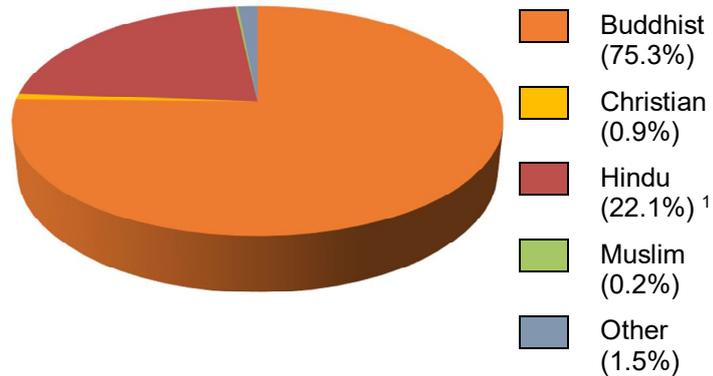
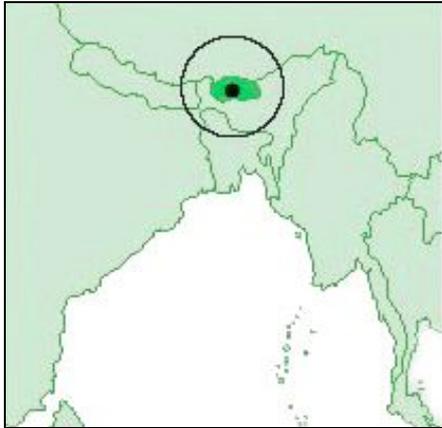


BHUTAN



Area:	Population:	Political system:	Major Language(s):
38,364 km ²	750,000	Monarchy	Dzongkha

Legal framework on religious freedom and actual application

The path towards democracy is continuing in Bhutan. After becoming a constitutional monarchy in 2008, the kingdom has seen the second legislative elections of its history pass off peacefully. After two rounds of voting, on 31st May 2013 and 13th July 2013, the democrats emerged with a majority over the monarchists. In the National Assembly, the People's Democratic Party (PDP) won 31 seats and 54.9 percent of the vote, as against 15 seats and 45.1 percent for the Druk Phuensum Tshogpa (DPT), the party which until then had held power.²

With this development, the "country of the Dragon Thunder" took a decisive step towards democracy. The process began in 2001 at the instigation of King Jigme Singye Wangchuck, who abdicated in December 2006 in favour of his son, Jigme Khesar Namgyel Wangchuck, a former Oxford scholar. However, although the elections were conducted in accordance with the July 2008 constitution, the vote entrenched the political marginalisation of the country's ethnic and religious minorities.³

Turning Bhutan into a "country of gross national happiness" is not exactly an easy task, given the extent to which the local economy is dominated by India. The infrastructure and practically all the industry has been supplied and established on site by India. The private sector in Bhutan is non-existent; 70 percent of the society is rural. "Democratic changes" are in reality happening essentially in Thimphu, the capital, where the expectations are very different from in the rest of the country.

For Matthew Joseph C, who teaches at the Academy of International Studies in New Delhi, the elections and the march towards democracy should not hide the fact that the country is in reality "completely controlled by the monarchy and the Ngalong ruling elite" (the name of one of the principal ethnic groups in Bhutan, from which the ruling dynasty has emerged).⁴ According to Matthew Joseph C, the electoral process is far from being truly democratic. The candidates are totally unrepresentative of the country as a whole – they must hold university diplomas, whereas the literacy rate in Bhutan is low compared to other countries. Furthermore, the severe discrimination against minorities such as the Lhotshampas – an ethnic group of Nepalese origin and Hindu religion living in the south of the country – prevented a considerable number of Bhutan's inhabitants from going to the polls.

The case of the Lhotshampas is typical of the “conditional democracy” that is being established in Bhutan. The members of the Ngalong are making every effort to keep such ethnic groups in a position of sub-citizenship, the administration treating them as though they were illegal immigrants or foreigners, and thereby depriving them of most of their rights, including the right to vote.

In this country where Vajrayana Buddhism – a variant of Tibetan Tantric Buddhism – is the state religion, one of the principal issues in question, apart from the questions of economic development, is the place that should be reserved for Buddhism and its clergy (around 3,500 monks in a total of 742,000 inhabitants). The 2008 constitution shows a contradiction between the desire to modernise the country while preserving it from foreign influence. Thus, arguably the most extraordinary of the many paradoxes of the Bhutanese constitution is that, while basing itself on Buddhist culture and religion and declaring itself “bound to defend this heritage”, it establishes the basis for separation of religion and state, thus breaking with centuries of civil and religious government. During the elections, the electoral commission stated that “the religions should be above the political debate”, and hence the monks do not have the right to vote. However, this view is very far from being shared by the great majority of the Buddhist clergy themselves. The clergy seem convinced that the constitution’s secular foundations run counter to the predominant influence of Buddhism which they say should continue to exercise authority over the country and the state.

In practice, even though religious freedom is enshrined in the constitution, all proselytism “coming from a foreign religion” is officially banned in the country. The influence of clergy and other religious personnel except for Buddhist ones is likewise banned. All religions other than Buddhism may be practised only within the private sphere. In the case of Christianity, which is viewed as “the advance guard of the West”, there is great mistrust. Christians are regarded as a threat to “Bhutanese national identity”. which is seen as inseparable from Buddhism. Even though Christians number no more than a few thousand (and Catholics just a few hundred), proselytism, disseminating bibles, building churches, schools or other Christian institutions are all strictly prohibited.

All these prohibitions confronting non-Buddhists are directly linked to this desire to preserve “the national heritage”. To give but one example, the local Buddhists regard the mountains as sacred territories, and hence the government forbids Christians from burying their dead there. Those who flout this ban are likely to see their graves desecrated – a situation which has sparked repeated problems.

Incidents

In March 2014 two Protestant pastors were arrested while travelling to the village of Khapdani, in the Samtse district in the south-west of the country. Their purpose had been to organise a three-day seminar there at the request of a group of 30 or so Christians in the area. They were charged and imprisoned for having attempted to “organise a religious gathering without previous authorisation”, for having intended to “show a film without the official certificate of approval of the ministry concerned” and for having “illegally collected funds for an activity in contravention to the laws of the country”.⁵

Following a number of hearings, on 10th September 2014 the court in Dorokha (Samtse district) sentenced Pastor Tandin Wangyal to a mandatory term of four years’ imprisonment for a breach of Article 71 of the penal code. Article 71 bans the collection of funds without the prior approval of the authorities. Mr Wangyal’s colleague, Pastor Mon B. Thapa, was sentenced to two years and four months’ imprisonment for having been his accomplice in organising “an unauthorised gathering”.

It was only after his most recent appeal, in November 2014, that Pastor Wangyal succeeded in having his sentence reduced to two years and four months. The concession took place after authorities dropped charges against him of having “practised forced conversions”, a crime

punishable by three years minimum. This followed the approval in 2010 of an anti-conversion law which bans all “attempts at conversion by force or by any kind of fraudulent means whatever”.⁶

Since then, Pastor Mon Thapa has been released on payment of a fine of 98,800 ngultrums (a little over 1,000 Euros). In January 2015 Pastor Wangyal was likewise set free in return for payment of a fine of 100,000 ngultrums, the judges announcing that “all charges against him” had been dropped.⁷ It appears that the matter was discussed at the highest levels of government. Damcho Dorji, Minister for the Interior and for Cultural Affairs, had sought to justify the arrest of the two Christians during a press conference in which he claimed that they had attempted to “engage in proselytising activities” without the authorities’ permission and “in complete violation of the law of Bhutan”. However, the sentencing of the two pastors had been reported by a number of the foreign media,⁸ and it is thought that the government set them free to avoid undue negative publicity.

Prospects for Religious Freedom

While non-Buddhists have limited access to religious freedom, there are hopes of change for the better in the not too distant future. According to the 2007 law on religious organisations, a specific administration has been established, the *Chhoedey Lhentshog*, to supervise religious organisations. To date, only Buddhist organisations have been recognised. The one exception is the Bhutan Hindu Dharma Samudaya (the Hindu religious community in Bhutan) – Hindus represent about 22 percent of the population.

In summer 2013 the Student Christian Movement of India (SCMI), an Indian Christian organisation, was launched in the capital, Thimphu, taking the name the Bhutan Student Movement. The word “Christian” had been deliberately omitted in order to stay within the law, which bans all proselytism.⁹ At the time of writing, this movement is the only “Christian” body believed to be up and running in the Bhutanese capital. The fact that so far it has not been dissolved or banned may be indicative of the government’s desire for greater openness.

¹ Ethnic Nepalese.

² *BBC News* : « Bhutan PDP opposition party wins election », 13 July 2013 (<http://www.bbc.com/news/world-asia-23302048>)

³ *The Guardian* : « Gross national happiness in Bhutan: the big idea from a tiny state that could change the world », 1 December 2012 (<http://www.theguardian.com/world/2012/dec/01/bhutan-wealth-happiness-counts>)

⁴ *Institute of Peace and Conflict Studies* (IPCS) : « Bhutan Elections 2013: A Difficult Road Ahead? », 24 April 2013 (<http://www.ipcs.org/article/bhutan/bhutan-elections-2013-a-difficult-road-ahead-3894.html>)

⁵ *Eglises d'Asie* : « Deux pasteurs condamnés à la prison pour tentatives d'« évangélisation », 18 September 2014 (<http://eglasiemepasie.org/asi-du-sud/bhoutan/2014-09-18-condamnation-de-deux-pasteurs-a-des-peines-de-prison-pour-tentatives-ab-d2019evangelisation-bb>)

⁶ *WorldWatch Monitor* : « Buddhist Bhutan Proposes 'Anti-Conversion' Law », 21 July 2010 (<https://www.worldwatchmonitor.org/2010/07-July/23018>)

⁷ *Eglises d'Asie* : « Le pasteur protestant accusé de « prosélytisme chrétien » a été libéré de prison », 6 February 2015 (<http://eglasiemepasie.org/asi-du-sud/bhoutan/2015-02-06-le-pasteur-protestant-accuse-de-ab-proselytisme-chretien-bb-a-ete-libere-de-prison>)

⁸ *Portes Ouvertes* : « Bhutan: Rebuttal to Tandin's appeal », 27 October 2014 (http://www.opendoorsuk.org/news/stories/bhutan_140911.php)

⁹ *Eglises d'Asie* : « Création d'un mouvement de jeunes étudiants chrétiens à Timphu », 15 October 2013 (<http://eglasiemepasie.org/asi-du-sud/bhoutan/2013-10-15-creation-d2019un-mouvement-de-jeunes-etudiants-chretiens-a-timphu>)