



EUROPEAN PARLIAMENT

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Plenary sitting

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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 122 of the Rules of Procedure

on The ban of elections for the Tibetan government in exile in Nepal

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on behalf of the PPE Group

European Parliament resolution on The ban of elections for the Tibetan government in exile in Nepal

The European Parliament,

- having regard to its resolution on Nepal from 17 June 2010 and its resolution on Tibet from 26 October 2006,
 - having regard to the Universal Declaration of Human Rights of 1948,
 - having regard to the International Covenant on Civil and Political Rights (ICCPR) of 1966,
 - having regard to the statement of 29 May 2010 by UN Secretary-General Ban-Ki Moon on the political situation in Nepal,
 - having regard to Rule 122(5) of its Rules of Procedure,
- A. Whereas more than 82 000 exile Tibetans across the world were called to the vote on 20 March 2011, to elect the new Kalon Tripa (Prime Minister) of the Tibetan government in exile,
- B. whereas 20 000 Tibetans in Nepal did not get permission to vote from the Nepalese authorities in Kathmandu, under increasing pressure from the Chinese government,
- C. whereas already during an earlier round of voting in Nepal on 3 October 2010, Kathmandu police confiscated ballot boxes and shut down the Tibetan community voting sites;
- D. whereas since 2008 the government of Nepal has carried out preventive arrests and policing restrictions on demonstrations and freedom of movement that deny the right to legitimate peaceful expression and assembly during anniversaries and festivals marked by the Tibetan community,
- E. whereas the government of Nepal has claimed that demonstrations by Tibetans would violate its 'One China' policy, has reiterated its commitment not to allow 'anti-Beijing activities' on its soil and has thus imposed a blanket ban on the movement of groups of Tibetans in an attempt to appease the Chinese authorities,
- F. whereas one of the top contenders for the post of the Prime Minister of the Tibet's Government in exile, Dr Lobsang Sangay, has been described as a "terrorist" by China,
- G. whereas Nepal's Public Security Act (Section 3.1) has been used to justify holding individuals thought to be organizing demonstrations in preventive detention; whereas such measures violate international prohibitions on arbitrary arrest and detention,

- H. whereas the Supreme Court of Nepal has on more than one occasion found that such a use of preventive detention orders fails to fulfil the requirements set out in Article 25 of the Interim Constitution,
- I. whereas the extensive use of checkpoints and the enforcement of large security zones might also be construed as a discriminatory application of the law based on ethnicity and political affiliation, and may constitute a violation of Article 2.1 and 26 of the ICCPR,
- J. whereas the situation of refugees in Nepal, in particular the Tibetans, is more than unacceptable,
1. Underlines the right to participate in democratic elections as fundamental right for all citizens that must be upheld, protected and guaranteed in every democratic state;
 2. Calls on the government of Nepal to uphold the democratic rights of the Tibetan people who are conducting a unique internal election process which has existed since 1960;
 3. Expresses its deep concern about the actions of the government of Nepal and its police forces to prevent Tibetans from participating in the elections for the new Kalon Tripa of the Tibetan exile government;
 4. Calls on the government of Nepal to allow all its citizens their right to legitimate peaceful expression and assembly, including freedom of speech, freedom of movement and participation in peaceful activities of the Tibetan communities in Nepal;
 5. Calls on the Nepalese authorities to abide by its international human rights obligations and its own domestic laws in its treatment of the Tibetan community;
 6. Calls on the European External Action Service through its delegation in Kathmandu to closely monitor the political situation in Nepal, especially the treatment of the Tibetan refugees and the respect for their constitutionally and internationally enshrined rights;
 7. Invites the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, to initiate contact with and support the newly elected prime minister of the Tibetan exile government;
 8. Instructs its President to forward this resolution to the Council, the Commission, the Member States, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the Government of Nepal, and the Secretary-General of the United Nations.