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## Is Bhutan moving towards Constitutional monarchy? Too early to say- Update 26.

Submitted by asiaadmin2 on Fri, 09/21/2012 - 08:35

**Note No. 165**

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**by Dr. S. Chandrasekharan**

Kuensel the official newspaper of Bhutan in its issue of October 19, 2002 said that Bhutan has taken "yet another step towards becoming a Constitutional Monarchy with a government that is for the people, by the people and of the people. " The paper had quoted the members of the drafting committee who had completed two weeks of intensive discussions before finalising the draft. The statement made some generalities like a constitution that would ensure freedom and rights of people based on justice and rule of law, a responsive and transparent system of governance with checks and balances etc. What it avoided and that was deliberate was a total blackout on the role of the King, his powers and other checks and balances amongst the people, parties if permitted and the King.

Till now, Bhutan did not have a written constitution and it is still being governed by the Royal decree of 1953. To say that the new constitution is "yet another" step towards constitutional monarchy presumes that the Royal decree itself had elements of Constitutional monarchy which everyone knows is not true. Secondly it is just a draft to be presented to the King before the end of 2002 probably on December 17, the national day and could take any form in the final stages.

Press reports indicate that some of the Refugee leaders in Nepal termed the developments as "window dressing" and as an attempt to deflect international opinion from the deadlocked Bhutanese refugee issue. Their reaction though understandable is too premature. There was a word of caution from D.N.S Dhakal of BNDP who said that the international community should not take Bhutan's proposed move towards democracy for granted!

**The King's birthday on November 11 was celebrated without much fanfare that is not normal with monarchies.** As the fourth King of Bhutan,

King Jigme Wangchuk ascended the throne in 1972 when he was just 16. As the youngest monarch at that time, he has successfully ruled the country for thirty years with an iron hand allowing no dissidence. The case of Tek Nath Rizal who was imprisoned for over 11 years is well known. While King is considered to be a unifying factor, he has managed to keep over 100,000 of his own people as refugees and put the Nepal government in knots over repatriation. To his credit, he has been very adept in moving out of isolation from the hold of India and yet tie up energy starved India with hydro-electric projects which would ensure stability of the present system and of the monarchy itself. How else can one explain the continued detention of Thinley Dorji, chairman of a political party DNC in Delhi at the behest of Bhutan? Or of India's steadfast resistance to get involved with the refugee problem between Nepal and Bhutan when both have special relations with India?

**The Refugee problem continues to fester.** With no headway being made in the refugee question, the refugees and their leaders are getting restless. The refugees are not allowed to take up any work and living within the camps with no ostensible means of existence and nothing else to do have driven many of the refugees to indulge in anti social activities within the camps. Added to the frustration is the delay in the verification and follow up action by the Joint Verification teams. This has resulted in the UNHCR sending a three member team to investigate cases of social abuses and victimisation within the camps. The team has reported incidents of gender abuse and trafficking in girls, forced marriage etc. Resulting in the arrival of a bigger team to prevent such abuses. There has been laxity on the part of the refugee leaders of the camps also.

In the absence of any formal meetings between Bhutan and Nepal since September last year, the Bhutanese refugee Repatriation Support Group (BRRSG) comprising of former diplomats, members of political parties and the Refugee representatives met on November 8 to explore the possibilities of opening track II diplomatic efforts to solve the issue. All they could decide was to call upon both countries to resume negotiations and convene the delayed 12<sup>th</sup> round of minister level of talks between the two countries.

Two events though unrelated would help the refugee cause. Media reports indicate that for the first time the Shabdrung Rimpoche who had led a apolitical existence ever since he fled to India in the early 1960s came out openly in favour of refugees. Though the institution of Shabdrung was given an unceremonious end in 1907, the Rimpoche continued to earn the respect of Bhutanese nationals. He is said to have commented that " They ( Bhutanese of Nepali origin) had done nothing wrong. Even if I recommend to the King to take back the refugees, he's likely to ignore it. But what has happened to the refugees is very unpleasant and sad. Something has to be done . . . They are human beings. They must be allowed to live in their country."

Teknath Rizal after a long silence after his release has indicated that he would internationalise the plight of the refugees. When he was released from after eleven years of incarceration, Rizal sought an audience of the King to discuss the issues relating to the refugees. The King has not responded and Rizal is therefore set to make his next move.

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