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**ELECTION COMMISSION OF BHUTAN**

*(Ensuring Free, Fair & Democratic Elections & Referendums)*



ECB/CEC-PR/2013/4215

Dated: 17<sup>th</sup> of June, 2013

### PRESS RELEASE

The Election Commission of Bhutan met with the President Jigmi Y. Thinley of Druk Phuensum Tshogpa (DPT), President Tshering Tobgay of People's Democratic Party (PDP) and Dr. Tandi Dorji, Representative of Druk Nyamrup Tshogpa (DNT) on 10<sup>th</sup> of June 2013.

The main reason for calling the meeting was the issue of the perceived and possible resultant coalition in connection with PDP seeking to replace seven Candidates with those from DNT for the General Elections under Section 209 (c) of the Election Act 2008, which was necessary to be addressed with the relevant and direct stakeholders.

The gist of the proceedings and understanding reached at the meeting, as reflected in the Final Record of the Meeting handed over to the three Political Parties, is hereby shared to inform with the general public on this important matter:

1. ECB drew the attention of the meeting to the Sections 5 and 6 of the Article 15 of the Constitution of the Kingdom of Bhutan which essentially provide that the General Elections shall be contested only by the two Political Parties selected through the Primary Round, which is contested by all registered and eligible Political Parties.

At the same time, the Section 209 (c) of the Election Act of the Kingdom of Bhutan provides the opportunity to the two Political Parties to replace their Original Candidates with Candidates from the Parties that did not make it to the General Election i.e. DNT and DCT. However, Political Parties were cautioned against the misuse of this provision to effect a Coalition in Parliament and/or Government as the Constitution allows only two Parties in the National Assembly of Bhutan. Thus, it is very clear that a Candidate who leaves a party to join another one automatically forfeits his/her membership in the original Party in favour of total allegiance and support to the welcoming Party and its Manifesto.

2. DPT President asked to be convinced that there is no merger between the Parties. PDP President said that seven replacement Candidates from DNT are being proposed and the discussions with them were carried out at the individual level. No payments were made to original PDP Candidates of these seven *Demkhongs*. The DNT Representative said that the Party had no involvement in the decision of the Candidates to join the PDP and it was purely the individual's decision as the Party told the Candidates that the Party cannot be involved and it is upto the individual to make their own decision.

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The DNT Representative asked the DPT on the enactment of the Section 209 (c) of the Election Act, which has gained such prominence at this point of time, as DPT was the Ruling Party at that time. DPT President responded that as the question was a sincere one he would also respond with the same sincerity in that the Constitution, Election Act and a couple of other Acts had been enacted in the very first Session of Parliament in a speedy manner without too much analysis and scrutiny principally in recognition of the work done in the past for the transition to democracy besides which there were very few Members then who had experience in law-making.

3. All Parties agreed on the need to ensure that the letter as well as spirit of the Constitution and the Laws are upheld and said they are committed to abide by the laws at all times.
4. The Chief Election Commissioner (CEC) acknowledged the assurance of all Parties to conform their actions to the Laws.

He also placed on record that the ECB had met with the DPT team in the forenoon of Friday, the 7<sup>th</sup> of June 2013 and in the afternoon of the same day met the PDP Team which came to the ECB with a list of nine names of DNT Candidates it was proposing to nominate as its Candidates under Section 209 (c). The ECB gave PDP its “Opinion” on Sunday, 9<sup>th</sup> of June 2013, which was not a legally binding document. He stated five names were recommended based on the ECB’s understanding of the intent of the said provision while it could not object to the other four names listed as it did not have direct legal basis to do so. A letter from DPT on this issue was brought to the ECB by two of its Members, (the letter subsequently released to the media by the DPT), and it had been explained to them that the matter would be discussed in the Party meeting that was called in the afternoon (*the meeting under reference here*). No specific response from ECB to this letter was found necessary as issues raised in it were dealt in detail in the subsequent meeting attended by the DPT President.

5. The CEC apprised that hereafter if there are substantive grounds to believe there was any violation of the Laws, appropriate actions would be initiated including disqualification of Candidature or cancellation of Membership in Parliament.
6. He stated that the status of DNT as a Political Party will be reviewed after the National Assembly Elections.
7. The CEC reemphasized that ECB cannot be expected to police the Parties nor it is desirable to do so. It does not intend to interfere in the everyday affairs of Political Parties nor would it base its decision on hearsay in the media and the community. It will respect the maturity and accountability of the leadership of the Parties. However, it is committed to uphold the Constitution and where warranted, it is determined to be firm and take tough decisions.

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He expressed his hope that the Parties formed by responsible, committed and dedicated members of the Bhutanese society will carry out the electoral affairs lawfully including advising their social network users and well-wishers controlling their members, supporters, and workers to be responsible towards ensuring a peaceful and model Second Parliamentary Elections 2013.



*ECB meets with the DPT, PDP and DNT on 10<sup>th</sup> of June 2013 to discuss DNT Candidates Joining PDP for the General Elections 2013*



**Chief Election Commissioner of Bhutan**

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