing in mind that the Dalai Lamas have a special historic and karmic relationship with the Tibetan people, and as long as Tibetans place their trust and faith in me, I will continue to serve the cause of Tibet.

Although Article 31 of the Charter spells out provisions for a Council of Regency, it was formulated merely as an interim measure based on past traditions. It does not include provisions for instituting a system of political leadership without the Dalai Lama. Therefore, amendments to the Charter on this occasion must conform to the framework of a democratic system in which the political leadership is elected by the people for a specific term. Thus, all the necessary steps must be taken, including the appointment of separate committees, to amend the relevant Articles of the Charter and other regulations, in order that a decision can be reached and implemented during this very session.

As a result, some of my political promulgations such as the Draft Constitution for a Future Tibet (1963) and Guidelines for Future Tibet's Polity (1992) will become ineffective. The title of the present institution of the Ganden Phodrang headed by the Dalai Lama should also be changed accordingly.

With my prayers for the successful proceedings of the house.

Tenzin Gyatso, the 14th Dalai Lama

11th March 2011

Appendix 3:

His Holiness the Dalai Lama's Remarks on Retirement - March 19th, 2011

Translated from His Holiness the Dalai Lama's remarks in Tibetan made during a public teaching at Tsulagkhang, the main temple, in Dharamsala on the morning of 19 March 2011.

The Office of the Dalai Lama, Dharamshala, India

<http://dalailama.com/messages/tibet/retirement/retirement-remarks>

After coming into exile, I have made sincere efforts to establish a democratic system of governance in the last more than 30 years. The Tibetans in exile say “our democracy is a gift from His Holiness the Dalai Lama.” Ten years ago, the system of electing *Kalon Tripa* through democratic elections was introduced rather than nomination of the candidate by the Dalai Lama, which was not correct. Since the direct election of *Kalon Tripa*, the system of the institution of Gaden Phodrang of the Dalai Lama as both the spiritual and temporal authority has ended. Since then I described myself as in semi-retired position.

Since then ten years have passed and the day will come for us when we have to follow a meaningful democratic system. The rule by kings and religious figures is outdated. We have to follow the trend of the free world which is that of democracy. For example in India, besides its huge population and diverse languages, religions and culture, but on the whole it remains very stable. This is because of democracy, the rule of law, free expression and media. To the contrary, China under the authoritarian rule is always facing problems. It was mentioned in a recent Chinese government's document that it is allocating more budget to maintain internal stability than national

defense. This shows that they have more enemies inside rather than outside, which is a matter of shame.

The government of the People's Republic (of China) is meant to work for the people's welfare. So fulfilling the people's aspirations must come through democratic elections. If the leaders are selected through elections, it would be a matter of real pride. But to hold power at the barrel of the gun rather than through elections is immoral and outdated as well. So the system of one-man rule is not good. Therefore, it is not at all good if the Dalai Lama keeps on holding ultimate power. The Dalai Lama as the spiritual and temporal authority of Tibet did not begin during the period of the first four Dalai Lamas. It started during the time of the fifth Dalai Lama under different circumstances and the influence of the Mongol chieftain Gushri Khan. The system has brought many benefits since then. But now as we are in the 21st century, sooner or later the time for change is imminent. But if the change comes under the pressure of another person then it will be a disgrace to the former Dalai Lamas. Since the fifth Dalai Lama, Ngawang Lobsang Gyatso, the Dalai Lamas have assumed both spiritual and temporal rule over Tibet. As I am the fourteenth in line of that institution, it is most appropriate if I on own initiative, happily and with pride, end the dual authority of the Dalai Lama. Nobody except me can make this decision and I have made the final decision. The leadership democratically elected by the Tibetan people should take over the complete political responsibilities of Tibet. Some kind of a vestige of the dual system will remain if I am vested with the political authority in the Charter. This should change and now seems to be the time to do it.

I can talk a little about the great deal of accomplishments that I have made for the Tibetan cause, as the Tibetan people both in and outside Tibet put faith and trust in me and there are also many people around the world who consider the Dalai Lama as someone

they recognise, trust and love. So now is the right time to end the dual system of governance established during the fifth Dalai Lama and retain the kind of unanimity and recognition gained by the first four Dalai Lamas in the spiritual domain. Particularly, the third Dalai Lama received the honorific title of an ecumenical master with yellow hat. So like them I will continue to take spiritual responsibilities for the remaining part of my life.

Personally, I have been working for the promotion of moral values and religious harmony in the world. These are proving quite beneficial. Moreover, I receive many invitations from different schools and universities around the world. They are not asking me to come to preach on Buddhism as such, but to teach how to promote inner happiness and Buddhist science to which many people take interest and love to listen. So when the present Dalai Lama is in such a position, it would be a matter of great pride if the 400-year-old rule of Dalai Lama as both the spiritual and temporal authority gracefully comes to an end. No one else except me can decide to end something started by the fifth Dalai Lama and my decision is final.

Recently, I received telephone calls from Tibetans inside Tibet saying they are extremely worried and feel abandoned as I am retiring. There is absolutely no need to worry. After taking retirement, I will continue to lead Tibet in spiritual affairs like the first four Dalai Lamas. Like the second Dalai Lama Gedun Gyatso, who founded the Gaden Phodrang institution and led Tibet spiritually with unanimous mandate, I will also retain that kind of spiritual leadership for the rest of my life. Perhaps if I bring no disgrace on the people and make good efforts in the future, I will continue to lead spiritually.

If such a Dalai Lama with an unanimous mandate to lead spiritual affairs abdicates the political authority, it will help sustain our exile administration and make it more progressive and robust.

Similarly, the international community, who support the Tibetan cause, will commend the Dalai Lama's sincerity for the complete democratization of the Tibetan polity. It will raise our prestige in the world. On the hand other, it will fully expose the falsehood and lies of the Chinese government that there is no Tibet problem except the issue of the Dalai Lama's personal rights. The Tibetan people inside Tibet should not feel discouraged because I have made this remarkable decision by taking in consideration the benefit of the Tibetan people in the long run. The Tibetan administration in exile will be more stable and progressive. Contrary to the system of the Chinese Communist's authoritarian rule in Tibet, our small community in exile has been able to establish a complete modern democratic system.

In the long run this decision will make our exile administration stronger and efficient. Where else, if we compare our community in exile with the authoritarian communist regime in China, we have actually become a modernized society. This is our glorious achievement. Tibetans inside Tibet should be proud of this achievement. You all should understand and realise that I am not discouraged and I have not given up on the cause of Tibet.

I am a native of the land of snows. All the six million Tibetans from the land of snows carry the common responsibility of the Tibetan cause. As for me, I am also one Tibetan from the Amdo region of Tibet, so until my death I have the responsibility of the Tibetan cause.

While I am still healthy and present amidst you all, you should take full responsibility of the Tibetan affairs. And if some problem arises that necessitates my help, then of course, I am still here. I have not given up and neither am I disheartened. The democratic system that we have followed till now can take full responsibility and after considering the many requirements and reasons, I am asking the

democratic system to take full responsibility. All of you present here and all of the Tibetans in Tibet should not get disheartened. There is no reason to worry.

Just yesterday, I met a Chinese scholar who told me that he was conducting a research on the Tibetan electoral process and had also come here five years ago. He told me that this time around, Tibetans were very actively participating and fully utilizing their democratic rights. He praised the advancements that the Tibetan democratic system had made. So these developments represent our growing political awareness and the strides that we have taken in our democratic process. And so the decision to devolve my power is also a part of advancing democratization process.

Those of you from Tibet when you return and if there are people to whom you can confide then tell this to them. This may also be broadcast on the radio as well. I have made this decision to retire after giving thorough thought over it for years and years and for the ultimate benefit of Tibet. There is no reason at all for you to be disheartened.

On the other hand, Ganden Phodrang is not being shut down. Ganden Phodrang is the institution of the Dalai Lamas and as long as I live, I will need a small institution. So, this Ganden Phodrang will still remain. What is happening is that Ganden Phodrang is relinquishing its political responsibilities.

And then, regarding the future reincarnations, of course there is no hurry as of now. But after 20 or 30 years when I am near my end, then depending mainly on the wishes of the Tibetan people and also the people of the Himalayan regions and other Buddhists who are connected to the Dalai Lamas, if they so wish then the 15th, 16th and 17th Dalai Lamas and so forth, will come. So Ganden Phodrang will still remain intact. Political changes are bound to come but

such a move will lend stability. Ganden Phodrang reverting back to its role and responsibility as being the spiritual head as during the times of the second, third and fourth Dalai Lamas have great significance and reason.

In the long run, if you think about it, then this change and decision I am making has great benefits for the Tibetans. In my letter to the Tibetan Parliament, I suggested that the title of Ganden Phodrang Shung will have to be changed. Ganden Phodrang will remain but it will not take any political responsibilities as we are now a democratic establishment.

The Tibetan word 'shung' may not necessarily translate in English as government. We don't use the English word 'government' as such to describe our exile administration. At one instance during a press conference in Delhi, Rinpoche was also there, a journalist addressed Samdhong Rinpoche as the Prime Minister of the exile government. So, I instantly clarified that we don't use these titles like Tibetan 'Prime Minister' or the Tibetan 'Government-in-exile'. We call our administration the Central Tibetan Administration. Of course there are Tibetans in exile and we need an organization to look after them. This is the direct responsibility of the administration. Generally, the few of us in exile, being Tibetans, have the responsibility to articulate the aspirations of the Tibetans inside Tibet and to tell the world of the real situation inside Tibet. We have never called our administration the Tibetan exile government. Calling the administration the Ganden Phodrang Shung is another case in matter. So, the precise title is the Central Tibetan Administration whose leaders are all democratically elected.

To be true, this provides the leaders of the Tibetan autonomous areas in Tibet a reason to think. Those of us in exile, though remaining as refugees in alien countries, have carried out a genuine electoral process. If those leaders are really capable and confident, then let

the Tibetans inside Tibet democratically elect their own leaders. Whatever the case maybe in the rest of China, if we could emulate the exile system in Tibet itself then it would be very good.

So, the many political changes that I have made are based on sound reasons and of immediate and ultimate benefit for all of us. In fact, these changes will make our administration more stable and excel its development. So, there is no reason to get disheartened.

This is what I wish to explain to you.

Appendix 4:

Election of Settlement Officers and Local Tibetan Assemblies

Charter for the Tibetans-in-Exile

Only the most relevant articles in the Charter have been provided here. The original is available in Tibetan language.

CHAPTER - VII

THE ADMINISTRATION OF TIBETAN SETTLEMENTS

The Administration of Tibetan Settlements in Exile -Article 71.

There shall be a Tibetan Administrative Office in every Tibetan settlement in exile, defined by:

- (a) Settlements engaged primarily in agriculture
- (b) Settlements engaged primarily in handicrafts and Co-operatives
- (c) Monastic Communities
- (d) Schools and Academic Institutions
- (e) Self-employed communities
- (f) Scattered Tibetan Communities; and
- (g) Other places of residence.

Tibetan Administrator and Assistant Tibetan Administrator of the Tibetan Settlements - Article 72.

There shall be a Tibetan Administrator in every Tibetan settlement, and an Assistant Tibetan Administrator in larger Tibetan

settlements.

1) Any Tibetan resident of a Tibetan settlement, regardless of sex or of lay or ordained status, shall be entitled to stand for nomination for election as a Tibetan Administrator subject to the qualifications prescribed in Articles 11 and 38 of this Charter. Provided that the representatives of the Tibetan Administration shall not be elected as a Tibetan Administrator.

2) An Assistant Tibetan Administrator may be elected by the respective Tibetan Local Assembly, as deemed necessary, without direct election by the general Tibetan public. Such an election shall require the support of at least a two-thirds majority of the total number of members of that Tibetan Local Assembly.

Election of the Tibetan Administrators of the Tibetan Settlements - Article 73.

(1) There shall be a preliminary election for nomination from amongst the general Tibetan public in each of the respective settlements, and those citizens shall be divided into sub-committees, each consisting of not more than 25 Tibetan citizens, for the election of a Tibetan Administrator.

(2) 4 candidates shall be elected from amongst the nominees who have secured the highest vote, before holding the final election for the positions of the Tibetan Administrator of each respective Tibetan settlement.

(3) The candidate who is elected to be the Tibetan Administrator shall secure more than 51% of the total number of votes within that respective Tibetan settlement.

(4) If any candidate has failed to secure 51% of the vote within the

respective Tibetan settlement, a decision shall be made in accordance with Article 74 of this Charter.

(5) If any member of the Tibetan Local Assembly or any locally appointed staff of the Tibetan settlement is elected as the Tibetan Administrator or Assistant Tibetan Administrator, such persons shall resign from his or her former membership or position.

The Appointed Tibetan Administrator and Appointed Assistant Tibetan Administrator - Article 74.

There shall be both a Tibetan Administrator and an Assistant Tibetan Administrator, or either, as the case may be, for each Tibetan settlement appointed by the Central Tibetan Administration under the following circumstances:

(1) when the required percentage of votes has not been secured from the general Tibetan public within the respective Tibetan settlement as specified in clause (3) of Article 73 of this Charter;

(2) either a candidate elected from amongst the general Tibetan public has failed to meet qualifications, or the general Tibetan public has expressed an unwillingness to hold an election for the time being; and

(3) either the Elected Tibetan Administrator has failed to discharge his or her responsibility, or has lost the confidence of the general Tibetan public, or if the Community is unusable to select his or her replacement the Central Tibetan administration shall appoint their replacements.

Removal of Appointed Tibetan Administrators - Article 75.

In any Tibetan settlement, if any Tibetan person qualified to be

their Administrator or Assistant Tibetan Administrator is found among the general Tibetan public while the Appointed Tibetan Administrator and/or Appointed Assistant Tibetan Administrators are holding their respective offices, as soon as the Tibetan Administration is notified thereof by the Local Tibetan Assembly, the appointed Administrator or Administrators may be replaced.

Tenure of the Tibetan Administrators - Article 76.

(1) Unless a situation otherwise necessitates their removal before the expiration of their term, and in accordance with the provision of the regulation, the term of office of the Tibetan Administrator and Assistant Tibetan Administrator shall be 3 years.

(2) Unless otherwise a situation necessitates their removal in accordance with Article 91 of this Charter, there shall be no objection to the re-election of any Tibetan Administrator or Assistant Tibetan Administrator.

Duties of the Tibetan Local Administrators and Assistant Tibetan Local Administrators - Article 77.

All Tibetan Local Administrators and Assistant Tibetan Local Administrators shall have the following duties:

- (a) to conduct all administrative business of their respective Tibetan settlements;
- (b) to carry out judicial responsibilities authorized by the Tibetan Supreme Justice Commission;
- (c) to make efforts to maintain harmony, safety and security among Tibetan citizens and between Tibetans and the indigenous people of the respective area; and also to make efforts to adhere to the local

laws of the respective host countries and respect the customs and traditions of the people therein;

(d) to carry out all the official responsibilities instructed by the Tibetan Assembly, the Kashag, the concerned Department and other Departments of the Central Tibetan Administration, in accordance with regulations;

(e) any other duties deemed to be in the interest of the Tibetan people, from time to time, according to the prescribed rules and regulations.

The Tibetan Local Assembly of Tibetan Settlements - Article 78.

(1) There shall be a Tibetan Local Assembly in each of the respective Tibetan settlements.

(2) a) Each Tibetan Local Assembly shall be comprised of members, regardless of sex or of lay or ordained status, from among the Tibetan residents of their respective settlement, who shall be entitled to stand for nomination and be elected as a member of the Tibetan Local Assembly as prescribed in Articles 11 and 38 of this Charter;

b) Or, each Tibetan Local Assembly may consist of elected members of the Board of Directors of the Tibetan Co-operative Societies, Regional Bhod Rangwang Denpe Legul, leaders and representatives of Tibetan Villages, or elected members of the various communities and Associations. It shall be provided that no Tibetan Administrator and Assistant Tibetan Administrator shall become members.

Number of Members and Duration of the Tibetan Local Assembly of Tibetan Settlements - Article 79.

(1) The quorum of each Tibetan Local Assembly of each Tibetan settlement shall be comprised of not less than 11, but not more

than 35, members depending on the population of the respective Tibetan settlements.

(2) Unless circumstances demand dissolution of the Tibetan Local Assembly before the expiration of the term, each Tibetan Local Assembly of the respective Tibetan settlement shall have a term of 3 years.

Speaker and Deputy Speaker of the Tibetan Local Assembly - Article 80.

(1) At the commencement of the first session of each Tibetan Local Assembly, a Speaker and a Deputy Speaker shall be elected from among members by means of a secret ballot and by majority vote.

(2) After their election, the Speaker and Deputy Speaker of the Tibetan Local Assembly shall take and subscribe the oath and affirmation of their respective offices before the Tibetan Local Justice Commission.

Appendix 5 :
Status and figures of Local Tibetan
Assemblies in Tibetan Settlements
(As of August 2012)

S. No.	Place	No of Deputies	Start of Term	End of Term
1	Dharamsala	15	06/12/2010	05/12/2013
2	Mundgod Dholing	33	19/06/2009	18/06/2012
3	Hunsur Rabgayling	13	1/04/2011	31/03/2014
4	Kollegal Dhondenling	21	07/05/2010	06/05/2013
5	Bandara Norgayling	11	02/09/2010	01/09/2013
6	Mainpat Phendeling	11	12/09/2011	11/09/2014
7	Orissa Phuntsokling	15	15/04/2011	14/04/2014
8	Tezpur Dhargayling	12	15/04/2011	14/04/2014
9	Miao Choepheling	11	08/07/2009	07/07/2012
10	Bumdila Tenzinghang	7	03/12/2010	02/12/2013
11	Ladakh Lhojang	21	01/09/2011	31/08/2014
12	Ravangla Kunphenling	15	26/08/2011	25/08/2014
13	Herbertpur Dhoguling	13	15/06/2010	14/06/2013
14	Dickyiling	17	01/08/2011	31/07/2014
15	Mandi	11	03/05/2012	02/05/2015
16	Shimla	7	03/08/2010	02/08/2013
17	Shillong	7	02/01/2009	09/09/2012
18	Bir Botsok	16	24/03/2011	23/03/2014
19	Ponta Cholsum	11	23/03/2010	22/03/2013
20	Sataun	7	29/06/2011	28/06/2014

21	Kumrao	7	22/07/2009	22/07/2012
22	Puruwala	9	29/04/2010	28/04/2015
23	Bon settlement	11	15/03/2012	14/03/2015
24	Kullu	11	07/03/2010	06/03/2013
25	Dalhousie	9	27/07/2009	26/06/2012
26	Chauntara Nangchen	10	15/08/2010	14/08/2013
27	Kalimpong	10	17/05/2009	16/05/2013
28	Nepal Jawalakhel	15	31/01/2010	30/01/2013
29	Nepal Boudhanath	15	31/01/2010	30/01/2013
30	Nepal Swayambhu	15	31/01/2010	30/01/2013
31	Nepal City	11	31/01/2010	30/01/2013
32	Pokhra Tashi Pelkhil	15	04/11/2010	03/11/2015
33	Pokhra Tashiling	15	29/06/2010	28/06/2013
34	Nepal Lodrik	15	30/11/2010	29/11/2013
35	Lotserok	7	28/06/2010	27/06/2013
36	Bir Derge	15	27/04/2012	26/04/2015
37	Bhutan Tibetan Settlement	9	15/12/2004	14/12/2007
38	Switzerland	23	04/03/2012	04/03/2015
	Total number of deputies	496		
	Total number of settlements where Local Tibetan Assembly constituted	38		

Source: Tibetan Election Commission, Central Tibetan Administration, August 2012

Note: As of August 2012, 42 out of 47 larger Tibetan settlements have elected their Local Tibetan Assemblies. Altogether there are 77 places where Tibetans reside in groups (both large and small) throughout the world with mostly concentrated in India.