

# **Statement of the Kashag on the Sixty-second Anniversary of the Tibetan Democracy Day**

On this momentous occasion of the sixty-second anniversary of the Tibetan democracy day, the Kashag extends its greetings to Tibetan brethren in and outside Tibet and friends who support the just cause of Tibet.

Over the past sixty years, our commitment and ability to follow and make sound development of the democratic system has been the corner stone of our remarkable achievement in furthering the cause of Tibet and developing a successful Tibetan community in exile. The democratic system, while in exile, is the strength and the driving force of our movement. It will also be the most precious gift to our Tibetan brethren when we are reunited.

In our statement on Tibetan Democracy Day last year, the Kashag spoke about how His Holiness the Dalai Lama initiated and steered the Tibetan people on the path of democracy. On this occasion, the Kashag will speak on the evolution of the Kashag and the Judiciary during the democratic process.

The Kashag was established by His Holiness the Seventh Dalai Lama Kelsang Gyatso when he assumed spiritual and political leadership of Tibet in 1751. The Kashag at that time constituted of three lay and one monk ministers, the composition of which has since undergone gradual changes. However, the uninterrupted continuation of Tibetan government's legitimacy from the first king Nyatri Tsenpo to Gaden Phodrang has been symbolized by the handover of official seal, Katham Sishi Diky, by His Holiness the Seventh Dalai Lama to then Kashag. The tradition of handing over of the seal during the change of Kashag has continued until now.

After coming into exile in India, His Holiness the Dalai Lama once again announced the repudiation of the Seventeen-Point Agreement in Tezpur on 18 April 1959. On his arrival in Mussoorie on 25 April 1959, His Holiness the Dalai Lama told a gathering of Kalons and government officials to deliberate on the re-establishment of the Tibetan government in line with the modern system and assign responsibilities to work on it. On 29 April 1959, His Holiness the Dalai Lama was apprised of the minutes of the deliberation and accordingly, an interim first Kashag was constituted with the appointment of an Acting Prime Minister, four ministries and their ministers and staff. On 20 June 1959, His Holiness the Dalai Lama said in his first meeting with the press that "wherever I am, accompanied by my cabinet, the Tibetan people recognize us as the Government of Tibet".

On 2 September 1960, the system of appointing Kalons and secretaries by His Holiness the Dalai Lama from the nominations presented by the Assembly of Tibetan People's Deputies was established. Further, the existing system whereby Kalons deliberated and decide on all matters was reformed. The Cabinet Council was constituted to decide important matters and Kalons were assigned responsibility to administer Religion, Home, Foreign Relations, Finance and Education through their respective offices.

Since the re-establishment of the Kashag until dissolution of the seventh Kashag and the tenth Assembly of Tibetan People's Deputies on 11 May 1990, the term of the Kashag varied with the first Kashag administering for a few months; second, third and fifth Kashag for 3 years and the fourth, sixth and seventh Kashag for 6 years. The number of Kalons appointed

remained five to seven. Although the Charter of the Tibetans-in-exile stipulated a five-year term for the Kashag, the tenures of the eighth, ninth and tenth Kashag remained 11 months, 17 months, and 3 years and 3 months, respectively. The five-year tenure was implemented from the eleventh Kashag.

When the Charter of Tibetans-in-exile was promulgated, there was a provision of passing on the executive powers and authority of His Holiness the Dalai Lama to a Council of Regency. However, direct election of Kalon Tripa was introduced in 2001 and with the past ten years' experience, in 2011, His Holiness the Dalai Lama devolved his political and administrative powers to the popularly elected leadership and the Council of Regency was also withdrawn. More than 11 years have passed since these reforms were initiated. The Kashag, since 2001, has become an executive office headed by Sikyong, previously called Kalon Tripa.

Before the promulgation of the Charter, the Kalons were appointed through the system of selection of the nominees. When the Charter was adopted, the power to select nominees for Kalons and their appointment both were vested with the Assembly of Tibetan People's Deputies. Since a candidate needed to win at least 70% of the votes to become a Kalon, the Assembly was only able to elect two Kalons out of the required seven. This provision was amended in 1993 whereby His Holiness the Dalai Lama was to present a list of nominees not less than double the number of Kalons to be elected by the Assembly and seven candidates securing the highest number of votes would be declared elected as Kalons. In 1996, the number of Kalons was increased to eight. The 11th Charter Amendment in 2000 provisioned the Assembly to elect Kalon Tripa from a list of two nominees provided by His Holiness the Dalai Lama and the Kalon Tripa to nominate a maximum of seven Kalons, subject to approval and rejection by the Assembly through a simple majority vote. Addressing the 11th session of the 12th Tibetan Parliament, His Holiness suggested that Kalon Tripa be directly elected by the Tibetan people in exile. Accordingly, the direct election of Kalon Tripa by the Tibetan people was introduced at the 13th amendment of the Charter in 2001 and has been implemented since then.

Even though it is difficult to implement in an exile community, the Supreme Justice Commission is the highest Judicial Authority for the Tibetan individuals, public institutions in exile and the Tibetan Administration as stipulated in the Charter of Tibetans-in-exile. The Supreme Justice Commission, aside from criminal and property disputes handled by the host government, is empowered to interpret the Charter and invalidate any laws, executive orders and regulations that violate any of the provisions of the Charter to safeguard democracy and to create a fair and equal society by protecting the fundamental rights of the people. According to the particular needs of the Tibetan Administration and people in exile, the Justice Commissions have been established to resolve disputes concerning service matters and benefits concerned with officials of the Central Tibetan Administration and to address the Tibetan people's appeal for their rights and duties. After the 25th amendment of the Charter, the Supreme Justice Commissioner is vested with the power to administer the oath of office to the heads of the Three Pillars of Democracy and Three Autonomous Bodies.

Although today is a moment for us to celebrate, some areas of Tibet have been facing problems of COVID-19 outbreak and natural calamities. The Chinese government's extreme disease preventive measures have affected the normal life and livelihood of Tibetans. We appeal to our Tibetan brothers and sisters in Tibet to exercise social distancing and preventive measures, and also recite mantra of Tara as per divination. As announced earlier, the Kashag re-appeals to Tibetans in exile to recite mantra of Tara.

On 23 June 2022, the U.S. Congress organized for the first time a hearing of experts on the historical status of Tibet. The experts – based on Chinese documents and international law – pointed out that **the Chinese government’s claim that “Tibet has been part of China since antiquity” is not true.**

We would like to thank Representative Jim McGovern and Representative Michael McCaul of the U.S. Congress for introducing **“the Promoting a Resolution to the Tibet-China Conflict Act on 13 July 2022”**. It not only conforms to the Central Tibetan Administration’s Middle-Way policy, but also helps to give leverage to our efforts to resolve the Sino-Tibet conflict through dialogue. We will continue to make efforts to encourage like-minded countries in Europe to do the same.

The demographic survey of Tibetans in exile was started on 18 July 2022. The collection of census in India, Nepal and Bhutan is completed. Once we receive the survey forms from the overseas countries, the status of Tibetan population will become clear. We hope that the population census will serve as the scientific database for the Central Tibetan Administration to implement its projects.

Since the last more than one year, the Sikyong, Kalons and concerned officials of the departments visited Tibetan settlements to assess the needs of the general public. It has enabled the Kashag to formulate projects for the next four years such as rehabilitation of those who don’t have home, needy ones in the settlements and plantation of medicinal plants in the agricultural settlements. It helps to form a clear objective, structure and implementation of projects as per the needs of the people.

Although the Charter of the Tibetans-in-exile has undergone series of amendments during the thirty years since its promulgation, it still requires necessary reforms in accordance with the reality and democratic principles in view of the apparent issues. Thus, we hope a Charter Amendment Committee will be formed in the upcoming Parliament Session.

Lastly, we pray for the immediate end to conflicts and pandemic in the world. May His Holiness the Dalai Lama’s meritorious deeds continue to flourish and all his wishes spontaneously fulfilled.

The Kashag

02 September 2022

*Note: This is a translation of the Tibetan statement. Should any discrepancies arise, please treat the Tibetan version as final and authoritative.*