

# **Torrefy of Democratic Values**

*commenting on budding democracy of bhutan*



**APFA-Bhutan**



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**Association of Press Freedom Activists  
APFA-Bhutan**

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# Torrefy of Democratic Values

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**Edited by  
I. P. Adhikari**

**Association of Press Freedom Activists  
APFA-Bhutan**

## **Abbreviation used in this report**

ACC	= Anti Corruption Commission
APFA	= Association of Press Freedom Activists
APP	= All People's Party
BBS	= Bhutan Broadcasting Service
BNDP	= Bhutan National Democratic Party
BNS	= Bhutan News Service
BPUP	= Bhutan People's United Party
CEDAW	= Convention on Elimination of all forms of Discrimination Against Women
CPB (MLM)	= Communist Party of Bhutan (Marxists, Leninists, Maoists)
CRC	= Convention on the Rights of the Child
DHI	= Druk Holdings and Investment
DNC	= Druk National Congress
DPT	= Druk Phunsum Tshokpa
ESCAP	=Economic and Social Commission for Asia and Pacific
FCB	= Food Corporation of Bhutan
GNH	= Gross National Happiness
ICRC	= International Committee of the Red Cross
IPKF	= India Peace Keeping Force
KLO	= Kamtapur Liberation Organization
MP	=Member of Parliament
NA	= National Assembly
NC	= National Council
NDFB	= National Democratic Front of Bodoland
NFCED	= Non Formal and Continuing Education Division
NFD	= National Front for Democracy
NOC	= No Objection Certificate
NSB	= National Statistics Bureau

NWAB	= National Women Association of Bhutan
PDP	= People's Democratic party
RAA	= Royal Audit Authority
RBA	= Royal Bhutan Army
RBG	= Royal Body Guard
RBP	= Royal Bhutan Police
RENEW	= Respect, Educate, Nurture and Empower Women
RGOB	= Royal Government of Bhutan
RMA	= Royal Monetary Authority
RNR	= Renewal Natural Resources
RUB	= Royal University of Bhutan
UDHR	= Universal Declaration of Human Rights
ULFA	=United Liberation Front of Assam
UN	= United Nations
UNHCR	= United Nations High Commissioner for Refugees
URFB	= United Revolutionary Front of Bhutan
YDF	=Youth Development Fund

### **Dzongkha words used in this reports**

Chu	River
Chimi	Member of Parliament
Zabto Lemi	compulsory unpaid labor
Dungkhag	sub-district
Druk Yul	Bhutan
Gup	head of block
Lhotsampa	southern Bhutanese of Nepali origin
Je Khempo	head of monastic institution
Dratsang	monastic institution
Gomba	Buddhist church

# For the readers

This is an attempt to evaluate the democratic practice in Bhutan since it ended its direct rule of the king and fostered a parliamentary political system.

Many praised the steps taken by fourth king to transfer the power to elected people's representative yet we feel it was his compulsion to do so, not his wish.

Be it, the democratic transition in the country has completed, though many wish not to say it a democracy, and elected government has ruled the country for a year. Has this year become memorable in terms of fostering democratic cultures and values, has it promoted human rights, have people felt they have liberty and freedom, have things changed over the year? The reports attempts to deal with these issues.

Besides, it also deals with the progress of the promises that parties had given during the election time. Are they really implemented? Together with that a short glimpse of economic situation and development progress has been presented.

To note, we have used all news names, those Bhutan government adopted in 1997-98 to eliminate the traces of Nepali settlement in southern Bhutan. For instance instead of Samchi – the old name, we have used Samtse.

We hope, this report will not be beneficial only for the critics but also for the government to maximize its efforts



for transforming the promises into reality; foster and promote the democratic cultures and values, educate people of their rights and responsibilities and build a society whereby people need not have to live under constant fear from its rulers.

This is part of the series of reports that APFA brings out every years in its mission for democratization of the Bhutanese society. Polity has changed but many things remain to be addressed for strengthening the democracy and democratic culture. Government has the greater responsibility for sustaining of democracy while civil society organizations have responsibility to put critical reports on performances of the government and suggestions for future improvements. This report is one step ahead to that mission.

I. P. Adhikari  
April 15, 2009  
Kathmandu (in exile)

# One year in deck Few things with check

By I. P. Adhikari

It was obvious that Bhutan would not escape from transforming its political system though early voices for human rights and democratic changes were tagged as terrorist manifests. For nearly two decades, this Himalayan Kingdom defended against democracy on ground that it will bring disaster to its isolated culture and tradition being the only country where Drukpa Kagyukpa form of Buddhism survives. Newspapers were banned, TVs were restricted, radios were monitored and political talks were closely watched or never allowed.

It could resist no longer to the changing political landscapes of the global village. And finally, it chose last year to transform itself into a constitutional monarchy, bi-party parliamentary democracy. The monarch still has most political powers, can directly interfere into government's activities and reject the decision of the parliament. Incorporation of parliamentary political system and enabling people to elect their own leaders to rule them was appreciated by the international community.

It is under this circumstance that new and the first elected government took over the power on April 9, 2008. One year of democratic practice is not satisfactory and it has achieved far less than what was expected.

The significant question raised during this year is who has the authority to interpret the country's constitution. Constitutionally, the authority has been given to the Supreme Court, which has not been constituted to this day. Practically, the highest court of appeal, in absence of this court rests at the King but there are no authorities in the country today having authorized to interpret constitution during the hours of need. In one instance this year, the government invited Indian lawyer to explain what Bhutanese constitution says<sup>1</sup>. It has raised suspicion whether the newly elected leaders and the king are serious towards national sovereignty.

### **Development and Economy**

Economic development is the vision propagated by the Druk Phunsum Tshokpa (DPT) against the economic growth. The notion is backed by the principles of Gross National Happiness, much talked budding philosophy.

The unprecedented economic growth observed on the onset of democratic change had instilled positive thoughts among the general people towards new politics. The ruling party DPT had presented a charismatic and attractive economic vision for the new democracy and equitable share of national wealth among the citizens. Vibrant economy, accelerated economic growth, innovative technology to boost the growth and poverty alleviation through building economic opportunities in rural areas were some of the promises given to people

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<sup>1</sup><http://www.bhutanobserver.bt/2009/bhutan-news/01/bill-splits-parliament.html>  
<http://www.americanchronicle.com/articles/view/91862>

during the elections and reiterated later<sup>2</sup>. The party had not identified any specific programs and projects to bring these promises into reality. The vision presented was a generalized proposal.

One year of the government in power, fairly, the status of implementation of these projects is disgusting. None of the promises have so far seen any light of the day. The delay of the government to chart out the priorities of the tenth plan and endorsing it was the major cause of impediment in building national economy and undertake development projects to the common mass. The Thinley government after several alternations in the plan endorsed only after almost eight months, thus hindering the development process.

The national economy was badly hit by the global crisis from the beginning of the democratic government. The government initially did not accept the gradual hit by the recession but confessed it when industrial production begun to decline and many industries collapsed. Beginning of the government into power saw the closure of four palm oil industries in the country<sup>3</sup>. Even the budding film industry was hit by the stagnant economic growth<sup>4</sup>. Many industries closed down their operations, many others are sick while the price of construction goods continue to sky-rocket. Prices of basic raw

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<sup>2</sup>[http://www.bhutantimes.bt/index.php?option=com\\_content&task=view&id=1008&Itemid=1](http://www.bhutantimes.bt/index.php?option=com_content&task=view&id=1008&Itemid=1)

<http://www.apfanews.com/stories/pm-shares-dream-with-his-voters/>

<sup>3</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10143>

<sup>4</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10282>

materials for these industries such as iron ore, coking coal and ferro-silicon increased by almost 70 percent (Nu 75,000 per metric ton)<sup>5</sup>. Especially, the steel industries faced severe blow. Yarkey Poly Products Jigme Polytex closed down in December failing to resist the burnt of global crisis<sup>6</sup>. The government turned deaf ear to the proposal from the private sector to help them survive from the effect of recession or avoid collapse of industries. The proposal of the private sector to postpone the debt repay duration was also turned down. Similarly, additional working capital it demanded to let it continue industrial production was rejected<sup>7</sup>. One of the major causes for government's inability to provide additional working capital to the industries was the lack of adequate liquidity in the national banks. The government formally, did not announced the decline, but accounts produced by the banks show the banks continuously lost their liquidity<sup>8</sup>.

The country increased dependency on India. Foreign trade, especially with India, continues to go into losses, if

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<sup>5</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10270>

<sup>6</sup>[http://www.bhutantimes.bt/index.php?option=com\\_content&task=view&id=961&Itemid=1](http://www.bhutantimes.bt/index.php?option=com_content&task=view&id=961&Itemid=1)

[http://www.bhutantimes.bt/index.php?option=com\\_content&task=view&id=984&Itemid=1](http://www.bhutantimes.bt/index.php?option=com_content&task=view&id=984&Itemid=1)

<sup>7</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=11705>

<http://www.kuenselonline.com/modules.php?name=News&file=article&sid=11630>

[http://www.bhutantimes.bt/index.php?option=com\\_content&task=view&id=942&Itemid=1](http://www.bhutantimes.bt/index.php?option=com_content&task=view&id=942&Itemid=1)

<sup>8</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10160>

not subsidized by power exports. That's in fact a culture for Bhutanese trade. This led to rupee shortage in the national banks. The Indian rupee (INR) shortage, which the Bhutanese economy has been facing since 2007, may not last long with the government of India committing to grant a standby credit line of INRs 4 billion to enable Bhutan to meet its INR requirement. According to the Royal Monetary Authority (RMA), the country's central bank, it managed the shortage by borrowing from the State Bank of India (SBI) at an interest rate of 10 percent. RMA pledged hard currency as collateral to borrow. Between March and July last year, the central bank borrowed about INRs 2 billion from SBI<sup>9</sup>.

The national banks are urban centric. Little efforts are made to widen the reach of poor mass to the monetary market and banking services. Few financial institutions were proposed to be established during the study period but not a single has been materialized since the applicants did not turn up by March end this year. More financial institutions would have served the need and ease the monetary life of the people<sup>10</sup>. According to initial target, nation's monetary market regulator RMA had given signals for establishment of three private banks and one insurance company by early 2009.

The government increased the salary of the civil servants in its effort to attract talents into government service but failed to prove efficient in controlling the inflation in

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<sup>9</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10848>

<sup>10</sup>[http://www.bhutantimes.bt/index.php?option=com\\_content&task=view&id=983&Itemid=1](http://www.bhutantimes.bt/index.php?option=com_content&task=view&id=983&Itemid=1)

market caused by the salary hike that was already fueled up by the international economic crisis. Market prices were merely controlled and consumers continued to be hit by the soaring prices. The government asked the house owners not to raise rents and shopkeepers not to raise the prices of daily consuming goods after the salary were raised<sup>11</sup>; the call was ignored. Absence of government agency or mechanism to check or administer the implementation of government orders made little wage earners suffer more.

One of the primary agenda of the government through propagation of Gross National Happiness is to lessen the gap between poor and rich. However, the gap has been further widened after the salary is increased. The cold response from the private sector to raise the salary at par with government changes has widened the gap of disparity<sup>12</sup>.

Inflation marred the national economy. Rising from 6 percent, at the time new government took power<sup>13</sup>, the inflation continued to rise until it reached 9 percent in July. UN ESCAPE expects that this trend would not decline so much this year as



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<sup>11</sup> <http://www.trade.gov.bt/morenews.php?id=45>

<sup>12</sup> [http://www.bhutantimes.bt/index.php?option=com\\_content&task=view&id=1033&Itemid=1](http://www.bhutantimes.bt/index.php?option=com_content&task=view&id=1033&Itemid=1)

<sup>13</sup> <http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10229>

<http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10331>

well<sup>14</sup>. Consumer prices of the daily consuming goods were not checked<sup>15</sup>.

Besides the bad economic environment, development projects in the country also did not go as planned and proposed. Town plans in Denchi, Pemagatshel were planned in presence of Prime Minister Thinley but were not executed<sup>16</sup>. Many townships have been planned but none could start their construction<sup>17</sup>. Construction of two major hospitals in Thimphu and Mongar was delayed by more than a year<sup>18</sup>. Many other infrastructure development projects which should have been completed by 2008 are in stagnation such as ministers' quarter, Supreme Court building etc<sup>19</sup>.

The primary objective of the GNH is leading country to self reliance. Despite whooping income from the sales of hydropower to India, government continued looking at donors for development projects.

Thus, dependency on aid or grants has increased over the past one year. The announcement of Indian Prime Minister Man Mohan Singh while addressing the first

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<sup>14</sup> Economic and Social Survey of Asia and Pacific 2009: Addressing triple threats to development, March 2009

<sup>15</sup> <http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10731>

<sup>16</sup> <http://www.bhutanobserver.bt/2009/bhutan-news/01/denchi-town-plan-takes-shape.html>

<sup>17</sup> <http://www.bbs.com.bt/Khotakpaperpercent20residentspercent20awaitpercent20economicpercent20opportunities.html>

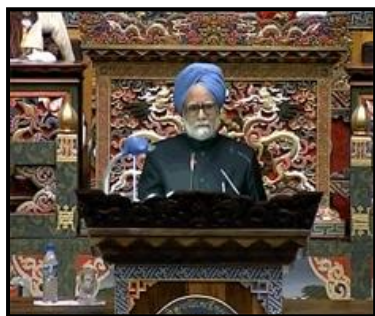
<sup>18</sup> <http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10157>

<sup>19</sup> <http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10868>



joint session of the Bhutanese parliament to provide IRs 100,000 billion support to Bhutan and Bhutan's acceptance to the support visualizes the country's increasing dependency on grants and aids from donors.

The cancellation of constructing an international airport in Gelephu, bordering India, as India shifts its plan to build such airport at Bagdogra exemplifies the dependency further<sup>20</sup>.



However, government later initiated the project to build a domestic airport. By the end of Thinley government's first anniversary in power, nothing substantial has been done towards building domestic airports. Interestingly, the

government has announced building few airports across the country, no plans have been drawn to expand national carrier Druk Airlines for domestic air service nor has there been any 'expression of interest' asked for establishing a private airlines providing domestic services.

The government could not generate the targeted revenue and thus has to rely on budgetary support from India to fill the gap. The government was able to downsize the budget resource gap only after India released part of the promised Nu 100 billion support<sup>21</sup>. The budgetary and

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<sup>20</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10162>

<sup>21</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10419>

development assistance generated from other bilateral and multilateral donors had vividly reflected the path of Bhutan moving towards dependency economy against the earlier commitments to build a self-sustained national economy.

One of the major deadlocks in development activities was delay in endorsing the tenth five year plan. The state had no fund for development activities in 2007 due to extension of the ninth plan at its conclusion period. The sick development initiatives did not pick up the pace even in first year of tenth plan.

The GNH Commission unveiled the development plans with expected investment of over Nu 12 billion for local development<sup>22</sup>. At a time when national development strategies and projects are at the bay, efforts for local developments are the day dreams. Yet the government continued to share dreams with people of a marvelous and heavenly Bhutan.

In absence of the development and industrial growth, hit by the global economic meltdown, the country has been facing rising unemployment problem. Off-loading the corporate employees as directed by the Druk Holding and Investment (DHI) and such other factors have further increased the unemployment problem in the country at an alarming rate<sup>23</sup>. In the beginning of the year, the country had over four percent unemployed persons and

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<sup>22</sup>[http://www.bhutantimes.bt/index.php?option=com\\_content&task=view&id=959&Itemid=1](http://www.bhutantimes.bt/index.php?option=com_content&task=view&id=959&Itemid=1)

<sup>23</sup> <http://www.apfanews.com/stories/ricbl-brings-retirement-schemes-to-lay-off-staffs/>

the trend continues to grow<sup>24</sup>. There were few attempts made to address this gravening situation but all they proved to be inefficient. The job fairs being organized by the government in its attempts to provide employment opportunities could delve only 350 seats<sup>25</sup>. The government provided opportunity to few new graduates to serve in the bureaucracy<sup>26</sup> which in reality did not address the unemployment problem rather replaced the young unemployed by old ones, experienced one. Attempts are further made to equip the young generation to compete the market with professional education<sup>27</sup>. Yet even those receiving vocational training failed to get absorbed in the market<sup>28</sup>.

Bhutan is the largest exporter of hydro power in South Asia. It has great potentiality of harnessing power and can well serve the increasing need of power in India and Bhutan has practically seized this opportunity to boost its economy. Bhutan Sustainable Hydropower Development Policy is a milestone towards hydropower generation from the country. This is the only product that Bhutan can make profits from exports and help balance trade with India. But lack of adequate funds means the country has to depend on India for financial

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<sup>24</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10273>

<sup>25</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10284>

<sup>26</sup><http://www.apfanews.com/stories/rcsc-begins-taking-new-graduates/>

<sup>27</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10353>

<sup>28</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10971>

assistance to build plants. Interestingly, no other international companies except those of India have expressed interest in building power plants in Bhutan.

According to recent agreement reached with government of India, Bhutan will build 10 mega plants in the next 11 years which will produce over 11,500 mw of power. India has agreed to purchase all power produced from these plants. Investments will be on a BOOT or build, own, operate, and transfer basis for 30 years.

From these produce, a minimum of 12 percent of electricity will be provided for free to Bhutan for the first 12 years of the project and a minimum of 18 percent thereafter until the project period is over. The selected projects include Sunkosh – 4060 mw, Kuri Gongri – 1800 mw, Punatsangchu 1 – 1170 mw, Punatsangchu 2 – 1000 mw, Mangdechu – 720 mw, Chamkarchu 1 – 670 mw, Kholongchhu – 485 mw and Dagachu – 114 mw<sup>29</sup>. Questions are raised whether studies have been made on what impacts these projects will have in environmental, biosphere, land formation and aquatic life.

Despite this potentiality, frustrating environment in the country did not improve. The national industries in Pasakha area face power shortage affecting the regular industrial production to its fullest strength<sup>30</sup>. Though the country generates large amount of hydroelectricity and generates whopping amount from its sale to India,

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<sup>29</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10655>

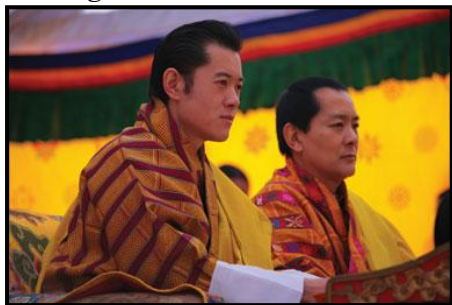
<sup>30</sup>[http://www.bhutantimes.bt/index.php?option=com\\_content&task=view&id=966&Itemid=1](http://www.bhutantimes.bt/index.php?option=com_content&task=view&id=966&Itemid=1)

government increased the power tariff to local consumers from July<sup>31</sup>.

### **Expansion of Liberty**

Much talked, debated and appraised that Bhutan took the path to end age-old isolation since the beginning of third king's rule. The cliché continued to rule the reign of fourth king, mustering up confusion whether Bhutan has in reality adopted the policy to embrace with the changing politics of the world – to come out from its closet to see what world is doing and talking about.

Change from an absolute monarchy to a constitutional parliamentary democracy last year has, to some extent, given liberty to the people. The right to adult franchise of the people is one great leap forward to freedom that Bhutan has achieved as it transformed its polity of one-person rule. Voting is not adequate to say Bhutan has now become a liberal country, a democratic country. In midst of that Bhutan has restricted the monks and other religious figures, along with those in jail from voting during the elections. This has to be closely watched if



things would get changed during the local elections scheduled for this year. Rallies and demonstrations are still daunted and trade unions are lawfully discouraged. Not a single

trade union has so far been announced inviting

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<sup>31</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10620>

speculation whether Bhutan has bestowed its people the right to organization and collective bargaining.

The constitution guarantees freedom of assembly but government attempted occasionally to impede criticism and monitor political meetings<sup>32</sup>. Individuals were unable to criticize government publicly.

The situation in southern districts deteriorated at the advent of the coronation of the fifth king Jigme Khesar Namgyal Wangchuk and centenary celebration of the monarchy. While the coronation celebration was held in Thimphu, fear and panic governed most southern districts as local authorities inhibit people from traveling from village to village in view of the growing violence in these districts, to which the government blames for communist groups operating from exile<sup>33</sup>. Reports say people even feared moving from one house to another, meeting their relatives. This revealed the fact that rulers have no trust with the south which remained almost mute for years.

Only after the second session of the parliament, lawmakers representing southern Bhutan talked about the census categorization of Bhutan since 1990 and difficulties posed by the provision of No Objection Certificate (NOC)<sup>34</sup>. The cabinet had formed a ministerial sub-committee to look into the matter shortly after the first session but nothing substantial has come

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<sup>32</sup> <http://www.state.gov/g/drl/rls/hrrpt/2008/sca/119133.htm>

<sup>33</sup> <http://www.apfanews.com/stories/movement-of-people-in-south-under-scanner-nation/>

<sup>34</sup> <http://www.apfanews.com/stories/na-members-take-up-southern-bhutan-problem-nation/>

out of it so far. The ruling party had given assurances to people in southern districts that the problems triggering since the 1990 demonstrations would be addressed immediately after new government resumes power.

Mere announcements and paper works do not reflect how liberal has Bhutan's polity become. The fear to talk national politics, let alone the international affairs, has not been erased from the public faces completely. Prevailing unwillingness of the people to join political parties or its sub-organizations shows the poor political freedom, or at least people felt so, in the country. Aftermath of the election, the two parties renewed their efforts to expand the party membership but very few turned up to the call<sup>35</sup>.

The only two parties – DPT and PDP – enjoyed freedom to organize rallies, though they themselves agree not to chose that alternative in the first election, and political campaigns but they restricted the contenders of the local elections, scheduled to be held this year, from campaigning, reaching out to the people seeking votes, telling their plans. The National Assembly approved the government proposal to restrict any form of campaign during the local elections<sup>36</sup>, thus curtailing the political liberties that Bhutan began to see last year only. Interestingly, the local body chiefs, by constitutional provisions, should have no political affiliation.

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<sup>35</sup> <http://www.apfanews.com/stories/parties-revive-membership-drive-few-turn-up/>

<sup>36</sup> <http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10679>

Bhutan remained tight for foreign tourists fearing that inflow of foreigners would destabilize the long-preserved culture and traditions of the Bhutanese society. The new government has become more liberal to allowing foreigners visit this anonymous country. More foreigners are allowed to visit Bhutan and the government through its new policy<sup>37</sup> plans to increase the tourist flow into the country heavily over the next few years<sup>38</sup>. This will help improve the economic status of the rural areas as tourists are expected to make expenditure during their treks to remote parts of the country. However, government decision to increase the tourist tariff during peak season meant discouraging their entry again<sup>39</sup>.

The newly adopted constitution has promoted Buddhism as the state faith. Though Hindus are not directly attacked, Christianity is openly discouraged. Two Christian families were physically attacked and kicked out of their homes after they chose to follow Christianity in Bhutan in April last year. These two families were Christianized by Gospel for Asia missionaries Lali Bharose and Ekta Surgari<sup>40</sup>. The country's constitution adopted in July provides freedom of religion though government, under pressure from Buddhist fundamentalists, keeps strict vigil on discourses of other

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<sup>37</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10784>

<sup>38</sup><http://www.apfanews.com/stories/government-to-allow-more-tourists/>

<sup>39</sup><http://www.apfanews.com/stories/daily-tariff-for-tourists-increases-economy/>

<sup>40</sup> <http://www.apfanews.com/stories/two-christian-families-attacked/>



religions. There were no such laws, drafted or promulgated, providing freedom of religion<sup>41</sup>.

In spite of that, dogmatic thoughts have changed to be pragmatic in cultural issues, to some extent. Bhutan which bans the fashion TV held its first ever beauty contest in the capital last year where Tshokey Tshomo was crowned the first Miss Bhutan<sup>42</sup>. The absence of fashion shows and modeling business meant, aspiring beauty talents would find it hard for livelihood in their chosen profession. Additionally, discouraging modeling means discouraging advertisement, which directly has negative impact on expansion of business, addition to government order to companies to limit the advertisement expenses to two percent of their total income.

Onset of freedom is at question, not only at public level but also at political level. The government banned use of laptops in National Assembly<sup>43</sup> claiming that MPs would get lost into E-world instead of participating in parliamentary businesses. Disabling of internet connection in assembly halls would have been the better alternative than restricting MPs from taking notebook into assembly halls.

## **Human Rights**

The constitution of the kingdom promulgated by king on July 18 contains following provisions on human rights:

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<sup>41</sup> <http://www.state.gov/g/drl/rls/irf/2007/90227.htm>

<sup>42</sup> <http://www.apfanews.com/stories/tshokey-tshomo-crowned-miss-bhutan-entertainment/>

<sup>43</sup> <http://www.apfanews.com/stories/laptops-banned-in-national-assembly-politics/>

## Article 7

### Fundamental Rights

*1. All persons shall have the right to life, liberty and security of person and shall not be deprived of such rights except in accordance with the due process of law.*

*2. A Bhutanese citizen shall have the right to freedom of speech, opinion and expression.*

*3. A Bhutanese citizen shall have the right to information.*

*4. A Bhutanese citizen shall have the right to freedom of thought, conscience and religion. No person shall be compelled to belong to another faith by means of coercion or inducement.*

*5. There shall be freedom of the press, radio and television and other forms of dissemination of information, including electronic.*

*6. A Bhutanese citizen shall have the right to vote.*

*7. A Bhutanese citizen shall have the right to freedom of movement and residence within Bhutan.*

*8. A Bhutanese citizen shall have the right to equal access and opportunity to join the Public Service.*

*9. A Bhutanese citizen shall have the right to own property, but shall not have the right to sell or transfer land or any immovable property to a person who is not a*

*citizen of Bhutan, except in keeping with laws enacted by Parliament.*

*10. A Bhutanese citizen shall have the right to practice any lawful trade, profession or vocation.*

*11. A Bhutanese citizen shall have the right to equal pay for work of equal value.*

*12. A Bhutanese citizen shall have the right to freedom of peaceful assembly and freedom of association, other than membership of associations that are harmful to the peace and unity of the country, and shall have the right not to be compelled to belong to any association.*

*13. Every person in Bhutan shall have the right to material interests resulting from any scientific, literary or artistic production of which he or she is the author or creator.*

*14. A person shall not be deprived of property by acquisition or requisition, except for public purpose and on payment of fair compensation in accordance with the provisions of the law.*

*15. All persons are equal before the law and are entitled to equal and effective protection of the law and shall not be discriminated against on the grounds of race, sex, language, religion, politics or other status.*

*16. A person charged with a penal offence has the right to be presumed innocent until proven guilty in accordance with the law.*

*17. A person shall not be subjected to torture or to cruel, inhuman or degrading treatment or punishment.*

*18. A person shall not be subjected to capital punishment.*

*19. A person shall not be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence nor to unlawful attacks on the person's honor and reputation.*

*20. A person shall not be subjected to arbitrary arrest or detention.*

*21. A person shall have the right to consult and be represented by a Bhutanese Jabmi of his or her choice.*

*22. Notwithstanding the rights conferred by this Constitution, nothing in this Article shall prevent the State from subjecting reasonable restriction by law, when it concerns:*

*(a) The interests of the sovereignty, security, unity and integrity of Bhutan;*

*(b) The interests of peace, stability and well-being of the nation;*

*(c) The interests of friendly relations with foreign States;*

*(d) Incitement to an offence on the grounds of race, sex, language, religion or region;*

*(e) The disclosure of information received in regard to the affairs of the State or in discharge of official duties; or*

*(f) The rights and freedom of others.*

*23. All persons in Bhutan shall have the right to initiate appropriate*

Situation of human rights has not improved satisfactorily. The parliament endorsed the constitution and King proclaimed it on July 18. However, the failure of the constitution and the laws to specify human rights defending or protecting agency in the country led to continued violation of rights. None of the government agencies have been assigned for human rights protection and promotion. Additionally, no laws have been drafted so far for implementation of the rights guaranteed in the constitution. There are no human rights groups and UN or other international agencies monitoring the human rights situation. Neither the government has allowed anyone to establish human rights advocacy organizations nor certified international rights watchdogs to appoint a representative there to access real situation of human rights. In fact, the international communities have been subscribing on version given by the government regarding human rights environment, which in general is not fair in terms of human rights protection.

The situation of women further worsened. Cases of rapes and witchcraft have abruptly increased and perpetrators are rarely punished<sup>44</sup>. Poverty stricken people are rarely cared. As you read the story of former government employees begging in Thimphu city, the obvious question arises is whether these retired civil servants have been given pension upon retirement<sup>45</sup>. The country has poor

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<sup>44</sup> <http://www.americanchronicle.com/articles/view/87675>

<sup>45</sup> <http://www.kuenselonline.com/modules.php?name=News&file=article&sid=12166>

social security policies and instruments. The government has neither policies nor plans to establish old age homes or provide old age pension for elderly survival. This is saddest part, utter absence of social benefit and protection in the country where happiness philosophy is talked day and night.

The countrymen needed massive education campaign on human rights for which the government had signed the international human rights instruments such UDHR in 1971 and many others later. Years of isolation means Bhutanese people are unaware of human rights and other fundamental rights they are entitled to enjoy. One year in the deck, the democratically elected Thinley-government has not taken any steps towards human rights education, neither through informal classes nor through formal education system.

Media industry is in budding stage and journalists are less trained and equipped to dig out such issues. This led many incidents of human rights violations go unreported. There have appeared the cases of inhuman tortures in jails where inmates are forced to drink their urine because of which the paper received criticism, warning from the government and security officials. (See box for the story)

Meaning of human rights has not justly penetrated through Bhutanese intellectuals. In a recent debate in Thimphu, the Buddhist experts made efforts to define human rights in terms of their religion. They did not talk of the existing ethnic discrimination and domestic violence against women but elaborate their theory of Buddhism where Buddha had unraveled the ideology of

humanism, simplicity, harmony, unity and brotherhood<sup>46</sup>. For Bhutanese intellectuals, principle of Buddhism is best instrument to protect, promote and propagate human rights, instead of the modern international conventions, covenants and protocols.

The state machinery is yet to transform itself, or be trained, to accept the modern definition of human rights. The confession of police chief Col Kipchu Namgyal (chief of Royal Bhutan Police since April 19, 2008) at the National Assembly session that police force cannot protect human rights<sup>47</sup> is the glaring example to showcase the scenario of continued human rights violations. The new Police Act was enacted without any jaws to restrict the police authority from human rights violations<sup>48</sup>. The police personnel have not been trained for protecting human rights and privacy of those arrested on different charges.

The jail inmates have no access to human rights groups – it is the only ICRC officials from India who are allowed to visit the prisons, under special agreement whereby they are not allowed to talk political or any other issues related to government.



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<sup>46</sup><http://www.apfanews.com/stories/bhutanese-definition-of-human-rights/>

<sup>47</sup><http://www.apfanews.com/stories/police-cannot-protest-human-rights-police-chief/>

<sup>48</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=11688>

Even though, there was no visit by ICRC officials to Bhutan during 2008<sup>49</sup>. There is urgent need of an organization or autonomous human rights body to monitor the human rights violations in the country.

The police chief's initiative to form an anti terrorist squad under Royal Bhutan Police is likely to make human rights situation more volatile in the days ahead<sup>50</sup>. The police personnel, who in fact should have been the human rights protectors, have not been well trained on this issue, rather used for human rights violations.

There are several minor human rights issues that government failed to address. Universally, safe drinking water is fundamental rights of every Bhutanese citizen. Over the past one year, there appeared serious shortage of drinking water supply in Thimphu, Gelephu, Sarpang, Samdrup Jonkhar and Wangdue Phodrang<sup>51</sup>. There have been no efforts from the government to address the water woes nor was this included in the government's annual plans.

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<sup>49</sup><http://www.state.gov/g/drl/rls/hrrpt/2008/sca/119133.htm>

<sup>50</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=11747>

[http://www.bhutantimes.bt/index.php?option=com\\_content&task=view&id=987&Itemid=1](http://www.bhutantimes.bt/index.php?option=com_content&task=view&id=987&Itemid=1)

<http://www.apfanews.com/stories/police-preparing-counter-terror-squad/>

<sup>51</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10843>

<http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10939>

<http://www.bbs.com.bt/Drinkingpercent20waterpercent20scarcitypercent20inpercent20Wangduephodrang.html>



The government issued assurances for protection of labor rights and Labor Act was in forum for discussion but never promulgated<sup>52</sup>. The government is yet to fix the minimum per day wage for the workers, without which workers are being exploited.

People in south continue to face discrimination, though the severity has declined much compared to what was in pre-election period. Home Minister Minjur Dorji assured that the NOC and other difficulties faced by southern Bhutanese would be resolved<sup>53</sup> on the last day of winter session of the National Assembly after the southern Chimis (Members of Parliament) raised the issue of NOC and census categorization. The cabinet formed a minister-level committee to look into the issue. There are no reports of any substantive decision on this regard. Large number of children have not been able to enroll into schools due to their inability to get NOC from the local police officials who allege them to have involved in 1990 demonstrations or have relatives in Bhutanese refugee camps in Nepal.



A study of the National Statistics Bureau (NSB) mentions the prevailing discrimination against women in

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<sup>52</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=11052>

<sup>53</sup>[http://www.bhutantimes.bt/index.php?option=com\\_content&task=view&id=970&Itemid=1](http://www.bhutantimes.bt/index.php?option=com_content&task=view&id=970&Itemid=1)

university level education. Less than 33 percent of students in educational institution under Royal Bhutan University (RUB) are girls while only 18 percent girls get scholarships to study abroad. In contrast, most girls study outside the country on their own – accounting to 58 percent total students studying abroad<sup>54</sup>.

Contrast to this, country's first and second report on CRC and report on CEDAW to the UN talked much about human rights, women rights and child rights in Bhutan<sup>55</sup>.

To note, to bad from worst, Bhutan has started debates and discussions on rights issues. A few public discussions were held in capital last year to talk about human rights, women rights and child rights<sup>56</sup>. There are few other notable instances to see little improvement in human rights environment. The decision of the government to lift ban on sale of meat during two holy months of Buddhists has given relief to non-Buddhists<sup>57</sup> though monastic body campaigned against it. Similarly, the decision of the National Assembly to axe the Zapto Lemi Act 1996 (adopted by former national assembly's 87th session) is another step forward on human rights improvement in the country<sup>58</sup>.

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<sup>54</sup> <http://www.apfanews.com/stories/girls-discriminated-in-education/>

<sup>55</sup> <http://www.apfanews.com/stories/second-report-on-crc-presented-to-un/>

<sup>56</sup> <http://www.bbs.com.bt/Firstpercent20stakeholderspercent20meetinpercent20onpercent20CRCpercent20held.html>

<sup>57</sup> [http://www.bhutantimes.bt/index.php?option=com\\_content&task=view&id=1017&Itemid=1](http://www.bhutantimes.bt/index.php?option=com_content&task=view&id=1017&Itemid=1)

<sup>58</sup> [http://www.bhutantimes.bt/index.php?option=com\\_content&task=view&id=1009&Itemid=1](http://www.bhutantimes.bt/index.php?option=com_content&task=view&id=1009&Itemid=1)

Above all these, social disparity further widened and government did little to tackle the poverty issue. Poverty continues to hunt the country despite the sweet promises given to lessen the rich-poor gap and lead the nation to prosperity. Studies have shown that Bhutan has a huge chunk of impoverished citizens: 23.2 percent of the population. And almost 37,300 fight hunger every year. Poverty is primarily a rural phenomenon, where government remained reluctant to reach with development projects, with 73.6 percent of the poor living in far-flung countryside.

According to National Statistical Bureau's Poverty Analysis Report 2007, three out of 10 rural people are poor. But only less than 2 percent of the urban population experiences the same miseries that their rural counterparts do. Of 50 poor people in the country, 49 are rural folks. "Among the extremely poor, practically everyone lives in rural areas," states the report<sup>59</sup>. The poverty level in general has been claimed to have declined but increasing dependency on foreign debts and grants has weakened the economic status of the people. Each Bhutanese now has debt of Nu 48,000 and is expected to increase to 66,000 by 2011<sup>60</sup>.

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<sup>59</sup>[http://www.bhutantimes.bt/index.php?option=com\\_content&task=view&id=1043&Itemid=1](http://www.bhutantimes.bt/index.php?option=com_content&task=view&id=1043&Itemid=1)

<sup>60</sup> <http://www.apfanews.com/stories/one-citizen-carries-48-000-debt-economy/>

## A story of human rights abuse<sup>61</sup>

### **“I drank my urine”**

Written by Tashi Wangmo

*Man detained for eight months on suspicion, allegedly denied food and water, handcuffed throughout, and punched on ribcage says he has nothing against the police*

Jan 11, 2009-Thimphu: A week after the parliament discussed humane treatment of prisoners, a man who languished eight months in police lockup on suspicion charges is opening up about his plight.

Gyeltshen, a mechanic at the National Resource Development Corporation Ltd. in Thimphu, who was on a visit to his wife's village at Ladrang in Lhuentse, was arrested on April 22 last year as the police suspected he stole religious artifacts from a private lhakhang nearby.

To make him confess to the crime, Gyeltshen said he was not given food or water for about a week though the recently passed Prison Act states every prisoner should be provided three square meals a day.

When he thought he would die of thirst and could not get a drop of water Gyeltshen knew he had no other way.

“I drank my urine,” he said.

“I don't know what the police procedures are for detaining and punishing the suspects, but, what is done is done,” said the father of six who has almost resigned to the pain and humiliation he went through for a crime he did not commit.

The police chief, Colonel Kipchu Namgyel, said, under section 165 of the Civil and Criminal Procedure Code the police make arrests with or without warrant based on circumstances. “There are no limitations for time period on detention; usually it is up to 90 days but based on the circumstances, it can go on for more days.”

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<sup>61</sup>[http://www.bhutantimes.bt/index.php?option=com\\_content&task=view&id=1004&Itemid=1](http://www.bhutantimes.bt/index.php?option=com_content&task=view&id=1004&Itemid=1)

Gyeltshen lives in Thimphu while his wife lives in Phuentsholing with their six children.

The 35-year-old, whose five children in Phuentsholing had to leave school because he was in the cell, says he has nothing against the police.

He just wants the lhakhang caretaker who told the police that he suspected him in the theft to be charged. Gyeltshen has filed a case at the Lhuentse Court against the caretaker.

Between May 15 and 22 last year, Gyeltshen said he was handcuffed from the back, and a stick was placed horizontally from arm to arm. The stick was then tied to the ceiling. "I received four slaps and six blows on my left ribcage from the police," said Gyeltshen.

On May 23, Gyeltshen's wife was also arrested suspecting her as an accomplice. While under detention, the wife had to work as a laborer for the construction of police quarters.

However, Colonel Kipchu Namgyel said the police don't manhandle the public. "If anyone proves that he/she was tortured by the police then I will take it up legally," he said.

After the stolen artifacts were recovered in December last year, Gyeltshen and his family were released on December 22 after the police found no substantial evidence against him.

With no money in hand, and increasing debts including house rent, Gyeltshen returned to Thimphu, still bearing the handcuff marks on his wrists.

The Prison Bill states that someone under trial can be handcuffed while being transferred from one place to another as he can become violent, pose risks of injury to self and others, or abscond.

Colonel Kipchu Namgyel said suspects involved in crimes against national security and for stealing religious artifacts are handcuffed for security reasons.

What is worrying Gyeltshen now is not his honor or the time he had to spend in prison. He is concerned whether the school where his five

children studied will take them back as they have lost classes for months.

Asked about the Lhuentse officer in-charge who arrested Gyeltshen, the police chief said he is on training outside the country.

“He is a smart and judicious officer,” said Colonel Kipchu Namgyel.

## **Justice delivery**

Judiciary in Bhutan has not changed. The proposed three-tier judiciary is yet to take shape; the High Court still acts as the apex court though constitution has provision for Supreme Court and highest court of appeal rests on the King. In the absence of a Supreme Court, 25 cases were forwarded to the King in 2008 for final decision.

The government has not clarified the cause of delay in constitution of the Supreme Court, the highest appellate authority to entertain appeals against judgments, orders, or decisions of the high court and district courts in all matters and to convert the High Court as the appellate court. Absence of Supreme Court has been felt severely because those who did not receive justice from the High Court have no place to appeal. Many political and other contentious issues remain to be solved in its absence.

On the eve government celebrates its one year in the power, courts have been extended to sub-districts (dungkhag)<sup>62</sup> with the view to make judiciary more easily accessible to the general people. However, with

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<sup>62</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=12167>

less attorneys in the field, courts are uncertain to get enough and trained persons to maintain their credibility. These courts are established almost after three decades of the government's effort to reach the people. First of such courts were established in 1978 in three sub-districts.

Justice delivery is poor. Southern Bhutanese are barred from most freedoms and rights they are entitled to. In fact, those criticizing government decisions, especially the people of Nepali origin, are still looked at as the actors of treason. Families having relatives in Bhutanese refugee camps in Nepal are treated as non-national or terrorists or at least their sympathizers.

The constitution guarantees equitable share of all section of people in natural resources and development budgets. However, development projects have not reached, schools are yet to open and all children in southern districts are yet to be enrolled<sup>63</sup>. Constitution guarantees right to education but thousands of children still are not allowed to enroll into schools because their parents have failed to get NOC. Very limited projects, including those for upgrading and expanding education system, with funding from multilateral or bilateral donors have been pushed to this region yet they are ignored in many aspects.

Political change in Bhutan was unavoidable though the rulers during early years of 1990 said there is no need to change the policy on which Bhutan was thriving. Despite changes, government has not reviewed the allegations

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<sup>63</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10401>

clamped to many leaders since 1990 and 1997 who demanded changes the country is enjoying today. The silence of the government and the media, including the UN system in Thimphu, on recent hunger strike by inmates in Chemgang central jail reflects the dismal image of poor justice delivery. Opposition voices are ignored, if not suppressed. The government is yet to look into cases of over 80,000 people who were tagged non-nationals during 2001 census. Only few of the detainees of 1990 demonstrations and 1997 attempted demonstrations have been released. Many southern Bhutanese have been arrested in 2007 on charges of involving in subversive activities and have not received chances for appeal to the court due to absence of independent attorneys.

The professional lawyers still fear to advocate on behalf of those against whom the government has lodged serious ‘offense against state’. Many cases remain without review in absence of the lawyers willing to take the issue. For instance, government openly discourages



lawyers to advocate the cases of those arrested in 1990 or 1997 demonstrations or in recent years of those who has been charged for involving in terrorist activities<sup>64</sup>.

The constitution has many provisions where king has final say in the judicial system as well indicating that

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<sup>64</sup>[http://news.bbc.co.uk/2/hi/south\\_asia/7845006.stm](http://news.bbc.co.uk/2/hi/south_asia/7845006.stm)



the judiciary system of the country is still not independent and has limited jurisdiction. APFA-Bhutan will publish a dissection of the Bhutan's constitution in near future, giving comprehensive explanation on its loopholes and fairness.

In 2008, number of appeal cases from lower courts to the high court increased from 304 to 364. Of the 305 appealed cases adjudicated by the high court, 230 were affirmed, withdrawn, dismissed, mediated or issued summary judgments, while 75 cases were partially or fully reversed. Most appeals came from Thimphu court with 82 cases, followed by Chukha with 75, and Paro with 42<sup>65</sup>.

The government set up grievances cell under the supervision of Prime Minister's office but remained hardly functioning. Few cases of land ownership were addressed and during second half of the year, the office remained almost dormant. People's Welfare Fund was also set up under the king's supervision. A large number of individuals and business organizations contributed to the Fund<sup>66</sup>. There have been no reports of how this fund is being mobilized, raising suspicion whether it has been used properly.

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<sup>65</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=11819>

<sup>66</sup><http://www.bbs.com.bt/CEOspercent20andpercent20privatepercent20sectorpercent20makepercent20contributionspercent20topercent20thepercent20Peoplespercent20Welfarepercent20Fundpercent20underpercent20Hispercent20Majestyspercent20Peoplespercent20Project.html>

## Foreign Policy

The constitution says, the king has all authorities in country's foreign policy. In that sense, the foreign minister in the current government is merely a king's representative in the government on foreign policy matters. The government has no authority to establish relations with other governments without approval from the King. Theoretically, the constitution has not given any power to the elected government to invite a foreign diplomat or politician to visit Bhutan.

Thus, the new government has improved little in its foreign relations front. Prime Minister Jigmi Thinley said Bhutan is ready to establish diplomatic relations with US, which is contrary to statement given by fourth king Jigme Singye who had said Bhutan will not have diplomatic relations with UN Security Council permanent nations<sup>67</sup>. Relations have been established with Denmark, Australia, Austria, Belgium<sup>68</sup> and other European nations by the Thinley government. However, the government has also initiated steps, diplomatically, to restrict Bhutanese refugees from visiting countries other than they are resettled. There are efforts made in these countries as well to present Bhutan as peaceful and democratic Shangrila to avoid possible rusting of country's international image as refugees tell the horrific stories of ethnic discrimination, massive suppression while demanding democratic changes back in 1990.

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<sup>67</sup> <http://www.apfanews.com/stories/bhutan-to-establish-relation-with-unsc-members-pm/>

<sup>68</sup> <http://www.bbs.com.bt/Bhutanpercent20Belgiumpercent20diplomaticpercent20relationspercent20established.html>

The relation with China has not improved, but continues to turmoil and border disputes with the northern neighbor continue to hunt national politics<sup>69</sup>. The government has nothing but to console the parliamentarians saying efforts are underway to settle border dispute with China. Several rounds of talks were held in the past to finalize the border dispute. However, last year, no formal talks were held with China to end the dispute. Relation with southern neighbor also did not get warmed and the Bhutan government labors to woo Indian government by selling all water resources to meet the increasing demands of the Indian market<sup>70</sup>.

Resurgence of the ULFA and BODO militants in Bhutanese forests has worsen the Bhutan's relation with neighboring states in India, especially Assam. However, relation with western countries including US has improved. Visit of John McCain in December<sup>71</sup> and other high level delegates from the US government, such as assistant foreign secretary, has proved this. But political interest of the US government to strengthen relation with this tiny kingdom is still to observe.

### **Educational development and research activities**

Educational sector maintained a good record of changes in the evaluation period. The government has taken steps to establish new educational institutions and open schools in southern districts where they had been closed since 1990. Few private colleges have been opened

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<sup>69</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=11725>

<sup>70</sup> <http://www.apfanews.com/stories/target-set-for-2020-11576-mw/>

<sup>71</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=11562>

though they are not adequate to accommodate the increasing number of students. Additionally, newly opened private colleges like Royal Thimphu College are criticized for high fees, since only countable number of Bhutanese can afford to its current rate.

Opportunity for higher studies is limited. To this front, the government has failed to avail measures not to let Bhutanese youths remain without enrolled into colleges and university. More than 60 percent of the students who passed grade X and XII have to look India or other foreign countries for their higher studies due to absence of seats in colleges – neither public nor private – inside the country.

Education is the fundamental rights of the people. However, government has not taken credible steps towards this end. A few private schools are much expensive for general people to afford thus many leave country for higher studies in India or abroad.

The government has reversed the decision of former government to teach history in Dzongkha. From new academic session, the subject is taught in English; many welcomed while others objected saying it would tarnish the mission to promote Dzongkha language.

There are reports that educational standard in the country has degraded. The young graduates find it difficult to get a job on completion of their studies. Very limited job opportunities are available owing to snail's pace to economic development. The country has many teacher training institutes but not few on other subjects.

Ministers have repeatedly stated that government will open schools in every village whereby students need not have to walk more than half an hour to reach schools. Yet no plans have been drawn up for this popular promise. The southern districts even do not have one school per village. The shortage of teachers could be the primary reason. Teaching has not been an attractive profession for young Bhutanese though many joined the profession under ‘Light Drukyl’ campaign finding no alternative to growing unemployment market.

The rural-urban migration has depopulated the rural areas and schools in these villages sometimes find only few children for enrolment in new academic year. For instance, Ungar Primary School in Lhuentse received only one student to enroll this year. The school said, the child would lose his opportunity to join school if no others turn up to send their children<sup>72</sup>.

Teacher shortage is the major challenge that Bhutan is facing today. The government failed to make arrangement to this teething problem. The country continues to face acute shortage of Dzongkha teacher too<sup>73</sup>. The newly established and re-opened schools in southern districts have difficulties in running their daily business; they too have no adequate teachers<sup>74</sup>. Most rural schools face teacher shortage, those in urban have

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<sup>72</sup><http://www.bhutanobserver.bt/2009/bhutan-news/01/who-will-go-to-that-ungar-school.html>

<sup>73</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10837>

<sup>74</sup><http://www.bbs.com.bt/Pataleypercent20Primarypercent20Schoolpercent20sufferspercent20teacherpercent20shortage.html>

access<sup>75</sup>. To meet the increasing need of teachers, the government has sought support from a Christian group. Education Minister Thakur Singh Powdyal reportedly had asked the group to send some 500 teachers for English, Mathematics and Science<sup>76</sup>. The country not only has teacher shortage but also lack of infrastructure. Both already existing and newly established schools have no adequate classrooms for students to accommodate<sup>77</sup>. Together, the rural schools face delay in receiving prescribed textbooks which in turn affected the teaching-learning process. Frequent changes in curriculum without adequate studies and homework have been burdensome for teachers and students<sup>78</sup>.

Agreement has been reached between the government of Bhutan and All India Institute of Medical Sciences to establish country's first medical college<sup>79</sup>.

Similarly, the pioneer college of the country – Sherubtse College – announced research institute named Center for Population and Development Studies last year. The

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<sup>75</sup><http://www.bbs.com.bt/Ruralpercent20schoolspercent20facepercent20teacherpercent20shortage.html>

<sup>76</sup> <http://www.mnnonline.org/article/12498>

<sup>77</sup> <http://www.bbs.com.bt/Classroompercent20congestion,percent20apercnt20problempercent20inpercent20manypcent20schools.html>  
<http://www.kuenselonline.com/modules.php?name=News&file=article&sid=12207>

<sup>78</sup> <http://www.kuenselonline.com/modules.php?name=News&file=article&sid=11778>

<sup>79</sup> <http://www.apfanews.com/stories/aiims-and-health-ministry-agree-on-medical-college-education/>  
<http://www.bbs.com.bt/Cabinetpercent20decidespercent20topercnt20establishpercent20medicalpercent20college.html>

center said its first research would begin this year<sup>80</sup>. The college also has announced to run its own FM radio station. Details will be given in APFA-Bhutan's annual press freedom report 2009.

Similarly, institutions like Bhutan Center for Media and Democracy, Center for Bhutan Studies and such others have carved little efforts to work on strengthening democracy and human rights though they are not fully backed by the government and political parties.

### **Good governance and action against corruption**

It is hard to determine whether corruption level has decreased or increased since the country has poor anti corruption mechanism. After the formation of the ACC, several cases have been filed. One thing has been certain that forgery and corruption cases have surfaced in large number last year compared to previous years. Emergence of private media and public awareness on how the government fund is being used has helped to bring the corruption cases and bad governance into public forum<sup>81</sup>.

One of the primary agenda that DPT picked during the election campaign period was the good governance. Prime Minister Jigmi Thinley in several occasions vended his words against corruption and vowed for good governance<sup>82</sup>. Here I list few instances as indicators of no improvement in good governance.

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<sup>80</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=11628>

<sup>81</sup><http://www.bbs.com.bt/Dzongkhagpercent20Educationpercent20Officialspercent20sentencedpercent20forpercent20forging.html>

<sup>82</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10233>

People in Zhemganag barred from continuing the construction of the Sonamthang irrigation channel, Panbang, in January this year saying their gup (head of block) embezzled money while buying cement for the construction.

Construction of the irrigation channel, that benefits 63 households in the village, began in 2006 with assistance from the east-central region agriculture development project, Helvetas. The villagers are to contribute free labor for the construction.

The gup, Phurba Wangchuk, made fictitious bills and claimed about Nu 170,000 from the accounts section of the district administration for a purchase order for 845 bags of cement<sup>83</sup>.

In July, the former Youth Development Fund's (YDF) accountant, Singay Dorji, was sentenced to three years in prison for siphoning off Nu 2.621 million by manipulating accounts, forging signatures, claiming fictitious expenditure double booking expenses and withdrawing from the fixed deposit account. The court also ordered Singay Dorji to refund within 10 days the balance amount of Nu 1.761 million that he embezzled<sup>84</sup>.

The Cabinet asked that the Singye Stone Quarry and Crushing plant at Gidagom be investigated by the ACC

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<sup>83</sup> <http://www.apfanews.com/stories/gup-embezzles-development-budget-economy/>

<sup>84</sup> <http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10766>



on the basis of an Inter-ministerial report. Report by the joint committee indicated a prima-facie case of corruption involving several parties and government decided to forward the case to ACC<sup>85</sup>.

The ACC said that it would publish the names of those who involved in corruption. It had listed 150 such people in connection to 34 corruption cases since 2006. The cases range from forgery and bribery to misuse of authority and embezzlement of government funds<sup>86</sup>.

But the commission failed to abide by its commitment thus encouraging escape for those charged with forgery and bribery or misuse of public money. There were many inflated claims by the government employees on expenditure while delivering services. In fact, 'Inflated claim was the norm since the 90s'<sup>87</sup>.

In December, the licenses of S.T Construction and Andruk Builders were canceled by the High Court in connection to the corruption in constructing the Mendrelgang Lower Secondary School in Tsirang. According to the verdict, the contract work was obtained by Andruk Builders but executed by S.T Construction which is illegal. The proprietor of S.T Construction, Sonam Tobgay, was sentenced to a three-year prison term and fined Nu. 108,000. He was sentenced to five

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<sup>85</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=11059>

<sup>86</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10950>

<sup>87</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=11386>

years in prison by the Tsirang District Court in August, but had appealed to the High Court<sup>88</sup>.

Royal Audit Authority charged deputy chief program officer of the Non-Formal and Continuing Education Division (NFCED) under the Adult and Higher Education Department for embezzling Nu 116,616 through various malpractices in tendering process. He had created a fictitious supply firm in his own name and manipulated tendering processes in the procurement of three text books. The RAA investigation has revealed a payment of Nu 116,616 to M/s Ngawang Calligraphic and Designs for editing, designing, layout, printing and typing<sup>89</sup>.

The high level team from Food Corporation of Bhutan (FCB) sent to Paro to investigate the Paro FCB scam in February in its report said that Nu 4.7 million had been misappropriated. Nu 4.5 million was appropriated by the Depot Manager, Jigmi Ugen, and the rest by his assistant<sup>90</sup>.

In spite of the commitments and assurance during the elections, the DPT failed to bring any changes in governance. The government services are not decentralized. Especially in rural areas, people need to walk days to arrive district headquarters to receive government services. Service delivery from the

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<sup>88</sup>[http://www.bhutantimes.bt/index.php?option=com\\_content&task=view&id=978&Itemid=1](http://www.bhutantimes.bt/index.php?option=com_content&task=view&id=978&Itemid=1)

<sup>89</sup>[http://www.bhutantimes.bt/index.php?option=com\\_content&task=view&id=1102&Itemid=1](http://www.bhutantimes.bt/index.php?option=com_content&task=view&id=1102&Itemid=1)

<sup>90</sup><http://www.bhutanobserver.bt/2009/bhutan-news/02/investigation-confirms-fcb-scam.html>

government offices is very problematic, time consuming and burdensome as well. The Druk Holding and Investment took steps to improve the services delivered from the government offices by giving handshake to unnecessary staffs but its effort to layoff the employees is likely to add woes to unemployment problem and a large sum of money, allocated for development activities, might have to be redistributed among ministry to give farewell for those willing to get early retirement. The latest reports are that government corporations have begun to complain about the success of providing good governance due to the voluntary retirement scheme through which many efficient and competent staffs begun to leave the job.

The bureaucracy is large, slow and works in snail pace. Yearly, development budget is increasing in descending rate while recurrent expenses increase in ascending rate. According to ACC, about 0.06 percent of the total GDP is consumed for administrative expenses<sup>91</sup>.

Tax evasion quarantine check posts are poorly managed and have not efficient staffs. According to the 2006-07 national revenue report, export tax and import duty decreased by Nu 0.327 million and Nu 12.488 million respectively. The report states that the decrease in import duty is because of the exemption allowed on raw material and machinery. Many traders bribe customs

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<sup>91</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10153>

officials to categorize their taxable goods as raw material<sup>92</sup>.

The auditing system of the country was so much shabby that it had never questioned the country's government and the bureaucracy about the loopholes and money sniffs off. Endorsement of what had been in the paper was its total authority. With the change in political system, efforts have been made to improve the closed door auditing system but anything has not been reported if improvements are observed<sup>93</sup>.

Grants and donations for improving the performance of the government continue to pour in. Despite that cases of bribery and corruption continue to surface. With the democratization process, international community has extended support to improve the system of service delivery from the government mechanism. Nu 31.4 m Austrian grant for good governance<sup>94</sup> is one of those instances to show western countries wish to invest for improving the governance in Bhutan.

The new government reshuffled the bureaucracy and many have been given timeline for voluntary retirement. The motive behind the initiative is to bring in fresh graduate or minimize the overstaff burden in government offices. The call for young generation to serve the country by King Jigme Khesar has indirect

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<sup>92</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10494>

<sup>93</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=10892>

<sup>94</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=11382>

influence to lay off old officials to be replaced by new graduates. But there are questions if these new entrants would be able to deliver services quite effectively owing to their lack of knowledge on bureaucracy and experience of working under tight rule.

Efforts are, but, underway though no impulses are yet felt of any improvements. A Corruption Perception Survey published by the ACC in September last year ranked the education ministry as the poorest service deliverer, followed by the health and agriculture ministries. About 34 percent of the participants ranked the education ministry as poorest in terms of service delivery, while 23 percent ranked health as second poorest service deliverer.

The result is only natural as education, health and agriculture are the core of every citizen's life and their services are more widespread than other sectors, stated the survey report, which collected information from more than 6,600 respondents. About 55 percent of the respondents agreed that 'nepotism and favoritism' are the most prevalent form of corruption, followed by 'misuse of public funds' and 'bribery'. The survey listed wants, needs, discriminatory and non-uniform application of laws and rules, lack of information and transparency on rules and procedures as the major causes of corruption.

Participants of the survey also felt that corruption has increased over the last five years. While 43 percent of the

respondents feel corruption has increased, 33 percent perceived status quo<sup>95</sup>.

The government banned tobacco long before and now it has promoted smuggling. Custom officials in Phuentsholing repeatedly seized tobacco products being smuggled into Bhutan, sometimes same persons and same vehicles were found involved indicating the weaker government mechanism to implement the decision.

### **Security**

The politicians themselves said they felt insecure in their constituencies owing to the increasing incidents of violence triggered by some unidentified underground groups. Few bomb blasts were owned up by Bhutan Communist Party (Marxist, Leninists and Maoists) and United Liberation Front of Bhutan while other remain unclaimed though Bhutanese media operating from inside the country and the government accuse the few armed groups in exile for all incidents.

Despite that, the country remained peaceful during the first year of democracy in practice. For in-depth studies on security parameters of the country, read article by R. P. Subba.

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<sup>95</sup><http://www.kuenselonline.com/modules.php?name=News&file=article&sid=11301>

# State of ‘Democracy’ in Bhutan

By Dr D. N. S. Dhakal<sup>96</sup>

The fourth king Jigme Singye Wangchuk decided to give “limited democracy” to Bhutanese people in the late 1990s when he realized that under the leadership of Rongthong Kunley Dorji the Sarchop community from the east had joined the democratic struggle which was until then confined in southern Bhutan, only among the Lhotsampa population. The first step for him was to give a written constitution and define new contours of Bhutanese politics.

He commissioned a 39-member Constitution Drafting Committee under the leadership of chief justice Sonam Tobgaye. Three Lhotsampa members were included in the drafting committee. After a long and arduous consultation the committee released the draft constitution on March 26, 2005 for discussion and debate among the government servants, the common people, and in the National Assembly. Initially, the draft constitution had 37 Articles covering a wide spectrum of political, social and security issues, including duties and responsibilities of Bhutanese citizen!

The constitution defines two-party political system. It delineates 47 constituencies for the National Assembly of Bhutan, which is considered the Lower House of Parliament. The National Council, which is considered equivalent to the Upper House, would have 25 members

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with one apolitical elected representative from each of the 20 dzongkhags and five nominated by the king. Only can a candidate with formal graduate level university degree contest election. Royal family members and practicing monks are barred from politics, including exercising their voting rights. The king and the members of royal family are entitled to annuities from the state.

At the time of adoption on July 18, 2008 the constitution had 35 Articles. The constitution has many shortcomings. The king could use ‘royal prerogatives’ to influence legislative, executive and judiciary power. Article 2 prohibits the legislative assemblies from amending the monarch’s constitutional power. Article 20(7) provides authority to the monarch to sack an elected prime minister or his cabinet. Article 10(8) provides space for the monarch to send messages to the legislative assemblies; Article 10(12) empowers the monarch to convene extraordinary sessions of the legislative assemblies; Article 11(1)(b) enables the monarch to nominate 20 percent of the total members in the National Council; and Article 13(10) and 13(11) creates opportunities for the monarch to block bills even if passed by both the National Assembly and the National Council.

The exiled political parties struggling for the establishment of inclusive democracy in Bhutan have dubbed it as the “King’s Constitution”. Indian Prime Minister Dr Man Mohan Singh has credited the fourth king Jigme Singye Wangchuk as the architect of the constitution and the polity in Bhutan. This remark came while addressing the joint session of the first so called elected parliament in Thimphu on May 17, 2008.



Bhutan did not have any political parties operating legally within the country until a year before the date of so called democratic election. Political events unfolded in Bhutan surprised everyone. The fourth king Jigme Singye Wangchuk abdicated the throne on December 9, 2006 in favor of his eldest son Jigme Khesar Namgayal Wangchuk. PDP, headed by Sangey Needup Dorji, maternal uncle of the present king, was founded on March 24, 2007. The party's vision statement states that its goal is to transform Bhutan into a democratic polity as envisioned by the fourth king Jigme Singye Wangchuck.

DPT, the party today in power, was established on July 25, 2007. This party is headed by the current Prime Minister Jigmi Y. Thinley whose matrimonial relationship in the royal household is well known. Other lesser known political parties, namely APP and BPUP were formed but they were quickly dismantled and merged with DPT. The DPT claims to represent the common people as it is headed by a Sarchop, and its cadre is drawn cutting across the Bhutanese society. But in practice DPT is more royalist than PDP, allocating key portfolios of the party among the former, senior civil servants who were thick and thin with the formulation and implementation of racist policy of 1990s in Bhutan. The party's stated goal is to realize the noble dream of the fourth king Jigme Singye Wangchuk.

Both PDP and DPT entered the election trail that was first ever permitted in the Kingdom of Bhutan. The Indian Election Commission was invited to help Bhutan's fledgling Election Commission to conduct the

first adult franchise election in all the 20 dzongkhags. The election was conducted in phases and no incidence of violence was reported.

Mock elections were held to teach people on how to cast ballots. Primary elections were held to eliminate minor parties or individuals contesting the election. The DPT swept the election winning 45 out of 47 seats in the National Assembly. The DPT had fielded nine Lhotsampa candidates in South Bhutan. All of them won the election capturing nearly 19 percent of the total seats in the National Assembly. The PDP too had fielded Lhotsampa candidates but none of them could secure a victory. In the National Council two candidates from the Lhotsampa community were elected: Justin Gurung from Tsirang Dzongkhag and Dr Mani Kumar Rai from Samtse Dzongkhag. The king did not nominate a Lhotsampa in the National Council.

It seems the whole election exercise was premeditated, orchestrated with regards to who should win, how many candidates would be fielded from the Lhotsampa community, and who among the Lhotsampas would get tickets for contesting the election. In the earlier National Assembly 16 seats were given to Lhotsmapa in the house of 151. In northern, eastern and central Bhutan one national assembly member represented one block whereas in southern Bhutan a representative represented four blocks at the minimum. In addition, Drukpa Khagyu church was allocated seat in the National Assembly. The same recognition was not there for Hindu religion to which the overwhelming majority of the Lhotsampa population belongs.

This constitution is definitely an improvement for the Lhotsampa community although it contains subtle mechanism to discriminate the Lhotsampa community in the delineation of the constituencies. For example, Gasa Dzongkhag had 1,743 registered voters in 2008 election but it got two constituencies for the National Assembly and one for National Council. Whereas Samtse Dzongkhag had 39,320 registered voters and it got four constituencies for the National Assembly and one for National Council. There is a clear distinction in seat delineation for South, East, West and Central Bhutan. In this election, roughly one candidate represented 10,000 voters in southern Bhutan, 6,000 voters in eastern Bhutan, 5,000 voters in western Bhutan and 4,000 voters in central Bhutan in the National Assembly. As per the government report, the total registered voters were 400,626 individuals; of which the south had 118,584 individuals, representing nearly 30 percent of the total eligible voters. Their representation in the National Assembly remained at 19 percent.

The new political dispensation seems to make effort to take the Lhotsampa population into confidence. The DPT has appointed Yanku Tshering as Sherpa Deputy Speaker of the National Assembly, Thakur Singh Powdyal as Minister of Education, and Nandalal Rai as Minister of Information and Communication. Earlier Om Pradhan was the only person who had reached the rank of a cabinet minister from the Lhotsampa community.

The schools in southern Bhutan are also opened nearly after 17 years of shutdown. However, the government continues to implement the requirement of no-objection certificate from the Dzongkhag administration for

admission of Lhotsampa children in school, employment opportunities for Lhotasampa graduates in the government, or obtaining a licensee to open up a business. The government has denied Bhutanese citizenship to some 80,000 Lhotsampas on the flimsy grounds that “they do not pass the criteria for Bhutanese citizenship or their relatives are in exile”. Now there is a restriction on them to move from one Dzongkhag to another.

The core issue of Bhutanese refugees remains unresolved. There are over 130,000 Bhutanese individuals living outside the country for the fear of political persecution. Of 110,000 registered Bhutanese asylum seekers in Nepal not a single individual has returned to Bhutan after several rounds of negotiations between Bhutan and Nepal. India has persistently avoided mediating between Bhutan and Nepal on the refugee issue despite the fact that the refugees were dumped at the Nepalese soil after transporting several 100s of kilometers over the Indian soil. Bhutan has been active in the border area to use its diplomatic skills to thwart any attempt by the refugee community to return to Bhutan.

The international offer to relocate the refugees in third counties has created a division in the refugee communities. Bhutan National Democratic Party considers this offer as an interim solution. It recognizes the resettled refugees as non-resident Bhutanese and would continue to campaign for their rights to return with honor and dignity. Bhutan Peoples’ Party, Druk National Congress and most of the activist organizations have been campaigning for the peaceful resolution of this

political problem. Bhutan Communist Party and the United Liberation Front of Bhutan have called for an armed struggle to free the Bhutanese people from the monarchical control and feudalism. These organizations are reportedly working underground in Bhutan.

By the end of 2008 some 10,000 Bhutanese refugees were resettled in overseas countries. The international community plans to resettle annually some 20,000 Bhutanese refugees abroad, aiming to wind up the UNHCR operation in Jhapa and Morang district in eastern Nepal by 2012. The resettled refugees are complaining about the adjustment problem in the new environment and unemployment problem. There are reported cases of refugee committing suicide due to physiological problem. The global melt-down has hit hard the refugees in terms of securing gainful employment and ensure their livelihood in foreign land.

The international community which has been vocal for the last two decades has suddenly become silence on the resolution of Bhutanese refugee problem. There is no external pressure on Bhutan from the international community, government of Nepal, or government of India to repatriate the refugees. The international community has failed to read the intention of Bhutan government to exercise another wave of legal ethnic cleansing of some 80,000 people of Nepali origin whose citizenship status in Bhutan has been kept pending. Bhutan's unwillingness to repatriate even those individuals who have been accepted by the Joint Verification Team of Bhutan and Nepal in Khudunabari camps, the renewed trouble to people of Nepali ethnicity in the tribal area of Bodoland

in India are all indicators that Bhutan would opt for that option in the opportune time.

In addition to the refugee issue, there are broader issues of freedom of press, respect for human rights, separation of religion and state, equal opportunities for investment and business, and the role of NGOs in delivery of social services in Bhutan.

The media in Bhutan has no freedom to report independently. *Kuensel*, which has been turned into a corporation, is the mouthpiece of Bhutan government. Bhutan Broadcasting Service (BBS) undertakes audio and video reporting. Both *Kuensel* and the BBS are required to toe the government line even if alternative voices are accurate and mass appealing. *Bhutan Times*, privately managed news bulletin, serves the interest of royal family members.

Bhutan has not opened up the country for private news channels. Most Bhutanese do not have access to internet services although the government has recently permitted private internet café or personal internet hook-ups. The state has total control over telecommunication, electronic and print media. Individual reporters who wish to highlight the lacuna in the rights to information are censored and punished.

From exile, BNS and APFA-Bhutan are being managed by a group of activist journalists from Kathmandu, Nepal. Their web-pages carry more balance reporting and alternative viewpoints on social and political issues in Bhutan. They are managed on individual donations.

There is no sustained support from anywhere: be it from regional civil society or the international community.

There are no human rights organizations operating inside Bhutan. The judiciary is not free to practice jurisprudence. The constitution does not provide space for human rights commission which should have been an integral part of so called the democratization process. The human rights groups which have been advocating from exile are not allowed establishing offices in the country. Even the neighboring India puts a ban on a Bhutanese activist to reside in the border area for collection of information on human rights situation in Bhutan.

There are numerous incidences of human rights violation; people with differing political viewpoints are not tolerated. Political prisoners languishing in prisons are not given fair trial based on internationally accepted legal practices. Any attempts to highlight their plights are quickly blocked by the state machinery. Recent attempts by the political prisoners to highlight their plights through a series of hunger strikes have gone unnoticed of the authority or the press in Bhutan. The regional and international human rights groups seem to have acquiesced with the story of Bhutan government.

The state patronizes Drukpa Khagyu Sect of Mahayana Buddhism. Je Kheonpo, chief abbot of the sect, receives monthly remuneration of Nu 90,000. Five Lopens who rank immediate below the Je Kheonpo receive monthly remuneration of Nu 30, 000. Twenty Dzongkhags have each a Lam Neeten. He is responsible for Drukpa Khagyu Church in the dzongkhag and is paid Nu 15,000

to 20,000 monthly by the government. The state provides monthly stipend of Nu 900 each for some 5,000 practicing monks belonging to Drukpa Khagyu Sect of Mahayana Buddhism.

The Nigmapa Sect, which is the predominant Buddhist sect of eastern Bhutan, is deprived of such state support. In the recent past some 20-30 Nigmapa Dartsangs and Gompas were forcibly handed over to Drukpa Khagyu Sect in an effort to consolidate the state religion. There are no temples or designated burial grounds for Hindus in north or east Bhutan. No state subsidy is provided for the construction or management of Hindu temples even in southern Bhutan.

The issue of Shabdrung Ngawang Namgyal looms large in Bhutan. The institution of Shabdrung was replaced by the Wangchuk Dynasty in 1907 AD with the assistance of British India authority. Bhutan was founded by Shabdrung Ngawang Namgyal in 1616 AD who also served as the head of state and the head of Drukpa Khagyu Sect of Mahayana Buddhism. The subsequent reincarnations of Shabdrung were ruling Bhutan until the foundation of Wangchuk Dynasty.

The late Shabdrung Jigme Ngawang Namgyel had issued a press statement in 2003 supporting the cause of refugees, democracy and human rights in Bhutan. The present child reincarnate Jigme Jigdel Ngawang Namgyel is under 'observation' of Bhutan government at Damphu in Tsirang Dzongkhag. He was fetched to Bhutan from India after having received the blessing of the Dalai Lama as the 10th re-incarnation of Shabdrung Ngawang Namgyal. The Dartshang Committee quite



likely will derecognize the reincarnation and install as the 10th Shabdrung one of their choices in Thimphu.

Monopoly in business and industry is a concern of all Bhutanese. The royal family members were the first to reap the benefits of business and investment opportunities opened up by the development process that began in the 1960s. Tashi groups of industries, owned by the maternal uncle of the King Jigme Singye Wangchuk, had captured almost all aspects of business opportunities from the 60s through 80s. Singye groups of industries, owned by the maternal uncle of present King Jigme Khesar Namgyel Wangchuck, have taken the lead to take control over the business and investment opportunities since the 1990s. In the name of privatization and market economy, the royal households are spreading their nets over the country's resources leaving little space for a common man to develop and prosper independently.

These two royal households along with their relatives exercise control over 90 percent of the businesses in the country. There exists intense rivalry between these royal households in business and industries. This is increasingly creating discomfort among the growing educated middle class in Bhutan. Hopefully, the democratization process would encourage competition from among the common people and check the rent seeking behavior of these royal business households.

The NGOs, which are functional in Bhutan, are primarily nurtured by the members of the royal family. Bhutan Foundation is managed by Ashi Tshering Pem Wangchuk, the second queen of Jigme Singye Wangchuk.

Tarayana Foundation is managed by Ashi Dorji Wangmo Wangchuk, the first queen of Jigme Singye Wangchuk. RENEW is headed by Ashi Sangey Choden Wangchuk, the fourth queen of Jigme Singye Wangchuk. Ashi Sonam Chodden Wangchuk, eldest sister of Jigme Singye Wangchuk, has been the President of NWAB for many decades. There is hardly an avenue in Bhutan for a common person to establish an NGO platform that would enable him or her to campaign the broader issue of human rights, democracy and equality for Bhutanese people.

Bhutan has made half-hearted attempt to make the democratic opening. It runs short of essential ingredients of a genuine democratization process and there are numerous pitfalls ahead. Unless the lacunas in the Constitution are addressed, unless the refugees are permitted to return to Bhutan with honor and dignity, unless the political parties in exile are permitted to participate in the political process, unless other essential ingredients of democratization process are allowed to foster in the Bhutanese soil, Bhutan's much hyped so called democratization process could end up in a prolong political instability and confrontation.

# One Year of Democracy and National Security

By R. P. Subba

Walking down history lanes years later, the year 2008 will go down as a remarkable year for Bhutan. That year, a King was crowned and a Prime Minister was elected. There were also many worthy firsts in 2008 – first Constitution in the history of the kingdom, the first democratic elections based on adult franchise, first democratically elected government, first coronation of a king graced by a former king, first centenary of monarchy, the first resettlement of Bhutanese refugees abroad and also the first of a series of bomb blasts that threatens to leave Bhutan's fragile democratic transition out in the cold by elements fighting for a 'real democracy'. Overall, the year 2000 was a year of some hope and some missed opportunities.

It was hoped in the beginning, that the onset of democracy would be a panacea to some of Bhutan's ills. There was this strategic possibility that the initial euphoria generated by democracy could be used as a conduit to hammer out unsettled matters and return to normalcy. With a little political will, and an honest resolve to turn the country back on track, the RGOB could have exploited that rare, perfect opportunity to reach out to the political parties in exile and begin the necessary 'confidence building measures'. The platform of democracy could have been used to raise another platform – that of 'national reconciliation'. It was important to seize this opportunity and save Bhutan

from being swallowed up in the whirlpool of policy misadventures of the past and to start a fresh national reconstruction process. Unfortunately, for Bhutan, its rulers once again chose to deny that path and in the process missed that golden opportunity.

That the ushering of democracy should be met with an intensified fight for ‘real democracy’ is an interesting reality – a testimony to the fact, that elections can happen anywhere, but just holding elections is not democracy. Call it ‘election’ or ‘democracy’, in Bhutan, they mean nothing but an outward pretense; a regime’s clever attempt to blow off its totalitarian image.

If anything, the regime’s version of democracy is incomplete, half done and imperfect. It is neither representative, transformative nor inclusive. Rather, it is deceitful and aims to preserve the political status quo of the past. This democracy still curtails freedoms and excludes people from the ballot. Over a hundred thousand southern Bhutanese were disenfranchised in 2008 elections. Much worse, the fear of an imminent eviction looms large over a large section of the southern Bhutanese population, even today.

So, Bhutan’s largely neglected and suppressed southern Bhutanese population have a reason to believe that the ‘guided democracy’ masterminded by Bhutan’s fourth king is no tranquilizer to their problems. Bhutan still continues to catch hold of their ‘cultural knot’ in order to punish them and their kith and kins in the refugee camps. Even the political parties that contested the election, looking to the south as their ‘vote bank’ do not want to reckon the southern Bhutan problem. As for the

exile parties, the regime simply refuses to acknowledge that such political entities even exist.

Bhutan's naiveté and arrogance has pushed the opposition to a position of 'no choice' but to wage a violent struggle. And this paved the way for the emergence of the Maoist guerillas, which Bhutan lately admitted as its 'biggest challenge' and which will likely choke Bhutan's security concerns domestically in the days to come.

### **Bhutan's National Security Apparatus**

Bhutan's National Security apparatus consists of Royal Bhutan Army (RBA), Royal Bhutan Police (RBP) and the Royal Bodyguards (RBG). Together they employ 14,209 personnel<sup>97</sup>.

### **Royal Bhutan Army (RBA)**

The RBA has traditionally been a small, conscript force, trained and armed by India. Regular recruits are trained at the Army Training Centre at Tenchholing, Wangdiphodrang District. Royal Bhutan Army cadets also attend the National Defence Academy at Pune and the Indian Military Academy at Dehra Dun, from where they are commissioned as second lieutenants.

During the 87th session of the National Assembly in June 2007, Chief of Bhutan's standing army, Batoo

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<sup>97</sup> Kuensel July 17, 2004.

Tshering confirmed that the total army strength was just 9,021 soldiers. He announced a plan to reduce army strength and raise militia forces. Whether his plan did materialize is hard to say because none of the 700 militia volunteers recruited earlier had remained active.

The army's weapons inventory consists of AK-7 (AK-47 clone) , AK-104 (2001), INSAS rifle, Heckler & Koch G3, SLR Rifles, bayonets and machine guns supplied by India; some are obsolete. The only Infantry Support Weapon comes in the form an 81 mm mortar. RBA does not maintain a separate air force, and relies on the Indian Air Force for transportation, relief, and rescue operations. There is a Royal Bhutan Army Air Wing of approximately 80 personnel who operate Mi-8 helicopters and a Dornier transport aircraft.

Figures on defense expenditures are not publicly available and is counted within general administration costs. The army's primary mission is to secure Bhutan's national borders but lately it has been used more frequently to suppress or evict villagers in southern Bhutan.

## **The Royal Bhutan Police (RBP)**

RBP employed 3,417 personnel in 2005. The standard police functions are law enforcement, to serve as guards at Bhutan gates throughout southern Bhutan and to act as first responders during any natural or fire calamities. The RBP is the main arm of the government in harassing the southern Bhutanese and leading to their ultimate eviction. RBP personnel have been known to target the

democratic forces and engage in excessive, arbitrary treatment of these people.

### **Royal Body Guards (RBG)**

The RBG is an elite VIP protection unit responsible for the security of the King and the members of Royal family. Some RBG cadres have received counter insurgency and jungle warfare training from the Indian College of Combat and the Indian Military Academy in Mizo Hills, India.

### **‘Cultural Cohesion’**

Bhutan has also embarked on ‘non-military security alternatives’ in the form of ‘Cultural Cohesion’. In other words, Buddhism, gho, kira and the Dzongkha language are the new elements of Bhutan’s security apparatus. Bhutan says ‘Cultural cohesion’ not ‘political integration’ is the need of the hour. According to Rakesh Chhetri, ‘Cultural cohesion’ is a totalitarian concept which also means ‘cohesion of opinions and views’ with the State. It was invented to underpin compliance and subservience to an archaic, feudal and undemocratic system’.

### **Maoist Factor: Red Army in the Dragon Kingdom**

Perhaps, the escalation of violence in 2008 is a direct consequence of the betrayal of hope of the southern Bhutanese people for two decades. It began with the

serial bomb blasts in four different districts on January 20, 2008. In the latest incident, a group of suspected militants have reportedly opened fire from automatic guns to three men traveling by a government vehicle in Gelephu on March 15, 2009. The second latest incident was an ambush in the jungles of Phibsoo, Sarpang district on December 30, 2008.

The January 20 blasts shocked everyone as it took place within the same day, and at a time span of three hours between 11:10 am and 2:10 pm. It covered districts that are located far apart from each other; some are even remote, unreachable areas. The first blast went off at Samtse district, the second at Thimphu - the capital city; the third blast occurred near the gate of the Tala Guest House in Gedu, Chukha district and a fourth blast took place in Dagapela, in Dagana district. In the capital city “the impact of the explosion shattered the window panes of buildings and unnerved shopkeepers, residents, and passersby in the area”<sup>98</sup>. Had a second explosive device not gone off on its own a fifth blast would have taken place in Dagana, the same day.

In the Phibsoo incident, the Maoist cadres blew up a tractor transport utilized by the foresters, using an improvised explosive device. The blast took four lives and injured two. According to Kuensel, “the militants also took away two SLR rifles with 40 rounds and a Motorola handset used by forest personnel”. The United Revolutionary Front of Bhutan, believed to be the militant arm of the Communist Party of Bhutan claimed responsibility for the attack.

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<sup>98</sup> Kuensel January 21, 2008.



That same month, police apprehended a student with three hand grenades, which averted an imminent blast in Dagana. A bomb exploded in the premises of the Renewal Natural Resources office in Ghumauney, Samtse district on February 4, 2008. This office was used as a polling booth during the National Council election held on December 31, 2007. Two more unexploded bombs and some leaflets of the Communist Party of Bhutan were found in the same compound. An explosive device went off on March 15 killing its handler in Dagana. In April, the West Bengal Police arrested three members of the Communist Party of Bhutan assembling bombs in Siliguri, West Bengal; reportedly meant for carrying out sabotage activities in Bhutan. The West Bengal Police also recovered a loaded 9mm pistol, several bombs and timer devices from them<sup>99</sup>. In June, a powerful blast took place at a petrol pump station at Kharbandi, near Phuentsholing Bhutan. Earlier in the same day, a bomb exploded near the Nainital primary school in Samtse district. In August, the Sikkimese police identified a man they arrested earlier with improvised explosive devices, as a member of Communist Party of Bhutan. In the latest incident, suspected militants opened fire from automatic guns to a government vehicle in Gelephu on March 15. Police recovered 26 empty cartridges of Ak-47 from the spot.

Overall, militant actions hit Bhutan hard throughout 2008. There were at least one incident each in the months of February, March and August. April had two incidences. Incidentally, January had the most intense number of incidents. September, October and November

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<sup>99</sup> Kuensel April 9, 2008

saw a temporary thaw in militant activities. The January incidents were the largest whereas the Phibsoo incident was the most severe.

Also in 2008, three militant camps belonging to the members of Communist Party of Bhutan were discovered in the jungles of Bhutan - two in Dhanasey, Tsirang district and one in the forests of Samdrup Jongkhar district in eastern Bhutan. Police exchanged fire with the militants in Dhanasey camp. Interrogation report of one of the militants, arrested three days later by a RBA patrol team said that 26 militants belonging to Bhutan Tiger Force lived in the camp. In the Samdrup Jongkhar incident, the Royal Bhutan Army personnel apprehended two militants from whom they recovered two pistols, four rifles and 15 improvised bombs. According to an army spokesperson the two militants allegedly disclosed of the presence of 18 other militants in that camp.

Among other things, the militants targeted the institution of monarchy; the king's 'guided democracy', the uniformed forces and some development projects. The impact of the militant actions was more psychological than physical. These incidences were unprecedented and gave Bhutan a security nightmare. If anything, it left a terrible scar on the effectiveness and ability of Bhutanese police and army to intercept the Maoist cadres whether during cross border movement or while they are operating deep inside Bhutan. Militancy is now described as Bhutan's 'new reality' and its latest challenge<sup>100</sup>.

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<sup>100</sup> Kuensel news headline in January 2009

The militants justify the use of force through the ideological rhetoric of their political philosophy. They build and structure their organization with combat power in mind. Vikalpa, ideologue and head of one of the factions of the now divided communist party says, 'the most important work is to make party military oriented and military party oriented'. He adds, 'we believe in getting trained in the course of war. There cannot be a better training field than the battle field'.

CPB MLM is the first communist party of Bhutan. It has five commands – four inside Bhutan and one in the refugee camps. Mobilization inside Bhutan is top Maoist priority. Samtse district is already said to have become a Maoist hot bed while other districts are slowly catching up. The Maoists are adept at organization work. They raise money through donations, voluntary contributions and fund raiser cultural activities. They raised 30,000 Nepalese currency through the sale of their album 'Bidroha Ka Jhilkaharu' (Sparks of Rebellion) and by putting up a drama titled 'Paristhiti Le Janmaeko Lakshya' (Destiny born of Circumstances) at the Nepal Academy in Kathmandu on May 10, 2007. They maintain a low profile, expand network, recruit youths, look for sacrifice, train and conduct activities through its sister organizations.

A visibly shaken RGOB thinks 'national interest is above everything else' and is committed to fighting the militants. The Royal Bhutan Police has 'vowed to mobilize resources for creating a special force to fight

terrorism'<sup>101</sup>. District administrations in southern Bhutan began organizing 'community volunteers' since March 2008. The 'community volunteers' consists of village folks who must patrol every night between 9 pm – 6 am. They keep vigilance on government structures like public schools, hospitals, electricity transmission towers, highways, monasteries and report every visit of unfamiliar people to the police. As a precaution, the district administration has also asked vehicles between Hilley and Gelephu to stop plying between 9 pm to 6 am in the morning and to refrain from traveling to nearby Indian towns across the border for 'security reasons'.

These are alarming developments for Bhutan. For one thing the communists are not only organizing, they are growing and improving their effectiveness. The government has no trace of the militants who carried out neither the Phibsoo nor the January incidents. Surely, one has to look beyond Phibsoo to gauge what Bhutan may have in stock in the future. Certainly now, and for some time in the future, Bhutan may be walking over the tight rope of security challenges; and the Maoist could play a critical role in setting the parameters for Bhutan's internal political and security situation, the way it never was before.

## **North East Insurgents**

As reciprocation for India's soft approach towards the Bhutanese dissidents during their initial days of the pro-democracy movement, the Bhutanese regime invited and sheltered various Indian militant insurgents in the

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<sup>101</sup> Kuensel 8 January, 2009

Bhutanese soil in the early 1990s. This alliance was built on a stream of mutual interests between the Royal Government of Bhutan and the north east militants. Indeed, secret negotiations between the ultras and the Bhutanese government was going on as early as February 1991, starting with a modest meeting in the beginning among some ULFA leaders, officials of the Home Ministry and a few prominent citizens of eastern Bhutan; coordinated by the Dzongdag of Samdrup Jongkhar in eastern Bhutan.

The bottom line – Bhutan would provide a ‘safe heaven’ to the ultras in return for their support in terrorizing and eventually evicting the Nepali-speaking population of southern Bhutan. The RGOB’s strategy initiative was to use the growing dissidence in southern Bhutan as a pretext to respond to the perceived threats it had long held, of a demographic take over by the southerners. So, while the RGOB desired to reduce the southern Bhutan’s population from 45 percent to 25 percent of the total population, it needed to do it tactfully and without looking overly aggressive.

The meeting of the duo is a blend of circumstances, mutual interest and self interests. Being hounded out of Bangladesh and the Indian army going in hot pursuit of their leaders, the ultras at this time, desperately needed to look for a safer, better sanctuary from where they could operate. On the other hand, a forceful pro-democratic movement in southern Bhutan had arrested the Bhutanese political landscape which was slowly slipping away from government control. The vulnerabilities and insecurities of the RGOB and the ultras were in harmony with each other. As an exit

strategy, ‘a visibly shaken RGOB was in search for a safer, non-governmental initiative to proxy it in terrorizing and evicting Lhotshampas’<sup>102</sup>. In the ultras of the north-east, Bhutan exactly saw what it can get. The ultras could be used to expel the southerners now and to prevent their return later. As for the ultras, this was a welcome development and the timing couldn’t have been more rewarding. The jungles of Bhutan would be an ideal place where they could recuperate and start over. They were looking for an axe; instead they got a golden axe.

Once the ultras were inside this ‘safe sanctuary’ they quickly multiplied in number and size. The result – Bhutan became a notorious hub and a strategic heaven for the activists of the north east insurgent groups; namely the United Liberation Front of Assom (ULFA), the National Democratic Front of Bodoland (NDFB) and Kamtapuri Liberation Organization (KLO). These insurgents freely roamed in the jungles of southern Bhutan at first, but quickly relocated to other places, eventually penetrating deep into the inner mountains and settling in the interior districts of Bhutan, as far west up to Paro valley. They operated from their well-entrenched hideouts in south, central and eastern Bhutan. Together, these groups operated from 33 camps in Bhutan, each holding around 500 cadres according to a guesstimate by some Indian media.

They traveled by Druk Air frequently to kolkata and Dhaka and operated business in the names of local

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<sup>102</sup> Rakesh Chhetri, “Bhutanese Security and North-East Insurgents”  
Kathmandu Post, July 03, 1997

Bhutanese people. Certainly, no such activity would have been possible without the blessings of the Royal government. In fact, the fourth king seems to have been extraordinarily magnanimous to the insurgents. Hira Sarania, a particular commander of ULFA writes in his personal diary that the fourth king used to visit the ULFA camps frequently. The king had befriended this commander and used to address him as ‘Diamond’. He says, the king ‘brought bottles of vitamin and baskets of oranges during such visits’.

The honeymoon period though short, allowed the RGOB to use the extremists “as pawns on the chess-board of conspiratorial politics of ‘ethnic cleansing’ of Lhotshampas”<sup>103</sup>. It wasn’t until Bhutan started taking pressure from India that it seriously thought about sanitizing Bhutan of these militants’ presence, albeit through a military action. However, some observers in Delhi believe that Bhutan was acting out of its own domestic concerns, because hosting the insurgents had become a painful occupation.

Bhutan’s political adventurism wrecked its own ship. Today, Bhutanese security concerns are mainly derived from these very groups which it once groomed and supported. The fear of retaliation, and other security vulnerabilities from the outfits are simply too high for Bhutan to ignore. The fourth king has rightly observed that “the security problems created by the presence of ULFA and Bodo militants pose a far greater threat to

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<sup>103</sup> Rakesh Chhetri, “Bhutan N-East Militants & Indian Army Triangle” published in the Kathmandu Post August 26, 1997

Bhutan than the ones posed by the Bhutanese dissidents”.

### **Operation All Clear**

By Bhutanese standards, ‘Operation All Clear’ was a large and an important operation. ‘The military crackdown was our ultimate option to flush out the Indian militants for bringing stability and security to the region’ said Aum Neten Zangmo, Bhutan’s Foreign Secretary. The fourth king himself in his capacity as the Commander in Chief of the RBA led the Bhutanese side to the war. A combined RBA and RBG force of 6000 men took part in the operation. The attack was directed at an estimated 3,000 battle hardened insurgents spread across 33 militant camps. No one knows for sure how many Indian military personnel were involved. The enormous cost of the war in terms of logistics and monetary terms is unimaginable. The RBA suffered 11 death casualties. Several families wept while others mourned the deaths of their husbands, sons or brothers. The loss was enormous materially and psychologically.

Going back, the militants’ attitude towards Bhutan turned very disingenuous and hostile after a decision was taken to flush them out. “King Jigme during a tour to camps in eastern Bhutan narrowly escaped a volley of bullets sprayed by militants on his helicopter”. Similarly, a bomb exploded in Thimphu stadium, where the king’s birth anniversary was scheduled to be held four days later. In addition, the insurgents repeatedly warned Bhutan of dire consequences. “In July of 1998, the Chief Operation Officer of the RBA citing ‘impending threat to the King’s life’ called on New Delhi, asking protection for



the King and his family – in the same way as was asked by Sikkim’s last Chogyal”<sup>104</sup>.

Bhutan moved on, investing some time trying to impose a ‘safe exit strategy’ on the ultras which they tersely rejected. In the four rounds of talks held between 1998 and 2001, between the Government of Bhutan and the insurgents, the ultras failed to comply with Bhutan’s requests to leave its soil. The happy marriage of interest between the two started thawing down and eventually the two sides locked horns and clashed in the foothills of Bhutanese Himalayas, until the ultras were forced out of Bhutan.

The offensive took place in the jungles of southern Bhutan commencing from the morning of December 15, 2003. According to the official account, RBA troops began shelling the insurgent camps with 81-mm mortar and machine guns. It was reciprocated with 51-mm mortar and rifle-fired grenades from the other side.

‘Operation All Clear’ continued for over a month until the militants started fleeing from their busted camps. A large number of insurgents and their leaders were either captured or killed. During the operation, the RBA seized ‘more than 500 AK 47/56 assault rifles and 328 other assorted weapons including an anti-aircraft gun, rocket launchers, mortars and more than 100,000 rounds of

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<sup>104</sup>Rakesh Chhetri, “Bhutan Under Threat from North-East Militants, published in the Kathmandu Post January 31, 2001

ammunition. Around 30 militant camps and additional 35 observation posts were completely destroyed. This is Bhutan's first war ever since the Bhutanese fought against the British in 1865.

To those who are still mulling over what a National Security challenge to Bhutan would look like, 'Operation All Clear' is an example. That said, this war hurls many moral and ethical dilemma, which may never be fully answered. Were we fighting an Indian war? Perhaps so, because the insurgents are fundamentally India's enemies. For years, the insurgents have been fighting Indians and the Indians are fighting them. This war belongs to them. Indeed, few Bhutanese knew about these insurgents before Bhutan hosted them on its soil and the trouble started brewing.

Did the Bhutanese actually fight the war? Again the answer looks hazy. Strategically it does not look feasible. The Bhutanese Army consists of a puny, untested 8,000 lightly armed soldiers trained by India. Bhutan's military weakness is obvious. It looks unlikely how this modestly armed and inexperienced army would be able to conduct an offensive on their own, against 3,000 battle-hardened insurgents. Taking the most conservative comparison, if you believe one rebel soldier is twice as effective as a regular soldier, the two sides match head to head in power. In fact, the ultras could be more powerful as they operate with no strings attached. This observation looks real, reading from Hira Sarania's personal diary where he writes, "After discussing the situation with the west-zone cadres, we became sure that if India attacks us single-handedly, they will suffer maximum damage and won't be able to uproot us. There

are chances that they'll attack us in co-operation with Bhutan. Bhutan too cannot attack us alone. Though they are an independent country, in terms of resources and intelligence they are in no way superior to us. We decided to be careful of both the sides".<sup>105</sup> Hira Sarania is the Commander of the ULFA's 709 Battalion and a survivor of 'Operation All Clear'.

The benefit of doubt seeps further, if you discover that the Bhutanese never had an idea of what went on inside the war. All the events of the war were reported from Indian media sources where it first appeared. Few reports that came from the Bhutanese side did not synchronize with similar reports coming from the Indian side. In fact, the Bhutanese were factually corrected a few times. This tossed up yet another critical question, did the RBA actually carry out the entire operation on its own, or were the Indians military fighting the war in Bhutanese uniforms?

Just what role did the Indian Army and Air Force play in the crackdown remains unclear. New Delhi is not willing to discuss details of India's military involvement in the operation, except that some of Delhi's officials have admitted India's involvement in evacuation work, and in providing logistical support.

If 'Operation All Clear' was a success, it certainly was a very short one. Five years after the insurgents have been forced out of Bhutan, there are reports in the media that they are re-grouping and re-emerging again. Indeed,

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<sup>105</sup> "Seek Revenge" Hira Sarania's story translated by Teresa Rehman

they were back again within two years of evacuation, re-establishing three new camps under Hira Sarania. These camps are being used to train cadres and store equipments. In retrospect, 'Operation All Clear' looks like an episode that has just begun. One year after democracy, Bhutan's security situation is as uncertain as it was before.

Jigmi Y. Thinley, Bhutan's Prime Minister, echoes this more fluidly in his article 'Bhutan: A Kingdom Besieged' thus, "the hermit kingdom has been forcibly shaken out of its cloister. .... The mystical charm of this tranquil Himalayan sanctuary has been eclipsed by a smog of gloom. Bhutan's aspiration of becoming a kingdom of peace and prosperity is now an elusive dream. The country is engulfed in a crisis, and the very foundation of the last kingdom of ancient Mahayana Buddhism is being shaken. .... Today, Bhutan, the last bastion of this rich cultural heritage is in a state of siege".

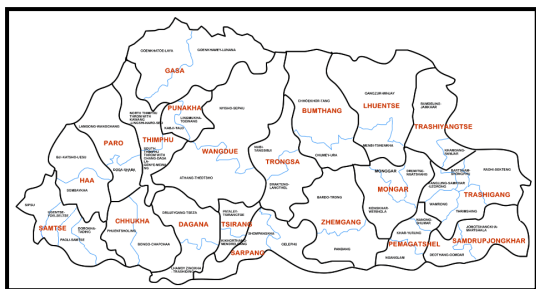
### **Bhutan-Nepal- India-China**

Bhutan perceives threat both from India and China. Having helplessly witnessed a regional geopolitical reality, in which two of its giant neighbors have each swallowed their sisterly kingdoms, just in the past fifty years, Bhutan is probably right, at least instinctively, in not feeling totally insulated against such threats either from India or China. Tibet, a sovereign independent theocracy became a part of China in 1952 and Sikkim, another sovereign independent kingdom became the 22nd state of India in 1975. Both these kingdoms lie in Bhutan's vicinity and both of them were Bhutan's Buddhist brethrens. It took only 22 hours for India to

oust Palden Thondup Namgyal, Sikkim's 12th and last Chhogyal. In addition, Bhutan has watched with trepidation, India's involvement in the domestic conflict in Bangladesh in 1975 ('Mukti Bahini') and its military intervention in Sri Lanka in 1985 over the Tamil issue (Indian Peace Keeping Force, IPKF). Under such a setting, any shift in the national interests of Bhutan's bigger neighbors can unilaterally twist her relations with them.

As a small country, Bhutan must constantly watch India and China and devise strategies to immunize itself from any troubles. Nothing but a reliance on the power of good diplomacy can keep Bhutan safe from troubled waters. Bhutan must realize that the expansive interests of both India and China meet in the high grounds of the Himalayas. The Sino-Indian disputes over unsettled border areas range from Lhadak in the west to Arunachal Pradesh in the east. After the Sino-Indian conflict of 1962, India lost several thousand miles of its land in the north east to China. China, in the past has also described the north-eastern states of India as its five fingers. Each of these powers, even today lay claims to thousands of square miles of land belonging to other countries. Such overtures obviously send alarms to Bhutan, which could become another scapegoat - a strategic pawn or a malleable 'buffer' in this interplay of big game politics involving the two Asian titans.

**China:** Bhutan has an unresolved border dispute with China in the north. Though, the odds of a Chinese invasion on Bhutan are said to be extremely low, there had been more than a dozen Chinese incursions into Bhutanese territory in the past. China clearly spurns



Bhutan's special relationship with India. The Indo-Bhutan Treaty of 1949 which arbitrates the cope of Sino-Bhutan border talks has

received much criticism from the Chinese side in the past. It took the Chinese many years before, the Sino-Bhutan border talks could be held directly between the two countries. China also does not approve of the presence of the Indian military in Bhutan. Lately, Bhutan's hosting of Indian militants in its soil has become a major irritant in Bhutan's China policy. China suspects that Indian military could establish a permanent operational base in Bhutan in the pretext of fending off these militants.

China's strategy is to use India as a trump card for dragging Bhutan more and more into its own political gambit. Bhutan's vastly Indo-centric policies have become a reason for it to test her attitudes from time to time. By stretching Bhutanese apprehensions in the north, China drags Bhutan into compliance in bilateral talks. Of late, China had been pushing for negotiations with Bhutan regarding exchanging land in the northern region of Bhutan. Incidentally, our suspicions are pricked looking at the latest political map of Bhutan. Bhutan's political map now appears different and the horn like structure that formed the roof of Gasa looks as if it has already been amputated. One wonders if the Druk Gyalpo has gifted parts of Gasa to the Chinese.

**India:** A bilateral treaty, which guided Bhutan's foreign and security policy for decades bonded Bhutan with India. Lately, and perhaps for the better, the Bhutanese policy makers have awakened to the need to re-define Bhutan's foreign and security policy. As a good measure, Article 2 of the Indo-Bhutan Friendship Treaty of 1949 has now been amended and rephrased where the term 'guided by the advice of GOI' has been replaced by 'friendly cooperation' in the context of Bhutan's foreign relations. Despite this, in practice, India still plays a significant role in Bhutan's security and foreign policy.

The Bhutanese temperament dislikes India stealing away its independence. In the past few decades, the Bhutanese regime has invested some time sending a language that clearly speaks of this desire to strike a strategic balance, in order to achieve that independence. Examples abound - a) the establishment of diplomatic relationship with Bangladesh in 1980 and with Nepal in 1983, b) Bhutan's interest to establish a Chinese Embassy in Thimphu, c) more reliance on multilateral partners for development aid, d) holding direct boundary talks with China, e) amendment of the Indo-Bhutan Treaty of 1949 and f) the recent hosting of outlawed Indian insurgents in its soil etc. These are efforts which explains Bhutan's desire to shun away its image as an 'Indian appendage'.

Nothing but the surfacing of such a mindset among the Bhutanese makes the Indians more hysteric. In addition, the Bhutanese suspicion that India played a role, from behind the curtains, in the creation of the Bhutanese crisis too irks India. When the pro-democracy movement surfaced in the 1990s, Bhutan described it as 'inspired

and misguided by Indians from across the borders'. The Bhutanese always suspected that "India will eventually use the pro-democracy elements in its pursuit of geo-strategic ends in the eastern Himalayas"<sup>106</sup>. This was an outcome of that instinctive fear and mistrust that hunts the Bhutanese mindset regardless.

India obviously does not like Bhutan over arching itself, particularly when she plays the China card or the militant card. Perhaps, Bhutan has used these cards a bit too much that it has now aroused Indian suspicion and doubt. One high level Indian military official is said to have confided to an exile leader that the Bhutanese rulers are 'not trustworthy'. Whether, you are talking about India's compliance to Bhutan's request in arresting Rongthong Kunley Dorji, a prominent Bhutanese leader in exile in April 1997 or the signing of an Extradition Act during the same year, when Bhutan was seeking Dorji's extradition; or the needless interception and arrest of thousands of Bhutanese activists returning home through Indian territory – Bhutan has used its leverage in different ways to extract concessions from India.

**Nepal:** Historically, Nepal and Bhutan always had cordial relationships. As a nation, they harbor similar hopes and share similar fears. That relationship has grown sour after the Bhutanese refugees poured in Nepal in 1990s and camps were built to house them. The Bhutanese rulers interpret Nepal's humanitarian gesture as her tacit support to the pro-democracy movement in Bhutan. Talk about the Nepalese

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<sup>106</sup> Rakesh Chhetri, "The Essence of Bhutanese Foreign Policy", Kathmandu Post, 30<sup>th</sup> January, 1998.



government or the Nepalese press and it sends the Bhutanese rulers frenzy. While the Bhutanese have come up with their own innovative stories for attacking Nepal or the refugees, they hope the free press should bury the stories and incidences of suppression in Bhutan. The Bhutanese have found a good story with a great political capital in the ‘Greater Nepal’ bogey. ‘Greater Nepal’ as a concept is a brain child of the Indians, which coincidentally picked up some coverage in the Indian media during the same time (1990s). It worked as a perfect tool for the Bhutanese regime to lash out both at Nepal and the democratic forces.

The ‘Greater Nepal’ bogey could only be a ploy on the part of India to hide its own past actions or hidden intentions of a regional expansion in the future. “It is important to understand that in the geopolitics of this region only two ‘Greater’ expansions can possibly happen – a) ‘Greater India’ and b) ‘Greater China’. There are historical evidences to verify this. “India became ‘Greater’ when it annexed the neighboring kingdom of Sikkim in 1975. China became ‘Greater’ through the annexation of Tibet in the 1950s. Chinese border incursions are common in northern Bhutan and the saga of shifting borders is common in Nepal’s southern border.”<sup>107</sup>

## Refugees and the Regime

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<sup>107</sup> RP Subba, comment on Tim Fischer’s article “Bhutan: Tim Fischer’s Blind Spot” March 12, 2009 ‘eurekastreet.com.au

Bhutan cannot extricate itself from the problem, called the 'Bhutanese refugees' which is a creation of its own. If anything, its causes are as complex and intriguing as the ruthless 'ethnic cleansing' of the southern Bhutanese people that unfurled before us. The centrifugal implications arising from the aspirations of the southerners for change and the urge on the part of the Bhutanese State to preserve the status quo seems to be at the core of conflict that led to a crisis of this magnitude. The large and systematic expulsion of the southern Bhutanese in 1990s is a direct corollary of two very deep seated beliefs held by the rulers – a) that the indigenous Drukpas will soon be swamped under a demographic take over by the southerners and b) that any demand for political changes in Bhutan can legitimately come only through the voice of the Drukpas. When the southerners rallied for democracy and human rights in the 1990s, Bhutan's ruling elites thought that they were 'too volatile for political stability' and responded with extreme measures that squeezed them out of their homeland.

The Bhutanese refugees camped in Nepal constitute about 20 percent of Bhutan's total population and roughly half of the southern Bhutanese population. In the camps, they live under extremely difficult conditions. "It is clear that psychological disorientation, emotional trauma and a sense of insecurity pervades throughout the refugee camps. Anyone who visits a refugee camp sees in the transparent shelters and living conditions, more than the plight of refugees, the harsh and cruel realities of life and death itself. He sees in it the

immediacy of the inescapable, a reality that often shocks the visitor.”<sup>108</sup>

Certainly, the southerners are not oblivious of the suppressions of the regime. They have a reason to feel betrayed and disenchanted about Bhutan. Bhutan executed a ruthless attack on them and their culture, without appearing to be overtly suppressive. In a State that harbors arrogance, exclusivism and forced expulsion, several tools are available to oppress people. Bhutan has mainly relied on its Buddhist image to justify why exclusion is necessary. In its hardware also are other political, social, legal and cultural tools that foster exclusion. The audacity with which the regime carries out its policies of exclusion of people from national life continues to be the cause of anguish among the broader southern Bhutanese population, even today. In the problem house, that is Bhutan, the regime is the villain and the southerners, the victims.

The refugees had hopes, at least initially, on the bilateral mechanism between Bhutan and Nepal, whose task was to verify and repatriate the refugees. That dream crashed as the Bhutanese regime threw these talks into the backburner. The Bhutanese rulers view that the return of the exiles and their political inclusion in the national mainstream will directly offset Bhutan’s contrived internal security imperatives. Such a fear is echoed in the words of former Foreign Minister, who said “we cannot take back refugees, if we take them back, we will be in minority”. This view of the State played the overriding role in stifling bilateral talks with Nepal.

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<sup>108</sup> Jigmi Y. Thinley, ‘Bhutan: A Kingdom Besieged’.

Bhutan is surely playing a political hardball. Small countries do not need big problems to debilitate its peace, and for this, the existence of refugees alone is sufficient to cause concerns to its internal security. Despite the regime's cynicism, it is clear that Bhutan's security apprehensions are seriously exposed. The movement spearheaded by the Bhutan Peoples' Party (BPP) in the 1990s is still reverberates in the minds of Bhutanese people. Anyone who has experienced it will explain the insecurity felt during those times. People went to bed every night with uncertainty in mind and fear at heart. Even the fourth king at one point in time, thought that it was impossible to contain the movement in the south, and was seriously considering 'having a dialogue with the boys in the south'.

Programs, frequently organized by exile groups are a constant source of security concern. When the government mobilizes tones of money, logistics and thousands of personnel to ward off refugees entering Bhutan, it is essentially reacting to these security concerns. In fact, engaging the refugees has become a full time occupation for Bhutan. The government's mechanism is to deal with the problem administratively and locally, in which some local police officers and members of the administration respond to the incoming protestors. The practice is to arrest them, hold the leaders and release the rest. Then the Indian police in connivance with the Bhutanese authorities will ferry the released protestors up to the Mechi bridge near India-Nepal border. In seventeen years, we have seen enough of such exercises back and forth, but no solution.

When the refugees are arrested, Bhutan usually tortures them supposedly to bring out 'statements of confession'. The RGOB normally employs the police and army to arrest the refugees, but in the wake of the pro-democracy movement in 1990, the RGOB set free notorious criminals from Dobji jail, some serving life sentences, and used them to quell, kill or terrorize people participating in the pro-democracy rallies. A grand pro-democracy rally scheduled on August 26, 1990 at Phuentsholing was cancelled due to fear of intrusion by such criminal elements, who were out to disturb the peace of the rally. Doubtless, the regime's strategy was to – a) use these goons to hurl some explosive device from among the crowd and blame the violence on the democratic forces, b) make use of the opportunity to defame the democrats and c) use the incident as a pretext to unleash its own violence.

What is perplexing is that the Bhutanese regime on the one hand is not willing to let the refugees return home from exile while on the other it seeks to extradite exiled rebel leaders. This is evident in the regime's failed attempt to extradite Rongtong Kunley Dorji, the President of the Druk National Congress from India in 1997. Rongthong has been living in exile as a refugee since 1992. Early on, Bhutan had illegally extradited Tek Nath Rizal, the founder of Peoples' Forum for Human Rights, from his exile home in Nepal in 1990. Another leader, Dhan Kumar Rai, General Secretary of BPP was arrested in a border village of India and whisked to Bhutan in the night, in 1992.

## Conclusion

In 2008, Bhutan won abundant praise as the world's newest democracy, yet for a keen observer this transformation from a century old absolute monarchy to democracy offers all the trappings of a Hindi cinema - very elusive, yet interesting to watch.

For instance, Bhutan's democracy is mired in the notion of self righteousness of the ruling Ngalongs and their language of self-preservation, racial purity and cultural values. Bhutan steps out to teach Gross National Happiness to the world, yet its own peace is shaken by a violent movement within the kingdom. On the one hand, it is unwilling to let the refugees return home while on the other, it seeks to extradite rebel leaders from exile. It never misses a chance to cohabit with India, yet it cuddles with China when possible. It hosts the Indian insurgents yet its relation with them is not exceptional. On the one hand the regime blames the exiled parties for being irresponsible, on the other it rejects their calls for national reconciliation. On the whole, throughout 2008, Bhutan presented a very perplexing behavior and a sharp polarity of thoughts, which is clearly puzzling.

In the process some new challenges have surfaced – suspecting neighbors, the Indian insurgents, Maoists and an expanded Bhutanese refugee diaspora. Indeed, Bhutan is already grappling with a ‘communist struggle’ that has pledged to uproot monarchy. The growth of Bhutan's communist movement and the issue of repatriation of the Bhutanese refugees are intricately inter-woven. The communists are presenting themselves as the answer to the aspirations of the Bhutanese refugees to return home. Looking at them last year, we can say that they are not only improving strategically

but definitely growing; indicating that in the coming days, Bhutan may be poised to confront these home grown militants on it's own soil. What this means is that, for tiny Bhutan, the episodes of its internal security challenges will not be over soon.

The problems Bhutan is facing are not simple ones, they are huge and real, which for a small country like Bhutan, does not suit well. If not managed properly, these problems could very well unsettle Bhutan's 'core national security values'. These issues, because of their sensitive nature, can catalyse into bigger problems and new threats can emerge from anywhere, anytime. One year into democracy, Bhutan's national security situation looks no brighter than what it was years ago. Certainly, it is time to unlearn some of the preconceived notions and rethink policies critically. The onus of doing due diligence and marching Bhutan in the 21st century depends solely on the Bhutanese rulers more than anyone else.

# Royal Democracy in Bhutan Steps Ahead Against the Current

By Govinda Rizal

A year of democratic practices in Bhutan has brought numerous reforms and left almost no stones unturned to demystify the suspicion of throne-gifted democracy. To begin with, the election of 20 members for the upper house, later, five deputed by the monarch, formally lifted the ban on the word ‘democracy’. Then, the royal cabinet divided into three factions, two to lead political parties and the third to continue as interim government for the present and metamorphosis into a third party from the subsequent elections. The politically colored two parties PDP and DPT, came right to the people’s level seeking vote and support. The election commission, determined to act on big and small rule breaks, was overtly smart to generate enough power for itself.

The permitted parties fought less; in fact, they had nothing to prove superior over the other party. The manifestoes emerged as two copies prepared by a single drafter. Voters had the opulence of two sources for the same content. Both the manifestoes came from the Gross National Happiness Commission; institutionalize to praise the former monarch in a royal way. As a body has two eyes, two hands, two legs and one mouth, the royal decreed democracy had two parties, with different faces, leaders and supporters but one voice: Gross National Happiness (GNH). The winning or loosing depended not



much on the political food of thought but on the buttered lips of candidates and their supporters.

In the name of education for democracy, people were taught to press buttons of voting machines and election speeches focused on the characteristics of a bad party. Election promises read out were from the draft of the upcoming five-year development plan, prepared by the cabinet in unison before the virtual split.

The first radical reform by the reincarnated government took in its infancy of democratic era was the hike in salary of the statesmen, with a big expectation that their action would be applauded, praised and sang for months and years, as it used be in their earlier epoch. The story ended the next day of the implementation, apparently signifying that the change has come.

A year of democratic era saw a rapid increase in the number of people seeking judicial interference. The Anti Corruption Commission (ACC), a bespoke body to crucify the defaulters and corrupts, reached beyond capital to districts and development centers, mines and construction sites. The ACC's role is not just bringing defaulters to the book of justice but also underscoring the judicial and legal loopholes that have existed for abuse.

On one hand, the problem of unemployment has soared up to an indestructible height. No large-scale enterprises are in plan to accommodate the fresh graduates and school dropouts. On the other hand, there is such a dearth of skilled human resources particularly of doctors, nurses, teachers and accountants that the government has no luxury of choice, either to hire workers from

abroad or to close its eyes. This is the direct consequences of the erstwhile government's faulty education system and its desperate attempt to hide the then existing problems.

Freedom of expression has expanded, at least in the parliament, however, since most of the elected parliamentarians are yet to free themselves from the trauma of the suppressed bureaucratic background they hail from, accustomed to stoop before senior- make the junior bow, are unable to utilize even the accessible freedom.

There is a sharp improvement in the quantity and the content of the print and online media. Unlike in the past when the reporter had to get news and consent from the related department heads, secretaries and ministers, the democratic era journalists have audaciously gone to villages, deprived areas, uncovered the truth and published the facts. As expected the Bhutanese media has taken a leap forward and are successful as the tower lights of democracy. Nevertheless, they are not free from threat and insecurity.

The government has availed timely balm of compensation to the victims of natural calamities. However, there is little doubt that any other party in the government would have done no less. While the government has no material proof to boast of achievement of pertinently observed development, it has been showing its presence. The runway for domestic air services are materialized, wires for electricity supply are extended to many villages, at least dozen or one sixth of the schools closed in the southern districts were

resurrected and the issue of security clearance and no objection certificate (NOC) created turmoil in the parliament but sadly had a narrow escape. The government has the mandate for four more years to either bring in airplanes on the runway, supply current through the wires, let children become students in the deprived areas, and revoke the tribulations of NOC, or doze off the period and invite a bull-dozer in the next term.

The most soothing music in the ears of the cronies of the erstwhile autocrats is to hear the news of Bhutanese in exile resettling in the developed nations. For the time being, the problem seems closer to an end. However, will the government continue happy go lucky hiding the crimes against humanity of the erstwhile government forever, remains a question to the younger generation. The government to sanctify itself must form a commission to look into the problem termed by the former monarch as 'ngolop uprising in the south' bring the defaulters to the book of justice and free the innocent from the prolonged punishments. However, as most of the defaulters own supreme command in the government, it is not going to materialize at least in this term. Although the DPT government characterizes old stocks in new coop, there ought to be no dearth of revolutionary vision to meet the transition and take better advantage, as it houses and commands the best brains of the nation.



