Bhutan Local Governments Election
Final Observation Report
2nd Stage: Gewog Elections 27th June 2011

from the Representation Office of Denmark

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1. Introduction

The Head of the Representation Office of Denmark, Counsellor Henrik A. Nielsen, and Mr. Janus Munk, Intern at the Representation Office, were endorsed by the Election Commission of Bhutan (ECB) as International Observers from Denmark to the local governments elections for the period 6th April to 28th June 2011 as per the National and International Observer Guidelines of the Kingdom of Bhutan, Art. 5 b, concurred by letter of the Ministry of Foreign Affairs of 8th June 2011. The Guidelines stipulate (Art.10 a) that an observer shall closely monitor the electoral process and report to the Commission. The following are the observations made by the International Observer team, covering the period from the date of issue of the notifications of the elections 6th April 2011 to the declaration of results on 28th June 2011.

Following the enactment of the Local Governments Act on 11th September 2009 by the joint sitting of the National Council and the National Assembly, the issue of the delimitation of the three types of thromde (municipal) council, A, B or C (yenlag) was resolved by the decision of the ECB on 25th November 2010 to carry out the first-ever local governments election in Bhutan before the end of June 2011 by a special one-time measure with conduct of elections in the four A-thromdes (Gelephu, Thimphu, Phuentsholing and Samdrup Jongkhar on 21st January, and subsequent conduct of elections in the 205 gewogs (rural local governments), while elections of the remaining 16 B-thromdes and the class C-(yenlag) thromdes are postponed until after the second National Parliamentary elections in 2013. Accordingly, the A-thromde elections took place on 21st January 2011, also observed by the Representation Office of Denmark, and a separate observation report of this has been submitted to the ECB.

The notification of 6th April 2011 stipulated the local governments’ election to take place in all the Gewogs and Thromdes (Municipalities) of Bhutan on 24th May 2011. However, due to the submission of complaints from various institutions and a substantial number of candidates disqualified in particular for not adhering to the procedures of verifying their non-party political status, His Majesty the King granted a Royal Kasho to the ECB on 4th May, following which the Election Commission on 10th May deferred the local governments’ election to the 27th June 2011, on which date the elections were subsequently implemented nation-wide.

The Observer team would like to thank the Royal Government of Bhutan, and in particular the Election Commission of Bhutan for providing this valuable opportunity to follow the first local governments’ election in Bhutan. Moreover, all election officials and voters met are thanked for their support to the observation process and their open and friendly attitude towards the observation team without which it would not have been possible to follow the election process.
2. Observations

Observations prior to the election day 27th June 2011 of the preparations of the elections, including registration of voters, nomination of candidates, campaigning and guidance by the ECB are primarily based on information from the media of Bhutan and from the official announcements of ECB. On the election day, the observations are based on visits to all five (5) polling stations (Demkhongs) in Guma Gewog, Punakha Dzongkhag, and three (3) polling stations in Maedwang Gewog, Thimphu Dzongkhag, and the returning offices of the respective dzongkhags. The polling stations in Guma Gewog were: Lakhu Tshowogm (Phuatsha Old Archery Ground), Dochhukha Dzoamlingthang Ritsa (Camping Site), Baymenang Phulingsoom Wangwakha (ORC), Changyuel Loongsilgang Tashijong (Punakha Hospital), and Guma Wolakha (Khuru MSS). The polling stations in Maedwang Gewog were: Khasadrapchu (Khasadrapchu MSS), Danglo Namsaling (Dramesa ORC) and Jiminang (Jiminang RNR). The observations took place before the opening of the polling station at Punakha Hospital and Dramesa ORC, respectively, at 9:00, and included the closing of the same polling stations at 17:00, the counting and communication of results from the polling stations to the Dzongkhag counting centre. The partly communications on the Bhutan Broadcasting Service of the Gewog results from the 27th June, and the announcement from the ECB Headquarters of the total country results the morning of the 28th June were also observed. Finally, the detailed results communicated on the ECB Website, and in the newspapers on 1st July have also been studied.

The observations are in the following structured as per the Guidelines, Art. 12, Scope of Observations:

**Impartiality of the Election Officers:** The impartiality of the Election Officers and their performance in general was observed as very satisfactory. Obviously, the training of the officers prior to the elections, and the experiences gained from the national elections in 2008 and from the thromde elections in January this year, have improved the skills of the election officers. At the same time it should be noted, that many new election officials took part in the process for the first time. It was further noted, that though the impartiality was also ensured by the presence and attendance of Representatives of Candidates at most polling stations visited, only a few candidates had representatives at the polling stations.

**Registration of voters:** According to the ECB, all Bhutanese citizens above the age of 18 years on the date of elections and registered in the respective local constituency by 1st January 2011 were eligible for registration as voters on the Electoral Roll, based on the civil registry database of the new Citizenship Identity Cards of the Ministry of Home and Cultural Affairs. Thus, the voter registration was supposed to be automatic which meant everyone eligible was registered, except the members of the Royal Family and religious personalities, who were not issued Voter Photo Identity Cards (VPIC). The draft Electoral Roll was issued by 10th March for public inspection, and changes could be made up to thirty days before the date of the poll. As noted from the observations of the thromde (municipal) elections in January, the actual resident
population in Bhutan does not correspond to the local census population, as many people prefer and are allowed to maintain their local registration in the rural area, even if they have been residing in the urban area for years. Consequently, more voters are registered in the gewogs than actually live there. To exercise their voting rights, they will have to travel to their old village, if they are not permitted to vote by postal ballot, as the case for civil servants, people working in the tourist industry, students, etc. For the local governments’ election, as per the feedback received during the post-parliamentary election exercise and as endorsed an incorporated in the Election Act to provide postal ballot facilities to the spouses of the eligible postal voters, the ECB expanded the number of eligible postal voters (to 62,042 voters, although only 27,423 voters applied for postal ballot), and the actual number of postal ballots increased. However, it is still a privilege for a selected group of citizens, and not accessible for all. The final total number of voters registered was 347,938. For the voters for the gewogs, the total was 346,646 of which 170,600 (49,2 pct.) were male, and 176,046 (50,8 pct.) were female registered voters. With a national population gender ratio of male/female as 52.5 pct./47.5 pct. (Population Census 2005), the higher registration and participation by the female voters is interesting. No information is available on any persons trying to be registered, but having been declined as voter, or of citizens being eligible, but not wanting to be registered as voters. The ECB made substantial efforts to distribute the voter cards, even extending the deadline for collection.

However, at the polling stations is was noted on the polling day that a number of voters, who brought their voting card (VPIC) were not on the Voters’ List at the polling station, which in many instances lead to their refusal by the election official of casting their ballot. In around 135 such cases the voters, though could be helped to exercise their franchise by rapid assistance from the election officials. In other instances, voters realised that they had been transferred to another polling station (even from a Gewog to a Thromde), and were asked to go to that station to vote – with substantial additional efforts and expenses as a consequence, and anger as in Punakha, when they finally discovered that they couldn’t vote in the Thromde either, as there was no eligible candidate.

Nomination of candidates: The identification and nomination of candidates for the 205 positions as Gup (Head of County or Chairperson of the County Committee), the 205 positions as Mangmi (Deputy Gup) and the minimum five to eight seats for Tshogpas (ordinary member) in each of the 205 Gewog Tshogde (GT, gewog council), was not easy. In addition, 16 candidates for the position as Dzongkhag Thromde Thuemis (town representative for the district council), and four vacant seats as Thromde Tshogpas (municipal council members in Phuentholing and Thimphu) were to be found. A major constraint was that many of the interested candidates had already been involved in the national political activities, and the early strict application of the rule of at least one year since resignation from any political party resulted in the mentioned disqualification of 259 former members of political parties. This challenge was only resolved...
after appeal to His Majesty, and the subsequent decision by the ECB to postpone the elections providing more time to scrutiny case-by-case, increasing the number of candidates by 232.

For the Tshogpa positions, however, it was still difficult. While the Gup’s monthly salary of Nu. 14,355 and that of the Mangmi of Nu. 10,765 (plus some allowance for mobile telephone, etc.) may seem reasonable for a fulltime job with a large responsibility, many has expressed that Nu. 2,000 monthly for the GT ordinary members is not compatible with the voters’ expectations of delivery of services, in particular, if no other (public) employment is permitted. In addition, the qualifications required for all passing a functional literacy and skills test (FLT), which most (80 pct.) of those registered for the test actually did, but it could still be perceived as a psychological test constraining some potential candidates. To encourage more candidates to come forward, the ECB increased its highly appreciable efforts by carrying out two rounds of the FLT. But, whatever the reasons – and the financial remuneration probably was the critical one - in the end only 51 (25 pct.) of the GTs fulfilled the constitutional requirement of minimum seven members of the GT. For not less than 358 Tshogpa seats (25 pct.) out of total 1,439 seats, there were no candidates. And while there was no contest for only 13 (6 pct.) out of the 202 elected Gups, and no contest for 13 (6 pct.) of the 204 elected Mangmis, there were no less than 468 (68 pct.) of the 684 elected Tshogpas, which were uncontested, as there was only one candidate. In these cases, the voters were obliged to vote ‘yes’ or ‘no’ to the only candidate – which they actually did with negative consequences for 32 candidates. Obviously, the lack of sufficient number of Tshogpa candidates is a serious issue to be addressed.

**Conduct of election campaign:** In general, it is the observation that the election campaign was conducted in a fair and acceptable manner. The ECB had posters and advertisements for general voter education and information, including promotion of more female candidates, and all candidates were presented in joint meetings in the Gewogs. The contesting candidates were not given any state funding to run their campaigns unlike in the national elections in 2008. Each candidate, however, was allowed to spend up to Nu. 50,000 from his or her own sources, to be properly accounted for subsequently to the ECB, to produce e.g. posters and other election material. All written materials were required by the ECB to be in Dzongkha and English in order to ensure level playing field. Obviously, this could make it difficult for citizens who do not have Dzongkha as their mother tongue, and it could be regarded as an unnecessary limitation. The official election notice boards were only utilised to a limited degree. The most important part of the election campaigns were, as explained by the candidates, their personal house-to-house canvassing, but even that was probably also limited, as many candidates were already known in the local communities.

The postponement of the election day presented a special challenge. Most candidates had already initiated or even completed their campaign, when the election was postponed, and all campaigning was suspended. When the new date was announced, another campaign period was
allowed, which of course provided double time for those candidates, who had already begun campaigning compared with any new contestants coming into the field.

However, seen in proportion to the large number of contesting candidates, the number of complaints of the conduct of the campaign was relatively limited. Four candidates were actually disqualified, two for formal reasons, one for being a religious personality, and only one for charge of bribery and use of unfair means (he offered some construction workers, also being voters, a beer).

**Freedom of expression:** The ECB had issued guidelines for the candidates to conduct the campaign in an orderly and dignified manner, including the prohibition of any public gathering which could hamper the electoral processes. In comparison with the municipal elections, this does not seem to have hampered community life to a large degree. At least, no public complaints on this have been noted.

**Freedom of peaceful political activity:** The election campaign and process was conducted in a peaceful and efficient manner, and although a few minor incidents of friction between followers of candidates were reported, the general impression is of a well-guided election campaign and a dignified election process. In particular, the polling process on the election day and the serious conduct of the voters was impressive. The voters also seemed to have recalled their experiences of the national elections, so both they and the returning officials performed smoothly. Obviously, the Bhutanese society is getting to know, how to conduct democratic elections in a peaceful and dignified manner.

**Conduct in accordance with the law:** The ECB is very strict in its application of the election rules, and do not permit any deviations. E.g., a few voters turned up at the polling station five minutes past the closing time, and were summarily dismissed as latecomers. It seems, however, that the establishment of dispute settlement bodies in the 20 dzongkhags, the central dispute settlement body, and finally to the ECB has promoted an improved resolution of disputes. It has to be seen, if the Election Petition period running up to 7th July will bring forward major or many complaints of the election process.

**Without fear or undue influence:** It was a clear observation from all visited polling stations that voters were able to cast their votes freely and without fear or undue influence. Obviously, there has been a lot of discussion in the local community, within the families and between individuals of which candidate to prefer. This is a very legitimate part of the democratic process. A special feature of the local governments’ election is that they are apolitical, i.e. the candidates are elected on their own individual qualities, and are not to be affiliated with any political party, thus having not been a member of a party at least for a year. Moreover, the two political parties, members of Parliament, and others affiliated with the parties, are not allowed to visit the local governments during the election period. How this is to be interpreted, since in the local communities party affiliation of supporters and previous party preference is probably well
known among the voters, is still a learning process. However, no observations of undue party interference were made by the Observer team.

The ECB promoted specifically enhancement of more female candidates prior to the notification of the elections. Up to now, only few women were actively taking part in elected local committees as members of the GYT's (Gewog Development Committees). Traditionally, the public sphere outside the households or villages does not provide an obvious platform for women in the rural areas, and it takes courage for women to move outside their village, contesting an election publicly, including moving around in the Gewog. The larger turn-out of female voters (more than men), and although the number of female candidates, about 165 (8%) out of the total number of 2,185 candidates, is less than expected, it does indicate that changes are under way.

**Conduct of poll:** The arrangements for the conduct of poll and counting followed satisfactory standards to avoid fraud and illegality. Checking of identity, checking of voter registration, assistance to voters for polling and general administration at the polling stations was managed at most observed polling stations in a friendly and efficient manner. Elderly voters, those handicapped or with infants, were given preference. The pattern of voters’ attendance varied from polling station to polling station. Some voters turned up early, causing in a few stations rather long lines (gender-wise), and a major constraint was the checking of the voter’s identity on the Voters’ List. It seems that the list was neither sequenced as per the names of the voter alphabetically, or by serial numbers of the VPIC, making the checking of each voter quite a cumbersome process sometimes lasting more than five minutes. In the end, in one polling station, the Presiding Officer towards the closing of the poll chose wisely to make a name call from the list for all the remaining waiting voters, thereby expediting the last voters quickly before the polling station closed.

The turn-out of the voters did not vary as much as during the municipal elections, the preliminary figures tell, and the turn-out in the rural areas was actually somewhat higher than in the urban areas, despite the very heavy rainfall in some districts like Samtse. Overall, the turn-out was satisfactory, compared with international standards where local governments election normally are lower than national elections, with a voter turn-out of 56 pct. of 194,357 voters out of 347,938 registered voters. The postal ballot option was used by approx. 10 pct. of the voters, of which by far the majority were used for voting ‘yes’ to candidates. It should be noted that the turn-out of the female voters, counted manually by the election officials at the observed polling stations, of nearly 60 pct was substantially higher than that of the male voters, about 50 pct.

**Voting procedures followed:** The voting procedures were followed correctly by the Election Officers as far as the Observer could understand and observe. The Election Officers took great care both in assisting e.g. elderly people and handicapped, and in ensuring that the electronic voting
machines were properly utilised. There was still some technical challenges in some polling stations of making the voting machines ready for the polling, however, they were solved with some delays. For many voters, it was a challenge to have three polling booths (one for gup, one for mangmi and one for tshogpa) at each polling station, but the election officials rapidly learned to guide the voters through the two booths.

Secrecy of ballot ensured: Great care was taken to ensure both the individual secrecy of each voter, and the confidentiality of the results until formally declared by the respective polling station and constituency. The seal of the voting machines was very correctly broken after the closing of the polling supervised by the Representatives of the Candidates, and the machine was carefully resealed after the results had been read. However, still some more practice of handling the voting machines could be conducted.

Counting of votes: The automatic counting by the Electronic Voting Machines (EVM) seems to function effectively. However, no information of the subsequent checking of the results (e.g. of the voter slips from each polling station) have been published. Further, it was not clear whether the number of voters actually allowed to cast their ballot (presumably counted manually by the election staff) was checked as corresponding exactly to the total number of votes counted by the electronic voting machine, but the counting of the machine was not disputed by anyone. Finally, it is noted, that due to the large number of results from each polling station, it took more time than planned to accumulate the overall gewog results for the returning offices, and it was not until next day after the polling day that it was possible for the ECB to announce the formal results.

Determination and transmission of results: The reading of the results from the voting machines was a very rapid process. It was checked by all present, and as the options of choice of candidates were limited in each constituency – and in many case only ‘yes’ and ‘no’-votes were counted for the single candidate -, the results were easily determined. It is appreciated, that the transfer of results in most constituencies were done by fax or through sms, rather than vocally by mobile phones. Even then, some few errors occurred for later correction by the ECB. The publication of all results on ECB’s website for transparency reasons is highly appreciated. For external and international Observers, however, the indication of gender of the candidates and the elected members would be an added advantage. As the results of each polling station are now also available, it is feasible for the public to check or re-calculate the individual constituency results.

Overall, as announced the day after the elections by the ECB, 1,102 candidates were elected, including 202 Gups, 204 Mangmis, 684 Gewog Thsogpas, 8 Dzongkhag Thuemis and four Thromde Tshogpas. The ECB declared after the election that the 205 gewogs in Bhutan now has an elected Gewog Tshogde. This is, however, debatable since there are still three Gup vacancies (i.a. due to a tie in one Gewog), one Mangmi vacancy and not less than 360 Gewog Tshogpa vacancies. As the vacancies are unevenly distributed, a majority of the Gewog
Tshogdes (75 pct.) do not comply with the Constitutional requirement of minimum seven GT members, as seen from the Table 1 below:

Table 1: Distribution of Gewogs as per Number of Elected Members

<table>
<thead>
<tr>
<th>Number of Members</th>
<th>Number of Gewogs</th>
<th>% of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>8 Members elected</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>7 Members elected</td>
<td>47</td>
<td>23</td>
</tr>
<tr>
<td>6 Members elected</td>
<td>55</td>
<td>27</td>
</tr>
<tr>
<td>5 Members elected</td>
<td>44</td>
<td>21</td>
</tr>
<tr>
<td>4 Members elected</td>
<td>29</td>
<td>14</td>
</tr>
<tr>
<td>3 Members elected</td>
<td>18</td>
<td>9</td>
</tr>
<tr>
<td>2 Members elected</td>
<td>8</td>
<td>4</td>
</tr>
<tr>
<td>Total</td>
<td>205</td>
<td>100</td>
</tr>
</tbody>
</table>

Of the 205 gewogs, only 25 pct. (51 gewogs) have full membership, i.e. the minimum Constitutional requirement (Article 22, 10) of seven elected members, after the 27\textsuperscript{th} June elections, and by-elections are urgently required. The Constitution states (Article 22, 14) that “When an office of a member of the Local Government becomes vacant for any reason other than the expiration of term, an election of a member to fill the vacancy shall be held within thirty days from the date of the vacancy.” It may thus be required to hold by-elections as soon as possible, and not wait until 2012, to fill the 358 Tshogpa vacancies, one Gup vacancy and two Mangmi vacancies.

The election results raise another key issue. The Constitution (Article 22, 13) states that “The presence of not less than two-thirds of the total number of members shall be required to constitute a quorum for a sitting of a Local Government”. As two-thirds of the seven-member GTs would require 4,6 or five members to be present, all GTs now with less than five members, i.e. 55 GTs, or 27 pct. of all, will not be able to function legally with a quorum, in fact not be able to make any formal decisions. In this regard, the local governments’ elections have not produced a satisfactory outcome. Of course, the worst cases of GTs with only two members elected (8 GTs) or three members (18 GTs), i.e. less than half the minimum membership, should not be constituted at all.
Gender-wise, precise details of the results have not yet been released. Preliminary figures indicate 1 female Gup (Dagana, Tashiding Gewog), 12 Mangmis, and 61 women elected as Tshogpas, in total 74 (7 pct.) women elected at gewog-level out of 1,090 elected. This is no big difference from the previous GYT- system, where (by 2010) there were 1 Gup, four Mangmis and 76 Tshogpas nominated. The major difference being that this was the first democratic local governments’ election, where candidates of both sexes contested openly against each other on a level-playing field.

In this regard, it is interesting to observe, still to be confirmed by closer analysis that most winners were from the constituencies with the largest number of voters. Obviously, the delimitation of equally sized constituencies is of major importance, since at local elections no party preferences can be expressed, but only local preferences are dominant. And the sizes of the constituencies (Chiwogs) varied considerably. Whether this has a gender bias, is also to be further analysed. Another issue to study is to which degree the previous members of the GYT succeeded in being re-elected, or whether new members dominated the results. So far, the indications from Gewog to Gewog seem to vary.

**Maintenance of order:** Order and general security was well maintained at the polling stations. However, at some stations the pressure of voters was sometimes quite heavy, but obviously less than at the national elections. No cases of major orderly problems were reported, although frustration shown by too many voters being diverted to other polling stations, or even completely rejected due to the latest changes in voters’ registration, were very obvious.

**Restriction of citizens:** It has not been feasible for the Observers to check if any restriction, contrary to the law of Bhutan, was imposed on any citizen, who wished to take part in the election process either as a candidate or a voter. It was intended by the ECB to operate a ‘Single Window Clearance System’ for the handling and clearance of all required papers of the candidates, including security clearance. However, by the time of notification of the elections, the system was not yet made operational, and the candidates still had to acquire the necessary documents from each relevant office. This may not have been a serious issue for the town council elections, but it was a challenge for the local Gewog elections in the rural areas. Definitely, identification and nomination of the sufficient number of candidates for the Gewog elections was hampered by the delay of the introduction of the ‘single window’ security clearance system.

On the other hand, participation of all the citizens in the local governments’ elections was promoted substantially by the ECB in its voting awareness campaign and regarded not only as a duty for all citizens, but as a social and democratic responsibility, which all should respond to. However, once the voter has been checked and registered and enters the ballot booth, there is no option to participate, but voting ‘blank’ (i.e. not choosing any of the candidates). Once the voter enters the ballot booth there is no return: one has to cast the vote for one or the other
candidate, or cast the yes/no-vote. There is no third button for a non-vote, and many voters were vigorously reminded by the officials, that they could not leave the ballot box without voting in all (three) compartments.

3. Rights of Observers

As stated in the introduction, the assignment undertaken by the Danish International Observer team was in most cases very much supported and facilitated by the responsible Election Officers and polling staff. No restrictions of access, duration of observation or any other impediments were presented by the officials. The role of the Observers may, however, be clarified to the officials regarding the access to information of e.g. the Voters List, and to the decisions and communications made by the officials as regards the specific cases of voter’s rights to vote, as they occur at the polling station.

4. Conclusion

Overall, the implementation of the first democratic local governments’ elections in Bhutan were prepared meticulously and comprehensively with training not only of the election staff, but also of the voters to a degree rarely seen in any other country. The election process was very properly conducted with great dignity and respect for the institutionalisation of a democratic citizen culture at the local level for the first time. The turn-out of those registered as voters in the respective constituencies was satisfactory (56 pct.), but the number of registered voters was probably much higher than the actual number of residents in the rural constituencies. In reality, the turn-out, calculated in proportion to the number of the actual resident population, thus was probably higher than measured against the formally registered population, and could be estimated as 65-70 pct., if the urban people, registered as voters in the rural areas could be about 50-70,000. This poses a major challenge to the future functioning of the local governance system in Bhutan, and maybe also to the legitimacy of the elected Gewog councils.

Currently, there’s no legal obligation for the citizens in Bhutan to shift their registration when they move to another residence, e.g. to the towns. While in other countries you are obliged to formally shift your registration within a given period (in Denmark e.g. within five days), for traditional reasons most Bhutanese prefer to retain their home village registration, even if they have been residing in the town for a long time. This has serious implications for the critical relationship between citizens as voters and their elected representatives. Moreover, as the local taxation in Bhutan is very limited, there’s no incentive for the citizen to move his or her
registration to the town. The classic relationship between tax payment, election of representatives and accountability, therefore, does not exist.

The Election Commission of Bhutan has initiated the first local governments’ elections in Bhutan in a flexible and efficient manner. The preparation and implementation of the Thromde and of the Gewog elections is still a learning process, and improvements could be made, e.g. in the organisation of the Voters’ List, clear prior information to all voters of their proper constituency, access for all voters to postal ballot, and not least, a legal framework prescribing mandatory change of census registry when the voter’s residency is permanently shifted. This Observer team offers its heartfelt congratulations to the Election Commission as well as all the voters of Bhutan for the successful implementation of the first-ever democratic local governments’ elections.

It’s a huge challenge to fill the current vacancies of the Gewog Tshogdes, but is indispensable, and it has to be undertaken as soon as possible, if the legitimacy of the new GTs is not to become eroded. GTs with less than five members cannot function as legitimate local governments. In this connection, a final remark on the role and responsibility of the elected Gups and other members of the GTs. The concept of local governments and their elected members will definitely evolve over time, and the debate is already on-going. However, the media has contributed negatively to the image of the elected representatives by terming them the lowest ‘local functionaries’, in particular the Gups and Mangmis, as if they are employed civil servants of which the most important task is to carry forward the demands of the local communities to the higher, central authorities. Actually, they are local politicians, although non-party politicians, and not administrators or bureaucrats. The terminology reflects the image, probably also among the voters. For the media, and in particular for the ECB, the challenge for the coming years up to the next local governments’ election in 2016 should be promoting more candidates, and more elected members (including, of course more women) by terming them correctly as elected representatives or Councillors of the local governments.

Representation Office of Denmark,

Dear Henrik,

I would like to thank you for sharing the draft of the Local Government Election Observation report. Your comprehensive report will definitely help us in conduct of the next round of Local Government Elections as well as other elections in the future.

However, I am pleased to offer the following comments to the draft:

Page 3; Para 3; Introduction,

The notification of 6th April 2011 stipulated the local governments’ election to take place in all the Gewogs and Thromdes (Municipalities) the rural areas of Bhutan on 24th May 2011.

Page 4; Para 3, Introduction,
Registration of voters...

For the local governments’ election, as per the feedback received during the post-parliamentary election exercise and as endorsed and incorporated in the Election Act of the Kingdom of Bhutan to provide postal ballot facilities to the spouses of the eligible postal voters, the ECB expanded the number of eligible postal voters, and the actual number of postal ballots increased. However, it is still a privilege for a selected group of citizens and not accessible for all.

It may be noted that with this, 62,042 voters were eligible and registered for Postal Ballots but none-the-less only 27,423 actually sent in the mandatory application for Postal Ballots) for the Local Government Elections 2011.

Postal Ballot is a privilege extended only to civil servants, armed forces and certain group of persons in the interest of ensuring free and fair elections as election activities involve a mass of public servants to be detailed on election duty depriving them to exercise their right to vote. Also, for people whose services have a direct bearing on the successful conduct of elections such as essential public services such as electricity, phone, post, banks, etc. the privilege is extended.

However, due to the inherently risky nature of Postal Ballot (problems of delivery and receipt on time, possible manipulation and abuse etc), we do not see it as being the main means of polling and would continue to promote voting in person.

Page 5 (first Para)

"More Voters amongst Gewog than actually they live in - actual resident population in Bhutan does not correspond to the Local census population as many people prefer and are allowed to maintain their local registration in the rural area, even if they are residing in urban areas. Consequently, more voters are registered in the rural area than actually live there. To exercise their voting right, they will have to travel to the old village, if they are not permitted to vote by postal ballot."

It is a fact that the modernization of Bhutan is a recent phenomenon as is the case of urbanization. As such, before the introduction of democracy, the need for transfer of their civil registry to the place of residence was not felt. This is still not seen as a priority by the Bhutanese people unless one decides to be a candidate to contest elections. The
Election Commission hopes, however, that more and more people will begin to accept this need to effectively benefit from democracy.

The transfer of civil registry initiated during the Local Government Elections is a good indication that more people are beginning to see the purpose now.

**Page 5 (second Para)**

Reference is made to “quite a number of voters” and “many instances” of voters not being on the Voters’ List at the polling station, presumably the polling station given in the VPIC.

Such general and sweeping statements are quite misleading. In actual fact, this particular problem was reported immediately by the Returning Officers, and in some cases by the voters themselves, to the Election Commission Head Office and after cross-checking with the Master Electoral Roll in the Head Office, around 135 voters who faced this situation in eleven Dzongkhags could be helped to exercise their franchise as they fulfilled the requirements and the problem was due to printing error after the revocation of the waiver of the mitsi one-year durational requirement.

It may also be noted that a few voters of Punakha Thromde made their frustration clear on live TV coverage as they turned up to vote in the Gewog but were not allowed to do so since they were registered in the area declared as Dzongkhag Thromde and are no longer on the Voters’ List of the Gewog. They had been advised that they have to vote in the Thromde but for this particular election there was no candidate from the Thromde (the single interested candidate was found ineligible) and they could not vote in the Thromde either.

**Page 5 (third Para)**

The Gup has been translated as “mayor” and Mangmi as “vice mayor”.

The Glossary of the Constitution lists the Thrompon as a “Municipal Administrator or Mayor”; Gewog as the “County”; Gup as the “Head of a Gewog” and the Mangmi as “An elected representative of the Gewog who is also a deputy Gup”.

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It is therefore suggested to refer to the Gup as the Head of a County or Chairperson of the County Committee, if required.

**Page 6 (first Para)**

*The qualification required for all passing a Functional Literacy and Skills Test (FLT), which most of those registered for the test did (80 pct), but it could be perceived as a psychological test constraining some potential candidates.*

It was made very apparent in the media and to the election officials during the delimitation hearings that many intended decided not to contest the election as the salary of Nu. 2000 per month was too insignificant. That only around 50% of those who had taken the test and were awarded Certificates came forward to contest the election is testimony to the fact that the situation of no candidates cannot be squarely attributed to FLT or the fear of taking it.

**Page 6 (second Para)**

Conduct of election campaign: .....

The permissible campaign amount may be corrected as Nu. 50,000/- and not as Nu. 50,000.

Also,

*Obviously, this could make it difficult for citizens who do not have Dzongkha as their mother tongue, and it could be regarded as an unnecessary limitation.*

As all candidates are required to possess some qualification in Dzongkha and in all Schools, the medium of instruction is English, ECB do not see that the candidates who will have to carry out the responsibilities of the elected post in Dzongkha, requiring them to campaign in the same would be a limitation.
**Page 6 (last Para)**

It is reported, in parenthesis in the last line, that in the case of the disqualification of a candidate "... (he offered his construction workers, also being voters, a beer).” In actual fact, these persons were working on another construction site at that time. Five of the six that he had treated to beer had undertaken to transport some timber for him but that was a few weeks before. It may also be noted that the difference in votes between the two Candidates at the Zomdu was a Single vote which had decided the outcome of the Zomdu.

**Page 8 (first Para)**

The figures need to be revised as follows:

*The larger turn-out of female voters (more than men), and although the number of female candidates, about 165 (8%) out of the total number of 2,185 candidates, is less than expected, it does indicate that changes are under way.*

**Page 8 (second Para)**

*Major constraint was the checking of the voter’s identity on the Voters’ List. It seems that the list was neither sequenced as per the names of the voter alphabetically, or by serial numbers of the VPIC, making the checking of each voter quite a cumbersome process sometimes lasting more than five minutes.*

The Election Commission of Bhutan is aware of this and measures are being looked into to address this problem. For instance, financial assistance is being sought for procurement of hardware and soft-wares for operating biometric identification both at offices and polling stations. It could mean a requirement of half a US million dollars (Nu.20 million approximately). If it becomes feasible for the above implementation, the situation will considerably improve.
The figure needs to be revised as follows:

Overall, 1,102 candidates were elected, including 202 Gups, 204 Mangmis, 684 Gewog Tshogpas, 8 Dzongkhag Thuemis and four Thromde Tshogpas.

The argument as to why the elections to the vacancies should be held at the earliest and not wait till 2012 is strong from the legal point of view and even for the Election Commission it would be desirable to complete the Local Government Elections in a neat manner. However, the reality is that elections for Gewog Tshogpas in 320 Chiwogs, Thromde Thuemi in 7 Dzongkhag Thromdes and Thromde Tshogpas in 1 Thromde Tshogpa Demkhongs could not be held in the recent elections because there were no candidates interested to contest the elections. Therefore, it is necessary that an effective and special awareness and motivation effort is prepared and launched in these areas followed by the conduct of the Functional Literacy Test, only after which it will become clear as to the availability of eligible candidates and a practicable way forward. At the same time, positive developments on the remuneration of the Tshogpas could also bring about some change in the candidate situation which is most dire for the Gewog Tshogpa and Thromde Thuemi.

Also,

Obviously, the delimitation of equal sized constituencies is of major importance, since at local elections no party preferences can be expressed, but only local preferences are dominant. And the sizes of the constituencies (Chiwogs) varied considerably.

The delimitation of constituencies is guided by the provisions of Constitution which provides for a minimum and maximum number of seats that can be delimited. It is also to be noted that Dzongkhag and Gewog Boundary can be altered only by an act of Parliament.

Para 3 of Page No: 11 (Single Window Clearance System)

The Single Window Clearance System was tried but could not be made operational as we did not receive the support and cooperation of line agencies responsible for issue of documents.
The figures are available in the Press Release of 8 July 2011 (Annexed).

The point on the need to improve the image of Local Government elective posts and post-holders is a very good one. As most articulately pointed out by His Majesty The King, the local governments are not the lowest or the smallest levels, rather they are the most direct and closest to the People. We believe that this is an important aspect and it needs to be addressed in a comprehensive manner including the usage of the correct and dignified terms, wider awareness and appreciation of their roles, responsibilities as well as powers and authority, commensurate remuneration and protocol due to the office.

We may suggest that if you may find it proper our letter be included as Annexure to your report.

With warm regards,

Yours sincerely,

(Kunzang Wangdi)

To,

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Thimphu
Bhutan
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