



FREEDOM IN THE WORLD 2023

Bhutan

PARTLY FREE

61
/100

<u>Political Rights</u>	29 /40
<u>Civil Liberties</u>	32 /60

LAST YEAR'S SCORE & STATUS

61 /100 **Partly Free**

Global freedom statuses are calculated on a weighted scale. See the methodology.



Overview

Bhutan is a constitutional monarchy that has undergone democratic consolidation in recent years, which have featured credible elections and transfers of power to opposition parties. Ongoing problems include discrimination against Nepali-speaking and non-Buddhist minorities, the use of defamation cases to silence journalists, and media censorship.

Key Developments in 2022

- Border tensions between Bhutan and China escalated after the January implementation of a new Chinese land border law, and subsequent construction of Chinese settlements inside Bhutanese territory.
- Two civil servants were reportedly forced to retire in April after talking to the media about their concerns over staffing at the Ministry of Agriculture and Forests.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?

3/4

The monarch is head of state, appoints a number of high officials, and retains a waning degree of influence over ministerial positions. King Jigme Khesar Namgyel Wangchuck formally succeeded his father in 2008.

The monarch nominates the leader of the majority party in the elected National Assembly to serve as prime minister. Lotay Tshering of the United Party of Bhutan (DNT) was appointed prime minister in November 2018.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?

4/4

The constitution provides for a bicameral Parliament, with a 25-seat upper house, the National Council, and a 47-seat lower house, the National Assembly. Members of both houses serve five-year terms. The king appoints five members of the nonpartisan National Council, and the remaining 20 are popularly elected. The National Assembly is entirely elected.

The April 2018 National Council election saw record turnout; some observers ascribed the higher turnout to reforms such as a new postal voting system that were designed to encourage voting and make casting ballots easier. The National Assembly election was held in two rounds in September and October 2018, with the two parties that won the most support in the first round advancing to the second. The DNT, which launched in 2013, won 30 seats. The Bhutan Peace and Prosperity Party (DPT) won 17. The then ruling People's Democratic Party did not advance to the runoff and therefore was not represented in the National Assembly.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?

3/4

Elections are administered by the Election Commission of Bhutan (ECB), which is generally considered impartial, although some of its regulations regarding which parties can compete in elections are controversial.

B. Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?

3/4

Citizens must receive government approval to form political parties, and obtaining approval is sometimes difficult.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

4/4

The opposition has a realistic chance to win elections, and there is now regular turnover in control of government. In 2018, the DNT won control of Parliament for the first time, and another opposition party, the DPT, finished second, despite having won no seats in 2013.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?

3/4

India still has some influence over the choices of Bhutanese voters and politicians. The Chinese government does not have a diplomatic relationship with Thimphu but has courted Bhutanese leaders and worked to gain control of Bhutanese territory. Chinese forces have constructed villages, military outposts, and infrastructure inside Bhutan since 2015 and the implementation of a Chinese land border law in January 2022 exacerbated the problem.

The royal family retains influence, although it has significantly retreated from policy interference in recent years.

B4 0-4 pts

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?

2/4

Electoral rules stipulate that political parties must not be limited to members of any regional, ethnic, or religious group. Citizenship rules are strict, and many

Nepali-speaking people have not attained citizenship, leaving them disenfranchised.

Women are underrepresented in public office; traditional customs inhibit women's political participation, though electoral reforms introduced for the 2018 elections improved female turnout. Female representation in the National Assembly improved from 8.5 percent before the 2018 elections to 14.9 percent immediately after, and women held 17.4 percent of the chamber's seats at the end of 2022.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?

2 / 4

Bhutan has made a successful transition from a system in which the monarch dominated governance to one in which policies and legislation are mostly determined by elected officials. Beijing has widened its effective influence over policymaking in part of Bhutan through its settlement activity in recent years, effectively obstructing Thimphu's authority.

The Indian government maintains significant influence on Bhutanese policymaking, in part by supplying considerable foreign aid.

C2 0-4 pts

Are safeguards against official corruption strong and effective?

3 / 4

The government generally enforces anticorruption laws effectively. The 2006 Anti-Corruption Act established whistleblower protections. The Anti-Corruption Commission (ACC) is tasked with investigating and preventing graft and has successfully prosecuted several high-profile cases. The number of cases reported to the commission has grown each year, showing public interest and the ACC's widening utility.

Nepotism in public procurement and government employment remains problematic.

C3 0-4 pts

Does the government operate with openness and transparency?	3/4
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The government has strengthened transparency by making the salaries of officials public and making the central and local budgets more open to review. A right to information law passed by the National Assembly in 2014 was designed to put the onus on agencies to release information. However, the National Council never approved the bill.

Add Q

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group?	-1
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The government has for decades attempted to repress the rights of ethnic Nepalis, forcing many of them to leave Bhutan. The government expelled a large percentage of Nepali speakers in the early 1990s. A resettlement effort aimed at transferring the refugees to other countries began in 2007, resulting in the resettlement of the majority of refugees. However, between 6,000 and 7,000 Bhutanese refugees remain in Nepal.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media?	2/4
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While there are multiple private media outlets, many depend on advertising from state bodies, and the media environment remains subject to self-censorship. Powerful individuals can use defamation laws to retaliate against critics.

The Bhutan Information Communications and Media Act 2018 mandated the establishment of an independent Media Council, which became operational in 2019, to monitor the media for harmful content. Press freedom advocates fear the body will prompt further self-censorship.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?	2/4
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The constitution protects freedom of religion, but local authorities are known to harass non-Buddhists.

Christian churches have often been unable to obtain registration from the government, which places constraints on their activities.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?	2/4
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Few restrictions on academic freedom have been reported. However, Bhutanese university students are often hesitant to speak out on controversial political issues, including issues related to the monarchy, and practice self-censorship.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?	3/4
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Freedom of expression is constitutionally guaranteed and generally respected. However, under the National Security Act, speech that creates or attempts to create “hatred and disaffection among the people” or “misunderstanding or hostility between the government and people,” among other offenses, can be punished with imprisonment. The broad language of the law makes it vulnerable to misuse. Two civil servants who worked at the Ministry of Agriculture and Forests were reportedly forced to retire in April 2022 after talking to the media about staffing concerns.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?	2 / 4
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The constitution guarantees freedom of assembly, but this right is limited by government-imposed restrictions. Public gatherings require government permission, which is sometimes denied.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?	2 / 4
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Nongovernmental organizations (NGOs) that work on issues related to ethnic Nepalis are not allowed to operate, but other local and international NGOs work on a wide range of issues. Under the 2007 Civil Society Organization Act, all new NGOs must register with the government. Registration is granted to NGOs that are determined by the government to be “not harmful to the peace and unity of the country.”

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?	1/4
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The constitution nominally guarantees the right of workers to form unions, but the right to strike is not legally protected. Workers may bargain collectively, and antiunion discrimination is prohibited.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?	3/4
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The independence of the judiciary is largely respected. Senior judges are appointed by the king on the recommendation of the National Judicial Commission. However, the rulings of judges often lack consistency, and many people view the judiciary as corrupt.

F2 0-4 pts

Does due process prevail in civil and criminal matters?	2/4
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Although the right to a fair trial is largely guaranteed and arbitrary arrest is not a widespread problem, plaintiffs and defendants in civil disputes often represent themselves. Many people who are unable to repay debts are held in detention, which is considered arbitrary under international law.

A number of political prisoners who were detained before Bhutan transitioned to its current democratic system remain imprisoned. Six were released in April 2022, but 49 reportedly remained in jail.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?	2/4
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The civilian police force generally operates within the law, and incidents of excessive force are rare. In recent years, crime rates have generally been low. However, insurgents from the Indian state of Assam sometimes enter Bhutan and undermine security. Occasional instances of kidnapping and robbery occur along the border with India.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?

2 / 4

The constitution protects against discrimination based on sex, race, disability, language, religion, or societal status. However, Nepali-speaking people reportedly face employment discrimination and many forms of bias.

LGBT+ people experience societal discrimination and stigma. There are no legal protections for transgender people. In December 2020, both houses of Parliament completed a final vote to repeal provisions that criminalized same-sex sexual activity, and the king gave his assent in February 2021.

Discrimination in employment and education persists for women.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?

2 / 4

Bhutanese citizens generally have the freedom to travel domestically and internationally. However, the government has established different categories of citizenship, which restricts foreign travel for some. These restrictions reportedly have the greatest effect on Nepali speakers.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?

3/4

Individuals generally have rights to own property and establish businesses, but the process of registering property or a new business can be cumbersome. In recent years, the legal system has become more consistent, and establishing businesses has become easier. However, some ethnic Nepalis who lack a security clearance certificate face difficulties in starting a business.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?

2/4

Reports of domestic violence have increased in recent years. Societal taboos lead many incidents of rape and domestic violence to go unreported. Child marriage still occurs with some frequency.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?

2/4

Female household workers, who often come from rural areas or India, are vulnerable to forced labor and other abuse, as are foreign workers in the construction and hydropower sectors. Child labor persists, mostly in the agriculture and construction sectors.

The US State Department's *Trafficking in Persons Report 2022* noted that during the reporting period the Bhutanese government did not expand its overall antitrafficking efforts, with only one investigation into possible trafficking and no new prosecutions, although three traffickers were convicted in 2021.

Sex trafficking remains a problem; Bhutanese antitrafficking legislation does not criminalize all forms of this practice.



On Bhutan

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Country Facts

Global Freedom Score

63/100 **Partly Free**

Other Years

2024

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