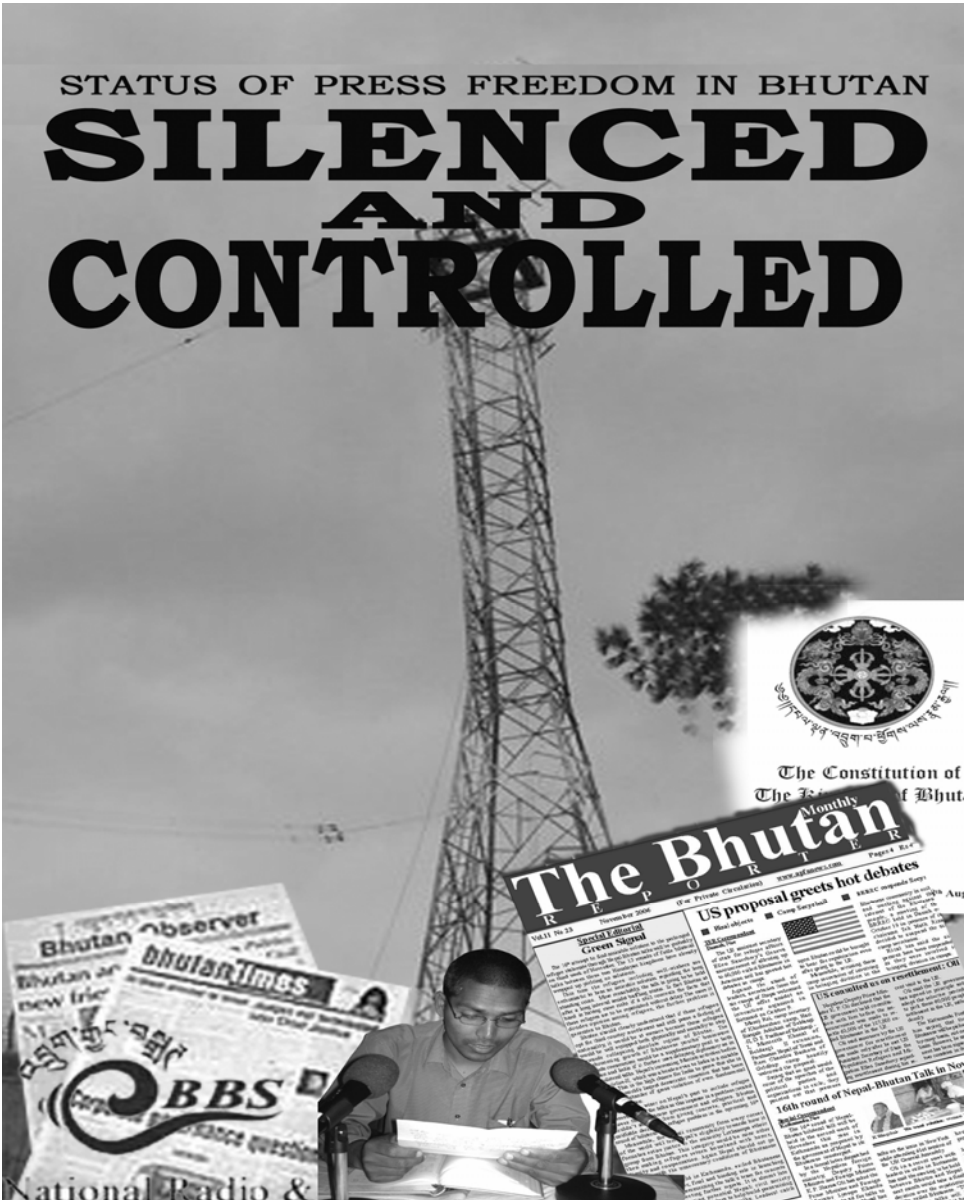


STATUS OF PRESS FREEDOM IN BHUTAN

SILENCED AND CONTROLLED



The Constitution of
The Kingdom of Bhutan

The Bhutan Observer
November 23, 2004
US proposal greets hot debates

Sceptical Bhutanal Green Signal
The US attempt to establish a military presence in the Himalayas has met with a sceptical response from Bhutan, which has long maintained its policy of strategic neutrality. The US proposal, which includes the construction of a base and the deployment of troops, has raised concerns among Bhutanese officials and the public. The government has expressed its reservations, citing the potential impact on the country's sovereignty and the environment. The proposal has also sparked a heated debate in the Bhutanese parliament, with some members supporting the move while others oppose it. The issue remains a sensitive one, reflecting the complex relationship between Bhutan and its powerful neighbors, India and China.

US proposal greets hot debates
■ Camp Sceptical ■ 1995C: supports Govt

US committed to an environment: CIA
The US is committed to an environment-friendly approach in its dealings with Bhutan, according to a report by the Central Intelligence Agency (CIA). The report highlights the US interest in Bhutan's natural resources and the potential for environmental degradation. It also notes the US support for Bhutan's efforts to improve its environmental management and infrastructure. The CIA report is part of a broader assessment of Bhutan's political and economic situation, and it provides insights into the US perspective on the country's development and its relationship with the United States.

16th round of Nepal-Bhutan talks in Nepal
The 16th round of talks between Nepal and Bhutan is currently taking place in Nepal. The discussions focus on the border dispute between the two countries, which has been a long-standing issue. The talks are being held in a friendly atmosphere, with both sides expressing a willingness to reach a mutually agreeable solution. The 16th round is part of a series of negotiations that have been ongoing for several years. The progress of the talks is being closely monitored by the international community, and it is hoped that a final agreement will be reached in the near future.

Bhutan Observer
Bhutan and
new frie
Bhutan Times
BBS
National Radio &

silenced and controlled

Status of Press Freedom in Bhutan

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Activists-Bhutan

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Forward

Right to information is the fundamental rights that state must guarantee to its citizens. This lacked in case of Bhutan where media has been directly or indirectly controlled by the government. For centuries, the government suppressed the emerging publications.

The movement for press freedom in Bhutan has a short story to tell yet many achievements have been made by now. New generation, having greater relation with the expanding media horizon, attached themselves with the evolution of media that rally fights for press freedom and freedom of expression. Further, they have realized, as the government has now, that media plays vital role in democratic movement and further strengthening of democracy and peace. Media also have bigger role for socio-economic development.

Taking into consideration these facts, Association of Press Freedom Activists (APFA) – Bhutan, from the date of its establishment started the campaign for guarantee of press freedom and freedom of speech and expression in Bhutan. It has started several programs that are supportive towards the movement it has started. Since APFA-Bhutan is a new born organization, there are so many works left on the card.

Aside publishing The Bhutan Reporter monthly, running the website www.apfanews.com and weekly radio program Saranarhi Sarokar, this publication is yet another step towards the press freedom movement.

We hope cooperation and support from all sides.

Words of Support

A free and independent media is essential for ensuring transparency. It is a fundamental prerequisite of a civil society.

If journalists are unable to investigate corruption and other wrong doings, society suffers.

This freedom is not just the freedom of movement; it is also the freedom from political and financial control.

Journalist must be balanced, fair, objective, truthful and beyond corruption and manipulation in all they do; they must never act for personal or political gain.

The Third World Media Network, which has a Bhutan branch, emphasises the importance of "high ethical standards and accuracy for enhancing the credibility of a free press, which is vital for development of any nation."

APFA - Bhutan, which publishes The Bhutan Reporter, states on its news portal that "The news and analysis in the portal shall be balanced, impartial and not motivated by some section of people or government influences."

Guidelines like these will ensure that the media remains focussed and free of control.

David Brewer
Editor
Media Helping Media, UK

Part I

History: Print media

The history of Bhutanese media begins with the Bhutan ending its isolation to reach the outside world through development process. Precisely, Bhutan media history begins with the beginning of formal planned development programs in Bhutan in early 1960.

Kuensel started coming out as early as 1960 in the initiation of two southern Bhutanese – Bhim Bahadur Rai and Suk Man Rai – in hand written form. It was brought out only in Nepali once in a month. Later in 1964, it was printed at Mani Printing Press in Kalimpong with the use of litho. Five years later they started using litho, the Kuensel was published in two languages: Nepali and English.

In 1974 government purchased a printing machine from India and installed at Thimphu which was then used for printing Kuensel and other government documents. As such, Kuensel started publishing from within Bhutan from later 1974. In the same year, government deployed Japanese technicians to prepare the Dzongkha metal letter blocks which helped to bring out the paper in the third language: Dzongkha.

In 1986 Kuensel was reformatted under the same title and also published weekly as Bhutan's only newspaper by Department of Information under Ministry of Communications. In 1988, Kuensel had a total circulation of 12,500 in three languages. Presently, it is estimated to be around 20,000.

Kuensel reaches most of the urban areas throughout the country. Subscription abroad is very little limited to

regional and international organizations. Subscribers overseas are also fed through mail service/e-mail in PDF format.

Now the paper is published by government-owned Kuensel Corporation established in 1992 under Ministry of Information, in three major languages: Dzongkha, English and Nepali.

The editorial team of the corporation is usually chaired by secretary at the Ministry of Communication. It comprises of one chief editor, one editor each in three languages, one news editor, reporters in Trashigang, Paro, Samdurp Dzongkhar, Phuentsholing and few other major towns. Five reporters work at the central office in the capital, Thimphu. Most of the reporters and editors receive basic training with Strait Times of Singapore, Time of India, Telegraph etc. Very few of the present staffs have received university level education in journalism.

Kuensel readers are, generally, people with highly placed social and economic standings within the community and expatriates, posted in diplomatic missions, international organizations and multinational companies.

Beginning in April 2006, it competes with The Bhutan Times, Bhutan's first privately owned newspaper with government authority (although several periodicals may be found on the internet).

Besides the Kuensel, a quarterly magazine was published in late 1970s with the permission granted by King Jigme Singye Wangchuk in person. The magazine called 'Druk Losel' started publishing in 1979 in three languages; Nepali, English and Dzongkha. Gauri Shankar Adhkari was the chief editor.

The magazine had basically focused its content on apolitical issues. Literary works were mostly published. The magazine was distributed to schools, government offices and public places. Nepali version had been very much popular in the south while other versions had not been so effective. Southern Bhutanese had been instigated to more literary works.

However, publication of the magazine did not continue. In its 19th issue (in Nepali version) a write up was published tracing the history of Lhotsampas in Bhutan and relation of Bhutan with Nepal. Objecting this piece, king himself order that the publication be banned immediately. As such, after 19 issues in 1983, the publication was closed permanently.

Electronic media

Radio and Television, all owned by the government, is controlled through Bhutan Broadcasting Service under ministry of communications. This year, government opened door for opening of private media consequently two private FM radio stations have come to existence. We shall discuss it later.

Radio

Radio service in Bhutan began in Bhutan in early 1970s. In 1973 female member of the royal family formed National Youth Association of Bhutan and took initiative for operation of radio service. Initially, the radio service was called Radio NYAB.

The station was operational only on Sundays with 30 minutes of news in English and music. The NYAB club office was transformed to announcing studio on weekends and increased to an hour a week after a few weeks' trial. The 400-watt transmitter was rented from a local telegraph office.

In 1979, the Royal Government of Bhutan (RGOB) recognizing the importance of the radio for development embraced the station under the Ministry of Communications. With the merger, the radio was called Bhutan Radio. It then started three-hour program on every Sunday, Wednesday and Saturday. Out of three hours, Dzongkha language programs covered 1.5 hours while Nepali, English and Tshangla languages were given half an hour each.

In 1986 Development Support Communication Division (later changed to Development Communication Corporation) was set up to help in the development of media. With the commissioning of a 10kw short-wave transmitter and a small broadcast studio, Radio NYAB was renamed as Bhutan Broadcasting Service (BBS) in the same year.

Bhutan radio started daily broadcasting with three hours of programming that reflected the national character. Thus, the radio came under the control of the BBS. BBS/DSCD worked together under MoC until 1992 when Kuensel was separated and transformed to corporation.

In 1986, UNESCO provided BBS 10W SW transmitter to enhance the transmission and make it heard throughout the country. The standardization of the radio continued. In 1991 radio station relocated to India sponsored new complex with 50w SW transmitter. After this, the radio transmission hours increased to 30 hours per week. The station got improved in 2005 as well.

Still the radio transmission has not reached to all parts of the country. To strengthen the radio service, government took initiation for establishing FM relation stations. In 1987 local two FM stations (96 and 98 MHz) were set up in Thimphu with the aid provide by the UNESCO. The FM stations served the population of Thimphu valley outskirts.

During the period of 1989-92, DANIDA and UNESCO invested over Nu 1.14 million for promotion of radio service in Bhutan.

In March 1991 Bhutan radio acquired a permanent seat and a professional look with the commissioning of a 50kw short-wave transmitter station and a studio complex-cum-office block.

For almost a decade government investment slacked in media sector after 1991 citing influence of media for uprising in southern Bhutan. In June 2000, BBS introduced FM radio service for western Bhutan. FM stations were set up at Dobchula and Takti in the south. The FM service was extended to central Bhutan in January 2001 and plans are underway to cover the whole country by the end of the ninth five-year plan.

Beginning February 21, 2004, radio service reached 15 hours daily. As of 2005, FM and shortwave radio service reaches about 75 percent of the country. The service plans to reach the rest of Bhutan by 2010.

As of April 2004, BBS FM radio service is available in 15 dzongkhags. Installation of FM transmitter in the rest of the 5 dzongkhags will be completed by the end of the current five year plan.

FM Network

Dobchula Main Station: Standby Reserve Configuration
1+1 KW

Frequency: 88.1 MHz

Areas served: Punakha, Gasa, Wangdi Phodrang

Frequency 96 MHz:

Areas served: Thimphu

Takti Relay Station: 1 KW

Frequency: 98 MHz

Areas served: Chukha and Mongar

Yotula Relay Station: 1 KW

Frequency: 93 MHz

Frequency: 90 MHz

Areas served: for parts of Trashigang & Mongar

Areas served: Bumthang, Trongsa

Jabji Relay Station: 20 W

Frequency: 92 MHz

Areas served: Paro valley, Phuentsholing, Tsirang, Samtse and Trashigang

Kharbandi Relay Station: 20W

And 49 mband 6035 KHz Shortwave(SW)v

Bhutan Broadcasting Service

Bhutan Broadcasting Service produces programs for radio and TV in four languages. In Radio news bulletins are broadcasted in four languages while the newly established TV telecasts programs in Dzongkha and English only. BBS



National Radio & TV

devotes 75 percent of its programming on development issues such as new farming methods, health and hygiene, environment preservation, distance education, rural development, women and child care. Now, it has been used for public awareness on democratic changes with regular elections songs.

Television

Television was banned in Bhutan, and still many foreign cable lines are restricted. Government advocates the free access of foreign television would spoil the national identity and culture.

Indian TV show had been popular in Bhutan since mid 1980s. People in urban areas had been used to with the TV. However, stating that TV programs would spoil national culture, king ordered the banning TV antenna and satellite dishes in 1989. At least 28 privately owned dishes were dismantled.

Audio-visual program had begun as early as 1981 with the initiative of the DSCD. It prepared films and documentaries on life, culture and religion. However, the programs production was stopped in 1996. Ironically, government took initiative to fix a large screen TV at the Thimphu stadium to serve the growing fans of football world cup in 1998.

Government in April 1998 announced to established national TV station and finally after one year's paper works the national television service started on June 2, 1999 marking the silver jubilee celebration of King Jigme Singye Wangchuk's reign. In the initial days, it telecasted one hour a day. The telecast increased to two hours per day from June 2002. Over the years Live TV service was made available for Phuntsholing and Paro in 2004 and 2005 respectively.

The two-hours of broadcast from 7 pm to 9 pm contained 30 minutes of news and announcements in Dzongkha and English, followed by various programs and documentaries in both languages.

Beginning February 21, 2004, the telecast hours increased to three from 7 pm to 10 pm but the same content is re-telecasted the following morning between 7 and 10. From December that year, the telecast reaches four hours daily.

Described as the most important event in the history of electronic media in Bhutan the Bhutan Broadcasting Service Corporation (BBSC) launched its nationwide television service on satellite on February 20 this year. With the nationwide expansion on satellite the BBS TV will be available not only in Bhutan but also in the region. The signal can be received in almost 40 other countries – from Turkey in the West to Indonesia in South East Asia.

Launching the service, the Minister of the Information and Communications Lyonpo Leki Dorji, had said the BBS had now assumed the role of a true national broadcaster and urged to take the responsibility for cautioned political changes taking place in the country under the leadership of the king.

Once the TV programs went through satellite, the service hours were extended. The five hours of daily TV broadcast from 6 pm to 11 pm contains 30 minutes of news and announcements at each hour in Dzongkha and English. Various programs and documentaries in both languages are telecast during the five hours of TV broadcast every evening. The same is rebroadcast the next morning from 7 am to 12 noon.

Existence of foreign media

Indian and other foreign newspapers also are available in the market but they are limited to Paro, Thimphu and Phuentsholing cities. Bhutan's low literacy rate, however, means that the majority of the population is not affected by the print media. Oral tradition is very strong, however, and radio broadcasts are widely listened to.

Foreign media organizations were not allowed to station their representative. Further, the government also restricts the nationals to work with the foreign media.

But by the end of the last year, the situation changed somehow. Media agencies like Indo Asian News Service, British Broadcasting Corporation etc. produce reports on Bhutanese events frequently. Of all foreign media, IANS has been observed to have stronger hold in covering the Bhutanese issues. Visit by the foreign journalists have increased.

Government still restricts the transmission of some foreign TV channels. The government cites the eroding effect on

Bhutanese culture as the reason to bar the transmission of such TV channels. Few news channels like Aajtak, CNN-IBN, fashion TV, MTV and few other Indian channels have been censored.

Private media

Private publication was illegal until 2006.

Despite restriction imposed by the government, there had been several attempts to bring out publications from private sector. Dissidents in the south made efforts to bring out bulletins and newspapers from outside the country as the government did not permit for private publications. Publications from outside Bhutan attempted to raise voices of dissidents for quality and justice. However, they carried the voices of a section of people.

The early publications were coordinated by individuals, political parties, human rights bodies or social organizations and they were not edited by persons having journalistic knowledge.

As the publications were printed from outside the country and without any financial assistance and skilled manpower, they failed bring it continuously. At the most, they published for a year. Ammar Bhutan, Mukti, Manav Adhikarko Chirharan, Bhutan Focus, Bhutani Aawaj, Bhutani Nawa Sandesh, Bhutan Observer, Bhutan Review, Bhutani Kopila, Refugee Post, The SUB Bridges, Dragon Times, The Struggle and Bhutan Today are some of the publication seen in exile. Publications like Bhutani Deepak and Sworna Deepak by S. N. Kafley brought out from Brindaban were seen once. But they had been encouragement to people for further publications.

Fist private publication in Bhutan appeared in 1971 when Hari Prasad Adhikari published *Ammar Bhutan* from

Banaras in India. The publication like a booklet most carried literary write-ups. The book was banned for circulation inside Bhutan.

Almost for two decades, no people managed to publish any books or news bulletins. In 1991 Adhikari edited a bulletin jointly prepared by People Forum for Human Rights – Bhutan (PFHRB) and Human Rights Organization of Bhutan (HUROB) at Dalle Aahal in Assam state of India.

In 1990, Adhikari also edited a magazine called Multi published by Bhutan People's Party (BPP). But all the copies of the magazine were looted on the way to Bhutan.

A year later, HUROB published a tabloid called Manav Adhikarko Chirharan.

Similarly, Student Union of Bhutan (SUB) published Bhutan Focus from December 1, 1990. Published in Nepali and English, the bulletin again closed in 1993 due to financial constraints. Few issues were published in 2000 and 2001 but did not get continuity. The SUB also published a fortnightly bulletin called SUB Bridges in between March and December 1996.

The then general secretary of BPP, Balaram Poudel published another bulletin Bhutan Aawaj between March 1991 and 1995. The fortnightly published from Birtamode in Nepal.

Organization of Bhutanese students in Banaras 'Bhutan Bidhyrthi Chhatra Sangathan' published Bhutani Nawa Sandesh since 1993 even though there have been no publication of the magazine since 2000.

A splinter from PFHRB, People's Forum for Human Rights and Development (PFHRD) published Bhutan Observer since 1993. Published un-periodically and edited by PHFRD

president S. K. Pradhan, it remains closed since the arrest of Pradhan on charges of his involvement in the murder of BPP president R. K. Budathoki.

Politician turned engineer Bhim Subba published in his personal efforts the news bulletin called Bhutan Review between 1993 and 1995.

Dilip Bishwo edited a monthly bulletin The Refugee Post by Association of Human Rights Activists (AHURA) Bhutan. Started in May 1995, the un-periodical bulletin closed in end 1997. The bulletin intended to highlight the peace march launched by Appeal Movement Coordination Council (AMCC).

Young wing of Bhutan National Democratic Party (BNDP) published Dragon Times quarterly in 1996. As the organization remains fragmented without stronger central leadership, the bulletin is published at the whim of the organization officials.

In 1997, political parties in exiled formed United Front for Democracy (UFD) under the leadership of Rongthong Kuenley Dorji, president of Druk National Congress (DNC). In its effort for political campaign, UFD, with the support from Mangala Sharma, published monthly bulletin The Struggle. Jogen Gazmere edited the publication. The publication terminated as the budget by Sharma finished.

Non-formal education in camp had been one of the effective projects of Oxfam. After the program was taken over by the Bhutan Refugee Women Forum (BRWF), the women educated under the NFE project initiated publication of Bhutani Nari Mukti Sandesh. Published yearly since 1998, the magazine is coordinated by BRWF with Menuka Kafley as its editor.

Chimi Dorji Wangchuk led Youth for Human Rights Education and Development published bimonthly Human Rights Arena from 2000. A year later Wangchuk brought out the bulletin as CANVASS. The publication died after Wangchuk left for US permanently.

Rongthong Kuenley led DNC publishes Bhutan Today monthly. Since the arrest of Dorji by Indian authority, the paper is published and circulated to limited people in New Delhi.

Between 1999 and 2000, a monthly Bhutan Times was published by a group of young people but the publications stopped after its editor arrested on charges of involvement in a murder case. Though, the local authorities later gave him a clean chit, the publication did not resume.

The Shangrila SANDESH monthly began publishing in January 2001 by a group of students called Rose Class with the support of British NGO Photo Voice. The publications closed in May 2003 when the Photo Voice denied further assistance saying that the paper carried political issues.

A Nepali language weekly Sandesh was started in December 2000, with the support received from the Lutheran World Federation and coordinated by AHURA-Bhutan. However, the publication was closed in end 2003.

Part II

Democratization and media

Undemocratic enough, the Bhutanese rulers never prescribed that media would be the best means to educate people and a good partner for the good governance. Until recently, the Bhutanese had no regulations on media. Even now, the media act and constitution have little provisions on media freedom and right to information, speech and expression, implementation of these instruments has been squeezed, though not formally announced.

There are no laws or rules and regulations so far adopted regarding press freedom guaranteeing right to speech of the citizens. Government officials indirectly censor on the news to be published or broadcasted or telecasted. Most programs made for government owned radio and television and news items prepared for government mouthpiece Kuensel go through vigorous filtering by the government officials.

Government not only discouraged private publications but also imposed serious penalty on such trials before King Jigme Singye Wangchuk formally called on the interested people to start private publications in 2005.

Privatization of media

Privatization of media in Bhutan begun in 2006 as the government permitted the private companies for the publication of two weeklies and operation of three FM stations. However, there are serious restrictions imposed on foreign media especially on TV channels citing the contents telecasted by the channels hampered the 'unique cultural identity' of the country.

The government, in command of King Jigme Singye Wangchuk, issued license for private publications and FM radios. But the media act was brought into place three months after private newspaper began publishing. The king asked the government to permit private publication in September 2005.

Private newspapers

The two weeklies include Bhutan Times and Bhutan Observer.

Bhutan Times started its publication from April 27, 2006 from Thimphu. It is the first private newspaper published from the country with permission received from the government. The weekly is owned by Bhutan Media Services, which runs businesses on publishing and printing sector. The weekly is published from Thimphu. Tashi Phuwestsho edits the 16-page colorful tabloid and Tenzing Rigden heads operation, though its first edition had 32 pages carrying an elongated write-up by then Crown Prince on 'important national issues and on the future of the nation as a multi-party democracy'.

Another weekly began publishing from June 2, 2006 celebrating the enthronement anniversary of then King Jigme Singye Wangchuk. Published from southern town of Phuentsholing, also called gateway to Bhutan, the 14-page tabloid basically focuses on rural life and poverty. Bhutan Observer is owned by KMT printing press. K. B. lama edits the paper.

The then prime minister Sangey Ngedup unveiled the Bhutan Times during a formal program held on April 30 while royal family member Sonam Dechen Wangchuk announced the beginning of the publication of the second private weekly Bhutan Observer. Both the functions were organized in Thimphu. Bhutan Times comes out on Sundays while Bhutan Observer hits the stand on Fridays.

Bhutan Times is published only in English while Bhutan Observer started publishing in two languages: Dzongkha and English. However, by the beginning of 2007, the Dzongkha edition of the Bhutan Observer faced serious set back with no advertisers willing to publish advertisements in it.



Bhutan Observer management said they might withhold the publication of Dzongkha edition but no such decisions have been taken by the time this report is prepared. This would have negative impact on the plan of the Bhutan Times which projects to start Dzongkha edition after a year's publication in English.

Private Radio

Government has issued licenses to three companies for operation of FM radios but only two have actually come into operation by now.

The government had issued licensed to Kuzoo FM, Radio Valley FM and YFM. The Kuzoo FM 90 MHz started operation from September 28, 2006. Initially, the broadcast was 12 hours and later extended to 14.5 hours between 0600 and 2100 hours daily. This is the first private radio established in the country. The FM is run by Kuzoo society. The FM runs music and informative programs targeting the young people.

Radio valley started its operation on April 12, 2007. The radio aired at 99.9 MHz covers the Thimphu valley and surrounding areas. The radio broadcasts programme from 5 am till 9 in the every in all seven days. The operators aim at expanding the broadcast to all over the country.

Television

There is only one TV station owned by the government. A company is reported to have started working its project to begin a private TV station. The company is yet to get license of operation.

Legal provisions and media freedom

The draft constitution does not adequately incorporate the principles of press freedom and freedom of speech and expression of the citizens and residents.

Article 7 of the constitution has provision of fundamental rights that includes the right to information and expression as well. Sub Article (2) of Article 7 states, 'A Bhutanese citizen shall have the right to freedom of speech, opinion and expression and Sub Article (3) reads, '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'.

Similarly, Sub Article (4) goes, 'There shall be freedom of press, radio and television and other forms dissemination of information, including electronic,' and the (5) goes as, 'A Bhutanese citizen shall have the right to information'.

However, there are a number of clauses included in the constitution that restrict the complete freedom of the press, right to speech and expression and further it does not adequately guarantee the right to information of the citizens.

For instance Article 6/3/e of the constitution restricts the citizens of right to speech and expression or right to information with many vague provisions such as termination of citizenship if found speaking against the king, country and the people. The government has not explained what it meant by speaking against the king, country and the people.

Similarly, Article 7/21/e of the constitution states that the government can impose restriction by law in case of 'the disclosure of information received in regard to the affairs of the state or in discharge of official duties'. This objects the general public and the media persons to get right information about the subject matters of public interest.

Article 10/15 has imposed indirect restriction on access to media for all proceeding of the legislature. The Article states, 'the Speaker or the Chairperson may exclude the press and the public from all or any part of the proceedings if there is a compelling need to do so in the interests of public order, national security or any other situation, where publicity would seriously prejudice public interest'.

Article 10/21 provides liberty to the Members of Parliament for opinion limited within the parliament proceedings. But the same article includes the provision for need to get permission from the parliament before publishing any materials regarding the proceeding of the parliament or vote cast in the house, which the legislature might not provide citing secrecy or security reasons.

The draft constitution also has objectionable provisions under Emergency section. Article 33/6 delivers greater power to the government to the extent that it can give any kind of orders to local governments during the emergency period.

Article 33/7 states, "Where a Proclamation of Emergency is in operation, the enforcement of the rights conferred by this constitution under sections 2, 4, 5, 14 and 18 of Article 7 may be suspended."

This means not only the press freedom but all rights enjoyed by the citizens would be suspended. This will have negative impact on the citizens as they fail to access with

the situation of the country, their right to know what is happening in the country.

The constitution does not guarantee that license of the publications, radios or TV stations would not be seized. The emergency power given to the government can force these media bodies to remain shut, permanently or temporarily.

Because the law does not guarantee 'no censorship' on the operation of media houses, government may cite the reasons like speaking against the country and the people or security or sovereignty of the nation to impose censorship to publication or broadcast of certain news items.

Media policies and legislations

The rigid and strict restriction on access to media has been made flexible with the recommendation made by a research committee on importance and impact of media in 2003. As per the recommendation made, government unveiled the media act and media policies in 2006.

“Enhanced access to information and knowledge is rapidly becoming a potent tool for individuals and communities everywhere in their quest for new opportunities, for dignity and for a better life,” the government’s ICT policy reads.

By the time it delegated responsibility to experts for drafting the media policy for a democratic Bhutan, government has realized that ‘media play a central role in development in a knowledge based society. Because of its diverse and pervasive impact, information and media are integral to socio-cultural change, shaping and transforming values, lifestyles, national economies as well as socio-political systems’.

In Bhutan's rapidly changing socio-economic, cultural and political scenario, information and media are already vital forces that touch all national priorities. Media are

recognized as the most appropriate tools for social, economical and political transformation.

Thus, the Bhutan government recognized the positive role that media can play in promoting good governance through efficiency, accountability and transparency towards attainment of the overall goals of 'Gross National Happiness', the happiness philosophy propounded by King father Jigme Singey Wangchuk, with the support of current home minister Jigme Y. Thinley.

The strategy prepared by the government for media development states, 'Upholding the universal rights of citizens to information, freedom of opinion and expression, and independence of the media which has the mandate to connect, inform, educate and entertain'.

Ensuring the freedom of the media to facilitate increasing participation of the public and private sector in the field of information and media and establishing a vibrant, responsive and responsible media in the kingdom that will respect and uphold national interests and make a positive and meaningful contribution to nation building is what the government has envisioned, it reads.

It further states, 'Encouraging and supporting an increased level of information sharing within the government, between the government and the people and among the people themselves' would be the responsibility of the government to create a well-informed society by providing timely, accurate and comprehensive information and data on all issues affecting people's lives'.

However, the Media Act 2006, (comes into effect from July 5, 2006) does not state that journalists will be consulted while formulating any laws, by-laws or regulation related to press freedom or media bodies. Article 13/3 empowers the information minister not to disclose any information if he

or she 'assumes' that disclosure would have negative impact on national interest. Similarly Article 14/1 states that in the event of emergency 'the minister may by notification take over for a limited period the control and management of media services or suspend its operation'. The Act has also empowered the ministry to cancel the license issued for operation of the media bodies. Article 15 sufficiently empowers the government to impose unlimited censorship on media contents.

The act does not guarantee the security of the working journalists and also does not speak about the perks and other facilities that journalists must get from media organization in return to the services provided.

Bhutanese media in exile

Demand for press freedom was not the serious issue of the Bhutanese democratic movement. Demand for right to speech was of course the subject raise by political parties and human rights organization, it never received substantial boost. Before the beginning of political movement in 1990, concept of press freedom and right to information had not been important in Bhutanese life.

Beginning of the 1990 political demonstration saw the need of press freedom and freedom of expression in Bhutan. Initiators felt that it was lack of free media environment that caused the Bhutanese society to remain isolated from international scene. Bhutan People's Party (BPP) had put forward 13 demands while leading the demonstration in southern Bhutan in 1990 and one of the its demands was guarantee of press freedom and freedom of speech and expression. Political parties and human rights organizations formed after the demonstration also included this as one of their agendas. However, it remained minuscule in practices.

While the newspapers began publishing in exile, Bhutanese political and human rights leaders took it very negatively. The reasons for them were to escape from any criticism that the emerging papers making upon their inability to lead the democratic movement effectively. They took the support of the local authority, more precisely Chief District Officers, who repeatedly intimidated the Bhutanese refugee journalists and pressurize the publications be closed immediately.

The officials UNHCR and its implementing partners in field, except LWF which supported the publication of one of the papers, in camps also acted discouragingly with the cobs in initial days. The journalists had to attend the office of the local Nepali authority several times affecting their publication. The local authorities said the papers published by the Bhutanese refugees are not permitted because they were not registered at the government. The legal provisions of Nepal do not permit foreign nationals to start a publication.

With the open environment created by the political changes after the April uprising in Nepal, the Bhutanese refugees in Nepal have expanded their involvement in media sector. More people have shown their interest into the media sector. Many of the bulletins published in exiled have been sated earlier.

Papers like The Bhutan Reporter monthly, Child Creation monthly and Nauulo Aawaj weekly continue to publish from Kathmandu and Jhapa in eastern Nepal. The Bhutan Reporter started publishing in October 2004. The hard copy of The Bhutan Reporter reaches to all refugee camps in eastern Nepal, diplomatic mission, UN agencies, INGOs and government offices in Kathmandu.

In 2003, a few young Bhutanese in Kathmandu began formulating plans for a group that can ably lead the

movement for press freedom in Bhutan. They also foresee the need of active media in exiled to help raise the issue of Bhutanese refugees at the same time helping the refugees to remain updated on what is being done by governments and international community regarding their future.

These journalists announced the formation of the Association of Press Freedom Activists (APFA) – Bhutan on May 3, 2004 coinciding the international press freedom day. With the formation of the organization, these young people planned to bring out newspapers which resulted the publication of The Bhutan Reporter monthly from October 2004. The publication is managed by Bhutan Media Society (BMS), the publication unit of the APFA-Bhutan. The paper is being published continuously since then. Initially, the paper was edited by Buddha Mani Dhakal. Currently, Kazi Gautam edits it.



The paper not only reaches the hands of refugees in camps but also to people in southern Bhutan and many National and International NGOs and diplomatic missions in Kathmandu. The paper is also circulated

through UN agencies in Kathmandu. Similarly, since the beginning of website www.apfanews.com by APFA Bhutan in May 2006, the paper is made reachable worldwide in PDF format.

Nepali fortnightly Bhutan Jagaran published by Nepali Bhasha Parishad Bhutan (later renamed Nepali Sahitya Parishad Bhutan) with the financial support from Australian NGO Austcare since November 2000. The organization also publishes yearly literary magazine called Bhutani Kopila since 1994. The Timai camp committee of

the organization attempted a separated magazine Bhutan Taranga but failed.

Naulo Aawaj weekly is another newspaper being circulated among the Bhutanese community in exiled but has remained closed now. The paper, published since March 2002, is coordinated by communist enthusiasts. The All Bhutan Revolutionary Student Union publishes Bidhyarthi Pratirodh mothly since a year.

From March 3, 2007, APFA-Bhutan has also started a weekly radio through Nepal FM 91.8 in Kathmandu. The APFA has been working to relay the radio program from at least two FM stations in eastern Nepal: from Jhapa and Ilam districts. We hope the Jhapa transmission would help us reach the refugee community while the relay from FM in Ilam district will make the program reachable to around half of the western Bhutan. This would help increasing public awareness on importance of media at the same time safeguarding the right to information of the people inside Bhutan who live in limited access to media. The radio program can be heard online through www.apfanews.com at 1430 hours GMT.

Media organizations

APFA-Bhutan and Bhutan Press Union (BPU) as the two major organizations working for press freedom. BPU was established on April 14, 2002. In 2006, Third World Media Network, with its headquarters in Bangladesh, recognized the formation of its Bhutan chapter. It was established on September 16, 2006 to expand the relation of Bhutanese media with the international media bodies.

There are no reports of the formation of media organization inside Bhutan.

Case report 2006-07

Case 1

Nepal Police arrested T. P. Mishra, 22, editor of Bhutan News Service in Kathmandu while on reporting duty about the demonstration by Bhutanese refugees in front of the office of South Asian Association for Regional Cooperation (SAARC) on July 24, 2006.

Arrested at around 10:15 in the morning, Mishra was detained for more than seven hours in police barrack in Kamalpokhari. He was released at 5 p.m. along with the demonstrators.

Police manhandled him and a recorder was snatched away and never returned. He received bruises on right side of forehead.

Case 2

Bhutan police arrested Shanti Ram Acharya, 21 in Tashilakha area on January 16 2007. He was charged of being the member of non-existent Communist Party of Bhutan.

Government mouthpiece Kuensel disclosed the arrest of Acharya only on January 24.

As refugee, he was the resident of Beldangi II camp, Sector D/1, hut No. 85.

He had worked with The Bhutan Reporter, Bhutan Jagaran newspapers published from exiled. He was also publishing a wall newspaper called 'Baal Aawaj' (voice of the children).

His present status has not been known.

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