



# **BHUTAN**

## **FINAL REPORT**

**National Assembly Elections, 24 March 2008**

**21 May 2008**

**EUROPEAN UNION  
ELECTION OBSERVATION MISSION**

---

*This report was produced by the EU Election Observation Mission and presents the EU EOM's findings on the 24 March 2008 National Assembly elections in Bhutan. These views have not been adopted or in any way approved by the European Commission and should not be relied upon as a statement of the Commission. The European Commission does not guarantee the accuracy of the data included in this report, nor does it accept responsibility for any use made thereof.*

## **TABLE OF CONTENTS**

<b>I. EXECUTIVE SUMMARY.....</b>	<b>3</b>
<b>II. INTRODUCTION .....</b>	<b>6</b>
<b>III. POLITICAL BACKGROUND .....</b>	<b>6</b>
A: Political Context .....	6
B: Key Political Actors.....	7
<b>IV. IV. LEGAL ISSUES.....</b>	<b>7</b>
A: Legal Framework.....	7
B: Campaign Finance .....	8
C: Complaints and Appeals Procedures .....	9
D: The Electoral System.....	10
E: Delimitation of Electoral Boundaries .....	11
<b>V. ELECTION ADMINISTRATION .....</b>	<b>11</b>
A: Structure and Composition of the Election Administration .....	11
B: The Administration of the Elections.....	12
<b>VI. VOTER REGISTRATION .....</b>	<b>13</b>
A: The Right to Vote .....	13
B: Voter Registration Procedures.....	14
C: Postal Ballot Application.....	15
<b>VII. REGISTRATION OF CANDIDATES AND POLITICAL PARTIES.....</b>	<b>16</b>
A: Candidate Registration Procedures.....	16
B: Political Party Registration .....	17
<b>VIII. ELECTION CAMPAIGN AND PRE-ELECTION ENVIRONMENT.....</b>	<b>17</b>
A: Overview of the Election Campaign.....	17
B: Complaints during the Campaign Period.....	20
C: Voter Education .....	20
<b>IX. MEDIA AND THE ELECTIONS.....</b>	<b>21</b>
A: Media Environment .....	21
B: Legal Framework for the Media and Elections .....	22
C: Monitoring of Media Coverage of the Elections .....	22
<b>X. PARTICIPATION OF WOMEN IN THE ELECTORAL PROCESS.....</b>	<b>23</b>
<b>XI. PARTICIPATION OF MINORITIES IN THE ELECTORAL PROCESS .....</b>	<b>24</b>
<b>XII. PARTICIPATION OF CIVIL SOCIETY .....</b>	<b>24</b>
<b>XIII. ELECTION DAY .....</b>	<b>25</b>
A: Overview of Voting .....	25
B: Counting .....	27

<b>XIV. RESULTS .....</b>	<b>28</b>
A: Tabulation and Announcement of Results.....	28
B: Publication of Results .....	29
C: Complaints relating to Election Results .....	29
D: Political Overview of the Election Results.....	29
<b>XV. RECOMMENDATIONS.....</b>	<b>31</b>
<b>XVI. ANNEXES .....</b>	<b>35</b>
Annex A. Registered Voters by Constituency .....	35
Annex B. Final Results .....	37

## I. EXECUTIVE SUMMARY

- The first National Assembly elections in Bhutan took place on 24 March 2008. Following an invitation from the Royal Government of Bhutan, the European Union (EU) established an Election Observation Mission (EOM) to observe these elections. Its mandate was to conduct a comprehensive assessment of the electoral process in accordance with international standards for democratic elections.
- The Chief Observer of the EU EOM was Javier Pomes, Member of the European Parliament. The EU EOM consisted of 6 core team members and 9 long-term observers selected from 13 EU Member States. The EU EOM undertook observation in all 20 Districts during a period of 8 weeks.
- 24 March marks a successful and orderly change of political system in Bhutan from an absolute monarchy to a constitutional monarchy. The enthusiastic voter participation with 79.4% turnout and commitment of state institutions to support the democratic process provides a solid foundation for a credible democracy.
- The election process generally met international standards for democratic elections, but fell short in certain areas including the right to stand as a candidate, freedom of expression during the campaign and limitations on freedom of association. The two parties offered voters a genuine choice, although it was somewhat limited by the similarity of the party platforms. The voting and counting were observed to be well-conducted; the use of electronic voting machines (EVMs) appeared to facilitate the voting process.
- While the majority-plurality electoral system selected by Bhutan is simple to administer and easy for the voters to understand, in the context of Bhutan's first elections it produced an uneven distribution of seats, with the opposition gaining only two seats out of 47 in parliament.
- The legal framework provides a solid basis to conduct elections and generally meets international standards. Fundamental freedoms are recognized by the new Constitution and the Election Bill provides for a level playing field among candidates in terms of campaign activities, campaign finance and media time.
- Certain candidate qualifications, such as the requirement for candidates to hold a bachelor degree and the exclusion of candidates married to non-citizens, restrict the right to stand as a candidate.
- The Electoral Commission of Bhutan (ECB) appointed an internal Election Dispute Settlement Body (EDSB) that was responsible for adjudicating complaints during the pre-election period. However, the EDSB was somewhat overwhelmed by the large number of complaints filed by the political parties, and released little public information about its proceedings.
- The election administration carried out its activities overall with impartiality, transparency and professionalism, implementing procedures according to schedule despite logistical challenges. However, at times the ECB was overly strict in its application of the regulations.

- Stakeholders expressed a high degree of confidence in the accuracy and completeness of the electoral rolls, and the EU EOM did not hear any complaints about their inclusiveness. At the same time, a significant number of voters reside in a different location from their civil registration and therefore had to travel long distances to vote.
- The People's Democratic Party (PDP) and Druk Phuensum Tshogpa (Party of Blissful Harmony, DPT) were registered in September and October 2007, respectively. A third party, the Bhutan People United Party, was denied registration by the ECB in November 2007 on the grounds that it had insufficient membership and lacked credible leadership. Certain criteria for party registration are subjective and should be reviewed.
- The de-registration of PDP candidate Garab Dorji for distributing a document considered to be "*carrying out activities aimed at creation of ill-will and incitement of regionalism for political gain*" was an unduly severe penalty.
- The campaign activity of both parties was active, but low-key. The manifestoes of both political parties were very much alike and so the expression of preference depended primarily on the leading personalities of the parties and candidates rather than the party ideology or programme.
- Public debates between all candidates were conducted at constituency level, organized and moderated by ECB and journalists from the Bhutan Broadcasting Service (BBS), and subsequently broadcast by BBS TV and BBS Radio stations. The candidates had the opportunity to ask their opponents a set of questions, while the audience was not allowed to actively participate.
- Strict rules have been imposed by the ECB on the campaign. Campaign materials could only be printed in Dzongkha and English, although campaign meetings could be held in other local languages, and the parties complained that the process to get campaign materials approved was particularly difficult. All candidates had to limit their speeches to the party's manifesto. Only candidates were allowed to address campaign meetings, while party workers were not allowed to campaign at meetings on behalf of their candidates.
- An ECB notification to candidates asked them to refrain during the campaign period from any reference, in printed and audio-visual materials, to their past achievements as senior civil servants. With regard to the organization of meetings with potential voters, parties were strictly obliged to follow schedules previously submitted to the returning officers, and the schedules could be changed only after the approval of the election authorities.
- Candidates were also prevented by the ECB from discussing citizenship and security clearance issues, while many voters, particularly in the Southern areas, wanted to discuss them. Both parties originally mentioned these issues in their manifestos, but were directed by the ECB to delete them. Such restrictions on the content of the campaign impeded active political dialogue and limited freedom of expression.
- The presence of the media in Bhutan continues to be limited, despite some improvements that occurred after the adoption of the Bhutan Information, Communication and Media Act (5 July 2006). TV and radio broadcasting are dominated by the state-owned Bhutan Broadcasting Service (BBS). The media market is extremely limited and, as a consequence, the operating budgets for media are poor,

thus hindering the private media from fully developing into independent sources of information. Furthermore, many journalists, particularly in the private media, lack professional and appropriate training.

- During the election campaign period, the media had to comply with the Election Commission instructions and guidelines (Media Coverage of Elections Rules and Regulations of the Kingdom of Bhutan). The media rules and regulations are generally in line with international best practices. However, the narrow interpretation of these rules by the ECB, and particularly the restrictions imposed on campaign activities, limited a more lively and appealing coverage by the media.
- Apart from the two private newspapers, Bhutan Times and Bhutan Observer, election information was the almost exclusive prerogative of the state-owned media. Both BBS TV and Radio, in their special programs for elections (debates and interviews), gave equal access to all the candidates in a very strict and regulated manner. A similar pattern was observed in the news bulletins and other information programs. The trend observed for the print media was similar to the one recorded for BBS, but with some critical notes in the tone of coverage of both parties in the two private newspapers.
- Four women were elected to the National Assembly, all from the DPT. Given the low representation of women in the parliament, greater efforts should be made to increase women's political participation in the country.
- The election of nine ethnic Nepali (Lhotshampa) candidates was a positive sign for an inclusive National Assembly that can address issues of concern for the country's minority citizens.
- Civil society organizations have a fundamental role to play in elections as representatives of citizen interests, and their absence in the election process deprived the Bhutanese voters of a key source of independent information. In particular, civil society groups should be able to observe the election process.
- Voting and counting were well conducted in the polling stations observed. The EU EOM observed opening, voting and counting procedures, including upon closure of polls in Polling Stations. EU EOM also observed counting of postal ballots and tabulation of results.
- The use of electronic voting machines (EVMs) has simplified the overall process and procedures, and thus eliminated a large potential area of human error. The established counting procedures were followed and undertaken in the presence of cross-party representation.
- Election results were tabulated very quickly and officially announced in the morning after elections. However, the transmission of results by telephone led to a counting error and the wrong candidate was declared the winner in Phuentsholing Constituency. After the error was discovered, the ECB issued modified results with one less seat for the PDP.
- On 28 March 2008, the two elected PDP candidates announced in a press conference that they would resign their seats and urged an investigation into why PDP obtained so few seats. However, the ECB Chairman did not accept their resignation and later the PDP candidates agreed to participate as constructive opposition in the parliament. PDP petitions against the results were dismissed by the High Court for lack of evidence.

## II. INTRODUCTION

Following an invitation from the Ministry of Foreign Affairs, the European Union (EU) established an Election Observation Mission (EOM) in Bhutan for the 24 March 2008 National Assembly Elections. The EU EOM was opened on 22 February 2008 and remained in Bhutan for the duration of the election process, until 5 April 2008. Its mandate was to conduct a comprehensive assessment of the electoral process in accordance with international standards and best practices for elections. The Chief Observer was Mr. Javier Pomes, Member of the European Parliament.

The EU EOM deployed fifteen observers from thirteen EU Member States. The observers were deployed throughout Bhutan to observe and assess the electoral process in accordance with international standards for elections. On election day, observers visited 60 of 865 polling stations in 12 out of 20 districts to observe voting, counting and tabulation. The Mission also observed post-election developments, including the resolution of election disputes and petitions. On 25 March 2008 the Mission presented in Thimphu the Preliminary Statement with the EOM's preliminary conclusions.<sup>1</sup>

The EU EOM wishes to express its appreciation for the cooperation and assistance it received during the course of its observation work from the Royal Government of Bhutan and the Electoral Commission of Bhutan. The EU EOM is also grateful to the Delegation of the European Commission in Delhi and to the United Nations Development Programme Office in Thimphu for their support throughout.

## III. POLITICAL BACKGROUND

### *A: Political Context*

The National Assembly elections were the first multi-party general elections in Bhutan, which has been an absolute monarchy since 1907 and has until recently allowed only limited individual rights and freedoms. The elections are part of a gradual top-down peaceful move to democracy led by the monarchy. While most of the population remains sceptical about these changes, they view elections as a “gift from the King,” and therefore were prepared to participate. The stated goal is to produce a stable, harmonious and long-lasting democracy, rather than simply to hold multi-party elections. This carefully thought-out process has culminated in the drafting of a Constitution, which allows political parties for the first time, recognizes individual rights, and provides checks and balances among the different branches of the government. Elections for the National Council (upper house) were held on 31 December 2007 and 29 January 2008, but were the focus of less interest among the population.<sup>2</sup>

Two political parties, the People's Democratic Party (PDP) and the Druk Phuensum Tshogpa (Party of Blissful Harmony, DPT) were registered by the ECB in September and October 2007, respectively. A third political party, the Bhutan People United Party, was denied registration on the grounds that it lacked credible leadership and cross-national membership. Political party rules are somewhat restrictive in that they do not allow regional parties, or

---

<sup>1</sup> [www.eueom-bhutan.org](http://www.eueom-bhutan.org)

<sup>2</sup> Turnout was reported as 55% in the 15 constituencies that held elections on 31 December and 42% in the five constituencies that held elections on 29 January.

parties that represent a certain segment of the population, and some criteria for party registration are subjective. At the same time, the two parties that were registered presented platforms that were so similar (both based on the Tenth Five-Year Plan) that they did not offer the voters a real choice between two clear ideological alternatives.

Events of the early 1990's, commonly referred to as the "Southern Problem," continue to cast a shadow over political dialogue in the country. At that time, members of the Lhotshampa minority (ethnic Nepali Bhutanese dominant in southern Bhutan), carried out a series of mass demonstrations to protest citizenship policies, and approximately 100,000 ethnic Nepalis left the country.

Since the announcement of the date of the elections on 17 January 2008, Bhutan has suffered from 11 bomb blasts until the election day, some resulted in injuries and in the death of one man (the dead was a home made bomb maker). An armed group, the United Revolutionary Front of Bhutan, announced its intention to disrupt the election process and has claimed responsibility for most of the blasts. As election day approached, the government took reinforced security measures. These incidents did not appear to have an impact on turnout or election day activities.

#### *B: Key Political Actors*

The only two existing parties are still in the early stages of their development, and as yet few policy differences between them have emerged. The People's Democratic Party (PDP) led by former Agricultural Minister and Prime Minister Sangay Ngedup and the Druk Phuensum Tshogpa (Party of Blissful Harmony, DPT) led by former Foreign Minister and Prime Minister Jigmi Thinley. Both parties have committed to follow the Tenth Five Year Plan already agreed by the current government.

### **IV. LEGAL ISSUES**

#### *A: Legal Framework*

The main documents regulating the National Assembly Elections of Bhutan are the draft Constitution and the draft Election Bill. Other important legislation includes the draft Public Election Fund Bill, the Media Act (2006) and the Penal Code (2004). In addition, there are a series of draft rules, regulations and guidelines issued by the Election Commission of Bhutan (ECB) that give more detailed provisions about procedures for different aspects of the elections such as constituency delimitation, voter registration, political party registration, election symbols, media coverage, election advertising, electronic voting, postal ballots, election security and guidelines for international and national observers. The ECB has also issued a number of notifications since the announcement of elections, giving instructions or updates to electoral participants. The Constitution and the Election Bill remain drafts because it was decided that the newly elected National Assembly should pass this legislation. These documents have been put into force for these elections through a Royal Decree.

The legal framework provides a solid basis to conduct elections and generally meets international standards. Fundamental freedoms are recognized by the new Constitution and the Election Bill provides for a level playing field among candidates in terms of campaign activities, campaign finance and media time. Clear provisions strictly prohibit involvement in elections by civil servants and office holders, and electoral offences are elaborated in detail.



Notably the election bill includes a Code of Conduct for Political Parties and Candidates and for Electoral Officials, with enforcement provisions indicated.

At the same time, some provisions do not meet international standards for democratic elections. Certain candidate qualifications, such as the requirement for candidates to hold a bachelor degree and the exclusion of candidates married to non-citizens, restrict the right to stand as a candidate.<sup>3</sup>

In accordance with EU election observation methodology, the EU EOM to Bhutan assessed the conduct of the National Assembly elections with regard to international standards for elections. The primary source was the Universal Declaration of Human Rights (UDHR)<sup>4</sup>, which provides for the fundamental rights essential to a genuine democratic process and is broadly accepted to form part of customary international law. The EU EOM also considered the convention of Elimination of all Forms of Discrimination against Woman (CEDAW)<sup>5</sup> and the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD),<sup>6</sup> to which the Kingdom of Bhutan is a State Party.

Exclusion of members of religious communities from voting unduly limits the right to vote. The Civil Society Organizations Act prevents civil society groups from conducting election-related activities, which is a limitation on the freedom of association. The legal framework also provides that only the ECB can hear election complaints and appeals prior to election day, while international best practices suggests that legal redress with a court also should be possible.

The draft election bill gives broad legal grounds for the dissolution of a political party by the Supreme Court, including collecting funds from private individuals who are not members of the party or receiving assistance from abroad (see Election Bill, s.145). Dissolution of a political party for these violations would appear to be a disproportionate penalty. Furthermore, in case of a dissolution of a political party, the loss of mandates of that party's members of parliament in contrary to international best practice, which recognises that mandates belong to the duly elected members, rather than to a party, and cannot be cancelled without due cause.

### *B: Campaign Finance*

The Public Election Fund Bill regulates campaign finance and spending. For the election campaign, each candidate was allocated 100,000 Nu (€1,700) from the Public Fund for campaign expenses and 20,000 Nu (€330) for production of banners. In addition, the ECB also sponsored posters and postcards for the candidates. Candidates were not permitted any other source of financing, and not permitted to spend more than what had been allocated. Although the law allows for parties to also give each candidate 100,000 Nu for the campaign, the parties have both borrowed money to cover their operational expenses and are not permitted to give any of this money to candidates. Both political parties and many candidates

---

<sup>3</sup> See below Chapter VII., "Candidate Registration Procedures"

<sup>4</sup> Bhutan joined the United Nations in 1971 and is party to the UDHR but has not signed the International Covenant on Civil and Political Rights (1966). In the interpretation of the rights provided for in the UDHR the EU EOM relied on among others the UN Human Rights Committee's General Comment 25.

<sup>5</sup> Bhutan is a State Party of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (1979).

<sup>6</sup> Bhutan signed but has not yet ratified the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) (1966).

complained that the limits on spending were too low, particularly in more populated constituencies.

The Public Election Fund Division of the ECB is responsible for monitoring political party expenditures on an ongoing basis, disbursing campaign funds to the candidates and monitoring all campaign expenses related to National Assembly elections. Candidates are required to file weekly reports on campaign spending during the campaign period, and must file a comprehensive report on their campaign spending by 30 days after election day. The ECB carries out audits jointly with the Royal Audit Authority. Non-compliance with these requirements may result in the cancellation of a candidate's mandate and disqualification from future elections.

On 15 March 2008, the ECB issued its first Audit Report of the Accounts of the Political Parties, which was published in the state-owned newspaper Kuensel. The ECB and the Royal Audit Authority jointly reviewed the political party accounts since their registration until 31 December 2007 to determine whether income is from permitted sources, expenditures are in line with regulations and to stop any unauthorized funding of the parties. The report cited both parties as being in violation of the regulations in the Public Election Fund Bill, and required them to provide Voter Photo Identity Card numbers of members who could not be found by the ECB in the electoral roll by 31 March 2008, or forfeit the contributions and membership fees paid by these individuals. The report found that both parties' expenditures exceeded their collections, and questioned the financial sustainability of the parties based on their low membership fees. While this report was not explicitly linked to the National Assembly elections, it forced parties to shift attention to this issue during the final days of the campaign, and it also raised questions about the future development of both political parties.

### *C: Complaints and Appeals Procedures*

The ECB appointed an internal Election Dispute Settlement Body (EDSB) that was responsible for adjudicating complaints during the pre-election period. The Election Dispute Settlement Rules and Regulations set the procedures for complaints resolution by the EDSB. The EDSB is composed of ECB staff members, including an Election Commissioner, the Director, the head of the department concerned in a complaint and a lawyer. The EDSB was assisted by an in-house investigation commission and, on request, by the Anti-Corruption Commission. The EDSB was responsible for considering all complaints lodged with the ECB, and can also initiate investigations

The EDSB announced that it received 111 election-related complaints and resolved 97, including some complaints left over from the familiarization period and the National Council elections. Although the EDSB published a few notifications in the print media about high profile decisions, in general it did not release any information about the resolution of complaints during the pre-election period until three days prior to elections when it released a summary of 55 cases. The transparency of the process was however enhanced by the presence of party representatives during the complaints proceedings, although the hearings were discontinued three weeks prior to election day due to a lack of time.

The under-staffed EDSB was somewhat overwhelmed by the large number of complaints filed by the political parties, especially as all of its members were full-time ECB staff with other responsibilities. The EDSB continued to consider the 14 unresolved cases following election day. In the future, the EDSB should endeavour to resolve all pre-election complaints prior to election day.

According to EU observers, Returning Officers who received complaints handled them in a variety of ways, depending on their level of experience. While some Returning Officers took initiative to mediate disputes or settle complaints at the local level, other Returning Officers forwarded all complaints, regardless of merit, to the ECB for consideration. This put additional strain on the EDSB, as it investigated all received complaints, even relatively minor issues that could have been resolved or dismissed for lack of evidence at the local level. The ECB encouraged local election officials to try to resolve complaints at their level, but many were reluctant to do so. It seemed that local officials lacked guidance on how to deal with various forms of complaints, limiting the effectiveness of complaints during the entire election period.

While international best practices would allow for appeals to be made to the court prior to election day, appeals to courts (known as “election petitions”) are only permitted during the 10-day petition period following the announcement of results. Election petitions must be of a serious nature and concern the qualification or disqualification of a candidate, an electoral offence or the election results. The Election Bill requires that proceedings on election petitions be held expeditiously, and that every endeavour be made to conclude within one month of the petition being filed. The Court can void an election, rule that another candidate was elected, call for a re-run or hold a person liable for election offences.

#### *D: The Electoral System*

The Constitution provides for a two-chamber parliament of the National Council (upper house) and National Assembly (lower house). The National Council Elections were held on 31 December 2007 and 29 January 2008<sup>7</sup> when 20 of the 25 total members were elected (5 members are appointed by the King), one from each district (dzongkhag).

The 47-member National Assembly is elected on a first-past-the-post (FPTP) basis, from single-member constituencies. According to the Constitution, elections to the National Assembly should be held in two rounds. All registered parties have the right to compete in the primary round, and the two parties that receive the highest number of votes go on to register candidates to run in the second round. Because there were only two parties registered, no primary round was needed for these elections. No independent candidacies are permitted. The system was designed to produce a stable two-party parliament, while still allowing the opportunity for new political parties to develop.

The decision to select a FPTP a majority-plurality system was made as part of the national consultation process on the elections. While this system is simple to administer and easy for the voters to understand, in the context of Bhutan’s first elections it produced an uneven distribution of seats that did not correspond to the proportionality of votes. While the PDP received 33% of votes, it only won two seats. At the same time the DPT won 45 seats with 67% of the votes. Because the parties were previously untested, no one knew how their votes would be distributed across the country. In the event, the distribution of preferences was relatively uniform, with little regional deviation, which accounts for the overwhelming victory of the DPT.

While the FPTP system selected in Bhutan is internationally recognized as an acceptable system, the authorities may wish to consider other alternatives for future elections that would

---

<sup>7</sup> National Council Elections in five dzongkhags were postponed until 29 January 2008 as they initially only had one candidate and more time was allowed for others to be nominated.

give a more proportional result. Mixed electoral systems combine aspects of the majority-plurality system with aspects of a proportional representation system to bring the benefits of both types of systems. One way to correct for the possible disproportionality of the majority-plurality system would be to introduce a certain number of “compensatory seats” in addition to the current 47 seats that would be allocated at the end of the process to bring the result closer in line with the nationwide proportional vote. Since the constitution allows for up to 55 seats in the National Assembly, and currently there are 47 seats, up to eight additional seats could be added as “compensatory seats.”

#### *E: Delimitation of Electoral Boundaries*

The Constitution requires that each district be divided into single-member constituencies through a delimitation process according to population, with each dzongkhag having no fewer than two members and no more than seven. In practice, sparsely populated districts were over-represented as a result of this provision. The extreme example is the dzongkhag of Gasa, which has two constituencies with 789 and 768 voters, while Sarpang dzongkhag has two constituencies with 9,201 and 11,803 voters. According to the Delimitation Rules and Regulations, the guiding principle for delimitation is that boundaries are drawn so that constituencies within a dzongkhag are, as far as possible, equal in the number of registered voters, resulting in equivalent weight of the votes cast by each voter within a dzongkhag. The rules are intended to ensure equality of the vote within each dzongkhag, but not throughout the country. Other factors are also considered in the delimitation exercise, including administrative boundaries, accessibility and geography.<sup>8</sup>

Although this system of boundary delimitation does not ensure equal weight of votes across the country, no election stakeholders with whom the EU observers spoke thought that this was a problem. Rather, some interlocutors pointed out that since the Constitution allows for 55 parliamentary seats and currently there are only 47, it was likely that the more populated dzongkhags would have more seats allocated in the future as their population grows.

### **V. ELECTION ADMINISTRATION**

#### *A: Structure and Composition of the Election Administration*

The Election Commission of Bhutan (ECB) is an independent body responsible for the overall conduct of elections. It is composed of a Chief Election Commissioner and two Election Commissioners. All ECB Commissioners and Secretariat employees are civil servants appointed to a five-year term, and the selection process for Commissioners – appointment by the King from a list of names recommended by the Prime Minister, Chief Justice, Speaker, Chairperson of the National Council and the Leader of the Opposition Party – promotes an inclusive selection process.

The ECB was established in January 2006 and beginning at that time drafted the legal framework for elections. According to Chief Election Commissioner Dasho Kunzang Wangdi, the ECB conducted this process independently without international advisors and relied largely on the Internet for accessing comparative information and best practices on various aspects of the election process.

---

<sup>8</sup> See Delimitation of Electoral Constituencies Rules and Regulation of the Kingdom of Bhutan, s. 4.

The Election Bill assigns a broad range of responsibilities to the ECB, including: issuing of election rules, delimitation of electoral boundaries, direction of the electoral roll preparation, registration of political parties, voter education, oversight of party and campaign finance and adjudication of election-related complaints.

The Commissioners are supported in their work by the Secretariat, led by the Director. The Secretariat is made up of several departments dealing with different issues such as Electoral Registration, Policy and Planning, Training, Public Election Fund, Media and Administration and Finance. However, while there were several lawyers working for the ECB, there is no Legal Department, which could have strengthened the capacity of the Secretariat. At times it appeared that the Secretariat was short of staff, as some department heads were responsible for more than one department. Staff members were professional and efficient, particularly as this was the first multi-party election they had administered. Some Secretariat members had visited the Election Commission of India, but otherwise have received no international training and have had no other opportunities to study the election experiences of other countries first-hand.

In each of the 20 districts (dzongkhags), the governor (dzongdag) is designated as the Chief Election Coordinator during the election period, to facilitate the work of the ECB. In addition, the ECB has permanent representatives in the 20 districts called Dzongkhag Electoral Officers (DzEOs). The DzEO is responsible for the update of the voter lists, assisted by a Registration Officer and a Delimitation Assistant. The DzEO is also responsible for the provision of polling stations and the printing of postal ballot papers. The ECB designates civil servants as Returning Officers (RO) in each constituency for the election period. The Returning Officer decides on candidate nominations, receives complaints, issues postal ballots and has overall responsibility for the counting process.

The RO appoints a Presiding Officer and three Polling Officers for each of the 865 polling stations, most of whom are teachers or local civil servants. In most cases, the Presiding Officer is also designated as the Counting Supervisor, responsible for overseeing the count in the polling station and reporting results to the RO. 5,184 polling officials were on duty for these elections.

“National Observers” are civil servants assigned to the ECB for the election period to report independently on the conduct of election officials, political parties and voters at the local level. The ECB appointed 52 National Observers for the election (at least one in each constituency), who reported their findings to the ECB on an ongoing basis. The implementation of their role varied depending on the constituency. While in some cases the National Observer was supervising the election officials, including the Returning Officer, in other cases the National Observer was only following the candidates in the campaign, and did not get involved with the election administration. In most cases, LTOs assessed that the National Observers were making a positive contribution to the process as an “extension of the ECB in the field”, particularly in remote areas. At the same time, EU observers assessed that their role would be more accurately described as “Election Supervisors” rather than “observers”.

#### *B: The Administration of the Elections*

The EU EOM assessed that the ECB carried out its activities overall with impartiality, transparency and professionalism. Because these elections marked the first time political parties were competing, questions of impartiality or partisanship in the process were largely

irrelevant. In future elections, however, it will be important for the election administration to maintain its clear independence from the government and the ruling party.

Overall, the ECB carried out its activities in a transparent manner, publishing its notifications in the newspapers and allowing party representatives to observe various aspects of the election process. The ECB has a detailed website ([www.election-bhutan.org.bt](http://www.election-bhutan.org.bt)), but stopped posting notifications and other information during the election campaign, as the capacity of the website appeared to have been exceeded. The ECB did not hold regular formal working sessions, so there was no opportunity for observers or media representatives to follow the proceedings.

The ECB and its Chairman acted in a professional manner and had the confidence of political parties and candidates. However, both parties also commented that at times the ECB was overly strict in its application of the regulations, and it lacked flexibility in its decision-making (various examples are given in this report - the deregistration of a candidate and campaign rules among them). The ECB informed the EU EOM that since this was the first multi-party election in Bhutan, it did not want to take any risks and that accounted for its strict approach.

Similarly, all political parties and candidates with whom the EU EOM met expressed confidence in the lower levels of election administration. Returning Officers were senior civil servants assigned to dzongkhags that were not their place of residence or origin, in order to ensure impartiality. The Returning Officers carried out their tasks professionally and coordinated with party representatives to ensure transparency in their activities. EU observers around the country found that election tasks were completed according to schedule and in line with the regulations.

Although this was the first National Assembly election ever conducted in Bhutan, the election administration was well-prepared for the task. The ECB held two-round mock elections in April and May 2007 and administered National Council elections on 31 December 2007 and 29 January 2008. Most polling officials had participated in the previous elections. However, they still were provided with a one-day refresher training just prior to being deployed to the polling stations, organized at the constituency level. Polling officials were also assigned to locations other than their place of residence or origin, in order to ensure impartiality.

While in general the election administration seemed adequately resourced, some Returning Officers commented that they did not have internet connections in their constituencies and therefore had to travel long distances to receive email messages, or to check VPIC numbers on the ECB website. The RO in Kengkhar-Werringla Constituency (Mongar dzongkhag) was particularly isolated, as his office was three days' walk from the nearest road.

## VI. VOTER REGISTRATION

### *A: The Right to Vote*

Bhutanese citizens over 18 years of age (by 1 January 2008, for this election) have the right to vote in the constituency of their civil registration,<sup>9</sup> with several exceptions, including those

---

<sup>9</sup> By law citizens have to be civilly registered for at least 1 year in their constituency to be registered to vote. For these elections the ECB relaxed this provision and required that citizens be civilly registered in their constituency before 1 August 2007. (See ECB/NOTIF-1/2006-2007/128)

declared of unsound mind by the Court and members of the Royal Family. In addition, the Election Bill excludes members of monastic communities from voting, based on the constitutional principle that religious figures should remain above politics. The EU EOM considers this provision to be an unreasonable restriction on the right to vote: according to the UDHR<sup>10</sup> everyone is entitled to all the rights and freedoms set forth in the Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Any restrictions must be established by law and be objective and reasonable; the religious affiliation is generally not accepted as a reasonable restriction.<sup>11</sup>

On 5 March 2008, the ECB announced that the final number of registered voters for the National Assembly elections was 318,465 (see Annex A), an increase of 5,648 over the National Council elections (312,817 total registered voters).<sup>12</sup> The ECB informed the EU EOM that this number included over 1,000 transfer cases (people changing their place of registration) since the previous elections.

### *B: Voter Registration Procedures*

Beginning in March 2007, all registered voters were issued with a voter photo identity card (VPIC), which is necessary to vote. VPICs were automatically created from an ECB database extracted from the new civil registration database maintained by the Ministry of Home and Cultural Affairs (MOHCA). The electoral rolls include an exact duplicate of the VPIC, including the photo of the voter, which served as an added safeguard in the voting process. Both political parties expressed a high degree of confidence in the accuracy of the electoral rolls, and the EU EOM did not hear any complaints about their inclusiveness.

Electoral rolls prepared for the National Council elections were used as the draft for the National Assembly elections and were subject to a claims period that ended on 20 February 2008. Voters were also able to check their voter registration status on the ECB website. A complete set of voter lists (divided by polling station) was distributed free of charge to each political party, which they distributed to their party representatives.

In Thimphu and Paro dzongkhags, polling stations with more than 400 assigned voters used an electronic version of the voters list, instead of the traditional printed version. In these polling stations, a trained polling officer used the special E-Roll Search System (ERSS) software to locate voters by their VPIC or citizen ID number. The software also produced a post-election report with statistics on the gender and age of voters in that polling station. This computerized system allowed election officials to process voters more quickly in the polling stations observed by the EU EOM. At the same time, such an elaborate system would be difficult to implement in many locations that are remote or lack a continuous electricity supply.

A significant number of voters reside in a different location from their civil registration, are not eligible for postal ballot, and therefore had to travel long distances to vote, as much as three days by car. Indeed, EU observers confirmed that in early March many cross-country bus routes were already fully booked. At the request of the ECB, the Road Safety Transport

---

<sup>10</sup> See Article 2 of the UDHR.

<sup>11</sup> See e.g. UN HRC General Comment 25 points 3 and 4.

<sup>12</sup> The figure of citizens in the civil registry maintained by the Ministry of Home Affairs is 577,782 persons, as of 20 February 2008 (the date for publication of the electoral rolls).

Authority (RSTA) added nine buses to the regular routes and licensed 119 trucks for passenger transport to help alleviate the situation. Strikes in India prior to the elections further complicated travel for voters as many transport routes run through India. Turnout figures for dzongkhags in the eastern part of the country, while still high, were lower than the overall turnout, indicating that some voters may have been deterred by the inconvenience and expense of travelling to vote. In future elections voters might be less determined to vote and solutions for facilitating voter participation should be identified.

The Election Bill provides that employers should grant leave of absence for “a reasonable period” to any employees who notify them in advance of their intention to vote in the election. However, the Bill also provides that this provision should not apply to any voter “whose absence may cause danger in respect of the employment in which he is engaged.” While the intention of these provisions is clear, it was difficult in practice for employers to know whether they are required to give leave to employees. This was particularly an issue for employers in Thimphu, where most residents are registered in their home districts.

The EU EOM was informed by the MOHCA that many citizens have sentimental attachment to their place of origin and therefore are reluctant to change their civil registration, despite residing elsewhere. The EU EOM was also informed by several interlocutors that changing civil registration is a bureaucratic and somewhat cumbersome process. For instance, citizens must own land or property, or get the permission of the property owner, in order to register in a location. In the future, the ECB might consider the possibility of allowing voters to register to vote where they reside, rather than only in the location of their civil registration, in order to facilitate voter participation.

### *C: Postal Ballot Application*

Certain groups (civil servants, diplomats, military personnel, election officials and students) were eligible to vote by postal ballot. The eligible postal voters list included 36,313 voters. The ECB extended the deadline for postal ballot registration from 7 February to 25 February 2008 and for receipt of postal ballots from 18 February to 1 March 2008 due to increased voter interest, particularly among students and teachers who had just returned for the new school term.

In response to repeated requests by tour and hotel operators, the ECB decided on 28 February 2008 to extend the postal voting facility to employees in the tourist industry. However, this allowed only two days for the submission of postal ballot applications by this group of voters, and not all eligible voters were able to take advantage of this opportunity. For instance, the RSTA informed the EU EOM that bus drivers were not able to take advantage of the postal ballot entitlement.

While civil servants were entitled to a postal ballot, their spouses and families were not. Some civil servants complained about this provision to EU observers and expressed their hope that in the future their families might also be included.

According to LTO reports, a large number of postal voting applications were rejected by Returning Officers, over one-third in some constituencies. While the primary reason for invalid applications was that voters were not eligible for postal ballots, a significant number of applications (up to half of those rejected) were rejected because of voter errors including missing VPIC number, missing mailing address, lack of competent witness or late submission of application. Invalid postal ballot applications had been a problem in the National Council



elections, and the ECB had conducted a targeted voter education campaign on this issue. While the number of rejected applications appeared to be lower than during the National Council elections, the significant number of rejected applications demonstrates that it remains a problem to be addressed.

## VII. REGISTRATION OF CANDIDATES AND POLITICAL PARTIES

### *A: Candidate Registration Procedures*

In order to stand for the National Assembly, candidates must be citizens of Bhutan between the ages of 25 and 65, members of the political party for which they are running and registered to vote in the constituency where they are contesting elections. However, certain qualifications for candidacy are restrictive. Candidates are required to have an undergraduate degree, although this excludes the vast majority of the voting population as it is estimated that only 15,000 Bhutanese have university degrees. This provision is considered by the EU EOM to be an unreasonable restriction on the right to be elected; according to the UDHR<sup>13</sup> persons who are eligible to stand for election should not be excluded by unreasonable or discriminatory requirements such as education.

The academic qualification for candidacy was much discussed prior to its inclusion in the Election Bill. Government officials and party leaders with whom the EU EOM spoke supported its inclusion, arguing that for the first democratic election, they needed to ensure that “qualified people” reached the National Assembly. At the same time, at the district level some party officials admitted that it had been difficult for them to identify qualified candidates in some districts. There were two cases reported to EU EOM observers of potential candidates who allegedly held undergraduate degrees but were unable to provide the documentation, so the parties did not submit their nominations. There was also a case of a potential National Council candidate who had obtained his degree in a distance learning course, which was ruled on 10 January 2008 (prior to the National Assembly election period) by the High Court on appeal to be inadmissible.

The Election Bill also contains a number of disqualifications, including criminal conviction, corrupt election practice, tax arrears, illegal campaign finance and marriage to non-citizens. While criminal conviction may be a reasonable basis on which to limit one’s right to stand for office, it should not be a permanent ban. Other grounds for disqualification may be disproportionate and should be reviewed, particularly as they are permanent bans.<sup>14</sup> Disqualification for marriage to a non-citizen is an unreasonable restriction on the right to stand for office.

Civil servants are required to resign to run for office, and they are not permitted to rejoin the civil service as they are perceived as “partisan” following an election bid. Several interlocutors informed the EU EOM that this was viewed by some potential candidates as a disincentive for running for office. EU EOM sees unnecessary and contrary to international best practices to require the permanent resignation of civil servants.

Candidate nominations were filed from 31 January to 7 February 2008 and no applications were rejected. Both political parties nominated 47 candidates, equal to the number of seats in

---

<sup>13</sup> See Article 2 of the UDHR and UN HRC General Comment 25 point 15.

<sup>14</sup> See UN HRC General Comment 25 point 15.

the National Assembly, as required by the Election Bill. Scrutiny of candidates was carried out at the constituency level by the Returning Officers.

The People's Democratic Party (PDP) successfully registered Tshering Dolkar as a replacement candidate for the Gelephu Constituency (Sarpang District) on 11 March 2008, following the ECB's deregistration of its original candidate, Garab Dorji (see below Chapter VIII, "Complaints the during Campaign Period"). No provisions regulate the process of nominating a replacement candidate, and the ECB requirement stipulated in a letter to the PDP that the replacement candidate "*not be a relative of the original candidate*" raised questions about its legal basis. The ECB clarified that this stipulation was suggested by the DPT in exchange for allowing the PDP to register one new party member, despite the ECB suspension of party membership drives during the campaign. The PDP claimed that it could not identify any party members in the district who met the candidacy requirements.

#### *B: Political Party Registration*

Political party registration is regulated by the draft Political Parties Rules. The leader of a political party must submit an application for registration to the ECB within one month of the party's formation. Political parties must demonstrate that they meet the constitutional criteria for political party registration, including: broad-based and cross-national membership, commitment to national cohesion and stability, no illegal or foreign donations, and that membership is not based on region, gender, language, religion or other status. Political party rules are restrictive in that they do not allow regional parties, or parties that represent a certain segment of the population, and some criteria for party registration are subjective.

The PDP was registered in September 2007 and the DPT in October 2007. A third party, the Bhutan People United Party, was denied registration by the ECB in November 2007 on the grounds that it had insufficient membership and lacked credible leadership. The ECB explained that the party did not have members in all dzongkhags, which is an objective criteria that can be verified, but is not mentioned explicitly in the Election Bill. At the same time the criteria to have "*credible leadership*" is subjective in nature and it is not possible to say on what basis the quality of leadership can be measured. In accordance with international standards<sup>15</sup>, all criteria for (i.e. any restrictions on) the registration of political parties and candidates should be objective and reasonable.

All registered political parties are eligible to participate in National Assembly elections. For these elections, the two registered political parties submitted letters of intent to the ECB by 22 January 2008.

## **VIII. ELECTION CAMPAIGN AND PRE-ELECTION ENVIRONMENT**

### *A: Overview of the Election Campaign*

The National Assembly campaign formally started on 22 January 2008, but both parties had been active across the country well before that time, seeking to recruit members and familiarizing the population with their candidates. Some Bhutanese feared that the introduction of democratic elections could create conflicts and divisions in a society where consensus plays a very important role. Interestingly, some party interlocutors considered

---

<sup>15</sup> See UN HRC General Comment 25 point 4: "*Any conditions which apply to the exercise of the [right of equal access to public service] should be based on objective and reasonable criteria*".

campaigning in the villages inappropriate since it was disturbing the up to now “harmonious life within traditional communities”.

The campaign activity of both parties, the People’s Democratic Party (PDP) and the Druk Phuensum Tshogpa (Party of Blissful Harmony, DPT) were active, but low-key. Candidates ran small-scale campaigns, primarily consisting of small strategic village gatherings of 20-30 individuals, and house-to-house canvassing. All meetings took place in a peaceful environment.

In general, all interlocutors including party officials themselves agreed that the manifestoes of both political parties were very much alike and so the expression of preference depended primarily on the leading personalities of the parties and candidates rather than the party ideology or programme. Both manifestos were very generic and both were openly and explicitly in accordance with the country political line of the last decades and with the precepts of the Tenth Five Year Plan, which was due to come into force with the election of the new Parliament. As a consequence, they both particularly focused on the promotion of Gross National Happiness (GNH), the improvement of health sector, of the rural areas, of the road system, of the education quality and in the preservation of environment and culture. At propaganda level, slight differences could be noted in the age groups targeted by the two parties. While PDP tried to present itself as the party of a new generation of politicians, DPT insisted on the proven experience of its senior candidates.

Public debates between all candidates were conducted at constituency level, organized and moderated by ECB and journalists from the BBS, and subsequently broadcast by BBS TV and BBS Radio stations. The candidates had the opportunity to ask their opponents a set of questions, while the audience was not allowed to actively participate. Debates were organized in each constituency on a daily basis and each candidate had 10 minutes to present him/herself, almost 5 minutes to answer two questions from the opponent, and 5 minutes for a final call to voters. Each candidate also had the right to participate in a 15 minute interview program, where the same questions were asked to the two candidates running for elections in the same constituency. Both debates and interviews were broadcast by BBS electronic media during prime time and rebroadcast during the morning of the following day on BBS TV.

The topics discussed by the candidates during the debates and the interviews, were mainly based on the two parties manifestoes, therefore very similar. Apart from electoral propaganda, the topics most debated have been *Economy* (almost 21% of the time), *Elections* (some 18%), *Relations among parties* (17%), *Health & Social Development* (10%), *Education & School* (8%), *Interior Politics* (6%), *Human Rights & Minorities* (5%), *Agriculture* (5%), *Work & Unemployment* (4%), *Corruption* (2%), and *Energy* (2%). Interestingly enough, candidates of both parties touched the same topics with very similar percentages, only minor differences were noted. PDP candidates focused slightly more on topics related to the economy, while DPT candidates gave more attention than the opponents to *Health & Social Development*.

The campaign of the two party presidents in the media, who were in effect running for the position of Prime Minister, was somehow overshadowed by the large number of candidate broadcast debates.

Although the campaign proceeded in an extremely composed atmosphere overall, both in the propaganda activities in the field and in the broadcast debates, the two parties increasingly protested at the way the opponent party was campaigning. As a consequence, the media in the last pre-election weeks stressed the growing cases of slander between the two contesting

parties, thus increasing the fear of polarization and social division among voters, particularly in rural areas.

Strict rules were imposed by the ECB on the campaign. Campaign materials could only be printed in Dzongkha and English, although campaign meetings could be held in other local languages, and the parties complained that the process to get campaign materials approved was particularly difficult. All candidates had to limit their speeches to the party's manifesto. Only candidates were allowed to campaign, while party workers were not allowed to campaign at candidate meetings on behalf of their candidates.

Despite this deprivation, party-workers were very often present during the campaign meetings introducing the candidate and the party itself. The party workers at district and constituency level played a decisive role in increasing the popularity of their candidate among the electorate, and were sometimes alleged to have been responsible for minor infringements of the electoral law (such as negative campaigning).

An ECB notification to candidates asked them to refrain during the campaign period from any reference, in printed and audio-visual materials, to their past achievements as senior civil servants, a measure criticised by both parties. With regard to the organization of meetings with potential voters, parties were strictly obliged to follow schedules previously submitted to the returning officers, and the schedules could be changed only after the approval of the election authorities.

Candidates were also prevented by the ECB from discussing citizenship and security clearance issues, while many voters, particularly in the Southern areas, wanted to discuss them. Both parties originally mentioned these issues in their manifestos, but were directed by the ECB to delete them. Such restrictions on the content of the campaign impeded active political dialogue and limited freedom of expression.

Campaigning material countrywide was limited to a few posters on official Election Advertisement Boards provided by the election authorities, a small number of party banners, and leaflets usually handed out in meetings. The cost of posters and banners was covered by the Public Election Fund, and in addition, each candidate was allocated 100,000 Nu (€1,700) from the Fund for other campaign expenses. Candidates were not permitted any other source of financing, and both political parties complained that the limits on spending were too low.

The electorate at all levels of society appeared very well aware of the actual voting procedures, and how to cast their vote, however the impact and meaning of a cast vote was in most cases not understood – e.g. how votes are translated into seats in the parliament and what having a constituency member in parliament means. In general, and particularly in the rural areas, a lack of understanding was observed of the purpose of the upcoming elections (and the transition of the absolute monarchic system to a parliamentary democracy). For several remote areas political party candidates were the only ones to reach some particularly isolated households and therefore the only means of civic and voter education. In some cases, national observers added information value. Voter education was in some cases implemented through mobile teams of electoral officials but otherwise the radio has been the crucial means of communication.

### *B: Complaints during the Campaign Period*

Most political party complaints focused on breaches of campaign regulations and the Election Code of Conduct, including accusations of bribery, coercion, defamation and obstruction of party events. However, according to both parties, the vast majority of cases filed were of a minor nature, and many lacked conclusive evidence. Throughout the election period, the DPT publicly called for the EDSB to be more active in investigating allegations and to take decisions more quickly. At the same time, the PDP publicly accused the EDSB of being partial to the DPT in its decisions and expediting DPT cases over those filed by the PDP.

On 1 March 2008, the ECB announced the cancellation of the candidacy of Garab Dorji, PDP candidate from Gelephu Constituency (Sarpang District). The candidate was found in breach of the Election Code of Conduct for distributing two copies of a paper related to the “Southern problem” that had been presented by DPT president Jigme Y. Thinley at an international conference in 1993 when he was secretary of the Home Ministry. Responding to a complaint filed by the DPT, the EDSB ruled that the candidate was “*carrying out activities aimed at creation of ill-will and incitement of regionalism for political gain.*” The disqualification of a candidate is a very serious action, and in the assessment of the EU EOM, this was an unduly harsh penalty.

In another high profile case, the DPT filed a complaint against Sonam Tobgay Dorji, PDP candidate in South Thimphu Constituency, accusing him of influencing potential voters by donating 200,000 Nu (€3,400) to a monastery in August 2007 during the familiarization period. However, the candidate claimed that while he was present at the time of the donation, it was his brother who had contributed the money. While the EDSB ruled that it had indeed been the brother who had made the contribution, it issued a warning to the PDP candidate and ordered that the contribution be returned to the ECB.

According to EU Observers, many complaints centred on the activities of party workers, and Returning Officers in at least two constituencies suggested that the parties should train them better. It appeared that party workers were often acting on their own initiative, and occasionally committing violations of the Code of Conduct without the knowledge of their party. In several constituencies there were informal and formal allegations of “night campaigning”, with some allegations of voter intimidation, but these claims could not be substantiated. In two dzongkhags, the governors banned campaigning after a certain time (17:00 or 18:00) to prevent any “night campaigning”, both parties accepted the new timing.

EU Observers also found that the strict campaign regulations did not take traditional customs into account, and this was the cause of some local complaints. For instance, while it is customary to offer guests some food or drink, this could not be done in the campaign context because it might be considered “vote buying.”

### *C: Voter Education*

The ECB put a strong emphasis on voter education for the elections, realizing that this would be a key component to the success of the process. The Bhutan Electoral Education and Training Strategy (BEETS) was introduced in November 2006, and aimed to educate all Bhutanese citizens throughout the country to ensure the conduct of “free and fair elections”. In all, the ECB reported to the EU EOM that the BEETS program has educated 313,869

citizens through a direct classroom method. This ambitious program was carried out by 188 local trainers, who were trained to educate other citizens in a “train-the-trainers” program.

Additionally, voter education was carried out through the media, on BBS TV and Radio. During the campaign period, voter education spots particularly dealt with the issue of vote-buying. The ECB also ran a targeted campaign on postal ballot procedures, to try to avoid the problems with postal ballots that were observed in the National Council elections. This was also demonstrated following the announcement of results when some voters seemed confused how it was possible that PDP only won two out of 47 seats.

## IX. MEDIA AND THE ELECTIONS

### *A: Media Environment*

The presence of the media in Bhutan continues to be limited, despite some improvements that occurred after the adoption of the Bhutan Information, Communication and Media Act (5 July 2006). TV and radio broadcasting are dominated by the state-owned Bhutan Broadcasting Service (BBS). BBS TV is the only TV station and BBS Radio is the main source of information for the Bhutanese, reaching almost 80% of the population. Apart from the main offices in Thimphu, BBS has eight regional permanent offices able to provide daily news and footage from almost all of the country. Also the state newspaper Kuensel and the two private, Bhutan Times and Bhutan Observer, normally have reporters in all the major towns, in addition their number has been increased on occasion of the elections. There are no private television broadcasters, but cable television services carry uncensored foreign programming. In September 2006, Kuzoo FM 90, Bhutan’s first private radio station, began operations; another private station is Radio Valley, which broadcasts from April 2007. Both mainly broadcast music and entertainment programs.

The panorama of print media is similarly constrained. Apart from the biweekly state-owned Kuensel, only two private weekly newspapers are issued in Bhutan. Both Bhutan Times and Bhutan Observer started their publication in 2006. The outreach of newspapers is generally limited to the urban areas. The distribution of newspapers to remote rural villages is hampered due to poor infrastructure, which causes delivering delays of several days. Moreover the high level of illiteracy in rural areas contributes to preventing the spread of printed media.

Internet access is growing and unrestricted, however less than four percent of the population is able to access this new medium. There are very few online news portals that give updated news on Bhutan. These include: kuenselonline.com, bbs.com.bt, bhutanobserver.bt and bhutantimes.com.

The media market is extremely limited and, as a consequence, the operating budgets for media are poor, thus hindering the private media from fully developing into independent sources of information. Furthermore, many journalists, particularly in the private media, lack professionalism and appropriate training.

At the same time, this scenario appears to be changing. On 8 March 2008, a new radio station (Centennial Radio) started broadcasting, and the private newspaper Bhutan Times, since the beginning of the electoral campaign, made a successful attempt to become a biweekly publication.

Radio Kuzoo, which reaches almost 60% of the population all over the country, suspended news broadcasting during the election campaign, and decided to cover the elections through an interview opportunity given to all candidates. Interviews lasted for ten minutes, were in English and particularly addressed the target public of the radio: young people.

The new Radio Centennial has very limited geographical coverage, since it broadcasts only in the Thimphu area, and also a very limited audience, due to the fact that its existence was still unknown to the great majority of the population. It has four journalists in total and it is privately financed, but also receives some support from UNESCO, mainly technical equipment. Radio Centennial covered elections in its news bulletins, and with interviews to some candidates, but only in the last two weeks of the campaign.

The presence of international journalists increased during the last days prior to election day, in total 107 media representatives from 63 news agencies were accredited by the ECB to observe and report on elections. This increased the overall transparency of the electoral process allowing international media to play their watchdog role in a fully free manner.

#### *B: Legal Framework for the Media and Elections*

The media rules and regulations are generally in line with international best practices. However, the narrow interpretation of these rules by the ECB, and particularly the restriction imposed on campaign activity (which had a significant impact on the media), could have restricted a more lively and appealing coverage of the campaign by the media.

During the election campaign period, the media had to follow the Election Commission instructions and guidelines (Media Coverage of Elections Rules and Regulations of the Kingdom of Bhutan). These included, inter alia, a requirement to ensure equal access to the media for all political parties and candidates, as well as allocation of free broadcasting time (and space in the print media) paid by the ECB, and equal rate conditions for paid political advertising.

The ECB also appointed a Media Arbitrator responsible for the administration of these rules. The Media Arbitrator, who was appointed in October 2007 and stayed in charge till the completion of the electoral process, was the Secretary of the Ministry of Labour and Human Resources. The Media Arbitrator was daily monitoring both electronic and print media with the help of four assistants; however, his intervention was never officially required.

#### *C: Monitoring of Media Coverage of the Elections*

The EU EOM Media Monitoring Unit started<sup>16</sup> its activities on 25 February 2008. The media monitoring, which was conducted by two national staff under the supervision of the media analyst, includes both quantitative and qualitative analysis and aimed at evaluating whether the media provided impartial and balanced coverage of candidates and political parties, as well as related campaign issues. Radio and television were monitored during peak time hours and included monitoring of all programming within this time framework. The programs were timed by the monitors in order to measure the access that each candidate and political party receive on each of the channels. Furthermore, quantifying the amount of coverage each candidate receives was complemented with an assessment of the tone of the coverage received

---

<sup>16</sup> Charts on the results of the EU EOM Media Monitoring are available at [http://www.eueom-bhutan.org/English/Media\\_Results.html](http://www.eueom-bhutan.org/English/Media_Results.html)

based on a scale of negative, neutral and positive. Newspapers were also monitored in order to assess the coverage of candidates and parties standing for election, as is the case with broadcast media the tone, access and balance of coverage were assessed.

All programs on the BBS TV channel were monitored, as well as news and special programs for elections on BBS radio station. Three newspapers were also monitored: Kuensel, Bhutan Times and Bhutan Observer.

Apart from the two private newspapers, Bhutan Times and Bhutan Observer, election information was the almost exclusive prerogative of the state-owned media. Both BBS TV and Radio, in their special programs for elections (debates and interviews), gave equal access to all the candidates in a very strict and regulated manner. A similar trend was observed in the news bulletins and other information programs. BBS Radio, in its news editions, devoted almost 49% of its political time to DPT, while 51% was dedicated to the coverage of PDP. In general, the tone of the coverage was largely positive. A comparable pattern has been observed for BBS TV, where DPT was given roughly 47% of the coverage and PDP about 53%; once again the tone of the coverage was mainly positive.

The trend observed for the print media is similar to the one recorded for BBS. Kuensel (whose main owner is the State) dedicated nearly 48% of its political space to DPT and 52% to PDP, and the tone of the coverage was generally positive. Similar figures applied for the Bhutan Observer, where DPT received 46% and PDP 54%, but with more critical coverage of both parties. The Bhutan Times, on the other hand, devoted 58% of the political coverage to DPT, and 42% to PDP, once again with some critical notes in the tone of coverage of both parties.

There were no violations observed in the media as regards the campaign silence period in effect for 48 hours prior to the start of voting.

Regarding paid airtime in the electronic media and paid space in print media, during the monitored period, both parties purchased almost the same amount of propaganda. DPT bought some 51% of the total propaganda in BBS TV and Radio and some 49% in the print media; PDP the reverse. Regarding newspapers, it is worth noting that PDP preferred, as means for its publicity, Bhutan Times, while DPT bought the majority of its advertising in Kuensel and Bhutan Observer.

## **X. PARTICIPATION OF WOMEN IN THE ELECTORAL PROCESS**

The Bhutanese legal framework prohibits discrimination for any reason, including gender. However, women remain clearly under-represented in public life; this was visible in the very low proportion of women candidates standing for election. The PDP nominated six women candidates (including the replacement candidate in Gelephu) and the DPT nominated four. Four women were elected to the National Assembly, all from DPT. In the National Council elections, four out of the 20 elected members were women.

Both political parties have women's support groups, although the ECB decided on 1 March 2008 that they should not convene meetings of women during the campaign unless they were coordinated with the candidate meetings, to avoid inconvenience of the voters. In practice, the academic qualification for candidacy affected women's participation more directly, as their education rates remain lower than men's.



One of the three Election Commissioners is a woman and a woman also heads the Anti-Corruption Commission. At the same time, no women were represented among the Dzongkhag Election Officials and Returning Officers, although there were a few women registration officers and delimitation assistants. Women actively participated in the election process, attending candidate meetings and debates, although most party workers and representatives were men. Women were found to be presiding officers in 40% of polling stations visited by EU observers and voted in equal numbers to men.

## **XI. PARTICIPATION OF MINORITIES IN THE ELECTORAL PROCESS**

Both political parties nominated candidates from the ethnic Nepali minority (Lhotshampa), who are predominant in the south of the country. DPT nominated nine Lhotshampa candidates and PDP nominated six. Nine Lhotshampa were elected, all from DPT. In practice the requirement that candidates must obtain a Security Clearance Certificate (SCC)<sup>17</sup> may act as an obstacle to candidacy for some Lhotshampa.

The practice of allowing voter education, campaign and election materials to be printed only in Dzongkha (the official language) and English is contrary to international standards for minority language use.<sup>18</sup> Similarly, the conduct of candidate debates only in Dzongkha, even in areas where it is not widely spoken, inhibited the ability for some voters to receive information about the candidates. Candidate meetings and voter education sessions were permitted to be conducted in minority languages. There do not appear to be any specific provisions regulating the use of language during the election campaign; rather, the general rules for language use in the country were adopted for use during the election process. As election administrators have a particular responsibility for ensuring that all voters understand the process and have sufficient information to make an informed choice, it would be useful to ensure that minority languages can be used for voter education and the campaign, in both written and oral communication.

## **XII. PARTICIPATION OF CIVIL SOCIETY**

Civil society organizations are forbidden by law from engaging in activities directly related to elections.<sup>19</sup> There are very few civil society organizations in the country, and none that deal with human rights or political issues.

Civil society organizations have a legitimate and fundamental role to play in elections as representatives of citizen interests, and their absence in the election process deprived the Bhutanese voters of a key source of independent information. In particular, the restriction on the possibility for civil society groups to observe the election process is contrary to international best practices, which recognizes the role independent domestic observers have played around the world in safeguarding election integrity. While the “National Observers” appointed by the ECB have contributed positively to the election process, they are not

---

<sup>17</sup> A Security Clearance Certificate is a background check document that certifies that a person has not committed any crimes. It is commonly required to apply for a job in Bhutan. However, thousands of Lhotshampa are denied security clearance because of relatives who were involved in the “Southern Problem” or left the country at that time.

<sup>18</sup> See UN HRC General Comment No. 25, point 12: “*Information and materials about voting should be available in minority languages*”.

<sup>19</sup> See Civil Society Organizations Act (s.7b).

independent from the election administration and therefore cannot legitimately act as impartial observers of the process.

### XIII. ELECTION DAY

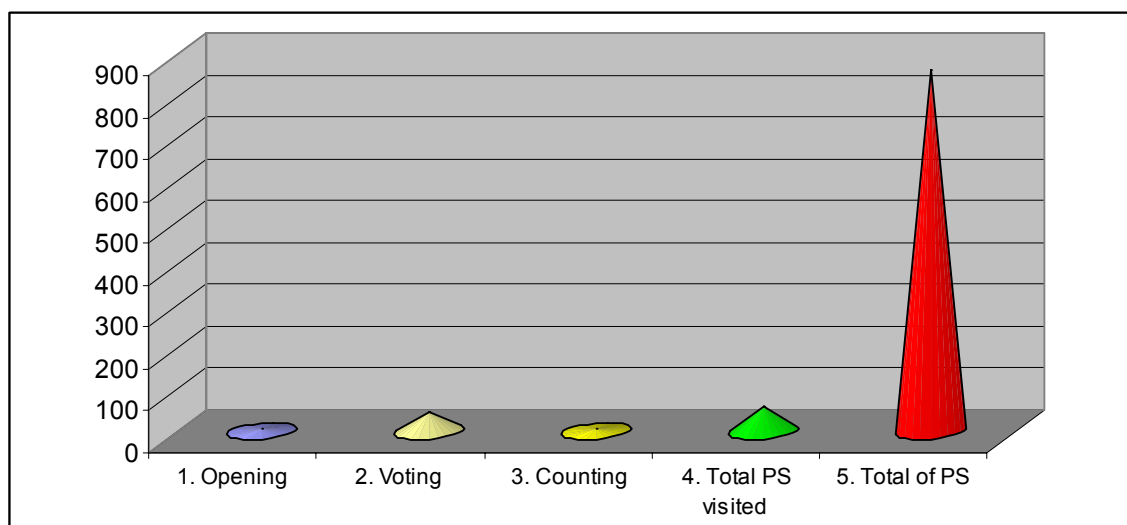
#### *A: Overview of Voting*

Voting on 24 March 2008 was conducted in a calm and peaceful environment. Voter turnout was high at 79.4%. The conduct of voting was positively assessed in 100% of polling stations visited by EU Observers. Observed polling stations opened on time (09:00 AM) and had all necessary election materials. The atmosphere outside polling stations was calm, with no cases of intimidation or political agitation observed. Procedures were followed properly, however, 19% of observed polling stations were not found to be accessible for those with disabilities.

#### *Basis of EU EOM Observation*

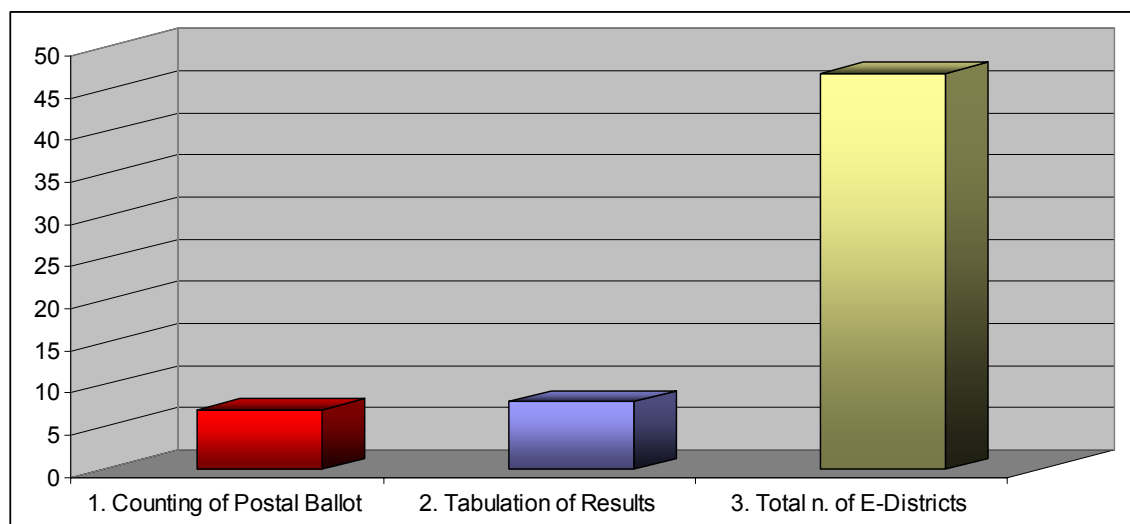
The EU EOM deployed a total of 15 international observers in 7 teams for observation on election day. In total twelve of the twenty districts were covered to observe voting, counting at polling stations (PS), counting of postal ballot and tabulation of results.

The EU EOM Bhutan observed voting and counting in 60 out of 865 polling stations (6.9 %). On polling day, EU observers followed respectively 7 PS for opening, 48 PS for voting and 5 for closing and counting.



1. Opening	7
2. Voting	48
3. Counting	5
4. Total PS visited	60
5. Total of PS	865

Counting of postal ballots was observed in 7 out of 47 electoral constituencies (12.7%) and tabulation of results in 8 of 47 electoral constituencies (17%).



<b>1. Counting of Postal Ballots</b>	<b>7</b>
<b>2. Tabulation of Results</b>	<b>8</b>
<b>3. Total number of constituencies</b>	<b>47</b>

### *Voting Procedures*

The performance of polling officials and their knowledge of voting procedures was assessed positively by EU Observers in 100% of PS visited. The use of sophisticated electronic voting machines (EVMs) appeared to facilitate the voting process, and there were no reports of overcrowding or tense atmosphere in polling stations visited.

EU EOM observers did not report any irregularities during the voting. No unauthorized persons were reported in the polling stations. Political party representatives were present in 100% of polling stations visited and contributed to the transparency of the process. There was no campaign material visible outside or inside the polling stations, neither were party supporters around polling locations.

In 100% of all polling stations visited, the layout of the Polling Stations was kept according to ECB prescriptions to respect the secrecy of the vote and to keep a good flow of voters passing through the consecutive polling steps. EU EOM observers did not report on any problems during polling with regards to the ink, attempted double voting or any cases of breach of the secrecy of the vote.

Despite the time-consuming identification process of voters, as electoral lists included the crossed-out postal ballot voters, voters were able to cast their ballots during the official polling hours, the queues observed although in some cases very long were at all times controlled in an orderly manner.

The ECB had committed to recruit a high number of female staff to work in the polling stations and delivered on this commitment by achieving near gender parity. Women were found to be presiding or deputy presiding officers in 40% of polling stations visited while in all PS there was at list one female staff present.

On the whole, the turnout of 79.4% of the total registered number of voters indicates a genuine commitment to participating in the country's first democratic multi-party election.

EU EOM observers were generally welcomed by voters, party representatives and election officials at the polling stations and felt privileged to be part of this historic event.

### *Electronic voting machines (EVMs)*

The use of advanced electronic voting machines (EVMs) simplified the overall voting process and procedures, and significantly reduced a large potential area of human error. In every polling station that the EU EOM observed, portable, battery-operated Electronic Voting Machines (EVM) were used. Polling officials were well-trained in the practical use of EVMs and voters were well aware of voting procedures.

The EVMs consist of two pieces – a ballot unit that displays choices for the voter and a control unit that records the votes. Each device is self-contained and independent of any network. The ballot unit includes the names of the candidates, party symbols and photos of the candidates. The device has a simple digital counter and does not produce any paper record. At the end of polling, the EVM tallied the votes for each candidate, which then was entered by the Counting Supervisor in a results sheet. Each candidate or political party had the possibility to be present during the polling and the count. The control unit was sealed by the counting officials and party representatives at the end of the count to prevent any tampering with the result.

### *Role of the Security Forces*

The Royal Bhutanese Army and the Royal Bhutanese Police played a significant role in the electoral process, providing security for transportation of election materials all the way from the office of the returning officers in the constituencies to polling stations. Police and Army were present outside all polling stations visited on e-day, and never stepped inside polling stations without being requested to do so. Furthermore, their communication systems were of vital use for some remote areas where fixed lines or mobile coverage was not possible, and thus all communication and transmission of results relied on security radios. Due to the bomb blasts that occurred during the months of February-March, security measures were increased in the southern districts during the last weeks prior to election and additional security was provided for e-day.

### *B: Counting*

The application of EVMs has simplified the overall process and procedures, and thus eliminated the potential for human error. The established counting procedures were followed and undertaken in the presence of cross-party representation and the provisional result was announced in the morning after the election day by the ECB.

### *Counting at the Polling Stations*

The counting process did not encounter any major issues and was assessed positively in the vast majority of polling stations observed by EU EOM teams. Again the EVMs played an important role in simplifying the counting procedures and avoiding human mistakes. In some cases results from remote polling stations were transmitted orally through telephone, satellite phones or VHF radios. While results were announced at the polling station level in the presence of party representatives, there is no requirement that results sheets be posted outside polling stations.

### *Counting of Postal Ballots*

The increased use of postal ballots for this election have increased the overall voter turnout, however, the complicated procedures and eligibility criteria for postal ballots may ultimately have stopped a considerable number of potential postal voters, their spouses and other family members from voting. EU EOM observers reported that large numbers of voters did not fill in correctly their postal ballot applications.

The EU EOM observed 7 out of 47 postal ballot counting at constituency level and in general observers had assessed this process positively (60% “very good” and 40% with “minor problems”). Strict rules were applied by the ECB officials in declaring ballots to be invalid, although the intention of the voter was clearly marked on the ballot. This affected both parties equally.

### *Tabulation of results*

The tabulation of results at constituency level was well-managed by returning officers. EU EOM observers witnessed the transmission of results to the ECB the same night of the election in 8 of the 47 electoral constituencies.

## **XIV. RESULTS**

### *A: Tabulation and Announcement of Results*

Counting supervisors transmitted results to Returning Officers by telephone, mobile phone or VHF radio, with paper results sheets to follow later. Bhutanese regulations require that official results be based on the actual receipt of the results sheets. The tabulation of results at constituency level was well managed by the Returning Officers, who transmitted results from their constituency by phone to the ECB. Results from all constituencies were officially announced to the public by the ECB at a press conference the next morning, 25 March 2008, at 8:30 a.m. The results were announced as 44 seats for DPT and 3 seats for PDP.

This method of transmitting results allowed a fast consolidation of the results on the same night of the e-day but left space for human error as it happened in Phuentsholing Constituency. Due to a phone transmission error the result of the Polling Station Pachu Old School was wrongly recorded. The RO added 298 instead of 98 votes to the total result of PDP candidate Rinzin Dorji, making him the winner with 3646 votes (DPT candidate Chenjo Dorji received 3642 votes). The error was detected by cross checking the results and corrected on 26 March 2008 by the ECB result (Rinzin Dorji: 3446, Chenjo Dorji: 3642), which was issued as a notification on 27 March 2008.<sup>20</sup>

The ECB considered this announcement to be the final, official results, as no other further results announcement is prescribed by law. However, the law allows that should a petition be successful, results might have to be changed. It would be more accurate to refer to the announcement of results one day after elections as the “preliminary results” with “official results” to be announced only after the 10-day election petition period.

---

<sup>20</sup> Phuentsholing ECB notification.

*B: Publication of Results*

Results at the constituency level were published on 25 March 2008, but no breakdown to the polling station level was given. While this is generally considered to be a best practice for ensuring transparency, ECB officials noted that in small polling stations (some with as few as 10 voters), this could jeopardize secrecy of the vote.

On 27 March 2008, the ECB issued a notification modifying the results in the constituency of Phuentsholing and giving one more seat to the DPT. The Returning Officer had incorrectly transcribed the result of a polling station received by telephone, giving an extra 200 votes to the PDP candidate. He noted the error after receiving the paper results sheet from the polling station, and reported it immediately to the ECB. As the original margin of victory was only four votes, the discovery of the mistake was enough for the DPT candidate to win the seat. Following this correction, the ECB reissued the official results, declaring 45 seats won by the DPT, and two seats won by the PDP.

*C: Complaints relating to Election Results*

Following the announcement of results, the 10-day petition period began on 25 March 2008. During this period, candidates or voters could submit an election petition to the High Court regarding the election results, the qualification or disqualification of a candidate, or election offences. Since appeals were allowed only to the ECB during the pre-election period, the petition period was the only opportunity during the elections to seek redress through the judiciary.

On 3 April, two PDP representatives filed a petition with the High Court on behalf of their party. The petition requested investigation into the alleged informal campaigning by civil servants and other urban voters on behalf of DPT during the 48 hours prior to election day. The petition also requested an audit of EVMs and postal ballots, and asked for the elections of 19 National Assembly members to be cancelled because of offences committed by their campaigns. The High Court dismissed the case on 7 April 2008, citing lack of evidence. The court stated in its decision that the allegation of informal hearsay was based on speculation and that the offences alleged against elected members of the National Assembly were largely based on hearsay, or of such a minor nature so as not to affect the outcome of the election. The EU Observers did not observe or receive any evidence of the allegations made by PDP.

*D: Political Overview of the Election Results*

The uneven election results (45 seats for the ruling party and only 2 for the opposition) were generally met with surprise from both political parties, as well as the public. Although PDP President Sangay Ngedup initially gave a television interview accepting the results and pledging support for the DPT government, several days later the public attitude of the party shifted to one of protest.

The PDP held a press conference on 28 March 2008, following a meeting of their 47 candidates, during which it challenged the results of the elections. According to the PDP, it had strong support and good chances of winning a reasonable number of seats until 48 hours prior to the elections, when public opinion turned against them. The PDP explained that this change of opinion across the country was due to an orchestrated effort by the DPT to instruct civil servants to return to their home constituencies and convince people to vote for the DPT. According to the PDP, this “informal campaigning” occurred during the campaign silence, in

violation of the election regulations. The PDP also questioned the functioning of the Electronic Voting Machines (EVMs), and called for an external evaluation independent from India (which had donated the EVMs) to be conducted.

At the end of the press conference, the two winning PDP candidates (from Gasa and Haa Constituencies) announced that they had resigned their parliamentary seats. They explained that their resignation was a protest to draw attention to the party's complaints and convince the ECB that they should be investigated. However, the ECB informed the EU EOM that the candidates were unable to resign their seats, as they have been duly elected by the people. According to the ECB, the candidates would only be able to resign once the National Assembly had convened.

Several days later, on 2 April, the PDP announced publicly that its two winning candidates would retain their parliamentary seats and act as a "small but vocal opposition in the parliament."

## **XV. RECOMMENDATIONS**

The following recommendations to improve the electoral process and related areas are offered for consideration and action by the Bhutanese authorities, political parties, civil society and the international community:

### **Legal Framework**

1. The election legislation should be amended to allow for election appeals to a court during the campaign period and prior to the official announcement of results. The law should give clear details on the first instance body to which the complaint or appeal can be filed as well as give clear deadlines for the process.
2. Consideration should be given to establishing the EDSB as an autonomous body inside the ECB, with additional staff allocated exclusively for this purpose. Public information campaign on complaint rights should be conducted prior to elections. The burden of proof should rest with complainants; this measure will minimize baseless complaints.
3. Guidelines for complaint resolution should be issued to Returning Officers, to facilitate their ability to resolve minor disputes at the local level, and decrease the number of complaints lodged centrally.
4. Relevant legislation should be amended to specify the respective roles of the Anti-Corruption Commission and the EDSB for handling of election-related complaints.
5. The Election Bill should be amended to define procedures for the nomination of a replacement candidate by a party if a candidate is deregistered during the campaign.
6. Consideration should be given to raising the campaign spending limits for National Assembly candidates. Limits could also be linked to the number of voters in a constituency.
7. The new parliament may wish to review the current electoral system and consider mechanisms for guaranteeing more proportionality and balance in the results of National Assembly elections. For instance, a certain number of additional “compensatory seats” could be added to the current 47 seats to be allocated so as to bring the result closer in line with the nationwide proportional vote.

### **Election Administration**

8. The international community should consider providing study visits for ECB staff on particular technical issues of interest (e.g. campaign finance, voter registration, voter education, comparative electoral systems, boundary delimitation, etc).
9. A Legal Department should be established within the ECB to enhance its capacity to consider legal reforms and to deal with legal issues that arise.



10. The EDSB should make all decisions on complaints accessible to the public, for instance through the Internet.
11. The ECB should consider meeting in formal, scheduled sessions that could be observed by party representatives, international and domestic observers, and the media. This would increase the necessary transparency of the Electoral Administration.
12. The ECB should expand and improve its website so that it has the capacity to make all notifications, announcements and decisions available to the public. The website acts as a key instrument for ensuring transparency of the ECB.
13. National Observers should be renamed “Election Supervisors” and new regulations for their activities should be drafted to distinguish their role from that of independent observers.
14. The ECB should ensure that Returning Officers are adequately resourced, including convenient access to high-speed Internet facilities where possible.

### **Voter Registration**

15. Authorities should consider various options for allowing voters to vote where they reside. Voter registration could be delinked from the civil registry, giving voters the chance to register to vote away from their place of civil registration. Alternatively, an absentee voting system could be considered that would allow voters to apply to vote in another constituency.
16. The legal exclusion of members of religious communities from the right to vote should be reviewed. Such individuals and communities should be permitted to decide for themselves whether to participate in the election process.
17. The postal ballot facility should be extended on a permanent basis to employees of the tourism industry and to spouses of civil servants.
18. Voter education efforts on postal ballots should be continued in order to reduce the high number of rejected applications and invalid ballots.

### **Candidate and Party Registration**

19. The academic qualification for candidacy should be removed to allow a broader section of society access to public office.
20. The exclusion of those married to non-citizens from candidacy to the National Assembly is unreasonable and should be removed. Other disqualifications should be reviewed and should not be on a permanent basis.
21. Civil servants who run for the National Assembly or other public office should have the right to return to the civil service should they not be elected.

22. Provisions for registration of political parties should be revised so that all qualification and disqualification criteria are objective and measurable. A pluralism of views among parties should be encouraged so as to offer the voters a broader political choice.

## **Campaign**

23. Political parties should develop their internal capacity and structures to stimulate the establishment of their political platforms.
24. The lack of active civil society organizations is of concern. Organizations active in the field of gender equal opportunity and women's participation in politics should be promoted and supported.
25. Regulations limiting the political debate of specific topics during the campaign period should be avoided; on the contrary, the electoral authorities should facilitate the open debate of ideas.

## **Media**

26. Media will play an important role during the coming years as a watchdog of the government and other state institutions. Financial and technical assistance is needed for the media to further develop the democratic change in Bhutan.
27. State-owned electronic media and particularly BBS TV should be financially supported in order to augment the hours of daily broadcasting, the quantity of news bulletins and information broadcast, and generally the overall quality of broadcasting.
28. The freshness and lack of professionalism of many journalists is a cause of major concern, support for qualified media representatives training should be envisaged in order to stimulate a more lively and critical debate in the media, both state owned and private.
29. The development of an active, structured and independent journalist's organisation should be foreseen, particularly with the aim to draft a code of conduct for journalists, in force not only during the electoral period.
30. Financial and logistical support for the opening of a university degree in journalism and communication in Bhutan should be taken into consideration.
31. The existence of the figure of the Media Arbitrator during the election campaign was positive. The media monitoring capacity of this body should be developed for future elections.

## **Women's Participation**

32. Political parties should make additional efforts to encourage qualified women to run as candidates for public office, including the National Assembly. Political parties could also consider whether to implement voluntary quotas to guarantee a certain number of women candidates.

33. The election administration should ensure that women are well-represented among election officials at all levels throughout the country.

### **Minority Participation**

34. Provisions should be passed to ensure that voter education, campaign and election materials are available in minority languages to facilitate access to information for voters in minority communities.
35. Consideration should be given to allowing public debates in languages other than Dzongkha, particularly in areas where minority languages are widely spoken.

### **Civil Society**

36. Authorities should encourage the development of civil society organizations as an important part of a democratic society. Civil society organizations should be free to address human rights and political issues.
37. Relevant legislation should be amended to allow civil society organizations to carry out election-related activities, including domestic non-partisan observation of elections.

### **Election Day**

38. Postal ballots should be valid when the intent of the voter is clearly expressed, regardless of marking. Relevant provisions should be revised to reflect this internationally accepted principle. Clear, unambiguous instructions should be issued to Returning Officers on the counting of postal ballots.

### **Results**

39. Official election results should be based on the tabulation of figures from paper results sheets, rather than orally transmitted results. Results reported by phone or radio may be reported as preliminary results.
40. The official announcement of results should be delayed until after the election petition period, to take into consideration any consequences of court rulings. Preliminary results may be released immediately following election day.
41. Results at the polling station level should be posted outside polling stations in order to increase transparency in the process.

### **Strengthening Commitment to Human Rights**

42. Bhutan should consider further demonstrating its commitment to human rights by acceding to the United Nations International Covenant on Civil and Political Rights.

## XVI. ANNEXES

### *Annex A. Registered Voters by Constituency*

Dzongkhag	Constituency	No. of registered voters
Bumthang	Chhoekhor-Tang	4,302
	Chhumey-Ura	2,652
Chukha	Bongo-Chapcha	10,443
	Phuntsholing	7,825
Dagana	Dujaygang-Tsheza	8,594
	Lhamoyzingkha-Tashiding	8,640
Gasa	Goenkhamae-Lunana	789
	Goenkhatoe-laya	768
Haa	Bji-Katsho-Uesu	3,382
	Sombaykha	2,681
Lhuntse	Gangzur-Minje	6,212
	Menbi-Tsenkhar	5,994
Monggar	Monggar	8,097
	Dremitse-Ngatsang	9,788
	Kengkhar-Weringla	8,004
Paro	Lamgong-Wangchang	7,324
	Doga-Shaba	6,529
Pema-gatshel	Nanong-Shumar	6,814
	Khar-Yurung	7,267
	Nganglam	5,071
Punakha	Lingmukha-Toewang	5,320
	Kabji-Talo	7,205

Dzongkhag	Constituency	No. of registered voters
Samdrup-dzongkhar	Dewathang-Gomdar	10,192
	Jomotsangkha-Martshala	7,960
Samtse	Pagli-Samtse	7,906
	Sipsu	9,889
	Dorokha	9,448
	Ugentse-Yoeseltse	7,715
Sarpang	Shompangkha	9,201
	Gelephu	11,803
Thimphu	North Thimphu	4,888
	South Thimphu	5,088
Trashigang	Bartsham-Shongphu	8,142
	Radhi-Sakteng	7,074
	Kanglung-Samkhar-Uzorong	7,843
	Wamrong	6,021
	Thimshing-Kangpar	5,290
Trashiyangtse	Bumdeling-Jamkhar	6,955
	Khamdang-Ramjar	6,792
Trongsa	Nubi-Tangsibji	3,239
	Dakteng-Langthel	4,117
Tsirang	Pataley-Tsirangtoe	8,052
	Kikhorthang-Mendrelgang	8,633
Wangdue-phodrang	Nyisho-Sephu	7,392
	Athang-Thedtsho	7,415
Zhemgang	Bardo-Trong	8,058
	Panbang	5,651
<b>TOTAL</b>		<b>318,465</b>

*Annex B. Final Results*

**NATIONAL ASSEMBLY RESULTS**

Political party	EVM votes received	Valid postal ballot received	Total votes secured	Total votes cast	Percentage of votes secured	No. of seats won	Gender
<b>DPT</b>	156,170	13,320	169,490	252,812	67%	45	41 males, 4 females
<b>PDP</b>	79,523	3,799	83,322		33%	2	2 males

**CONSTITUENCY RESULTS**

Dzongkhag	Candidate/party affiliation	Constituency	Total number of votes received	Results	Gender
Bumthang	<b>Pema Gyamtsho (DPT)</b>	Chhoeckhor-Tang	2763	DPT	Male
	Namgyel Dukpa (PDP)		836		
	<b>Karma Wangchuk (DPT)</b>	Chhumei-Ura	1251	DPT	Male
	Lham Nidup (PDP)		917		
Chukha	<b>Ugay Tshering (DPT)</b>	Bongo-Chapcha	5141	DPT	Male
	Kuenzang Dorji (PDP)		3813		
	<b>Chencho Dorji (DPT)</b>	Phuntsholing	3642	DPT	Male
	Rinzin Dorji (PDP)		3446		
Dagana	<b>Sonam Jamtsho (DPT)</b>	Dujaygang-Tsheza	4937	DPT	Male
	Karma Choden (PDP)		2096		
	<b>Hemant Gurung (DPT)</b>	Lhamoyzingkha-Tashiding	5464	DPT	Male
	Ngeema Sangay Tshempo (PDP)		2126		
Gasa	<b>Kinley Dorji (DPT)</b>	Goenkhamae-Lunana	360	DPT	Male
	Tandin Dupka (PDP)		358		
	Sangay Thinley Dorji (DPT)	Goenkhatoe-laya	343	PDP	Male
	<b>Damcho Dorji (PDP)</b>		349		

Dzongkhag	Candidate/party affiliation	Constituency	Total number of votes received	Results	Gender
Haa	<b>Ugen Tenzin (DPT)</b>	Bji-Katsho-Uesu	1620	DPT	Male
	Nim Dem (PDP)		1157		
	Tshewang Rinzin (DPT)	Sombaykha	846	PDP	Male
	<b>Tshering Tobgay (PDP)</b>		1224		
Lhuntse	<b>Karma Rangdol (DPT)</b>	Gangzur-Minje	2832	DPT	Male
	Sonam Jatso (PDP)		1195		
	<b>Tshering Tenzin (DPT)</b>	Menbi-Tsenkhar	2895	DPT	Male
	Yeshey Dorji (PDP)		1061		
Monggar	<b>Karma Lhamo (DPT)</b>	Monggar	4517	DPT	Female
	Jigmi Singay (PDP)		1450		
	<b>Ugyen Wangdi (DPT)</b>	Dremitse-Ngatsang	6044	DPT	Male
	Namgay Om (PDP)		1644		
	<b>Sonam Penjore (DPT)</b>	Kengkhar-Weringla	4349	DPT	Male
	Dr. Pema Choephel (PDP)		1092		
Paro	<b>Khandu Wangchuk (DPT)</b>	Lamgong-Wangchang	3975	DPT	Male
	Kaka Tshering (PDP)		2299		
	<b>Chencho Dorji (DPT)</b>	Doga-Shaba	3116	DPT	Male
	Chencho Dorji (PDP)		2392		
Pemagatshel	<b>Jigmi Y. Thinley (DPT)</b>	Nanong-Shumar	4109	DPT	Male
	Jigme Drukpa (PDP)		907		
	<b>Zangley Dukpa (DPT)</b>	Khar-Yurung	4471	DPT	Male
	Tshering Chhoden (PDP)		366		
	<b>Choida Jamtsho (DPT)</b>	Nganglam	3580	DPT	Male
	Weseyel Lhundup (PDP)		375		
Punakha	<b>Namgay Wangchuk (DPT)</b>	Lingmukha-Toewang	2472	DPT	Male
	Tandin Dorji (PDP)		1821		
	<b>Tshering Penjor (DPT)</b>	Kabji-Talo	3109	DPT	Male
	Sangay Ngedup (PDP)		2729		
Samdrup-dzongkhar	<b>Ugyen Dorji (DPT)</b>	Dewathang-Gomdar	5610	DPT	Male
	Mingbo Drukpa (PDP)		2205		
	<b>Norbu Wangzom (DPT)</b>	Jomotsangkha-Martshala	4008	DPT	Female
	Pelzang Wangchuk (PDP)		1999		

Dzongkhag	Candidate/party affiliation	Constituency	Total number of votes received	Results	Gender
Samtse	<b>Prahlad Gurung (DPT)</b>	Pagli-Samtse	4021	DPT	Male
	Chungdu Tshering (PDP)		3072		
	<b>Durga Prasad Chhetri (DPT)</b>	Sipsu	5438	DPT	Male
	Ritu Raj Chhetri (PDP)		3414		
	<b>Thakur Singh Powdyel (DPT)</b>	Dorokha-Tading	5205	DPT	Male
	Dinanath Dhungyel (PDP)		3294		
	<b>Leela Pradhan (DPT)</b>	Ugentse-Yoeseltse	4592	DPT	Female
	Madan Kumar Chhetri (PDP)		2182		
Sarpang	<b>Nanda Lal Rai (DPT)</b>	Shompangkha	4879	DPT	Male
	Pelzore Rumba (PDP)		3116		
	<b>Prem Kumar Gurung (DPT)</b>	Gelephu	6398	DPT	Male
	Tshering Dolkar (PDP)		3029		
Thimphu	<b>Ugyen Tshering (DPT)</b>	North Thimphu	2625	DPT	Male
	Tobgyal Wangchhuk (PDP)		1087		
	<b>Yeshey Zimba (DPT)</b>	South Thimphu	2979	DPT	Male
	Sonam Tobgay Dorji (PDP)		1296		
Trashigang	<b>Wangdi Norbu (DPT)</b>	Bartsham-Shongphu	4812	DPT	Male
	Tenzin Lekphel (PDP)		1136		
	<b>Jigme Tshultim (DPT)</b>	Radhi-Sakteng	3986	DPT	Male
	Dorji Pavo Phuntsho (PDP)		1275		
	<b>Minjur Dorji (DPT)</b>	Kanglung-Samkhar-Uzorong	4693	DPT	Male
	Jigme Singye (PDP)		1086		
	<b>Lhatu (DPT)</b>	Wamrong	3224	DPT	Male
	Jigme Cholen Yezer (PDP)		1177		
	<b>Cheoki Wangmo (DPT)</b>	Thimshing-Kangpar	2342	DPT	Female
	Dorji Choden (PDP)		1452		
Trashiyangtse	<b>Dupthob (DPT)</b>	Bumdeling-Jamkhar	3488	DPT	Male
	Thukten Tshering (PDP)		1322		
	<b>Kesang Wangdi (DPT)</b>	Khamdang-Ramjar	3403	DPT	Male
	Sonam Dondup Dorjee (PDP)		1520		



Dzongkhag	Candidate/party affiliation	Constituency	Total number of votes received	Results	Gender
Trongsa	<b>Nidup Zangpo (DPT)</b>	Nubi-Tangsibji	1844	DPT	Male
	Kaentsho Sumpai Dhendup (PDP)		609		
	<b>Rinchen Dorji (DPT)</b>	Dakteng-Langthel	2099	DPT	Male
	Namgay Dorji (PDP)		1070		
Tsirang	<b>Nar Bhadur Gurung (DPT)</b>	Pataley-Tsirangtoe	4678	DPT	Male
	Karma Tshering (PDP)		2458		
	<b>Yanku Tshering Sherpa (DPT)</b>	Kikhorthang-Mendrelgang	5628	DPT	Male
	Nim Karma Sherpa (PDP)		2085		
Wangdue-phodrang	<b>Gyem Dorji (DPT)</b>	Nyisho-Sepchu	3395	DPT	Male
	Rinzin Namgay Dorji (PDP)		3006		
	<b>Pasang Thrinlee (DPT)</b>	Athang-Thedtsho	3459	DPT	Male
	Tandin Wangchuk (PDP)		2763		
Zhemgang	<b>Tshering Dorji (DPT)</b>	Bardo-Trong	2631	DPT	Male
	Lekey Dorji (PDP)		2463		
	<b>Dorji Wangdi (DPT)</b>	Panbang	2217	DPT	Male
	Sangay Dorji (PDP)		1553		