



MEDIA DEVELOPMENT ASSESSMENT

2010

Department of Information and Media
Ministry of Information and Communications
Royal Government of Bhutan

in collaboration with



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Abbreviations

ACC	–	Anti-Corruption Commission
AIBD	–	Asia-Pacific Institute for Broadcasting Development
BBS	–	Bhutan Broadcasting Service
BCMD	–	Bhutan Centre for Media and Democracy
BICMA	–	Bhutan InfoComm and Media Authority
BIPS	–	Bhutan Information and Communications Technology Policy and Strategies
BMF	–	Bhutan Media Foundation
BPC	–	Bhutan Power Corporation
BTL	–	Bhutan Telecom Limited
CIC	–	Community Information Centre
CSO	–	Civil Society Organizations
DITT	–	Department of Information Technology and Telecom
DoIM	–	Department of Information and Media
ECB	–	Election Commission of Bhutan
FoE	–	Freedom of Expression
GNH	–	Gross National Happiness
G2C	–	Government to Citizen
ICT	–	Information and Communication Technology
INSAT	–	Indian National Satellite System
ISRO	–	Indian Space Research Organization
ITAB	–	IT Association of Bhutan
JAB	–	Journalists Association of Bhutan
MDG	–	Millennium Development Goals
MDI	–	Media Development Indicators
MoEA	–	Ministry of Economic Affairs
MoIC	–	Ministry of Information and Communications
MPAB	–	Motion Picture Association of Bhutan
MSS	–	Middle Secondary School
NA	–	National Assembly
NC	–	National Council
NFE	–	Non Formal Education
NSB	–	National Statistical Bureau
PSB	–	Public Service Broadcasting

RGoB	–	Royal Government of Bhutan
RCSC	–	Royal Civil Service Commission
SAARC	–	South Asian Association for Regional Cooperation
SAFMA	–	South Asia Free Media Association
TPN	–	Tax Payer Number
RSTA	–	Road Safety and Transport Authority
RTI	–	Right to Information
UNESCO	–	United Nations Educational, Scientific and Cultural Organization
UDHR	–	Universal Declaration of Human Rights

Preface

Media have a clear role in a democracy. They must be the public space within which democratic discourse takes place, a vital process for the evolution of a democratic culture. The Bhutanese media, as an essential element of a GNH society, have an even greater mandate.

Bhutanese media are active participants in the process of change, creating new realities and sustaining traditional values. The Constitution of Bhutan, adopted in 2008, guarantees the “freedom of expression, freedom of media, and the right to information” to enable the media to strengthen good governance, a pillar of GNH.

It is the media that create the shared consciousness that translates into the shared values of a polity. As media are also a reflection of the societies in which they function. Bhutanese media must reflect the values that are important to citizens of a GNH society.

The Department of Information & Media, Ministry of Information and Communications, has the mandate to promote the growth of a dynamic and responsible media. This is a responsibility that we take seriously because it is the media that empower citizens to make the informed decisions required to achieve the happiness that GNH citizens pursue.

This Media Development Assessment report provides critical insights and understanding of the Bhutanese media today. It was initiated in April, 2009, to draw a framework to serve as an operational guideline for evidence-based intervention by all stakeholders to promote and develop the media.

Based on the UNESCO Media Development Indicators, the assessment looks at the areas of media development, delineating the issues and challenges that the media industry is facing in Bhutan. Moreover, it gives an overview of media consumption in Bhutan, and prioritizes areas of interventions required.

This will help refine our goal to identify the responsibilities of the media in a GNH society.



Media - newspapers, television, radio and the Internet - must play a very important role. I appreciate that while some of the media agencies are young and lack adequate resources, they have strived to perform their duties with complete commitment. Hereafter, media will be vital in keeping people well informed and in encouraging debate and participation - key to a vibrant democracy. Therefore, I have decided that through the exercise of my Royal Prerogative of Kidu, to strengthen media agencies so that they may carry out their duties, without fear or favor, in the interest of democracy.

His Majesty's Parliament Address - At the Concluding Ceremony of the 3rd
Session of Parliament, July 30, 2009

Executive Summary

Executive Summary

The Media Development Assessment 2010 is an evaluation of the rapidly changing media climate in Bhutan. The study, based on the United Nations Educational, Scientific and Cultural Organization (UNESCO) media development indicators (MDIs), is the first of its kind to be conducted in the country.

This assessment of MDIs provides analysis of the media and communications environment in Bhutan against internationally accepted standards and principles. The indicators delineate critical areas of media development, ranging from freedom of expression and diversity of media to professional and infrastructural capacities of the media industry.

Given the crucial roles of the media, this study on media development is particularly significant and timely as Bhutan has now introduced democratic reforms. In less than a decade, there has been a rapid increase of media organizations in the country, a result of a liberalized media policy.

The Royal Government recognizes that a professional media is an important pillar of a vibrant democracy. A free and independent media is therefore viewed not only as vital for furthering democracy but also imperative in ensuring institutional accountability and transparency.

This report is the culmination of efforts of the Royal Government and a large number of Bhutanese stakeholders and international development partners – the International Media Support (IMS), UNESCO and the United Nations Development Programme (UNDP).

The MDIs, developed by the International Programme for the Development of Communication (IPDC) and UNESCO in 2008, provide methodological tools for assessing media development that were adapted to suit our local context.

Further, the report was also prepared following a methodology that was discussed and decided by media stakeholders in the coun-

try. The preparatory process included organizing the stakeholders and forming a steering committee to give directions to the study. It involved the following steps:

- Scoping mission (September 2009)
- Training on Media Development Indicators (March 2010)
- Selection of national consultant to carry out the study (July 2010)
- National stakeholder consultation through a National Symposium (January 2011)



A vibrant democracy can only be sustained with active participation of citizens through a process of open democratic discourses taking place at all levels of the civil society.

In addition to a consultation held during the scoping mission and in the process of finalizing the questionnaire, the study employed a number of research techniques to report on indicators. These included an extensive review of policies, laws and regulations related to media and communications in Bhutan, in-depth interviews with key informants and focus group discussions with stakeholders. The study also conducted a public opinion survey covering eight dzongkhags in four regions of the country.

There are constitutional guarantees that give Bhutanese citizens and the media considerable freedom of expression and speech as well as the right to information. The study revealed that people are aware of these rights as enshrined in

the constitution.

However, traditional and bureaucratic barriers do impose certain limitations in exercising the rights. This is true in the way people still prefer anonymity while speaking to the media or while commenting on national issues and policies on various on-line forums.

There are favourable rules on growth and development of ICT including the media in the country. A liberalized media licensing policy has been effective in encouraging media diversity and development. There are limitations imposed on ownership and cross media ownership to control a monopolistic media industry.

The media landscape in Bhutan is fairly diverse with the existence of newspapers, radio stations, internet services, a national television channel and a host of international cable channels.

largely urban audiences.

Codes of ethics and conduct for journalists are in place. However, the media industry has not been actively debating or reviewing these codes. Cases of breach of ethics or journalists being sued on grounds of defamation are few. While there are no adequate public complaint and redress systems about alleged violations of ethical standards, there are also no active registered independent journalist's associations that scrutinize ethical standards of journalists.

The media industry is grappling with a dearth of trained journalists. Most entry level journalists do not have training in basic journalism. This is also because there are no training institutes in Bhutan. Trainings for non-journalistic specialization (marketing, business development, technicians, HR, administration, etc.) are rare including trainings for journalists in the national language.

The media has access to basic infrastructure and technology for news gathering, production and distribution. However, many private newspapers do not own printing presses while private FM stations are not able to provide nationwide services due to lack of network infrastructure.

Efforts are being made by the government to increase ICT (computer and internet access including mobile connection) penetration in rural communities. The government is expanding internet connectivity and its use for improving information access and governance.

A vibrant democracy can only be sustained with active participation of citizens through open democratic discourse at all levels of civil society. The study found out that while Bhutanese are gradually opening up and making their views public, traditional inhibitions prevail.

There is a need to encourage a culture of public discussion by enhancing access to media, especially in rural areas and unreached populations. The study indicates that CSOs must play a critical role in advocating rightful practice and exercise of the right to freedom of expression.

Media freedom is absolutely vital to a democracy. There is a need being felt that legal and policy frameworks must support the growth and development of media freedom and not otherwise. Right to information laws need to be put in place in order to create a transparent democratic system.

and accountability with public service mandates. The study is expected to enable government intervention in terms of favourable policies as well as fiscal and infrastructural incentives, wherever necessary. The findings from the study indicate that the reach and scale have been critical bottlenecks for the media, resulting in media-clutter in urban towns in the country. This suggests that media organizations must therefore move out to rural areas and represent national views and perspectives.

The media provides a platform for public discourse, exercises freedom of expression and facilitates participation of citizens in the democratic process. Besides, the media is also expected to fulfil its role as a watchdog for society and facilitates transparency and good governance by exposing corruption and irregularities in the system.

Introduction

Introduction

Bhutan's information and communication space has expanded considerably after the establishment of democracy in 2008. The government began publishing the first bulletin – for public information – in 1967. The arrival of television and the internet in 1999 fuelled the growth of the media landscape in Bhutan. The introduction of mobile communications in 2003 broadened the media environment by taking modes of mass communication to a personal level. Moreover, the coming of private newspapers in 2006 ushered in an era of pluralism in reporting of news and views, resulting in the most vibrant media the country has ever seen. The advent of private radio stations soon after private newspapers added to the media's diversity.

Bhutan is in the early stages of building democratic institutions and an enabling environment. In 2010, Bhutan's major media comprised of the following:

1. Two daily newspapers
2. Five weekly newspapers
3. Five radio stations
4. One television station, and
5. ICT communication including telephones, mobile phones and the internet.

The Royal Government of Bhutan has a vision of attaining Gross National Happiness (GNH) through a participatory society where people make informed decisions for the country's development and upon the prudent choice of subjective wellbeing. The media, therefore, has a crucial role of creating national consciousness in drawing people's actions towards collectivism and national wellbeing. The media also serves as an important element in this process by fostering debate and accountability systems, by strengthening democratic institutions and by continuously expanding the

democratic system so as to enable greater public participation in the change processes.

However, the media as an entity also has to grapple with its own challenges. Robert McChesney, in his book *Rich Media Poor Democracy* (1999), challenges the assumption that a society exposed to inevitable choices of commercial information in itself is a democratic one. McChesney argues that the major beneficiaries of the so-called Information Age are wealthy investors, advertisers, and a handful of enormous media, computer, and telecommunications corporations (www.press.uillinois.edu). Such control on media threatens the very notion of having genuine public opinion and participatory democracy.

In a GNH society, the media must promote the values that go beyond its traditional mandate. Given the pervasive impact of the media and new trends like powerful social media, the Bhutanese media must promote discourse on GNH and GNH values to counter the predominance of consumerism that has led to tragedies like climate change.

A major challenge facing Bhutan is to put in place systems and principles for facilitating the establishment of a media that can nurture its new democracy. This in turn depends on the choice of structures and systems of communication because ‘democracy places considerable weight upon communication (for accountability, for deliberation, for representation)’ (Street, 2001). The communication systems and structures that now seem inseparable from functional democracies have evolved alongside open, fair and transparent governance mechanisms including checks and balances.

A responsible media in any society traditionally has three main ‘roles’ - informing, educating and entertaining. The media informs citizens on the functions and work of their representatives, starting with providing them information needed to help select candidates who will best represent their interests and concerns. The media also informs the elected representatives of the problems faced by their constituents, thus serving as a platform for debating issues and ideas. The media also serves society by keeping a watch on its behalf to ensure accountability and democratic governance. These conditions allow citizens to make informed choices (Street, 2001).

The media provides a platform for public discourse, exercises freedom of expression and facilitates participation of citizens in

the democratic process. Besides, the media is also expected to fulfil its role as a watchdog for society and facilitates transparency and good governance by exposing corruption and irregularities in the system.

Other important democratic functions of the media include ‘surveillance of sociopolitical developments, identifying the most relevant developmental issues, providing a platform for debate, holding officials to account for the way they exercise power, providing incentives for citizens to learn, choose, and become involved in the political process, and resisting efforts of forces outside the media to subvert their independence’ (Fog, 2004). Freedom of speech and access to information is vital for the media to be able to perform these functions.

It is therefore important to have systems in place to support a vibrant media and encourage and respect public opinion. This would require enabling policies, laws and regulations that support the development of a sound media environment that is factual and impartial, while respecting and upholding local values and high ethical standards. An enabling media environment includes laws and policies that support both independent and public service media; regulatory frameworks that include stakeholders in setting standards and monitoring, and systems to support the continuous capacity enhancement of media personnel.

This study is based on the UNESCO Media Development Indicators (2008) that seek ‘to contribute to sustainable development, democracy and good governance by fostering universal access to and distribution of information and knowledge through strengthening the capacities of developing countries and countries in transition in the field of electronic media and the printed press.’

The five main MDI categories under which the indicators are organized are:

Category 1: A system of regulation conducive to freedom of expression, pluralism and diversity of media

Category 2: Plurality and diversity of media, a level economic playing field and transparency of ownership

Category 3: Media as a platform for democratic discourse

Category 4: Professional capacity building and supporting institutions that underpin freedom of expression, pluralism and diversity

Category 5: Infrastructural capacity is sufficient to support independent and pluralistic media

Category

1

A system of regulation conducive to freedom of expression, pluralism and diversity of the media

Article 7
Fundamental Rights

1. All persons shall have the right to life, liberty and security of person and shall not be deprived of such rights except in accordance with the due process of law.
2. A Bhutanese citizen shall have the right to freedom of speech, opinion and expression.
3. A Bhutanese citizen shall have the right to information.
4. A Bhutanese citizen shall have the right to freedom of thought, conscience and religion. No person shall be compelled to disclose his or her religious beliefs or opinions, or to attend any religious institution or to participate in any religious ceremony, or to support any religious institution or to contribute to any religious activity, by coercion or inducement.
5. A Bhutanese citizen shall have the right to freedom of assembly, association, movement and television and radio, and to the right of information, including the right to access to information.
6. A Bhutanese citizen shall have the right to freedom of movement and the right to enter and leave the Kingdom of Bhutan.
7. A Bhutanese citizen shall have the right to freedom of occupation, profession or vocation.
8. A Bhutanese citizen shall have the right to equal pay for work of equal value.
9. A Bhutanese citizen shall not have his or her property taken from him or her without just compensation, and shall not be deprived of his or her property to a person or persons other than the person or persons to whom it is due, keeping with laws.
10. A Bhutanese citizen shall have the right to practice any lawful trade, profession or vocation.
11. A Bhutanese citizen shall have the right to equal pay for work of equal value.
12. A Bhutanese citizen shall have the right to freedom of peaceful





A SYSTEM OF REGULATION CONDUCTIVE TO FREEDOM OF EXPRESSION, PLURALISM AND DIVERSITY OF THE MEDIA

one

KEY INDICATORS

A. LEGAL AND POLICY FRAMEWORK

- 1.1 Freedom of expression is guaranteed in law and respected in practice
- 1.2 The right to information is guaranteed in law and respected in practice
- 1.3 Editorial independence is guaranteed in law and respected in practice
- 1.4 Journalists' right to protect their sources is guaranteed in law and respected in practice
- 1.5 The public and civil society organisations (CSOs) participate in shaping public policy towards the media

B. REGULATORY SYSTEM FOR BROADCASTING

- 1.6 Independence of the regulatory system is guaranteed by law and respected in practice
- 1.7 Regulatory system works to ensure media pluralism and freedom of expression and information

C. DEFAMATION LAWS AND OTHER LEGAL RESTRICTIONS ON JOURNALISTS

- 1.8 The state does not place unwarranted legal restrictions on the media
- 1.9 Defamation laws impose the narrowest restrictions necessary to protect the reputation of individuals
- 1.10 Other restrictions upon freedom of expression, whether based on national security, hate speech, privacy, contempt of court laws and obscenity should be clear and narrowly defined in law and justifiable as necessary in a democratic society, in accordance with international law

D. CENSORSHIP

- 1.11 The media is not subject to prior censorship as a matter of both law and practice
- 1.12 The state does not seek to block or filter Internet content deemed sensitive or detrimental



A. LEGAL AND POLICY FRAMEWORK

1.1 Freedom of expression is guaranteed in law and respected in practice

All democratic societies are built on a foundation of freedom, individual rights and responsibilities. Constitutional and legal guarantees are essential to ensure that these tenets of democracy are guaranteed and in practice. A free, independent and vibrant media is a corollary to all democracies as a mechanism to ascertain that these rights are protected and respected in practice.

Bhutan's Constitution, adopted in July 2008, guarantees freedom of expression and media. Article 7(2) guarantees the rights to freedom of speech, opinion and expression. The Constitution also guarantees "freedom of the press, radio and television and other forms of dissemination of information, including electronic," as provided under Article 7(5).

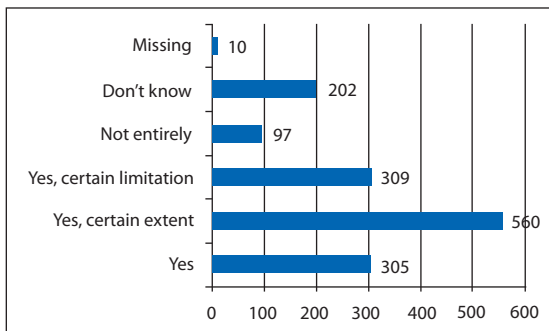
In addition, Bhutan, as a member of the United Nations system since 1971, is signatory to many international conventions and declarations. Bhutan is a party to the Universal Declaration of Human Rights (UDHR) that upholds the right to freedom of opinion and expression as stated in Article 19 of the declaration.

Bhutan's Constitution, laws, policies and ratification of International Conventions pertaining to the right to freedom of expression are indications toward creating a free socio-cultural and political environment. Bhutanese citizens and media enjoy considerable freedom of expression and speech. Never has the media been so vocal and powerful in its entire history. The media reports on all contemporary issues of public interest, including corruption cases involving public officials, and critiques of public policies and government activities.

The opinion survey conducted for this study revealed that a majority of respondents were aware of their right to freedom of expression. When the respondents were asked whether they were aware of the freedom of expression being guaranteed in the Constitution, a majority (63%) said they are aware of this right. The remaining either did not know (30%) or thought they did not

Figure 1:

Confidence of people on whether they can freely express through media



Source: Opinion Survey, 2010. N=1,483

have this right (7%). When asked if they felt they could ‘freely express their views through media’ most of them said ‘yes’ including those that felt there were certain limitations (Figure 1).

The finding indicates that though there are guarantees for freedom of expression in law, there are also people who are unaware of the provisions or think there still are restrictions to free expression (though a minority).

A frequently debated issue in Bhutan is on a particular regulation that restricts public officials ‘from publicly expressing adverse opinions against the Royal Government’ (Chapter IV, Clause 55, Civil Service Act, 2009). However, there is another clause that allows them to ‘express opinions on the lawfulness or orders, including making constructive criticisms and suggestions to superiors’ (Chapter IV, Clause 56). The government maintains that public officials are bound by their constitutional duty to remain apolitical, and therefore have to abide by certain ‘prerequisites’ before criticizing the government (Kuensel, July 31, 2009).

While debating on the latter clause during one of the National Assembly sessions, the Prime Minister was reported as saying: “it is in conflict with the freedom of speech in the Constitution, but those who join the civil service know that there are certain prerequisites and criticizing the government in any forum would be directly in contention with their constitutional duty to be apolitical and harm the people’s faith in the government” (Kuensel, July 31, 2009).

Bhutan is also experiencing an unprecedented explosion of discussion and debate (often negative, derogatory and defamatory in nature) on government, institutions and individuals by people using the anonymity allowed by internet forums. With the advantages of confidentiality, secrecy and convenience, the internet has provided an alternate media platform to many who are not able to make their comments public.

Instances of attempted restrictions on freedom of expression are few. The national newspaper, Kuensel, ran an article on freedom of expression concerning an issue where the regulatory authority had slapped a fine on Bhutan Broadcasting Service (BBS), the national television channel, following broadcast of certain negative remarks made by the participants against a minister at a

Media breaks the barrier, lets off inhibition, brings officials to task, and injects values in the society. This is freedom of expression.



panel discussion.

This “indicate(s) that Bhutan InfoComm and Media Authority (BICMA) has come to view the issue of press freedom in Bhutan as a problem of ending dissent against BICMA than as an opportunity to promote the value of openness” (Kuensel, January 29, 2009). The article further noted that “BICMA infringed on the right to expression and free press.” However, BICMA clarified that such actions were taken not to restrict freedom of expression but to monitor content which in this case wasn’t in accordance with Code of Ethics for Journalists. BICMA also clarified that BBS was also given the option to appeal the decision to the Appellate Tribunal.

There has also been an instance where the judiciary has upheld the right to freedom of expression. In a lawsuit where a Bhutanese businessman was accused by a government official for making defamatory remarks against government officials at a gathering of international participants conducted by Anti Corruption Commission (ACC), the court ruled in favour of the defendant (refer Kuensel, July 12, 2008). The court added that constructive criticism by any individual citizen against the government should be accepted as a necessary evil for effective governance in a modern democratic society.

Although the Constitution guarantees the right to freedom of expression there are no other legal frameworks for independent institutions to support or protect this right. Apart from the National Assembly’s Human Rights Committee that reports to the Parliament on human rights violation in Bhutan, there are no independent bodies that deal with issues of right to freedom of expression and speech.

Focus group discussions and in-depth interviews with various stakeholders in society conducted for this study revealed that there is now more freedom to express opinion than there ever was in Bhutan. Democracy and the constitutional guarantees protecting the right have given the people confidence to express their views. A senior journalist said the media has significantly contributed in promoting a culture of free expression, opinion and speech. “Media breaks the barrier, lets off inhibition, brings officials to task, and injects values in the society. This is freedom of expression,” he said.

There were also some who questioned whether freedom of expression was fully operational in practice. Editors from the mainstream news media affirmed that Bhutanese in general lacked in-

terest in criticising and commenting on issues. This, they said, was due to a small society syndrome where most people preferred to remain silent. Everyone needs to depend on each other and that is why there is an overwhelming culture of anonymity – the reason why online forums are thriving.

Focus group discussions with rural communities revealed that people could not express their views because journalists were less interested in covering rural stories. A participant from Yonphula, Trashigang, said the media had come to report on their village only on two occasions – first when a hailstorm had destroyed crops and later during the national elections.

CONCLUSIONS:

- The situation of freedom of expression, speech, and opinion has improved considerably in terms of awareness but not so much in practice. There is general passivity and lack of civic action on issues of public interest.
- People view media as a platform for expressing views. However, there seems to be an inherent feeling of fear and inability to make views and opinions public. Further, people seem to prefer anonymity while making their views public instead of revealing their identities.
- Lack of access to media platforms and communication channels, especially in rural areas, have prevented people from expressing views and participating in public discussions.
- Government officials expressed strong feelings of ‘being controlled’ and tied down by service rules and regulations that prevented them from freely expressing their views.

RECOMMENDATIONS:

- Enhance and support the role of CSOs in advocating the rightful practice and exercise of the right to freedom of expression.

- Expand communication space and make efforts to organize public debates and consultations (by government, media and CSOs) on issues and policies of public interest, thereby encouraging people to participate in public discourse.
- Encourage a culture of public discussion by enhancing access to media, especially in rural areas and unreached populations.
- Review government regulations that (tend to) restrict freedom of expression of government officials and develop a policy that is more conducive to freedom of expression

1.2 The right to information is guaranteed in law and respected in practice

Article 7, Section 3, of the Constitution guarantees the right to information to all citizens. However, an appeal mechanism such as Right to Information (RTI) Act to enable people to exercise their right does not exist. There is no legal framework in the form of an act that would ultimately operationalize this particular provision of the Constitution operational.

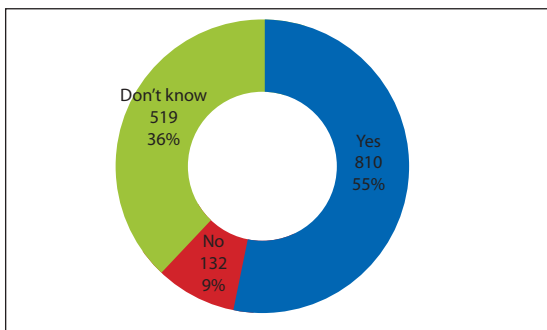
Even though Bhutan does not have an RTI Act, the media and public alike enjoy access to information held by public bodies. The government provides information through government-media interactive mechanisms. The government holds the 'Meet the Press' session once every month where journalists can ask questions on topical issues. Further, almost every government ministry and public agency has an online website, where information

is uploaded for everyone to access. Bhutan's agreement to UDHR further consolidates its status on conferring right to information to its people.

In the 5th session of the Parliament, May 2010, the National Council (Upper House) proposed deliberation on the draft RTI Act prepared by the High Court in 2007. The Information and Communications minister informed the Parliament's 6th session that

Figure 2:

Respondents' knowledge about right to information



Source: MDI Opinion Survey, 2010.
N=1,483; missing=22

Bhutan would have a RTI Act during the present government's tenure.

The findings from the opinion survey indicate that respondents are aware of their right to information as guaranteed in the Constitution but worried that accessing public information could be limited or restricted. Most of the respondents had not attempted to contact any government office for information that could be of use to them (Figure 2).

A majority of media professionals (editors, journalists and writers) felt there was free access to information "to an extent" and wanted information to be more easily available. A former journalist of Kuensel said the media's access to information has improved a great deal. "Today, I see almost complete access except a few problems in a handful of organizations," he said. These problems were due to bureaucratic procedures or the attitudes of those holding the information.

The most common obstacles journalists faced were unwillingness of public officials to talk to the media, keeping relevant information at the highest bureaucratic level, and largely ineffective media focal persons at government agencies. Journalists have to route information requests through the media focal persons who then refer them to others and the process involved a considerable amount of time. Some focus group discussants said the media focal persons were in effect there to prevent access by journalists to information from other sections in government.

"We live in a 'marey-lasso' society – a hierarchical society where senior bureaucrats do not want to be questioned. Without changing that, even with RTI nothing would change," said a newspaper editor.

There was almost unanimity on the need for an RTI Act as it would provide all information seekers a legal basis for their demand. Even though journalists said information was largely freely available to them now, the RTI Act could be a safeguard against governments that may want to hide information. Some discussants also had a word of caution: "We strongly support the RTI Act. But these rights must be exercised with responsibility. The media must disseminate right information and not wrong information," said a parliamentarian.

CONCLUSIONS:

- Without the RTI Act access to information could be hindered.
- People feel that access to public information is limited.
- Public information belongs to the public. Government needs to be more open.
- Traditional and bureaucratic procedures and systems have created obstacles to information access.

RECOMMENDATIONS:

- Develop and implement RTI Act with clear objectives, and realistic and workable provisions in consultation with media stakeholders, civil society organizations, policy makers and ordinary citizens.
- Require government at all levels to operate transparently, facilitate easy and low cost access to public information (records & data) available in standard formats.
- Enhance capacity of media/public relations officers at government agencies to facilitate and accelerate the information flow to both media and citizens at large.

1.3 Editorial independence is guaranteed in law and respected in practice

Section 26.2(e) of the Bhutan Information, Communications and Media (BICM) Act 2006 states that the regulatory authority shall: “encourage, and keep under review, measures aimed at maximizing the independence of editors and other journalists from proprietorial and other interference.” Editorial independence is therefore more related to in-house policies and rules of individual media organizations. Some media companies affirmed having editorial policies that segregate the responsibilities of the management and the editorial. However, there was no evidence of written policies.

Further, the Code of Ethics for Journalists developed by media professionals and endorsed under Section 26(d) of Chapter Three of the BICM Act, also states that news contents shall be determined through editorial judgment and not as a result of outside influence. BICMA Rules on Content also ensure the need to provide high standards of content. There has, however, been one instance where journalists felt their independence was compromised. It culminated in the resignation of six journalists from Bhutan Times who then went on to start a new newspaper (The Journalist) in 2009.

Focus group discussions with private newspaper editors and chief executive officers (CEOs) revealed that there are in-house mechanisms that guarantee complete editorial independence. Editorial policy (written or unwritten) governs how the editorial departments function. They said editors have final say on editorial content.

An editor from the Bhutan Broadcasting Service (BBS), a government-funded organization, was not as sure. He said that without a proper legislation and legal framework, there is room for editorial independence to be manipulated. In addition, he said, "...factors like commercial pressure, managerial interference, and interference from powerful public and private entities could compromise the editorial objectivity of a public service broadcaster." He argued that commercial pressures could force such organizations to scale down programming and their ability to report events and issues from remote and unreached places.

Editors and CEOs of private media said that because of their fragile financial position, there were possibilities for business interests intervening editorial decisions. An editor confessed if it was a minor story and if the paper could do without it while at the same time bring in advertisement, they would rather do without the story. Another editor said it was not just the business community but even government and other agencies that played the "ad card". As advertisers often threatened to pull out advertisements after media wrote critical stories on them, discussants felt there is a need to educate advertisers on how media operate. "Advertisement is a different medium of communication and should not be mixed with news content," said a newspaper CEO.

The socio-cultural setting and traditional family and commu-

...advertisers often threatened to pull out advertisements after media wrote critical stories on them...



nity structure in Bhutan also indirectly influence how the media operates. In a small society where journalists know newsmakers rather too closely, social pressure – real and perceived – becomes part of their daily occupational hazard and professional compromise.

CONCLUSIONS:

- Although media organizations claimed to have in-house mechanisms to recognize, respect and implement editorial independence, there is no evidence of ‘written’ in-house policies.
- There are concerns that financial issues could cause media to compromise editorial independence for business interest.
- Media run “advertorials” and “infomercials” often blur the line between commercial interest and editorial independence.
- Editorial independence of public service broadcasters (PSBs) may not be guaranteed in the absence of a legal framework.
- There are limited sources of advertisements and that gives advertisers space to try to influence editorial content.

RECOMMENDATIONS:

- All news media organisations should have clear written editorial policies and guidelines to guarantee editorial independence from the management. These policies and guidelines must be made public.
- BICMA should ensure compliance of editorial independence.
- The government, as the largest advertiser, must have

a policy that supports and provides incentives for quality journalism and reach.

1.4 Journalists' right to protect their sources is guaranteed in law and respected in practice

The Code of Ethics for Journalists has provision for the protection of sources. The clause 6.6 of the Code states: "A journalist shall ordinarily protect the confidentiality of his sources. He may, however, reveal the identity of a source where he has obtained the consent of the source or where the law requires him to do so."

In a 2010 case where a journalist was sued by a woman for defamation, the court asked the reporter to disclose identities of the sources. The reporter submitted a voice recorded on a CD which was not admissible as evidence, because the reporter had recorded the voice of the employees without their consent. This, the court said, violated their right to privacy and endangered the very fabric of media ethics. Following this, the court ordered the newspaper company and the reporter to pay Nu 36,000 each for publishing the defamatory article against the woman (Kuensel, June 30, 2010).

...news organizations generally pay for the lawsuits and not the individual reporters.

Incidents of lawsuits against journalists and media organizations have been very few. Therefore, incidences where journalists and news organizations are asked to reveal identities of sources have been rare.

Journalists at the focus group discussions said that they are not aware of what kind of protection they get from their organizations when it comes to protecting sources. However, most of the newspaper owners, CEOs and editors said that editors are responsible and answerable in cases concerning protection of sources and defending reporters. They also said the news organizations generally pay for the lawsuits and not the individual reporters.



1.5 Public and civil society organisations (CSOs) participate in shaping public policy towards the media

The BICM Act enacted in 2006 during the 85th session of the National Assembly is the main law governing media and communications in Bhutan.

The Ministry of Information and Communications formulates

media policies, rules and regulations in consultation with various stakeholders. For instance, “the Code of Ethics for Journalists was presented to the media houses for discussions before it was agreed and endorsed by the respective media agencies,” (Wangchuk, undated).

There are not many civil society organizations (CSOs) in Bhutan that deal with media-related issues. The Bhutan Centre for Media and Democracy (BCMD), established as a non-profit organization in 2008, is the only registered civil society organisation at present with a mandate to promote media and democracy. BCMD looks into four core areas: promoting media and democracy; supporting the growth of public discourse and discussions; strengthening media as the fourth estate; and production of resources on media and democracy.

In addition, there are associations of media professionals, which are not yet registered, like the Journalist Association of Bhutan and a local chapter of South Asia Free Media Association dealing with issues related to media. However, these organizations are not fully functional.

However, the establishment of the Bhutan Media Foundation is expected to hugely contribute to media development and growth in Bhutan. A Royal Decree was issued in February 21, 2010 for the establishment of the Foundation.

CONCLUSIONS:

- The laws on journalist’s right to protect their sources are not adequately expressed.
- Since there are not enough CSOs working on media issues in Bhutan, there is little evidence of CSOs involved in media policy dialogues. The only CSO related to media in Bhutan rather focuses on democracy and media development.
- There are no registered associations of media professionals and journalists that encourage professional growth.

RECOMMENDATIONS:

- Strengthen participation of public, media professionals and CSOs in media policy dialogues.
- Develop a legal framework that adequately ensures the protection of sources and whistle blowers.
- Create an enabling environment to promote establishment of associations of media professionals and journalists.

B. REGULATORY SYSTEM FOR BROADCASTING

1.6 Independence of the regulatory system is guaranteed by law and respected in practice

The Bhutan InfoComm and Media Authority (BICMA) is the sole regulator of media and communications in Bhutan. With the enactment of the Bhutan Information, Communications and Media Act in 2006, BICMA was de-linked from its parent ministry, the Ministry of Information and Communications (MoIC) to function as an independent, autonomous regulatory body from January 1, 2007.

BICMA has comprehensive mandates for implementing laws, regulations and rules pertaining to ICT and media facilities, services as well as contents of any form of information, communications and media. It is also a licensing body for ICT and media sector.

Section 35(d) of the BIMC Act provides that:

“Except as expressly entitled otherwise under this Act or the Regulations or the directives, the Minister, the Ministry, the Cabinet, the Royal Civil Service Commission, any individual representing the Government or any public or private person shall refrain from intervening in, and from attempting to influence, directly or indirectly, any process or decision of the Authority.”

The minister appoints the members of the authority on the

advice of the Royal Civil Service Commission. All the members are civil servants and BICMA is fully funded by the government. BICMA maintains that even a body funded by the government can be independent as is the case in many other countries. Bhutan's small economy cannot support a financing model that is based on license and user fees.

BICMA officials and other stakeholders felt that while media thrive in an environment of freedom there is also need for a system of checks and balances to monitor and regulate media content. However, some Members of Parliament at the focus group discussion said there cannot be an autocratic regulatory system which impinges the rights of the media. They said Bhutan needs a supportive regulatory system.

BICMA as a regulatory body should be an independent authority. However, with the director and members of the authority appointed by the government, there are questions about its ability to independently regulate the media.

Further, BICMA's role is to formulate rules and implement guidelines based on the policy directives and regulations issued by the ministry and ensure compliance. BICMA also faces issues of capacity needed to adequately regulate the media. Some media stakeholders felt BICMA should also comprise media professionals that would add to the professional capacity to assess the industry adequately.

1.7 Regulatory system works to ensure media pluralism and freedom of expression and information

Section 22(c) of BICM Act states the Authority must ensure "that quality, plurality, diversity and choice of ICT and media services are promoted" and Section 22(g) of the Act also states "that licensing criteria are transparent and made known to the public."

To ensure that the regulatory body is accountable, Bhutan InfoComm and Media Appellate Tribunal was established in February 2009. The Tribunal has powers similar to a Civil Court and functions as a quasi-judicial body established to examine grievances and to hear appeals from parties aggrieved by the decisions of the Authority. The decisions of the tribunal can be challenged in the High Court.

The Tribunal heard its first and the only case so far within a week of formation. The Paro-based cable operator Sigma Cable

had challenged a fine of Nu 9,000 imposed by BICMA for allegedly providing eight extra channels to viewers. BICMA at that time permitted only 30 channels for transmission to the cable operators.

CONCLUSIONS:

- Although BICMA has been established as an autonomous media regulatory body, its functions are guided by the policy directives and regulations from the ministry. The government appoints its members and funds its operations.
- BICMA as the licensing authority has legal provisions and regulatory framework to promote and ensure media pluralism and regulate other forms of communications.
- Bhutan InfoComm and Media Appellate Tribunal has been established with powers similar to a civil court to hear grievances against BICMA's decisions.

RECOMMENDATIONS:

- Review the BICM Act so as to simplify its provisions and introduce regulations for establishing a Media/Press Council as a self regulatory mechanism.
- Ensure full functional autonomy to BICMA even if it remains funded by the government.
- Expand BICMA membership to include media professionals, representatives from non-profit organizations and others outside the government, selected transparently, to ensure professional and independent regulation. The director should not necessarily be a government employee.
- Establish an effective complaint handling system to ensure public concerns are properly heard and responded

to. Explore the establishment of a Media Council to mediate issues related to media.

- The regulatory body must encourage a supportive regulatory system through self-regulation, co-regulation and peer scrutiny.
- Engage, support and encourage CSOs to monitor media content on a regular basis and make the findings public.

C. DEFAMATION LAWS AND OTHER LEGAL RESTRICTIONS ON JOURNALISTS

1.8 The state does not place unwarranted legal restrictions on the media

Although freedom of press, radio and television and right to information are guaranteed in the Constitution, there are certain restrictions and practices that obstruct the flow of information to the media. There have been instances when government officials were instructed by ‘higher authorities’ not to talk to media or to classify information as ‘sensitive’ even if it was only a proposal to construct a road (Kuensel, April 16, 2010). “The fear of losing jobs or jeopardizing careers is still a bottleneck in the flow of information,” reported Kuensel, further adding that “those, who dare to share information, are ‘marked,’ reprimanded and considered disloyal.”

A focus group discussion with journalists affirmed that chasing stories on corruption, policies gone wrong or lack of basic services find it difficult to get the information they need. It is easy to write about an activity just launched but difficult to get information when the activity has gone wrong, said a journalist.

It is a requirement for all news media agencies to monitor and filter online and print discussion forums. In the past, government restricted certain TV channels from being broadcast in the country on the ground that they carried excessive violence, glamorised drugs, and showed sexually explicit content. However, these re-

restrictions have been relaxed and cable channels air more than 40 international channels today.

1.9 Defamation laws impose the narrowest restrictions necessary to protect the reputation of individuals

Defamation is described in detail in Chapter 22 of the Penal Code of Bhutan and provides for sufficient legal defences. Section 318 under Chapter 22 of the Penal Code spells out some acts that shall not be construed as defamation:

- a. A bonafide expression made in the public interest;
- b. A criticism of a literary work or a product;
- c. An appeal through lawful means or in good faith for redressing a grievance;
- d. A bonafide complaint by the defendant against one's own superior officer or about an employee serving under the officer;
- e. A bonafide complaint by or to an agency or authority of Bhutan to redress a grievance;
- f. A formal report of a supervisor or superior officer concerning the work or performance of an employee; or
- g. Instances where the Court, based on relevant facts and circumstances, considers the statement made to be reasonable.

Defamatory suits can be both civil and criminal. Section 317 of the Bhutan Penal Code states: "A defendant shall be guilty of the offence of defamation if the defendant intentionally causes damage to the reputation of another person or a legal person by communicating false or distorted information about the person's action, motive, character or reputation." It also states that a person will be guilty of libel if s/he defames another person through the means of writing, drawing, or photographing.

In the verdict on a defamation lawsuit filed by government officials against a businessman in July 2008, the Thimphu District Court ruled that, "in a modern democratic society, constructive criticism by any individual citizen against the government should be accepted as a necessary evil for effective governance" (Kuensel, July 12, 2008). Such a judicial system ensures the credibility of provisions on freedom of expression.



defamation is a fourth degree felony for which the guilty is liable to pay a compensation of a minimum of one month and a maximum of three years to the aggrieved party calculated in accordance with the daily minimum national wage rate

The Office of the Attorney General appealed the verdict but the High Court (on 30 December 2008) upheld the lower court's verdict as being "fair and reasonable enough" (Kuensel, January 1, 2009).

In another instance on 21 January 2009, a bus driver and his conductor had sued Bhutan Observer for alleged false reporting, saying that had caused them to lose their jobs (Kuensel, February 11, 2009). The story published by the newspaper claimed that the bus carried nine extra passengers while overcharging on fares and misbehaving with passengers. The court ruled in favour of the newspaper.

The penalty for defamation is a fourth degree felony for which the guilty is liable to pay a compensation of a minimum of one month and a maximum of three years to the aggrieved party calculated in accordance with the daily minimum national wage rate, if the defamation includes murder, armed robbery, terrorism or treason. If the defamation includes any matter other than murder, armed robbery, terrorism or treason, it is a petty misdemeanour for which the guilty can pay compensation to the aggrieved party for a minimum of one month and maximum of three years calculated in accordance with the daily minimum national wage rate.

1.10 Other restrictions upon freedom of expression, whether based on national security, hate speech, privacy, contempt of court laws and obscenity should be clear and narrowly defined in law and justifiable as necessary in a democratic society, in accordance with international law

The Constitution guarantees freedom of speech, opinion and expression as provided under Article 7(2) and the 'freedom of the press, radio and television and other forms of dissemination of information, including electronic,' under Article 7(5). Section 22 of Article 7 states that such rights will be subject to 'restrictions by law', when it concerns:

- a. The interests of the sovereignty, security, unity and integrity of Bhutan;

- b. The interests of peace, stability and well-being of the nation;
- c. The interests of friendly relations with foreign States;
- d. Incitement to an offence on the grounds of race, sex, language, religion or region;
- e. The disclosure of information received in regard to the affairs of the State or in discharge of official duties; or
- f. The rights and freedom of others.

The National Security Act of Bhutan (1992) has strict provisions on ‘words either spoken or written that undermines or attempts to undermine the security and sovereignty of Bhutan by creating or attempting to create hatred and disaffection among the people.’ The prison term could be a maximum of 10 years. The Act also states that punishment for those who create misunderstanding or hostility between Bhutan and other friendly countries through either spoken or written or other means will be liable for a maximum of five years imprisonment.

The National Security Act states that whoever by words either spoken or written, or by other means whatsoever, promotes or attempts to promote, on grounds of religion, race, language, caste or community, or on any other ground whatsoever, feelings of enmity or hatred between different religious, racial or language groups or castes and communities, or commits any act which is prejudicial to the maintenance of harmony between different religious, racial or language groups or castes or communities, and which disturbs or is likely to disturb public tranquillity will be punished with imprisonment which may extend to three years.

However, Section 23 of Article 7 also states that a Bhutanese citizen shall have the right to initiate appropriate proceedings in the Supreme Court or High Court for the enforcement of the Fundamental Rights conferred by the Constitution. In addition to aforementioned rights, the Constitution also guarantees the right to freedom of peaceful assembly and freedom of association, other than membership of associations that are harmful to the peace and unity of the country, and shall have the right not to be compelled to belong to any association.

CONCLUSIONS:

- There are no legal restrictions on who may practice

journalism although journalists need to be accredited.

- Defamation is both a civil and criminal offence and the restrictions are broad.
- Defamation laws do not inhibit public debate about the conduct of those holding public offices.

RECOMMENDATIONS:

- Strengthen the existing defamation law based on international standards, ensuring balance between principles of freedom of expression and protection of reputation.
- The criminal provisions on defamation could be replaced by appropriate civil laws, with clear provision on issues of national and public interest.

D. CENSORSHIP

1.11 The media is not subject to prior censorship as a matter of both law and practice

Censorship of media content is not a particular issue of concern in Bhutan. Journalists believe that the Bhutanese media is free. Journalists said there exists no prior censorship by government, regulatory authority and other private institutions and individuals. Media practice self-censorship when it comes to matters considered “sensitive” and in the “national interest” and “security”. The regulatory body, BICMA, monitors content against the code of conduct.

However, there are no explicit laws that stipulate media would not be subject to censorship. Media rather practice self-censorship as certain issues are considered sensitive and of national interest. In other words, media use editorial discretion whether or not to write about such issues.

1.12 The state does not seek to block or filter internet content deemed sensitive or detrimental

Censorship on online content is minimal, if there is any at all. Online forums and blogs criticize government activities and discuss topical issues. Moderated forums like kuenselonline.com allow criticism of the government. The less moderated forums on Bhutan also exist. The U.S.-based Bhutan Times (not related to the Bhutan Times newspaper) website was temporarily blocked by BICMA in 2007. It was unblocked after public outcry.

There are no explicit laws regarding censorship in Bhutan. Even the National Security Act (1992) makes no mention about censorship or classified information.

There are no regulations and measures at BICMA to control internet content. The BICMA Act requires the Ministry to function/appoint as the domain name registrar. However this has not been operational and Bhutan Telecom continues to register domain names.

The BICM Act 2006 states that government agencies will ‘take appropriate actions, including conducting privacy impact assessments, to ensure sufficient controls are adopted to protect the privacy of personal information as it implements electronic Government programmes [Section 127(j)].

People with internet connections can access all information available on the World Wide Web, which is an emerging concern in relation to materials – including pornography – that are also accessible. Most internet users in Bhutan are young people, including children.

The government is implementing a project to connect all the dzongkhags (districts) in the country with high-speed internet connection using fibre optics. The project is to be completed by the end of 2011. At present four districts —Thimphu, Phuentsholing, Paro and Wangduephodrang – have high speed internet connection.

Media practice self-censorship when it comes to matters considered “sensitive” and in the “national interest” and “security”.



CONCLUSIONS:

- There is no prior censorship of content including online media content.
- Journalists and media organizations practice self-censorship in varying degrees on matters deemed to be sensitive or in the national interest.
- There is no explicit legal framework on censorship although there are general stipulations on Code of Ethics and Rules on Content.
- There are no policies or regulations to regulate internet content

RECOMMENDATIONS:

- Further integrate internet literacy programs as a critical element into the ongoing Media and Information Literacy (MIL) activities and education curriculum at all levels in collaboration with the education ministry. Introduce a separate sensitization program on MIL for the public.
- Conduct studies on the usage of internet, for example, social media by the people so that appropriate internet literacy and advocacies can be carried out.



“Bhutan is also experiencing an unprecedented explosion of discussion and debate (often negative, derogatory and defamatory in nature) on government, institutions and individuals by people using the anonymity allowed by internet forums. With the advantages of confidentiality, secrecy and convenience, the internet has provided an alternate media platform to many who are not able to make their comments public.”



Category

2

Plurality and diversity of media, a level economic playing field and transparency of ownership





PLURALITY AND DIVERSITY OF MEDIA, A LEVEL ECONOMIC PLAYING FIELD AND TRANSPARENCY OF OWNERSHIP

two

KEY INDICATORS

A. MEDIA CONCENTRATION

- 2.1 State takes positive measures to promote pluralist media
- 2.2 State ensures compliance with measures to promote pluralist media

B. A DIVERSE MIX OF PUBLIC, PRIVATE AND COMMUNITY MEDIA

- 2.3 State actively promotes a diverse mix of public, private and community media
- 2.4 Independent and transparent regulatory system
- 2.5 State and CSOs actively promote development of community media

C. LICENSING AND SPECTRUM ALLOCATION

- 2.6 State plan for spectrum allocation ensures optimal use for the public interest
- 2.7 State plan for spectrum allocation promotes diversity of ownership and content
- 2.8 Independent and transparent regulatory system

D. TAXATION AND BUSINESS REGULATION

- 2.9 State uses taxation and business regulation to encourage media development in a nondiscriminatory manner

E. ADVERTISING

- 2.10 State does not discriminate through advertising policy
- 2.11 Effective regulation governing advertising in the media



A. MEDIA CONCENTRATION

2.1/2.2 State takes positive measures to promote pluralist media/ State ensures compliance with measures to promote pluralist media

In December 2010, Bhutan's mass media environment comprised of six newspapers, one magazine, four radio stations and one television channel. Bhutan also had three internet service providers (Table 1). Apart from state/public broadcasters BBS (both TV and radio) and Kuzoo FM radio, Bhutan has four private radio stations - Centennial Radio, Radio Valley, Radio High and Radio Wave. Sherubtse College has also started a non-profit radio. Bhutan has two daily and five weekly newspapers and a monthly news magazine.

Table 1:

*Media in Bhutan
(December 2010)*

Media	Private owned	Government /public	Total
Newspaper	Bhutan Times Bhutan Observer Bhutan Today Business Bhutan The Journalist Druk Nyetshul	Kuensel	7
Radio	Radio Valley Radio High Radio Wave Centennial Radio	BBS Radio Kuzoo FM	6
Television		BBSTV	1
Internet Service Providers	Drukcom Samden Tashi Cell (mobile based)	Druknet	4
News Magazine	Drukpa		1

Note: The classification of the media has been done on the basis of its ownership pattern. Government and public media are those started with public funding and where the government still has a stake or had provided an endowment fund. Private media are those owned by individual proprietors, a group of people or owned by shareholders.

The BICM Act 2006 has specific rules on ownership of ICT and media enterprises. Accordingly, all ICT and media enterprises are required to disclose to the Authority the names and addresses of shareholders. The owners have to be Bhutanese citizens.

The Act empowers the minister of information and communications, through regulations, to impose limits on ownership and control by one person as well as on cross media ownership, and control of ICT and media companies. The minister is, however, required to consult the Ministry of Economic Affairs (MoEA) prior to taking a decision.

No person who owns or controls over 25 percent of the total paid up capital of any other person engaged in the ICT and media business in Bhutan shall be entitled to apply for an appropriate license under applicable provisions of the Act. However, if the minister, after consultation with the MoEA, is of the opinion that it is necessary for the expansion of the ICT and media industry, he or she may by regulation increase the above-mentioned limit. The regulations apply to all companies, both big and small.

There are no regulations that recognize the distinction between small and large players in the media market. In order to govern the transparency of ownership, BICMA, the regulatory authority, can call for any information from the licensee including information necessary for ensuring transparency or for ascertaining the true ownership of the license or licensee.

However, concentration of media ownership is not an issue in Bhutan. Ownership of media outlets in Bhutan is confined to individuals, a group of individuals, or the public. Cross media ownership is also minimal or non-existent in Bhutan other than the case of the government, which controls the management of both BBS and Kuensel. However, there are trends where an investor of one media outlet has also invested in other media firm. The investment, however, cannot cross 25 percent of the total value of the firm. Still, there are doubts on how this restriction could be practiced especially when media are getting converged.

Most participants in all the focus group discussions said the media landscape in Bhutan is fairly diverse, having made a huge leap in the last few years. There are newspapers, radio stations, internet services, a local television news channel and a host of international cable channels catering to a wide variety of audiences.

However, most media are concentrated and cater to largely urban audiences. Almost all media agencies are based in Thimpu,

the capital, although some have correspondents in Phuentsholing, Gelephu and other towns. This undermines the media's reach to and coverage of rural areas. This was pointed out in focus group discussions with communities in Yonphula at Trashigang and Tshendagang in Dagana.

The study had tried to assess media reach and ownership through an opinion survey conducted in eight selected dzongkhags in four regions of Bhutan. The respondents were mostly from urban and semi-urban areas. A majority of respondents said they own mobile phones (1,247) and television sets (1,216). The ownership of radio was 944 and newspapers, 817. Other respondents owned or had access to computers (and internet) and fixed-line phones.

The respondents also indicated their media consumption pattern. The majority of respondents (1,247) said they own/subscribe to mobile phone media closely followed by 1,216 respondents owning/subscribing to television. Respondents owning/subscribing to radio media numbered 944 while 817 respondents owned/subscribed to newspapers. The rest of the respondents indicated owning/subscribing to computer, fixed line phones, and internet in order of majority respondents as indicated in Figure. (Note: the reason for more people subscribing to television than radio could be because of the survey demographics of rural and urban population. The ratio was 60:40).

CONCLUSIONS:

- Bhutan's media licensing policy has brought about media diversity and pluralism.
- Regulations are in place to ensure fair ownership concentration and to have safeguards against cross-ownership.
- Bhutan has both public and private media, except in television.
- Media reach is concentrated in urban centres and reach is low in rural areas both in terms of reception and access to media thereby hindering their active participation in public discourse.

- The number of internet users in Bhutan is low; but this is likely to increase after broadband connectivity is expanded.

RECOMMENDATIONS:

- Continue the media licensing policy and update it as and when required.
- Ensure diversity in languages used for communication in order to reach different sections of the society.
- Support and encourage media organizations to expand reach with incentives in terms of infrastructure and human resource development so as to promote greater diversity.
- Create an enabling environment for the establishment of private production companies to meet the local content requirements of the media organizations.
- Introduce private television and facilitate and encourage them to create more local content.
- Create an enabling environment for online news, communication systems and content production.
- Conduct a needs assessment study on the media market in rural Bhutan to plan support measures.

B. A DIVERSE MIX OF PUBLIC, PRIVATE AND COMMUNITY MEDIA

2.3 State actively promotes a diverse mix of public, private and community media

The state has been supportive in promoting a mix of public and private media. Community media is a new idea in Bhutan and to this end, the only community media is a radio that has been licensed to Sherubtse College.

The licensing processes are fair and transparent and there are no start-up fees or other restrictions on new print titles apart from standard business registration requirements. The state doesn't discriminate between public and private media in granting access to information. There are no separate laws and regulations for community media.



The decision making processes about the allocation of frequencies between public, private and community broadcasters are open and participatory.

2.4 Independent and transparent regulatory system

BICMA is Bhutan's sole regulatory body on media and communications. It is mandated to ensure equitable access to the frequency spectrum to media, including community broadcasters as provided under the national radio rule of BICM Act 2006. BICMA has a Frequency Band Plan that aims to reduce congestion in the use of radio frequencies and at protecting stations from interference.

The decision making processes about the allocation of frequencies between public, private and community broadcasters are open and participatory. It is the authority that allocates frequencies to public, private and community broadcasters.

2.5 State and CSOs actively promote development of community media

There are no rules for permitting and monitoring the community media. The only community media licensed in 2010 was Sherubtse Radio.

CSOs are a relatively new concept in Bhutan and they do not have the mandate to promote community media. The agency regulating CSOs was established in March 2009. The BCMD was the only qualified CSO related to media in 2010.

CONCLUSIONS:

- There is a fair mix of public and private media in the country.
- Community media does not exist in Bhutan and there are no laws facilitating its establishment.
- CSOs related to media, have so far, not been involved in promoting community media.

RECOMMENDATIONS:

- Conduct feasibility studies for the establishment of community radio and pilot a few community stations.
- Consider expanding the reach of the existing radio stations in order to strengthen rural coverage as an interim measure.
- Formulate policies and regulations for creating an enabling environment for community media based on the study.
- Encourage and collaborate with CSOs, including local communities, to promote community media.

C. LICENSING AND SPECTRUM ALLOCATION

2.6/2.7/2.8 State plan for spectrum allocation ensures optimal use for public interest/ State plan for spectrum allocation promotes diversity of ownership and content/ Independent and transparent regulatory system

All the radio stations in Bhutan transmit terrestrial signals. BBS (TV) began satellite broadcasting in February 2006. BBS satellite TV signals cover the entire country.

Under the BICM Act 2006, BICMA is vested with the control, planning, administration, management, regulation and licensing of the radio spectrum under the national radio rules. The Radio Communication Division of BICMA assigns frequencies. A fee is applicable for the use of the frequency.

CONCLUSIONS:

- Spectrum allocation is fair and transparent, and promotes diversity of ownership and content. There are no rules for allotting frequencies to community media.
- Permits and licenses for radio operators are based on Bhutan Radiofrequency Spectrum Plan in line with International Telecommunications Union (ITU) norms.
- The Radio Rules are being updated.
- The spectrum plan is made publicly available on BICMA's website.

RECOMMENDATION:

- Frame broadcast regulations to adequately monitor and regulate broadcasting.

D. TAXATION AND BUSINESS REGULATION

2.9 State uses taxation and business regulation to encourage media development in a non-discriminatory manner

The same taxation and business regulations govern all media. All media companies are subject to the same levels of taxation. There is a five-year tax holiday and tax exemption on import of materials and machinery for all new print media companies.

There is, however, a system of double licensing at work. Media companies have to obtain licenses from two institutions – one from BICMA and another from the Ministry of Economic Affairs. This has also attracted payment of double license fees. BICMA charges a fee of Nu 10,000 for establishing a newspaper.

CONCLUSIONS:

- There is a five-year tax holiday for new media companies. The tax holiday offer depends on the media business model and is limited to business income tax and duty exemption on the import of infrastructure related to printing.
- Only two percent of the income of the company spent on advertising is tax deductible and this has discouraged private companies from spending on marketing and advertisements.
- The double licensing regime has caused inconveniences. One license is required for starting media operations and another is a requirement for taxation.

RECOMMENDATIONS:

- Identify a single authority to issue media licenses. This can be done with immediate consultation between BICMA, MoEA and the Department of Revenue and Customs.

- Raise the requirement on the private and corporate sectors to maintain spending on marketing and advertisements to under two percent of their net income.
- Concerned stakeholders could develop concessional loan schemes in collaboration with financial institutions for media organisations to enable them to invest in infrastructure and human resource development.
- Consider including all the new media companies under the tax holiday scheme.
- Offer tax exemptions on the import of equipment needed by broadcasters.

E. ADVERTISING

2.10 State does not discriminate through advertising policy

The government is the largest advertiser in Bhutan, accounting for about 80 to 90 percent of all advertising (approximately Nu 300 million a year). The government has plans to audit circulation and reach of media and to formulate an “advertisement policy” based on reach and audiences for effective advertising.

Many of the new media companies feel that the audit is unfair given that most of them began operations only from 2006 and that a circulation audit would favour Kuensel and BBS, the largest media, which have been operating since 1967 and 1973, respectively. In the past, both companies benefited from subsidies from government and donor support. BBS is still subsidized by the government. The new media companies said a circulation audit and advertising based on that would disadvantage them.

Many CEOs and editors, including journalists from the private media, felt that the government’s initial draft advertising policy based on circulation and reach would make it difficult for them to survive. For instance, print media revenue comes principally from government advertisements. Channelling government ads to media companies based on their circulation and reach would

affect their ad revenues.

The government's initial draft advertising policy, they perceive, would be counter-productive to boosting media's growth and would create an uneven level playing field. Many private newspaper CEOs and editors are against the government's decision to carry out audit circulation. They said this would literally kill the young media organizations in the country.

2.11 Effective regulation governing advertising in the media

In December 2010, Bhutan had no formal rules governing advertising except for a circular from the Ministry of Finance.

The advertisement policy will require that in selecting the media (print, broadcast, electronic) for advertising, appropriate consideration will be given to the reach of the media and target audiences. Consideration will also be given to media agencies that promote the understanding and implementation of Gross National Happiness values and media that invest in the promotion of the national language, Dzongkha.

To ensure compliance, the government may withhold advertisements from the media not in compliance with the policy. And advertising may also be withdrawn when the media breach journalism ethics and national interests.

There is no transparent mechanism to monitor the fairness of government advertising in terms of allocating advertisements to all media. A senior media manager said they need an advertising policy that ensures effective use of public funds for effective advertising. A CEO of a media company supported a policy for advertising but said it should be aimed at a fair distribution to all media. He added that the ad policy would establish an advertisement code that has been missing all this time. There was unanimity from the focus group discussions amongst the media CEOs that there should be a more comprehensive ad policy covering a wide range of advertisers.

CONCLUSIONS:

- There is a need for an advertisement policy and an advertisement code.

- Private media companies do not support the initial draft ad policy of the government as they feel it would favour the larger media firms.
- Private media want the government to consider using the policy not only for effective advertising but also for media development and their survival through advertisement revenues.
- The initial draft advertisement policy concerns only government organizations and not private and corporate advertisers.
- There is no clear advertising policy for Public Service Broadcasting.

RECOMMENDATIONS:

- Continue to engage media stakeholders, including independent professional bodies and CSOs, to study and debate the draft advertisement policy which is a work in progress.
- Develop a comprehensive advertisement code for all advertisers (public, private, individuals), including codes on advertisement content.
- Raise the media planning capacity of government Information and Communication Officers so as to ensure government advertising is done through the right medium and reaches the target audiences in a planned manner.
- Develop and discuss advertising codes applicable to Public Service Broadcasters to ensure that their interests do not conflict with private broadcasters, especially after private broadcast media expands.



However, most media are concentrated and cater to largely urban audiences. Almost all media agencies are based in Thimpu, the capital, although some have correspondents in Phuentsholing, Gelephu and other towns. This undermines the media's reach to and coverage of rural areas.



Category

3

Media as a platform for
democratic discourse





MEDIA AS A PLATFORM FOR DEMOCRATIC DISCOURSE

three

KEY INDICATORS

A. MEDIA REFLECTS DIVERSITY OF SOCIETY

- 3.1 The media – public, private and community based – serve the needs of all groups in society
- 3.2 Media organisations reflect social diversity through their employment practices

B. PUBLIC SERVICE BROADCASTING MODEL

- 3.3 The goals of public service broadcasting are legally defined and guaranteed
- 3.4 The operations of public service broadcasters do not experience discrimination in any field
- 3.5 Independent and transparent system of governance
- 3.6 PSBs engage with the public and CSOs

C. MEDIA SELF-REGULATION

- 3.7 Print and broadcast media have effective mechanisms of self-regulation
- 3.8 Media displays culture of self-regulation

D. REQUIREMENTS FOR FAIRNESS AND IMPARTIALITY

- 3.9 Effective broadcasting code setting out requirements for fairness and impartiality
- 3.10 Effective enforcement of broadcasting code

E. LEVELS OF PUBLIC TRUST AND CONFIDENCE IN THE MEDIA

- 3.11 The public displays high levels of trust and confidence in the media
- 3.12 Media organisations are responsive to public perceptions of their work

F. SAFETY OF JOURNALISTS

- 3.13 Journalists, associated media personnel and media organisations can practice their profession in safety
- 3.14 Media practice is not harmed by a climate of insecurity



A. MEDIA REFLECTS DIVERSITY OF SOCIETY

3.1 The media – public, private and community based – serve the needs of all groups in society

The languages used by media in Bhutan are Dzongkha (national language) and English. BICMA's Rule on Content states that Dzongkha and English shall be used as the medium of communications. Any other local dialects require prior approval from the Authority (Rules on Content, Chapter 2 - General Rules on Content, Section 2.5, Language).

BBS radio is the only media that broadcasts programs in four languages – Dzongkha, English, Tshangla and Lhosthamkha (Nepali) – spoken in Bhutan. BBS radio airs three hours of Tshangla language programming, two hours of Lhotsham, three hours of English and eight hours of Dzongkha programs every day. It also has 10 rural/regional correspondents. There are 19 dialects but among them only Dzongkha has a written form.

All English language newspapers publish a Dzongkha edition circulated as an insert. Kuensel has a separate Dzongkha edition while Druk Nyetshul, which began publishing in 2010, is an independent Dzongkha newspaper.

All newspapers said their Dzongkha wing was a financial liability but they were publishing in Dzongkha as a social obligation (and as a license requirement) to promote the national language.

With the launch of the new Dzongkha newspaper, Druk Nyetshul, media owners and managers have revived the debate whether they should continue publishing in Dzongkha for the sake of its social mandate of promoting the national language as it remains a financial burden.

Kuensel employs the largest Dzongkha editorial team among the newspapers with two editors and eight reporters with two bureau offices in Bumthang and Mongar. It spends about Nu 2.0 million on the edition. "Given a choice not to have the Dzongkha edition, all newspapers said they will choose to forgo it. Today, the Media Act makes it mandatory for all newspapers in the country to have a Dzongkha edition," Business Bhutan said in its August 28, 2010 issue.

The same newspaper quoted Lyonpo Nandalal Rai, information minister, saying that all newspapers will have to abide by the Media Act and the clause for having a Dzongkha edition will not be revised as of now. He added that the Dzongkha paper is a conscious effort to promote the national language and the government cannot support the newspapers by providing any kind of financial package.

Apart from the mainstream media, community media hardly exists in Bhutan. Going by some accepted definitions of community media, Sherubtse Radio would be the only media outlet that would qualify as one in Bhutan. Sherubtse FM was launched on May 8, 2009, with a mission/vision to inform and educate through entertainment at Sherubtse College, Kanglung, Trashigang. It is managed by student leaders. It reaches an area within a two kilometres radius and broadcasts daily for two hours in Dzongkha and English languages. Sherubtse FM airs programs on youth related issues, topical issues, democracy, celebrations, college programs and courses, etc.

Most of the private radio stations do not have regular newscasts and are largely entertainment based. However, most of the radio stations expressed that given the resources, they are willing to broadcast news and other information.

In a democratic system of governance, the media's role is multidimensional. Besides, its traditional role of the 'watchdog' of the government, the media offers a platform for public discourse, debate, and discussion (Dorji, 2006).

The public space must therefore accommodate views from diverse socioeconomic, religious and political background, including the weaker and unreached sections of society.

The role of BICMA is to take into account the importance of free speech, promote a diverse and vibrant media, and convergence of information and communications technology and healthy competition among publishers (Section 97(2), BICM Act 2006).

Bhutan's overall literacy is 59.5 percent (NSB, 2010). As media content is available only in Dzongkha and English, the low literacy remains a barrier to access to printed media. According to the Media Impact Study 2008, access to media is uneven, and there is a strong urban bias. The Media Development Assessment Survey 2010 also indicated that while access to media has considerably

Besides its traditional role of the 'watchdog' of the government, the media offers a platform for public discourse, debate, and discussion



increased, rural populations still have low access and low coverage. Media in Bhutan is still essentially urban centric.

There is a general realization of the role the media can play in fostering public debates. Focus group participants from the media industry said the media was playing the role of the torchbearer by raising issues of public interest, giving critical feedback on government activities and policies, and informing the people on democratic processes.



There is a general realization of the role the media can play in fostering public debates. There is also an understanding that the media has been offering a platform for people to express their views and opinions on a wide range of issues. Democracy has empowered the media which, in return, is empowering the citizens and therefore taking democracy further.

There is also an understanding that the media has been offering a platform for people to express their views and opinions on a wide range of issues. A journalist at the focus group discussion said that people were beginning to come out of their ‘cocoons of anonymity’, though the process has been slow. The discussants added that though the media is more vocal today, people still hesitate to speak openly, especially on television. A television journalist said that people were not willing to talk on camera and that there was a need to break the barrier.

Democracy, a journalist said, has empowered the media which, in return, is empowering the citizens and therefore taking democracy further.

There were also concerns that not many people were expressing their views openly. There are only a handful of people who express critical views and make bold analyses, said an editor. Those not using the mass media are expressing themselves on internet forums. “It is a good sign. They are exercising their rights to expression, speech and opinion but they need to be bold and make their views public,” the editor added.

Government officials at the focus group discussions said there still were certain rules that prevented them from talking to media or criticizing government policies openly. “We are afraid of the consequences. So we use the internet forums to raise issues,” a public official said.

A writer said the space for discourse and debate is new and remains limited and is used only by a small group of people. She felt there needs to be greater awareness of what democratic space means – a forum for discussions, responsibility and concern for

democratic values.

The BCMD has been supporting public discourse and discussion on media and democracy. It has organized forums on public space and sought recommendations from a cross-section of society on how people can be given voice in a highly hierarchical society. “It was also an attempt to explore the constraints we face in a society where information still flows top down,” said the BCMD executive director.

The MDI survey sought respondents’ views on how accurately the media reported their views. A large number of respondents (49.8%) said the media did report their views accurately but only to a certain extent. However, some (11.3%) said the media did not report most of their views accurately (Figure 3).

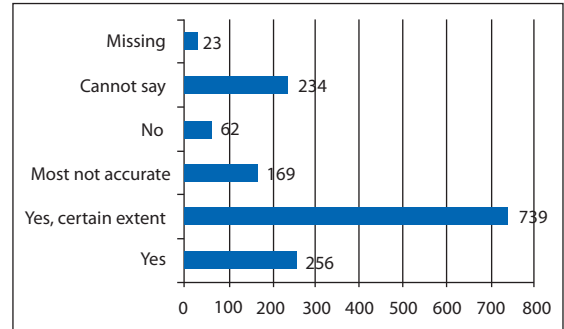
The respondents were also asked if journalists came to their locations to cover issues that were important to them. More than 50 percent of them said the journalists did not come to their locations to cover issues and 28 percent said they ‘don’t know’.

Respondents were asked what issues they would like the media to cover. Most of the respondents wanted more coverage on issues related to their development needs (e.g. health, education, water and sanitation, roads). Second in priority were issues on local governance. Other subjects they wanted the media to cover more were environment, culture and gender (Figure 4).

Survey findings indicate that the media does not adequately cover issues the people want them to cover. These are issues related to development needs on health, education, water and sanitation, roads, and local governance.

Figure 3:

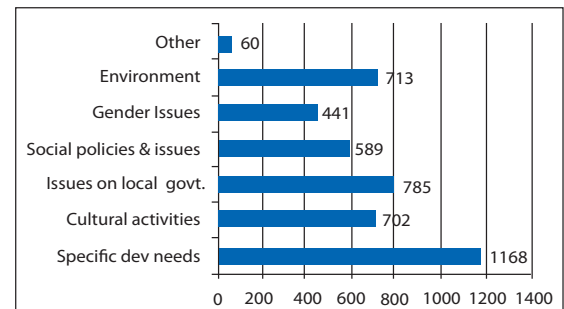
Media reports community’s views accurately



Source: MDI Opinion Survey, 2010. N=1,483

Figure 4:

Issues people want media to cover



Source: MDI Opinion Survey, 2010. N=1,483

3.2 Media organizations reflect social diversity through their employment practices

Table 2:

Employment profile in the media (as of December 2010)

Overall female representation in media is still low compared to that of males and there are only a few women in editorial and managerial positions. Employees in media are not discriminated based on their social or ethnic backgrounds, or on religious grounds (Table 2).

SL/No	Media organization	Male	Female	Total
1.	Kuensel	120	50	170
2.	Bhutan Times	18	13	31
3.	Bhutan Observer	26	18	44
4.	Bhutan Today	19	8	27
5.	Business Bhutan	20	15	35
6.	The Journalist	22	15	37
7.	Druk Nyetshul	13	10	23
8.	BBS (TV/radio)	231	77	308
9.	Kuzu FM	10	7	17
10.	Drukpa (news magazine)	5	2	7

Source: Media houses

CONCLUSIONS:

- The media reports views of all sections of society only to a certain extent.
- Most media agencies are urban centred and do not reflect views of rural and unreached populations.
- Media in Bhutan plays a key role in gathering and disseminating news and information (although most radio stations do not carry news and are mostly entertainment based).
- Representation of women in media is lower compared to that of men.

- There are perceptions that reporting is biased. Media agencies are highly competitive and often divided and have also been accused of partisan coverage.
- Bhutanese youth are more exposed to global media culture and values, particularly through the broadcast media.

RECOMMENDATIONS:

- Enhance professional standards of journalism to ensure fair and unbiased coverage.
- Encourage and support media to reach out to and expand coverage across various communities and languages.
- Support media in reaching local audiences with quality content.
- Support and encourage the production of quality original Bhutanese content for various communities in the country as a strategy to compete against the onslaught of foreign content. Media content should serve the needs of the nation first.
- Support and develop new formats and use new media and technology in order to expand reach and impact by taking media to hearing and visually impaired groups and other unreached communities.
- Journalist should verify information and check sources and include diverse views in news stories to have balanced representation of people's views.
- Explore possibilities for piloting community media (radio) as a strategy to serve the information and communication needs of rural and unreached populations.

- Support and encourage media to invest in training on culture, history, values and political transformations (democratic principles). Journalists that are knowledgeable about these issues can provide better coverage and discussion platforms to the diverse sections of Bhutanese society.

B. PUBLIC SERVICE BROADCASTING MODEL

3.3 The goals of public service broadcasting are legally defined and guaranteed

The concept of an independent media directly or indirectly subsidized by the government emerged in Britain with an initiative taken by the British Broadcasting Corporation in 1933. Its independence is guaranteed through a royal charter signed by the Queen of England (Dorji & Pek, 2005). By this definition, Bhutan Broadcasting Service (BBS) is the only public service broadcaster in the country.

Both BBS and Kuensel were established in order to fulfil the development communication needs of the government in the early years of planned development (Wangchuk, D., 2009). There is now a need to restructure the BBS to fulfil its public service mandate more effectively.

The founder of Centennial Radio and the incumbent director to Royal Office for Media, Dorji Wangchuk, observes:

“.....As Bhutan moves to western-styled democracy with political parties now bidding to form the government every five years, there is the need to, once more, redefine the role of the two agencies - simply because the power structure has changed. We now have an elected ruling government and an opposition. If BBS continues to receive its funding from the government, sooner or later, there is a danger that it becomes a pawn to the political party in power. That means with every change of the party in power, the post of the managing director could become a game of musical chair.” (Bhutan Times, July 9, 2008).

The defining moment for BBS and Kuensel came in 1992 when

His Majesty the Fourth King issued a Kasho, or royal edict, delinking the two organizations from government and declaring them autonomous bodies. The edict remains the most important legal document on the independence and autonomy, it said:

“The national newspaper, Kuensel and the Bhutan Broadcasting Service will therefore be de-linked from the Ministry of communications to give them the flexibility to grow in professionalism and to enable them to be more effective in fulfilling their important responsibility to society. From the fifth day of the eighth Bhutanese month (October 1, 1992) the national newspaper Kuensel and the Bhutan Broadcasting Service (BBS) will be established as two autonomous corporations. The Kuensel and BBS Corporations will be governed by an editorial board comprising representatives of the government, media, professionals, scholars and eminent citizens.”

In keeping with the Royal edict, on 1 October 1992, BBS was established as an autonomous corporation governed by an editorial board comprising representatives of the government, media professionals, scholars and eminent citizens. The government funds a large part of BBS operations. This government funding raises the question of indirect control in a situation of the absence of laws to guarantee independence of public service broadcasters.

The draft Broadcasting Policy prepared by the MoIC envisions having independent public and private broadcasting and recognizes their importance for strengthening democracy and ‘social coherence’. The policy draft says the government will provide support in terms of infrastructure development, education and content. However, the draft has no specific provisions on editorial independence and accountability mechanisms.

The independence of BBS has been questioned several times. In an article dated June 2010, Tshering Tobgay, leader of the Opposition in parliament, accused the government of meddling in BBS affairs on his blog. He was also critical of the government giving programming directions to the station.

“Our national broadcaster struggles to generate sufficient content for the five hours it goes on air each day, and the government, unilaterally, directs BBS to broadcast round the clock. This directive does not augur well for television in Bhutan,” wrote the Op-

The defining moment for BBS and Kuensel came in 1992 when His Majesty the Fourth King issued a Kasho, or royal edict, delinking the two organizations from government and declaring them autonomous bodies.



position Leader.

“That is the job of the Managing Director and the Board of Directors – ultimately they are the ones responsible for ensuring that BBS is able to inform, educate and entertain our people, and for protecting its editorial independence,” he said, adding that the government should subsidize the operations of BBS as it was a non-commercial public service broadcaster.

BBS is fully funded by the government. In 2009-10, the government allocated a budget of Nu 163.08 million (Nu 90 million for current expenses and Nu 73.08 million for capital expenses). The BBS has 303 employees with 50 working in the radio department and 96 for television. Others support the technical, finance, administration, and human resource departments (Saraswati, 2010).

BBS has a Board of Directors consisting of members from government, media, and non-government organizations. However, the government (through Ministry of Finance) appoints the board of directors. The Royal Audit Authority conducts an annual audit of the BBS.

BICMA, the regulator, oversees the content. BBS, like other media organizations, is required to follow the Code of Ethics for Journalists and the Journalist’s Code of Conduct.

The managing director of BBS said BBS is actually performing the role of a PSB. Still, it does not have a legal framework, besides the Royal edict, guaranteeing it independence and support to serve as a public service broadcaster. Further, the Company Act requires BBS to operate as a corporate body, which could cause it to compromise its public service mandate, especially in the absence of guaranteed public funding for its operations.

“If we don’t have assured funding it is very difficult to be a public service broadcaster with editorial independence because we will be always subject to the vagaries of funding of the government of the day,” said Pema Lhamo, managing director of BBS. “If you are doing business, you will be obliged to your sponsors and advertisers.”

The majority of the BBS board members come from the civil service and there have been suggestions that the managing director should not be a government nominee and instead selected through open competition. The criteria for selection of board members also need to specify



the Company Act requires BBS to operate as a corporate body, which could cause it to compromise its public service mandate, especially in the absence of guaranteed public funding for its operations.

qualifications of the nominees and their tenure. In the absence of such criteria, the government can change the management when it wants and influence the autonomy of the public service broadcaster.

3.4 The operations of public service broadcasters do not experience discrimination in any field

BBS telecasts reach the entire country and about 32 countries in Asia and the Middle East via the Indian Space Research Organization's (ISRO) INSAT-4A satellite (Rai, 2006). BBS radio reaches all 20 dzongkhags both on FM and shortwave. It is mandatory for all cable TV operators in Bhutan to carry BBS.

3.6 PSBs engage with Public and CSOs

The BBS engages the public in talk shows, phone-in programs, interviews, etc. Its website has a feedback page through which audiences can send their complaints and feedback. BBS also engages with CSOs. In November 2010, BBS and BCMD jointly conducted a three-day seminar on public service broadcasting.

CONCLUSIONS:

- BBS is fulfilling the mandate of a public service broadcaster (PSB). But in the absence of a proper charter and public service broadcasting policy, its PSB role remains to be fully defined.
- Appointments of the governing body and the managing director of BBS are not free from direct government control and the eligibility criteria remains to be defined.
- BBS engages with public and civil society organizations to debate and discuss matters relating to public service broadcasting.
- There is limited understanding of Public Service Broadcasting in the country.

RECOMMENDATIONS:

- Review existing broadcasting laws and regulations to include provisions for both public service and commercial broadcasting based on accepted international standards and norms.
- Formulate a public service broadcasting policy and law to transform BBS as a public corporation accountable to the public, with both institutional autonomy and editorial independence.
- Design and implement an appropriate model of state financing for BBS as a PSB. This should ensure adequate and stable funding to enable BBS to function as a PSB. BBS could also explore financing options through viewer contributions or advertisement sponsorship, and sale of programmes, with clearly defined limitations.
- Develop transparent and democratic modalities for appointing the Board of Directors of BBS in a manner that would include media professionals and experts and people from different sections of Bhutanese society. Appointment of MD of BBS should be transparent through open competition.
- Develop program codes to ensure that BBS, or any other PS broadcaster, provides a comprehensive range of programming comprising information, education, culture and entertainment to all citizens.
- Consider setting up a media development fund with public contributions for developing quality local content.

C. MEDIA SELF-REGULATION

3.7 Print and broadcast media have effective mechanisms of self regulation

All print and broadcast media organizations in Bhutan follow the Code of Ethics for Journalists. Each media organization also has its own editorial guidelines and in-house rules, written or unwritten.

Bhutanese journalists have been exposed to workshops and seminars on media law and journalists' code of ethics. In January 2010, about 30 participants from BBS attended a workshop on media ethics in New Delhi. The workshop was organized by the Asia-Pacific Institute for Broadcasting Development (AIBD) and UNESCO. The BCMD as well as groups like Solution Exchange-Bhutan also organize discussions and workshops on media and democracy.

Most allegations of ethical violations are dealt by media organizations. Some cases also reach the courts. BICMA is the sole authority to oversee media content as mandated by the BICM Act 2006, section 21 (2):

“Given the rapid development of ICT and increasing convergence of information technology, telecommunications and media, the Authority shall have a comprehensive mandate in implementing laws, Regulations and Rules pertaining to ICT and media facilities, services as well as the contents of any form of information, communications and media.”

Its regulatory functions encompass:

- a. ICT facilities;
- b. ICT services;
- c. Spectrum management and radio communications; and
- d. Contents and media.

In media organizations in Bhutan, there are no self-regulatory bodies or news ombudsmen. The editor-in-chief or news editor of media organizations is directly answerable to readers or viewers.

3.8 Media displays culture of self regulation

Bhutan has two journalists' associations but both – Journalists Association of Bhutan (JAB) and the South Asian Free media Association - Bhutan Chapter – are not registered organizations. These associations are almost non-functional. Although SAFMA – Bhutan Chapter has established a secretariat and elects its governing body and representatives, it does not have a legal basis to advocate for media rights. Bhutan does not have a press council. However, Bhutan Media Foundation is the only organization established in 2010 to cater to media development.



The degree of self-censorship in Bhutanese newsrooms varies. Much has to do with the 'small community' in which media operate.

Bhutan became a member of the South Asian Free Media Association (SAFMA) on August 5, 2007 (Choden, 2007). SAFMA is a non-governmental body registered in Pakistan and works to 'strengthen media capacity, promote access to and free flow of information, strengthen regional cooperation through SAARC and defend and expand press freedom'.

Media organizations in Bhutan provide a right of reply to readers and audiences. All newspapers have a page dedicated to letters and opinions while the BBS has a feedback page on its website. Reader forums like kuenselonline.com provide platforms through which readers discuss and debate issues reported by the media. They also serve as 'public spaces' where citizens engage in discussion and debate on topical issues. Bhutan Observer's website offers a greater level of interactivity.

Bhutan does not have a self-regulatory body. Functions that come under the realm of such a body are carried out by BICMA.

The degree of self-censorship in Bhutanese newsrooms varies. Much has to do with the 'small community' in which media operate. Pressure from known-ones, the powerful and the influential invariably makes it into the newsroom (Wood, 2007). As examples of self-censorship, the media do not cover stories critical of the royal family, the clergy, people in the camps, etc.

Philapa Wood (2007), in 'Priming the printing press: the growing print media in Bhutan', said self-censorship is evident with regards to government and issues that are termed 'sensitive' such as foreign policy and racial relations. She adds that these sensitivities do not necessarily stop the newspapers from writing on such

issues as they use ‘caution’ and ‘safe’ words.

CONCLUSIONS:

- There are clear codes of ethics for journalists. However, ethics are not actively debated or reviewed.
- There are not many public complaint systems about alleged violations of ethical standards.
- Bhutan does not have a Media Council to scrutinize the ethical standards of journalists.

RECOMMENDATIONS:

- Engage media professionals, regulatory bodies, independent professional bodies and civil society organizations to regularly debate, review and update codes of ethics and conduct for journalists. Publicize the codes to create awareness among the public.
- Consider setting up a self-regulation mechanism for monitoring ethical conduct of journalists and to address public complaints.
- Sensitize journalists on the code of ethics, and encourage them to adopt and practice ethical conduct by establishing their own codes of ethics and conduct and publicizing them.
- Create an enabling environment for the establishment of journalist associations.
- Support training and education of journalists on media law and ethics.

D. REQUIREMENTS FOR FAIRNESS AND IMPARTIALITY

3.9 Effective broadcasting code setting out requirements for fairness and impartiality

In the absence of a broadcasting code, public broadcasters (BBS TV and Radio) are mandated to follow the Code of Ethics for Journalists to ensure fairness and balance, and non-discrimination not just during elections but at all times. Chapter 26, section 2(c) of the BICM Act 2006 provides for equitable treatment of political parties and politicians by all ICT and media services, particularly during election periods.

Chapter 14 of the Elections Act provides for time allocation for election campaigns. The Act (Section 270) empowers the Election Commission to allocate equitable time to all registered political parties on the cable television network and other electronic media to display or propagate any election matter or to address the public in connection with elections during the period of campaign.

The Election Commission also has the power to formulate a code of conduct for cable operators, electronic media and every person managing or responsible for the management of cable operations and electronic media during the election. The Election Act also provides that “any cable operator or person managing or responsible for the management of the electronic media contravening the code of conduct, as referred to in Section 273, shall be guilty of the offence of misdemeanour and be liable for cancellation of the license.”

In addition, the draft broadcasting policy mandates both private and public broadcasting services to render higher standards of programming to strengthen democracy and social coherence.

Further, BICMA has the authority to ‘encourage, and keep under review, measures aimed at maximizing the independence of editors and other journalists from proprietorial and other interference.’

Despite such a provision on editorial independence, BBS has had instances when its independence from government has often come up for debate. For instance, BBS was not permitted to broadcast live coverage of most of the proceedings of the fourth session of the National Assembly in 2009. The speaker did not al-

low the live broadcast, claiming certain sensitivities.

3.10 Effective enforcement of broadcasting code

BICMA has enforced violations to the broadcasting code in the past. It fined the BBS TV Nu 18,000 for remarks made by a panelist against the communications minister at a live panel discussion.

A letter from the BICMA said it found ‘no adequate justifications to consider such panel discussions as fair, decent and balanced in line with the Code of Ethics of Journalists’. The BBS maintained that the discussion was conducted with appropriate representation including the Road Safety and Transport Authority (RSTA) and other stakeholders, and had organized it to address a public interest concern.

CONCLUSIONS:

- The code of ethics embodies fairness and impartiality but Bhutan does not have broadcast codes or legal requirements. BICMA has Rules on Content guidelines for media.
- Bhutan InfoComm and Media Appellate Tribunal is there to handle complaints and cases appealed against BICMA’s decisions.
- Electoral laws ensure fair, balanced and impartial coverage during elections.

RECOMMENDATIONS:

- Initiate discussions with media for sensitizing media stakeholders on BICMA’s Rules on Content and consider a review, if required, to ensure quality content.
- Expedite the drafting and adoption of a broadcast code in consultation with stakeholders.
- Review and establish effective mechanisms for ensuring editorial independence in broadcast media.

E. LEVELS OF PUBLIC TRUST AND CONFIDENCE IN THE MEDIA

3.11 The public displays high levels of trust and confidence in the media

Not many studies have been conducted on public trust and confidence in the media. The Media Impact Study 2008, found that one-third of the respondents found BBS radio believable most of the time, compared to 15.4 percent for Kuzoo FM. The study also found that the public trusted BBS TV more than other international channels: 29.5 percent said BBS TV was believable all the time against 7.5 percent for international channels. Television (BBS TV) was also the media of choice for accurate information for respondents to the MDI opinion survey.

Table 3 summarizes the media that respondents in the MDI opinion survey found accurate rated on a scale which ranged from 1=highest priority to 8=lowest priority. Television was most trusted for accurate information followed by radio and newspapers. Asked to identify media that were most accurate, the respondents picked BBS radio, which was also a function of its wider reach compared to other channels. Among newspapers, Kuensel was identified as a source for accurate information over others – again, something that could have been influenced by reach.

Table 3:

Media that provides accurate information

Media accuracy rating	1	2	3	4	5	6	7	8
Radio	341	436	269	173	73	30	46	2
Television	719	394	183	73	34	8	14	4
Newspaper	214	326	423	246	76	39	27	0
Computer	37	62	75	176	272	298	270	0
Mobile Phone	74	126	250	343	288	190	60	0
Fixed line phone	21	39	34	93	270	341	410	0
Internet	176	82	115	163	181	185	288	0
Others	22	49	1	1	3	36	1	0

Source: MDI Opinion Survey, 2010. N=1,483; missing=22

Even though there is trust and confidence in the media, the respondents to the MDI opinion survey said the representation of their views and issues were inadequate. They wanted more media

coverage on health, education, water and sanitation, roads, etc.

3.12 Media organizations are responsive to public perceptions of their work

Media organizations have feedback systems to accommodate comments from their audience. However, most of the letters and opinions are on topical issues. The media have no mechanisms to gauge public perceptions of their work. Only the BBS has had audience surveys, having conducted one survey in 2010. Most media depend on word-of-mouth and feedback in online forums on stories, content and quality of the work and make responses as necessitated.

The MDI survey had asked respondents to indicate if they could respond to the media when they agree/disagree with their reports. A majority of the respondents (55%) said 'no' and 43 percent said 'yes'. Those who responded to the media either called the reporters or wrote letters or opinion pieces in the newspapers. Figure 6 shows how often people got the opportunity to voice their concerns/opinions in the media.

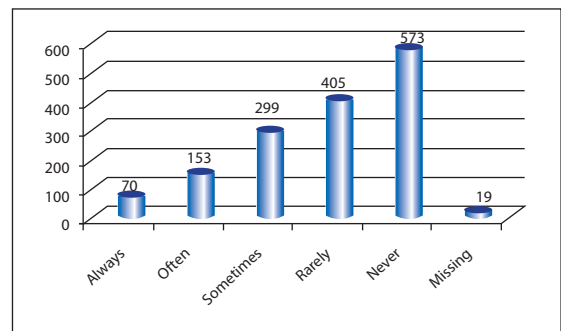
Different types of media options were given to the respondents to indicate what channel of communication or media would provide them a better means to voice their opinion or participate in discussions. "TV programs in my language" was the most preferred medium that they felt would provide better means to voice their opinion or allow participation in discussions. "Newspaper" was the second most preferred means of voicing opinion and participating in discussions. Radio was the third choice.

CONCLUSIONS:

- The confidence/trust of people in the media was high though many people felt that the media has not adequately reported their views/concerns or provided them opportunity to participate in discussions.

Figure 5:

Opportunity to voice concern/opinion through media



Source: MDI Opinion Survey, 2010. N=1,483

- Community TV programs (preferably in their own local language) will be preferred by people to express their views on issues and to participate in discussions.
- Public perceive mainstream media (i.e. radio, TV and newspaper) as the provider of accurate information and believe that mainstream must also provide forums for discussion.
- People prefer to have media contents that are relevant to their situation. Specifically, the people wanted the media to report on their development needs (i.e. health, education, water and sanitation, roads, etc.).

RECOMMENDATIONS:

- The government and CSOs should carry out literacy and advocacy programmes on the 'role' of media and media production so as to enhance critical understanding of media content.
- Media organizations should establish interactive feedback platforms to gauge public perceptions that could be bolstered by periodic studies on content preferences, trust and confidence.
- Institute prizes and/or provide incentives for quality journalism – and those that are accessible to wider populations – in order to encourage in-depth, accurate and fair coverage.

F. SAFETY OF JOURNALISTS

3.13 Journalists, associated media personnel and media organizations can practice their profession in safety

Journalists can practice their profession without safety risks. There have been some cases where journalists have been warned or scolded by public officials and individuals. There have been no reported cases of journalists being attacked, detained unlawfully or killed in Bhutan.

At the focus group discussions, the participants said safety of journalists was not an issue of immediate concern. A former Kuensel employee recalled an instance when he was almost imprisoned in 1993 for not following a driglam namzha (traditional etiquettes) clause. In another instance, he said, a furious colonel barged into the Kuensel newsroom and threatened the editor-in-chief.

No media organizations in Bhutan have insurance policies for journalists. Editors said that they have certain in-house policies that protect reporters from directly answering to accusations. In case of a lawsuit, it is the media organization that goes to the court and not the journalist.

CONCLUSIONS:

- Safety of journalists is not a major issue of concern and there have been no reported cases of journalists being attacked, detained unlawfully or killed.
- Media organizations lack basic in-house policies on occupational safety and health of journalists.
- Physical abuse is not a concern, but journalists do undergo mental stress while reporting some issues from the pressures unique to a small society.

RECOMMENDATIONS:

- Enact necessary legislations to put in place sufficient safeguards to protect journalists when they are carrying out legitimate investigative journalism.
- Require media organizations to have in-house policies on occupational health and safety of journalists and appropriate social protection measures.



“There were also concerns that not many people were expressing their views openly. There are only a handful of people who express critical views and make bold analyses, said an editor. Those not using the mass media are expressing themselves on internet forums.”



Category

4

Professional capacity building and supporting institutions that underpin freedom of expression, pluralism and diversity





PROFESSIONAL CAPACITY BUILDING AND SUPPORTING INSTITUTIONS THAT UNDERPIN FREEDOM OF EXPRESSION, PLURALISM AND DIVERSITY

four

KEY INDICATORS

A. AVAILABILITY OF PROFESSIONAL MEDIA TRAINING

- 4.1 Media professionals can access training appropriate to their needs
- 4.2 Media managers, including business managers can access training appropriate to their needs
- 4.3 Training equips media professionals to understand democracy and development

B. AVAILABILITY OF ACADEMIC COURSES IN MEDIA PRACTICE

- 4.4 Academic courses accessible to wide range of students
- 4.5 Academic courses equip students with skills and knowledge related to democratic development

C. PRESENCE OF TRADE UNIONS AND PROFESSIONAL ORGANISATIONS

- 4.6 Media workers have the right to join independent trade unions and exercise this right
- 4.7 Trade unions and professional associations provide advocacy on behalf of the profession

D. PRESENCE OF CIVIL SOCIETY ORGANISATIONS

- 4.8 CSOs monitor the media systematically
- 4.9 CSOs provide direct advocacy on issues of freedom of expression
- 4.10 CSOs help communities access information and get their voices heard



A. AVAILABILITY OF PROFESSIONAL MEDIA TRAINING

4.1 Media professionals can access training appropriate to their needs

Human resource development is a serious issue of concern for editors and media owners. Most reporters are trained on the job or through in-house training. However, over the years, many journalists have also trained and studied abroad on scholarships mostly provided by the government. Bhutan does not have in-country training and education institutes in media and communication.

Sherubtse College is planning to introduce an undergraduate media course from 2012. Besides, the DoIM has been organizing short-term training courses, seminars and workshops for journalists and media personnel.

In 2008, the DoIM organized a workshop on basic election coverage. It also arranged several internships for journalists in India and Singapore and training abroad. Additionally, it arranged for a basic in-house training for reporters of Bhutan Observer.

In 2009, the DoIM supported a workshop on newspaper design and arranged training of technicians from the Motion Picture Association of Bhutan (MPAB). It has also continued supporting in-house training at Bhutan Today and study tours for radio jockeys, among others.

Besides DoIM, the BCMD has also been conducting short-term training courses and workshops. Certain international organizations like UNDP have also conducted workshops and seminars for journalists on specific areas related to development.

A few journalists have also pursued training and Master's Degrees abroad under various scholarships supported by the Royal Government and donors like TICA, AusAid, Danida, the governments of India and the United States.

Editors and media owners said that although there are various training opportunities for journalists, there are hardly any programs that cater to other aspects of media management. This was a major concern raised during stakeholder consultations as part of the MDI assessment.

Trainings in vernacular languages are also lacking. The Dzong-

kha Development Authority has conducted workshops for journalists and other stakeholders in a bid to standardize spellings in Dzongkha. Training materials in local languages are also lacking. However, as most Dzongkha journalists are bilingual, they train together with journalists working in the English language. Both men and women have equal access to training opportunities.

The editor of Business Bhutan, Tashi Dorji, is of the opinion that while there are enough training opportunities for journalists in the country, opportunities for professionals at the managerial level are lacking.

At focus group discussions and in-depth interviews, journalists said most of the reporters were young and lacked the experience and exposure needed to develop professionalism. Many learn their skills on the job. The turnover of journalists is also high because many move on to take on other jobs.

There is an acute shortage of qualified candidates in the journalism job market. It is almost standard practice to take in and train graduates from other backgrounds. Training is more impractical for small, private media companies. “Because of the cost, we are giving less preference to training, especially long term training,” a CEO of a privately-owned newspaper said. There was general agreement that local training institutions could best meet the human resource needs of the emerging media industry.

There is an acute shortage of qualified candidates in the journalism job market. It is almost standard practice to take in and train graduates from other backgrounds.



4.2 Media managers, including business managers, can access training appropriate to their needs

There are hardly any training opportunities for senior and middle-level editors and managers. The DoIM organizes such trainings occasionally but supply is still short of the growing demand.

4.3 Training equips media professionals to understand democracy and development

The DoIM has organized a number of short-term trainings, workshops, seminars and conferences on media and democracy. The BCMD has also organized similar workshops – on enterprise reporting, numeracy and analytical journalism – in addition to seminars and conferences on media and democracy.

B. AVAILABILITY OF ACADEMIC COURSES IN MEDIA PRACTICE

4.4 Academic courses are available to a wide range of students

In December 2010, there were no academic courses on media, journalism and mass communication in Bhutan but Sherubste College is planning to introduce a communication studies course in 2012. The government provides scholarship for class XII graduates to pursue degree courses in media and journalism outside Bhutan.

4.5 Academic courses equip students with skills and knowledge related to democratic development

In 2009, the MoIC, the Ministry of Education and the Royal University of Bhutan jointly developed a curriculum framework on media literacy for schools, and awareness programs for the public. The curriculum is to be implemented in five pilot schools - Khasarabchu Middle Secondary School (MSS), Phuenstholing MSS, Yebilaptsa MSS, Mongar HSS and Trashigang MSS – in 2010.

CONCLUSIONS:

- There are no journalism training institutes in Bhutan and most entry-level journalists are not trained in basic journalism.
- The government and the CSO working on media and democracy have organized several in-country workshops, seminar and training programs for journalists and media professionals but there still is a wide gap between demand and supply.
- The government and some donors provide scholarships for higher education in journalism.
- Training in non-journalistic media disciplines

(marketing, business development, technicians, HR, administration, etc.) is rare.

- Trainings for journalists in vernacular media/programs are limited.
- There are no in-country training/academic enrichment opportunities for middle and senior editors and media managers/owners.

RECOMMENDATIONS:

- Organize at least one entry-level training on basic journalism annually.
- Set up a mechanism for coordinating sensitization workshops on media and journalism.
- Continue government support for journalism training and academic courses.
- Support training opportunities for senior media managers/ editors and in vernacular media/programs.
- Develop curriculum for training in non-journalistic media disciplines (sound, lighting, printing, etc.) through relevant in-country institutions (vocational schools).
- Set up a working group of educators, media professionals, regulators and relevant government agencies to support media curriculum development at Sherubtse College and other relevant institutions.
- Prepare a roster of potential Bhutanese journalism trainers for Training-of-Trainer courses so as to prepare in-country training capacity.
- Encourage and support specialized training of journalists/ media professionals.
- Establish training institutes for media professions.

C. PRESENCE OF TRADE UNIONS AND PROFESSIONAL ORGANIZATIONS

4.6 Media workers have the right to join independent trade unions and exercise this right

The Labour and Employment Act 2007 allows workers to organize and form associations. Twelve or more workers can form one workers' association to represent their interest (Chapter XI, Section 176). Journalists in Bhutan are members of the Journalists' Associations of Bhutan (JAB) and SAFMA-Bhutan Chapter, but neither are registered entities.

4.7 Trade unions and professional associations provide advocacy on behalf of the profession

There are no registered trade unions of journalists in Bhutan. The Bhutan Media Foundation (BMF) was established in February 21, 2010, with the objectives to support wholesome development of mass media and foster the growth of a strong, responsible media capable of playing an important role in the social, economic and political growth of the nation.

The BMF plans to create an enabling environment for a professional and strengthened media through policy interventions, training and exchange programs as well as establishing of linkages with training institutions, professional associations, research centres, and media organizations both within and outside Bhutan.

It also plans to initiate and support in-country journalism and mass communication programs in colleges and institutes, and encourage participation in seminars, workshops, and conferences on issues related to media. Another objective of BMF is to support literacy and media awareness initiatives, promote the national language and civic education programs, and support the establishment of media and press clubs and journalist associations.

CONCLUSIONS:

- There are no registered journalist associations/unions.

- The Labour and Employment Act of Bhutan permits the formation of worker’s associations but journalists have so far not organized and registered an association.

RECOMMENDATIONS:

- Create an enabling environment for formation of associations related to the media industry.
- Have effective mechanisms to ensure the functioning of media and journalist associations in a fair and transparent manner.

D. PRESENCE OF CIVIL SOCIETY ORGANIZATIONS

4.8 CSOs monitor the media systemically

The BCMD is the only registered civil society organization (CSO) related to media. Its objectives are to provide “a forum for discourse and research and an exchange of ideas on media and civic education, produce literature and multi-media resources on media, democracy, and civic education that are pertinent to Bhutan and the current transitions taking place and initiate activities, training, and workshops on media literacy and civic education,” among others. It has not been monitoring media content systematically but has carried out several studies on media, media literacy and democracy.

4.9 CSOs provide direct advocacy in issues of freedom of expression

BCMD organizes regular conferences and workshops on ‘issues related to democracy, media, and civil society’. It also engages youth in ‘basic media production’ and carries out workshops for youth on media use and impact of print, online, and audiovisual media. Other CSOs do not have programs on media development. However, discussions on freedom of expression have appeared quite often in seminars and workshops related to media.

4.10 CSOs help communities access information and get their voices heard

The BCMD facilitates discussions on democracy and media and disseminates the information. It conducts research, seminars and workshops, and plans to undertake media literacy among youth and to educate all sections of Bhutanese society on democratic culture. There are no evidences of civil society organizations having undertaken initiatives to assist rural communities to access information and get their voices heard.

CONCLUSIONS:

- There is only one registered CSO related to media in Bhutan.
- Civil society organizations do not monitor media content and do not have programs aimed at assisting communities to access information and get their voices heard.

RECOMMENDATIONS:

- Encourage the establishment of more civil society organisations for media development, training and education. Encourage CSOs to interact with and organize sensitization workshops for media professionals.
- Support and encourage CSOs to monitor media content periodically and make the findings public.



“There is an acute shortage of qualified candidates in the journalism job market. It is almost standard practice to take in and train graduates from other backgrounds. Training is more impractical for small, private media companies.”



Category

5

Infrastructural capacity is sufficient to support independent and pluralistic media





INFRASTRUCTURAL CAPACITY IS SUFFICIENT TO SUPPORT INDEPENDENT AND PLURALISTIC MEDIA

five

KEY INDICATORS

A. AVAILABILITY AND USE OF TECHNICAL RESOURCES BY THE MEDIA

- 5.1 Media organisations have access to modern technical facilities for news gathering, production and distribution

B. PRESS, BROADCASTING AND ICT PENETRATION

- 5.2 Marginalised groups have access to forms of communication they can use
- 5.3 The country has a coherent ICT policy which aims to meet the information needs of marginalised communities



A. AVAILABILITY AND USE OF TECHNICAL RESOURCES BY THE MEDIA

5.1 Media organizations have access to modern technical facilities for news gathering, production and distribution

The Bhutan Information and Communications Technology Policy and Strategies (BIPS) 2004 had the goal of providing “real time” access to the internet by 2008. The infrastructure and facilities are not optimal but media organizations have adopted what is available and affordable. Media organizations have modern ICT facilities. Telephones, mobiles and online communications such as email, social networking and the internet are used for both news gathering and information sharing. Reporters also use micro-blogging services to chase story ideas and follow newsmakers.

The state-owned Bhutan Telecom provides all telecommunication services, both fixed line and mobile phones. There is competition in internet and cable television services. There are three Internet Service Providers (ISPs) and 43 cable operators (NSB, July 2006).

About 50,000 (Bhutan Telecom) subscribers have access to the internet, and that has made newsgathering easier. All print media organizations have provided reporters with laptops, recorders and cameras. Broadband internet is helping journalists to access rural areas when reporting.

All newspapers, radios and the only television station have their own websites. These media organizations also have their own libraries/ reading rooms.

Government agencies are also fairly well represented on the World Wide Web and serve as useful sources of information. The use of social networking and communication tools has also caught on, with very high use among youth and media professionals. Breaking news and information are often posted on social networks and blogs apart from mainstream media outlets.

Most print media use two-and four-colour offset printing machines. A few organizations have acquired modern web offset printing machines. Except Kuensel and Bhutan Today, all other media newspapers depend on the printing facilities at Kuensel

Corporation or the KMT Press.

The print quality of newspapers has improved over the years but not all media have their own presses. The cost of printing and newsprint is also high. On average, a weekly newspaper spends about Nu 250,000 every month for a print run of about 7,000 copies.

At the focus group discussions and in-depth interviews, CEOs of private FM radios said they had the basic infrastructure and facilities in place but not the capacity to expand. This is what has prevented them from taking their services nationwide. They said the government could support the expansion of radio by formulating an infrastructure sharing policy.

Newspaper distribution is not easy in Bhutan. Most newspapers print in Thimphu and circulate the copies through public transport and courier services. Kuensel has a printing press in eastern Bhutan. Some media companies also outsource circulation and distribution. Some newspapers distribute their content using the internet (PDF files).

CONCLUSIONS:

- Media organizations have basic modern facilities for news gathering and distribution, while a few do not own publishing infrastructure.
- Private media houses have limited reach in rural areas.
- Infrastructure development, particularly in the areas of distribution and exposure to innovative uses of the internet, can help expand media reach.

RECOMMENDATIONS:

- Formulate policy on infrastructure sharing among media companies till they are capable of making independent arrangements.
- Support and encourage media organizations to embrace modern ICTs so as to extend the reach of their content and to take advantage of the convergence made possible by ICT.

B. PRESS, BROADCASTING AND ICT PENETRATION

5.2 Unreached groups have access to forms of communication they can use

The penetration of newspapers remains low. BBS TV broadcasts for five hours daily from 6pm to 11pm, with 30 minutes of news and announcements each hour in Dzongkha (6 to 8 pm and 9 to 10 pm) and English (8 to 9 pm and from 10 to 11 pm). Various programs in both languages are telecast during these timings. The same programs are rebroadcast the next morning from 6 to 11 am. Three additional hours of entertainment programs are broadcast on weekends from 3 to 6 pm. BBS radio broadcasts for 24 hours daily in four languages - Dzongkha, Tshangla, Lhotsamkha and English.

There have been rapid advances in the use of ICTs. Bhutan has adopted an array of technologies and, with them, a variety of new media forms, including international direct dialling, computer games, CD ROMS, cell phones, interactive radio, TV and cable channels, online newspapers, and interactive websites.

However, according to the annual InfoComm and Transport Statistics Bulletin 2010, ICT penetration rate remains very low in Bhutan compared to other developing countries. There were 26,348 fixed line telephone subscribers and 327,052 mobile users by December 2009. B-Mobile, a subsidiary of Bhutan Telecom Limited (BTL), and TashiCell, a subsidiary of Tashi InfoCom Limited (TICL), are the two mobile service providers.

Internet services are provided by Druknet (under BTL), Samden Tech, Drukcom and TICL (mobile based). BTL is the sole provider of fixed line telecommunication in the country.

Table 4:

Key ICT Indicators
(as of December 2009)

SI/No	Indicators	Number
1	Fixed line telephone subscribers	26,348
2	Cellular mobile subscribers	327,052
3	Internet subscribers :	
	i) Lease line	145
	ii) Dial-up	3,133
	iii) Broadband Subscribers:	
	• Fixed line based	3,378
	• Mobile based	11,886
4	No. of villages with fixed-line telephones	1,391 out of 3,021 villages
5	No. of villages with mobile coverage	2,130 out of 3,021 villages
6	No. of Geogs with access to mobile services	167 out of 205 Geogs
7	No. of Dzongkhag head-offices with fixed line and mobile services	All 20
8	Number of Community Information Centers	45

(Source: Annual InfoComm and Transport Statistics Bulletin 2010, MoIC)

CONCLUSIONS:

- Efforts are made by the government to increase ICT (computer and internet access including mobile connection) penetration in rural communities.
- Newspaper reach remains limited by the economies of distribution as well as low literacy while both radio and television reach wider audiences.
- The government plans to expand internet connectivity and use for improving information access and governance.

RECOMMENDATIONS:

- Review and formulate innovative approaches to enhance access and penetration of ICTs in rural areas in consultation with stakeholders (MoEA, BPC, MoIC, BBS, and Bhutan Telecom).
- Promote use of computers and better access to information in schools.
- Encourage entrepreneurship in exploring and developing innovative mobile phone applications designed for the local target groups (in local languages).
- Encourage radio for rural people.

5.3 The country has a coherent ICT policy which aims to meet the information needs of unreached communities

Bhutan has a comprehensive ICT policy. The Department of Information Technology and Telecom (DITT) under the MoIC is the lead agency that oversees the use of ICTs. Licensing and business in ICTs are regulated by the BICMA.

The Bhutan ICT Policy and Strategies (BIPS) outline the DITT's objectives for expanding ICT penetration and use. The BIPS has three policy objectives:

- To use ICT for Good Governance
- To create a Bhutanese Info-culture
- To create a High-Tech Habitat

The MoIC's ICT White Paper 2003 states that Bhutan will harness the benefits of ICT – both as an enabler and an industry – to realize the Millennium Development Goals and for enhancing Gross National Happiness.

The Technical Guidelines on Information and Communications Technology (ICT) for Preparation of the Tenth Five Year Plan (2008-2013) provides a framework for mainstreaming ICTs as a tool in sectoral development programs, both at the central and local levels. It states that the government's priorities are addressing the needs of the poor and fostering pro-poor innovation

and growth through the effective and innovative use of ICTs.

The Policy Guideline on Information Sharing envisions a system that facilitates easy access to government information for attaining development goals and encouraging information sharing among citizens to create an informed society.

Community Information Centers (CICs) which are being established are expected to fulfil local information needs. By June 2011, all 20 Dzongkhags, including several Gewogs, are to be provided broadband connectivity through the fibre optic network laid out by BPC. CICs are to serve, among others, as a single point of contact for the delivery of G2C (government to citizen) services.

The government has also announced a plan to build an IT-Park to facilitate technological innovation and attract foreign investment. The Thimphu TechPark is to become operational by June 2011 (Dorji, G. 2009). There are 72 listed IT firms in Bhutan (www.itab.bt). The park is to spread across 18 acres upon completion.

Another significant development is the Chiphen Rigphel Project that aims to attain universal IT literacy in Bhutan. The project is being carried out with a grant of Nu. 2,050 million provided by the Government of India. The project components include:

- Training of 7,000 leaders across Bhutanese society
- Taking ICT to 168 schools
- Managing e-waste
- Providing employable skills to the unemployed

There is no pricing policy for IT or media products in Bhutan. Instead, media houses are given tax holidays for five years. This phenomenon is directly proportionate to the fact that the surge of media in Bhutan is new and every media house is trying to establish itself.

CONCLUSIONS:

- Bhutan has ICT policies that need to be updated in order to keep pace with technological advancements.
- Efforts are being made to expand ICT access across the country.

- The community information centres aim to facilitate access to information and public services through the use of ICTs.

RECOMMENDATIONS:

- Conduct ICT literacy/education programs in rural areas to help them take advantage of ICT facilities.
- Encourage media houses to use ICT facilities and thus enhance their reach and coverage of and provide media platforms for unreached groups.

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<http://www.asiamedia.ucla.edu/article.asp?parentid=76366>

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“Based on the UNESCO Media Development Indicators, the assessment looks at the areas of media development, delineating the issues and challenges that the media industry is facing in Bhutan. Moreover, it gives an overview of media consumption in Bhutan, and prioritizes areas of interventions required.”

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Strategic Framework

- What – are the key priorities for improving media development in Bhutan?
- What – suggested activities can take place for each priority (max. 2 for each priority)?
- Who – are the key stakeholders for the priority?
- Who – should be the lead agency for that activity?

Key Issues and Priorities	Suggested activities	Possible Key Stakeholders	Possible lead organizations
<p>Category 1:</p> <p>A. Legal and Policy Framework</p> <p>Priority:</p> <p>1. Freedom of expression: Enhance and support the role of CSOs in advocating the rightful practice and exercise of the right to freedom of expression</p> <p>2. Right to Information Develop a legal framework to ensure RTI with clear objectives, and realistic and workable provisions in consultation with media stakeholders, CSOs, policy makers and citizens</p> <p>3. Editorial Independence:</p> <ul style="list-style-type: none"> • All News Media organizations should have clear written editorial policy and guidelines to guarantee editorial independence. • Engage media professionals and CSOs in policy dialogues related to media. 	<p>Review legal and policy options for operationalizing FOE</p> <ul style="list-style-type: none"> • Discuss the RTI draft with all relevant stakeholders • Finalize and enact the RTI draft • Draft clear editorial polices or guidelines on editorial independence and make them public. • Organize regular policy dialogues on media. 	<p>CSOs, BICMA MoIC, media organizations, journalists</p> <ul style="list-style-type: none"> • Media houses, CSOs, Relevant agencies, MP, NC, ordinary citizens • Parliament <p>Media organizations, editors, journalists, BICMA</p>	<p>BICMA MoIC</p> <p>BICMA, MOIC</p> <p>Media organizations</p>

<p>B. Regulatory System for Broadcasting:</p> <ul style="list-style-type: none"> • Make BICMA fully autonomous in functions. • Introduce a mechanism for self- regulation, with citizen's participation. 	<ul style="list-style-type: none"> • Review existing legal provisions to identify areas for enhancing autonomy. • Amend the BICMA Act for making necessary arrangements. • Initiate discussions on self-regulatory mechanisms and possible institutional arrangements • Initiate discussions for determining priority for the level to start with 	<p>Media organizations, journalists, BICMA, MoIC, parliament</p> <p>BICMA, MoIC, Media houses, CSOs, journalists</p> <p>Media houses, journalists, with assistance from MoIC, BICMA, CSOs</p>	<p>BICMA, MOIC</p> <p>Journalists, BICMA, CSOs</p>
<p>D. Censorship</p> <p>Integrate internet literacy programs in the education curriculum at all levels.</p>	<p>Develop and introduce curriculum</p>	<p>MoIC , MoE, ISPs, BICMA</p>	<p>MoIC</p>
<p>CATEGORY 2:</p> <p>A. Media Concentration</p> <p>Priority:</p> <ol style="list-style-type: none"> 1. Conduct "market" assessment study on media to assess size of the Bhutanese media market. 2. Encourage media organizations through incentives in infrastructure and human resource development to promote diversity of media. 			

- DoIM, MoIC, CSOs
- BCCI, DoIM, MoLHR, Media Foundation, CSOs

- DoIM, CSOs, Pvt., Media Organizations
- Media organizations, content production companies

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<p>B. A diverse mix of public, private and community media</p> <p>Priority:</p> <ol style="list-style-type: none"> 1. Develop policy and regulations to encourage and develop self sustainable community media (like radio) in remote areas where print and electronic media are inaccessible. 	<p>Conduct feasibility studies to establish and promote community media (like radio).</p>	<p>Communities, CSO's, DOIM</p>	<p>DoIM and Media Foundation</p>
<p>C. Licensing and spectrum allocation</p> <p>Priority:</p> <ol style="list-style-type: none"> 1. Optimum use of the allocated spectrum by the licensees 	<ul style="list-style-type: none"> • Regular monitoring by BICMA • Resource allocation to the relevant agency 	<p>BICMA, Licensees, CSOs</p>	<p>MoIC, Local Govt., BICMA,</p>
<p>D. Taxation and business regulation</p> <p>Priority:</p> <ol style="list-style-type: none"> 1. Identify a single authority to issue media license. 2. Raise the tax deductible expenditure levels on advertising (from existing 2%) . 3. Offer tax exemptions for the import of media equipment, etc. 	<ul style="list-style-type: none"> • Initiate consultation between the BICMA, MOEA and the Dept. of Revenue and Customs (for tax clearance and TPN registration). • Initiate consultation on revising taxation on private companies • Initiate consultations of tax exemption on media equipment 	<ul style="list-style-type: none"> • BICMA, MOEA, DRC, Media Organizations • Media organizations, DRC, BCCI, MoF, MoIC • Media Organizations, DRC 	<p>MoIC</p> <p>MoIC</p> <p>MoIC</p>

<p>E. Advertising</p> <p>Priority:</p> <ol style="list-style-type: none"> 1. Develop a comprehensive advertisement policy on government advertising. 2. Introduce media planning training for government Information and Communication officers on advertising. 3. Review foreign advertising content regulation. 	<ul style="list-style-type: none"> • Initiate discussions with media stakeholders, professional bodies and CSOs and revise some clauses of the draft advertisement policy • Design curriculum and train Govt. Media Planners and information officers • Initiate consultations on foreign advertising content. 	<ul style="list-style-type: none"> • DoIM, Media Organizations, CSOs, BICMA • Communication and information officers in the Govt. • BICMA, DoIM, Media Organizations, CSOs, BCCI. 	<p>MolC</p> <p>MolC</p> <p>MolC</p>
<p>CATEGORY 3:</p> <p>A. Media reflects diversity of society indicator?</p> <p>Priority:</p> <ol style="list-style-type: none"> 1. Encourage & support media to reach out to communities, expand coverage and serve the needs of more groups in society. 	<ul style="list-style-type: none"> • Provide incentives (subsidies on connectivity eg. optical fibre, broadband access; tax rebates, HRD for media making efforts to expand rural reach and coverage. • Make news and information people centered • Organize training on different social science subjects: culture, history, values, society, democracy • Provide support & incentives to media houses to conduct dialogues/ debates on social, economic, cultural and democratic issues 	<p>Government (MolC, BICMA), Media houses, and journalists, CSOs, community organizations and groups</p>	<ul style="list-style-type: none"> • Government (MolC, BICMA) • CSOs

Key Issues and Priorities	Suggested activities	Possible Key Stakeholders	Possible lead organizations
<p>CATEGORY 3:</p> <p>A. Media reflects diversity of society indicator?</p> <p>Priority:</p> <p>2. Support production of quality Bhutanese content to serve the needs of the nation and the various communities.</p>	<ul style="list-style-type: none"> Provide professional training to content creators and producers. 	<p>Media houses, Government agencies</p>	<p>Media houses, Government agencies</p>
<p>B. Public service broadcasting model</p> <p>1. There is need for legislation to establish public service broadcasting in Bhutan, including adoption of PSB obligations by all broadcast media.</p> <p>2. A public service broadcasting policy/charter is needed to establish BBS as a PSB, accountable to the public with institutional autonomy, editorial independence and assured state financing.</p>	<ul style="list-style-type: none"> Review & update legislation Provide incentives for public service obligations and educational programming Policy/charter for BBS in consultation with stakeholders Draft & adopt policy/charter 	<ul style="list-style-type: none"> Government (MoC, BICMA), Parliament, Media, CSOs, Public BBS, Government (MoC, MoF), Parliament, relevant stakeholders/cross-section of society 	<p>Government</p> <p>Government</p>
<p>C. Media self-regulation</p> <p>Encourage self-regulatory practices as a tool to improve media accountability and professionalism</p>	<ul style="list-style-type: none"> Adopt, practice & publicize codes of ethics Train journalists on ethics & professional practice Explore 'co-regulation' involving civil society 	<p>BICMA, government, media organizations, and journalists, CSOs</p>	<p>Government, BICMA</p>
<p>D. Requirements for fairness & impartiality</p> <p>Sensitize broadcasters on the existing BICMA Code of Content to ensure quality content.</p>	<p>Arrange sensitization sessions with broadcasters & other stakeholders Training on ethics</p>	<p>BICMA, Media, CSOs</p>	<p>BICMA</p>

<p>E: Levels of public trust & confidence in the media</p> <ol style="list-style-type: none"> 1. Improve mechanisms for transparency, accountability & redress of complaints & errors 2. Promote media literacy 	<ul style="list-style-type: none"> • Establish feedback mechanisms and practice of making prompt corrections in media to mistakes. • Establish professional bodies such as Media Councils, Journalists Associations. • Carry out periodic assessment of the level of public trust & confidence. • Promote and support media literacy programs for diverse audiences/media users. • Include media literacy in the High School curriculum. 	<p>Media practitioners, public, government, CSOs</p> <p>Media, general citizens, CSOs, Government</p>	<p>Senior media practitioners</p> <p>DoM, CSOs</p>
<p>CATEGORY 4:</p> <p>A. Availability of professional media training</p> <p>Priority:</p> <ol style="list-style-type: none"> 1. Working group of educators, media professionals, regulators and relevant government agencies for supporting media curriculum development of Sherubtse college. 2. Organize at least one entry level journalists' training in basic journalism annually 	<ul style="list-style-type: none"> • Prepare a Terms of Reference for a working group for preparing the curriculum • Form a working group based on TOR with clear deadlines • Prepare a curriculum for a basic training on journalism for fresh graduates • Train 30 graduates annually 	<ul style="list-style-type: none"> • Sherubtse College, educators, regulators and relevant government agencies, CSOs, media stakeholders and international experts • Media trainers, CSOs, new graduates, media organizations 	<ul style="list-style-type: none"> • Sherubtse College • MoLC: Curriculum • CSOs: Training implementation

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<p>CATEGORY 4:</p> <p>A. Availability of professional media training</p> <p>Priority:</p> <p>3. Develop curriculum and training courses for specialized journalism and vocations in the media industry for implementation through relevant in-country institutions .</p>	<ul style="list-style-type: none"> Conduct a rapid needs assessment through a meeting of stakeholders to identify capacity gaps, challenges and operating environment and areas to focus on the curriculum. Conduct training on the prioritized needs Review existing laws to explore the possibilities of forming a journalist association Address the gaps in law and policy through consultations with stakeholders. 	<ul style="list-style-type: none"> Media trainers, CSOs, journalists, in-country institutions media organizations and international media development partners, government. Journalists, regulators and relevant government agencies, CSOs, media owners, international media development partners 	<ul style="list-style-type: none"> CSOs MoIC
<p>CATEGORY 5:</p> <p>Priority:</p> <p>1. Revise and implement the infrastructure sharing policy towards nationalization ('national public good') to help the media reach out to all</p>	<ul style="list-style-type: none"> Stakeholder workshops to ensure that the interest of the media is reflected in the policy Creation of a modality and identification of stakeholders that will ensure maintenance and update of the shared infrastructure Feasibility study (incl. cost-benefit analysis) on best modalities for outreach of print and broadcast to rural pockets 	<p>DIT, BBS, Telecoms, Radio, Print, TV, Internet service providers, DHI (BPC), NEC</p>	<p>MoIC</p>

<p>2. Prepare for eventual transition from analog to digital broadcasting (e.g. to facilitate affordable access in rural areas)</p>	<ul style="list-style-type: none"> • Study on the implications of transition from analog to digital broadcasting (incl. best practices from other countries) Consultations on findings. 	<p>DoIM, DIT, BBS, private radio, ISPs, Cable service providers, BICMA</p>	<p>BBS, MoIC</p>
<p>3. Encourage media organizations to embrace modern ICT technology as an alternative means to bring innovations to their business models particularly in gathering and distributing information</p>	<ul style="list-style-type: none"> • Awareness-raising/training on new media opportunities for print and broadcasting to enhance reach and interaction (incl. business models, online journalism, mobile phone apps etc.) 	<p>Media houses, BBS, telecoms, ISPs.</p>	<p>Media CSOs, BBS,</p>
<p>4. Encourage entrepreneurship for innovative local content production (incl. mobile phone apps)</p>	<ul style="list-style-type: none"> • Encourage private sector and CSO to initiate youth content initiatives for multiple platforms that enable youth to participate in the production process. 	<p>Youth centre, DoIM, BBS, CSOs, private sector</p>	<p>CSOs</p>