

Annual Activities Report 2017



Bhutan National Legal Institute

Table of Contents

Foreword.....	1
Bhutan National Legal Institute.....	3
Leadership and Governance.....	4
Activities and Events.....	6
1. Judicial Professional Development Program.....	6
(i) Sensitization Workshop on Child Court Procedure.....	6
(ii) Training on Judgment Drafting.....	7
(iii) Orientation Program to the High Court Judges.....	9
(iv) Orientation Program to the Trial Court Judges and Registrars.....	11
2. Mediation Training Program for Local Government Leaders.....	12
3. School Law Club Capacity Development Programs.....	16
(i) School Law Clubs Dissemination Program.....	16
(ii) Legal Education and Awareness Program (LEAP) for School Law Club Coordinators.....	19
(iii) Guest Lecture to School Law Clubs.....	20
4. Capacity Development Programs for Other Stakeholders.....	21
(i) Training on Investigative and Prosecutorial Skills.....	21
(ii) Workshop on Media and Law.....	23
(iii) Legislative Drafting Workshop (Training on Methodology and Process of Drafting Legislative Instruments).....	24
5. PGDNL Course.....	25
(i) Mediation Workshop to the PGDNL Trainees.....	25

(ii) Moot Court Hearings to the PGDNL Trainees.....	28
6. Legal Dissemination Program.....	28
(i) Publication of Bhutan Law Review (Volume 8).....	28
(ii) Legal Dissemination Program through Media.....	30
7. Judges Book Club.....	34
8. Foreign Exchange Program.....	36
Summary Activities.....	38
9. Other Major Events.....	42
(i) Annual Tarayana Fair.....	42
(ii) Appointment of new Director General.....	43
(iii) Team Building Trek to Lungchu Tse.....	44
(iv) Royal Civil Service Award.....	45
Conclusion.....	46

Foreword

The Bhutan National Legal Institute (BNLI) is the training arm of the Justice Sector based on values such as excellence, collegiality, integrity, and the rule of law. For these values to prevail we need a strong, independent and effective justice system based on a common legal culture.

With the rapid socio economic change and development in the country, the justice system has been placed enormous role to play in the society. The increasing expectations and demands from the consumers of the judicial services have positioned the Judiciary in a complex situation. With much enthusiasms in legitimising its roles, no effort is spared in enhancing unimpeded access to justice, and inspiring public trust and confidence in the legal system and the judiciary.

Nevertheless, the Judiciary of Bhutan is confronted with expanding mandates in the democratic era. The exponential growth of legislations in the country demands Judicial professionals to be vigilant in continuing legal education and growth. The absence of knowledge bank compounded by lack of robust and healthy culture of discussions and publications on evolving legal matters have created barriers to efficient administration of justice. The Judiciary and legal professionals must not only rely on their traditional foundations of education but must also be provided with alternative avenues to information regarding current issues and developments in their profession in order to carry out their roles proficiently and effectively. Besides, the judicial personnel must continue learning and relearning in order to stay relevant and effective in the discharge of their duties at all levels of the courts. The BNLI was established to fulfil such needs as per the Judicial Service Act of 2007. The BNLI endeavours to help judicial personnel hone and update their judicial skills.

The Institute serves not only to inspire but also impart traditional mores and values that will shape a generation of legal practitioners that are reflective of the principles and implications inherent in their decisions and conscious of the broader issues at hand in the practice of law. Thus, the Institute serve as a provider of legal training and education; a forum and resource bank for discourse and research; and a key establishment of the Judiciary in conducting legal dissemination and awareness programs.

For last seven years, the BNLI has conducted series of programs to enhance the access to justice and uphold the rule of law. However, this is the first report since the institution of

the BNLI. Within a short span of time, a lot of progress has been made. For example, one of the several activities of the Institute is to revive and institutionalise the age-old practice of resolution of dispute systems in the community (Nangkha Nangdrig). Her Royal Highness, Ashi Sonam Dechan Wangchuck, the Honourable President of the Institute envisioned that justice must take closer to the community by decentralising the dispute resolution system. Beginning 2011, the Institute trained the local government officials and other relevant agencies and individuals on the Alternative Dispute Resolution (ADR) in general and the Mediation in particular.

Of the several research and publications of the reports and documents on a regular basis, the Institute brings out country's first law journal – the Bhutan Law Review – on a bi-annual basis. This is the result of a combined effort from the justice sector, legal professionals, and those who were actively involved in contributing the articles.

Compared to the previous years, we saw increasing number of legal and judicial professionals trained on diverse legal subjects. Every year, we receive number of invitations and application to train their respective organisations. The success of BNLI, however, depends on the effective role of the courts to uphold the rule of law. The courts must constantly involve in learning for the cause of effective administration of justice.

After two years, the BNLI has to update our strategy. We need to take into account new developments and lessons learnt since 2011. Moreover, since the law is not static but in constant evolution, we need to shape our Training Strategy that responds to actual needs and requirements of the people. We have to ensure that we create fair, equitable, just and harmonious society through legal education. I would like to invite everyone to participate in providing us constructive feedback that enables to uphold people's aspirations from us.

I trust this report will be of inspiration to every reader.

Bhutan National Legal Institute

The Bhutan National Legal Institute (BNLI) was established on 25 February 2011 under the visionary leadership of Her Royal Highness Princess Sonam Dechan Wangchuck. It was in compliance with the Statutory requirement (S.86 of the Judicial Service Act of 2007) to establish the Institute in its pursuit to provide continuing legal and judicial education. The BNLI is the only institution in the country that provides for continuing legal education.

The Institute's mandate, derived from the Constitution is twofold: Firstly, it seeks to provide a framework for the Judiciary to safeguard, uphold, and administer justice fairly and independently without fear, favour, or undue delay in accordance with the Rule of Law to inspire trust and confidence and to enhance access to justice. Secondly, it seeks to promote right to information and equal access to justice. The Institute will continue to support judiciary and the Royal Government of Bhutan in line with these constitutional mandates through legal research and education.

The Judicial Service Act of 2007 defines its mandate to create forum for legal and judicial discourse as well as to provide training and research support services to the judicial personnel for greater efficiency, fairness, access and productivity. Therefore, the Institute's primary objective is to develop targeted programs that strengthen the capacity of the judicial personnel and legal professionals. Its primary function is to provide services that aide the judiciary and legal professionals in arriving at carefully considered and researched interpretations, arguments, decisions, policies and perhaps publications that have long-term implications for the country and the people. The Institute shall seek to strike a fine balance between the domestic and international law in order to conserve and modernise the essence of traditional legal principles, while at the same time reforming it to be relevant, understandable, and accessible to legal professionals and other citizens alike.

Although the BNLI is the training arm of the Judiciary, it functions independently from the courts. It has both financial and administrative independence, however, it faces a number of challenges, including:

- (i) *Limited coordination of professionalisation and awareness activities* - all justice institutions have a mandate to undertake capacity building and awareness activities. Consequently, with no joint planning and limited coordinating of these activities, there is significant potential for: cross-over in activities;

transmission of ‘mixed messages’; and in efficiencies in resource allocation.

- (ii) *Low levels of professional staff* - only five of the 20 staff in the Institute are professional lawyers (excluding the Director General and the Personal Secretary to Her Royal Highness). This limits the capacity of the Institute to develop and implement its programs.
- (iii) Related to the above challenge are *constraints with regards to resourcing*. The Institute experiences difficulties in fulfilling its mandate, attracting and maintaining its staff, and also has no permanent facilities from which to operate, as a result of the financial and human resourcing constraints that it faces.

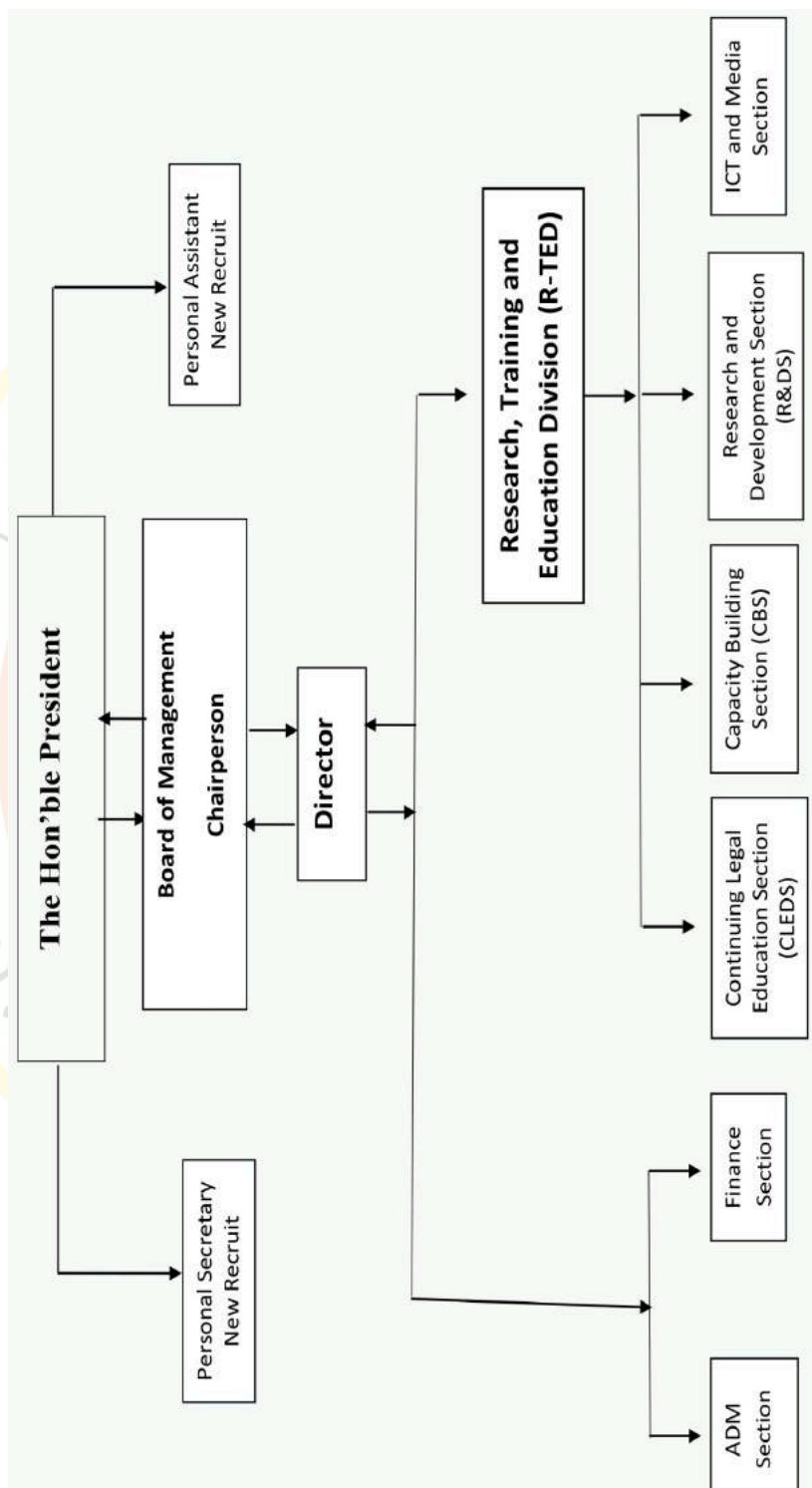
Leadership and Governance

The BNLI is blessed with visionary and farsighted leadership. Her Royal Highness Princess Sonam Dechan Wangchuck is the President of the Institute. The Board of Management (BOM), in consultation with the President, oversees the plans and policies of the Institute. The BOM is composed of Chief Justice of Bhutan as the Chairperson, Registrar General of the Supreme Court, Registrar General of the High Court, and one Senior Lecturer as the Members, and Director General of the Institute as the Member Secretary. The administration and management of the Institute is vested with the Director General who shall act as per the guidelines formulated by the BOM in accordance with relevant national policies. The qualified legal professionals and other support staff support the Director General.

In 2017, the Institute has 25 employees in total and out of that 4 of employees transferred to and fro and 2 have resigned from the Institute. Today, BNLI has 20 staff, 50% of which are female.

The Institute consists of one Division and six Sections. While the Administration and Finance Section works under the direct supervision of the Director General, the Continuing Legal Education Section (CLES), Capacity Building Section (CBS), Research and Development Section (R&DS), and Information Communication and Technology (ICT) and Media Section works under the administrative supervision of the Research, Training and Education Division (R-TED).

The BNLI Team:



1. Judicial Professional Development Program

(i) Sensitization Workshop on Child Court Procedure

Overview

With a welfare based approach, the judiciary in particular is taking promising steps towards protection of children and their rights in the country. The Judiciary has become the final bastion of child justice, and guarantor of their rights through effective judicial remedies that upholds the best interests of the child. The Judiciary of Bhutan, as a part of institutional reforms to facilitate speedy, fair, and just judicial service to the public, has established specialised Family and Child Court in Thimphu. Appointment of a female judge, who is able to make significant decisions - by drawing attentions to special knowledge, skills and qualities and who is able to reprioritise their role in the legal system - has been one of the remarkable strides in positively shaping the outcomes that affect children and families in Bhutan. To support their multi-dimensional and complex nature of cases, to advance more accessible and efficient justice system for children, with enabling child friendly court procedures, a ‘Sensitization Program on Child Court Procedure for Judicial Personnel’ was held in Phuentsholing. The program was financially assisted by Save the Children, Bhutan.

The concept of Child Justice is relatively new in Bhutan, although the Civil and the Criminal Procedure Code has reflected important components of child friendly justice. In the same line, many of the judicial personnel in Bhutan have received scant training on the ways children interact with various aspects of the legal system. This call for positive interventions through guaranteeing children with adequate procedural safeguards - by creating an enabling legal environment that support and advocate services that ensure status, rights and interest of children coming in conflict and in contact with the law. In view of these constraints, the three-day Program was conducted to create a stage for interaction and interchange of information on child justice, to ensure that Courts make every effort to facilitate children’s right to be heard and adopt measures that uphold the rights of children in conflict and in contact with the law.

Subject Knowledge

The three-day Sensitization Program saw transaction of ideas on international principles and concepts of Child Justice, in-depth knowledge on child rights, duties and procedures involving children both in conflict with law and in difficult circumstances, and other aspects of child justice system. The program also covered important national legislations such as Child Care and Protection Act, Child Adoption Act, and Domestic Violence Prevention Act that provide a strong framework for protection of children in the country. These legislations form child justice standards and norms that intends to govern children's rights, status and their role in the legal proceedings that are consistent with the 'United Nations Convention on the Rights of the Child'.

Participants

As the comprehensive legislation on child care and protection was passed recently, there was a need to train on the whole of judiciary on the 'Act' as well as on various concepts of Child Justice, which include both domestic and international standards. However, considering limited financial resources, priority was given to the Dungkhag Judges, all Bench Clerks of the Family & Child Bench, and at least one Bench Clerk from each Court who can serve as Special Bench Clerk in sensitively dealing with child cases in the courts. The Sensitisation Program was attended by sixteen Dungkhag Judges with one female judge attendee and thirty-nine Bench Clerks composing of thirteen women and twenty-six men Bench Clerks.



(The Hon'ble Chief Justice of Bhutan Lyonpo Tshering Wangchuk with the participants of the Workshop)

(ii) Training on Judgment Drafting

Overview

Competent Judgment drafting has become one of the main judicial skills. With the expanding role of judges, a self-speaking judgment that convinces the losing party is crucial judicial skill to guarantee that justice must not only seem to be done but apparently seems to be done. The Civil and Criminal Procedure Code of Bhutan pronounces that judgment should be precise, reasoned to ensure equal and effective protection of the law through a fair trial. The judgment of the court is final and binding once rendered unless it is appealed in the stipulated duration. The effect of court judgment may lead to enforcements, which may affect the judgment debtor in fulfilling the obligations arising out of the judgment. In this, it is believed that judgment writing in general and judgment writing in particular requires specialised skills and commitment. Besides, judgment writing is not only a science to be mastered through academic pursuits but it is an art to be perfected and moulded to suit the changing needs of a rapidly developing country and educated citizenry. Today, most of the judges and judicial officials pick up the skills on the job through trials and errors over long duration in their career. It is imperative that the judiciary initiates periodic training as a part of continued judicial reform process. This will ultimately contribute toward drafting proper judgments constituting comprehensive determination of facts, evaluation of evidence, analysis of the disputes, and application of laws. Most importantly, this will entrench the requirement of the predication of the judgments on prevailing laws, legislative intent, justice, equity, due process, natural laws and duties, culture and timeless Buddhist and Bhutanese values, and other legal principles as well as modern jurisprudence. Above all, besides technical correctness, such judgments will leave a little room for perceived public perception of wide discretion and arbitrary power of judges.

Subject Knowledge

The training was aimed at enhancing justice delivery system and promote the rule of law. It was also focused on understanding judicial process – with a uniformed judgment structure and style through encouraging active participation and sharing of experiences. All writings in general and judgment writing in particular requires specialised skills and commitment. Law schools and training institutes do not devote adequate time and resource on this subject. Therefore, it is important that the judiciary initiate periodic training of its

personnel in these important areas as a part of continued judicial reform. This training has ultimately contributed toward drafting reasoned and informed judgments constituting comprehensive determination of facts, evaluation of evidence, analysis of the disputes, and application of laws. Most importantly, this has entrenched the requirement of the predication of the judgments on prevailing laws, legislative intent, justice, equity, due process, natural laws and duties, culture and timeless, Buddhist and Bhutanese values, and other legal principles and modern jurisprudence.

Participants

The training was organised to the Judges and Bench Clerks of the Supreme Court, High Court and Thimphu Dzongkhag Court including the Lingzhi Dungkhag Court.



(HRH, Ashi Sonam Dechan Wangchuck, the Hon'ble President with the Participants during the Opening Program of the Workshop)

(iii) Orientation Program to the High Court Judges

Overview

It is believed that good judges are made rather than ordained by fate. However, they make themselves through learning rather than being taught. As a formalised approach to new judicial appointment in Bhutan, Orientation Programs for new judicial appointees has, in the recent years, become a regular program. The Institute views this to enhance judicial competence and assist the new appointees make a smooth transition to judicial office through the provision of education and training. Similar Orientation Programs are initiated for Registrars and Bench Clerks over the last few years. However, the Institute was honoured to have given the opportunity to expand the Program to include Justices for the first time. Orientation Programs further the Institute's statutory mandate to provide continuing judicial education to all stages of judicial officers by undertaking to facilitate judicial perspective by promoting knowledge and understanding of the role of judicial officers in the administration of justice.

Subject Knowledge

The Orientation Program has been an opera for promoting judicial disposition relating to the attitudes, values, ethics and conduct appropriate to judicial officers. This program also provided an opportunity for participants to review and critically reflect on their judicial experience and a framework for collegial interaction and the exchange of experience. While the Justices are well versed and professionally sound, the Orientation Program helped jog their memory while building skills to overcome challenges confronting their judicial tasks. The Program was facilitated by Lyonpo Tshering Wangchuk, the Hon'ble Chief Justice of Bhutan; Dasho Sangay Khandu, Acting Chief Justice of the High Court; Mr. Sangay Dorji, the Dean of Jigme Singye Wangchuck School of Law (JSW Law) and Dasho Lobzang Rinzin Yargay, Director General of the Institute. The Honourable Resource Persons discussed the roles of Justices as the guardians of the Constitution and the Sentinels of the Rule of Law, on the appellate adjudication processes, policies, norms, practices and experiences while touching on judicial leadership, court management and social engineering as relevant subject matters for discussion and deliberation.

Participants

Three District Court Judges namely Dasho Kinley Dorji, Dasho Duba Drukpa and Dasho Pema Rinzin and the former Director General of the BNLI Dasho Pema Wangchuk were appointed as the four new Justices of the High Court. The BNLI has organised a one-day orientation program for four of them to ensure that adequate information is provided to them before they assume their new post.

The program was very successful and fitted well with the Judiciary's quest for attaining excellence in the discharge of its statutory responsibilities through innovative approaches in the administration of justice. The Institute will continue to organise similar programs for all new Registrars and Bench Clerks as well as those elevated as Judges and Justices.



(His Excellency the Chief Justice of Bhutan with the High Court Judges during the Orientation Program)

(iv) Orientation Program to the Trial Court Judges and Registrars

Overview

With time the importance of judicial education has penetrated judicial institutions in Bhutan. This has led to the belief that nurturing of Judges with skills, information and calibre development are essential component of a progressive judiciary.

The purpose of judicial education is to enhance judicial competence, and assist new appointees make a smooth transition to judicial office through the provision of education and training. This programme focuses on developing the particular knowledge, skills and attitudes required for judging.

This orientation program was based on adult educational theory modified appropriately to meet the learning needs of judges. The design of the program as a whole, and of individual sessions, promotes active, participatory involvement, calling for the application and exchange of participants' experience, and encouraging reflection and self-critique. Information is imparted primarily through preliminary reading in order to allow sessions to focus on the application of theory to practice, skills development, problem-solving and reflection. The instructional design of sessions varies from informal lectures, discussions group exercises and reporting models.

Subject Knowledge

The programme focuses primarily on the development of judicial skills and disposition. Since the judicial appointees are selected on the basis of pre-existing professional merit as sitting judges, the course did not aim to address substantive aspects of the law, nor teach judges the law. The main goals of this program was to build on existing levels of experience to develop a judicial perspective through promoting knowledge and understanding of the role of judicial officers in the administration of justice, consolidate and develop the skills of judging, techniques of problem solving, promote a judicial disposition relating to the attitudes, values, ethics and conduct appropriate to judicial officers. The Program also aimed at encouraging and provide an opportunity for participants to review and critically reflect on their judicial experience. In addition, it also aimed at consolidating the experiences of appointees in a number of fundamental judging skills like court craft, judicial management, decision-making, sentencing, and assessment of damages. Such Orientation Program enhances judicial disposition relating to equality before the

law, specifically gender, race and cultural awareness, and conduct and ethics, and build etiquette and understand protocols.

Participants

This Orientation Program was attended by four new Dzongkhag Drangpons, four new Drangpon Rabjams and Court Registrars at the Supreme Court Conference Hall from 7 to 8 November 2017.



(Drangpons and Drangpon Rabjams learning to wear Kabney during the Orientation Program at the Conference Hall of the Supreme Court).

2. Mediation Training Program for Local Government Leaders

Overview

Disputes between individuals, communities and nations for a variety of reasons are inevitable, and it is natural to assume that every society develop its own dispute settlement mechanisms. Effective dispute resolution system, whether formal or informal, ensures that disputes are resolved at the earliest opportunity, for the benefit of both the parties and the communities. Since the eighth century, informal system of dispute resolution existed in Bhutan. Popularly known as *Nangkha Nangdrik*, it is widely practiced in Bhutan to the present day.

One of the earliest account has it that Nangkha Nangdrik occurred at Nabji, in Trongsa Dzongkhag, in which Guru Padmasambhava mediated and resolved a border dispute between Sindhu Raja and Gyelp Naoche at Nabji. The stone pillar installed at the place of mediation still stands at Nabji under Korphu Gewog, Trongsa Dzongkhag. Since then, *Nangkha Nangdrik*, the term which is equivalent to modern day mediation system practiced in the world, was one of the primary methods to resolve the disputes in the country. Formal justice system in the country has been instituted in the early 1960s. Even after the introduction of the court system in the country, mediation was the mainstay of dispute resolution in Bhutan. With the legal reforms and socio-economic development in the country, different terms are used to describe the process of mediation, including *Dum Drik*, *Thri Dum*, *Nang Drik*, *Khen Dum*, and *Bar Dum*. Regardless of its name, the process involves a third party, often a local leader, monks and village elders who facilitate discussion between the disputants and helps amicably resolve the dispute to the satisfaction of both parties.

Subject Knowledge

Owing to the continuing importance of age old practices of mediation, the Bhutan National Legal Institute (BNLI), under the visionary and dynamic leadership of Honourable President, Her Royal Highness Ashi Sonam Dechan Wangchuck, undertook a comprehensive program of mediation training for local leaders. Started in 2012, its primary mission of the nationwide training program was to strengthen, revitalise and institutionalise the practice of mediation in order to meet the needs and aspirations of

the communities by taking justice closer to the doorsteps. After assessing the state of the existing mediation practices in different parts of the country, the BNLI has consolidated the system and began training local government leaders on mediation skills and techniques. In addition to basic mediation training, the BNLI's goal was to establish uniform best practices of mediation throughout the country. While doing so, the BNLI has covered wide range of topics – from teaching the fundamental concepts of mediation to the stages of mediation, role plays, and communication skills.

Participants

The BNLI has trained 205 Mangmis, 130 female local leaders including Gewog Administrative Officers (GAOs), and 718 Tshogpas. In continuation, the Institute has conducted the first batch of the first round elected Local Government Leaders (Gups, Mangmis & Tshogpas) of 20 Dzongkhags in 2017. The First Phase was conducted to the Chairman and Deputy Chairman of the Dzongkhag Tshodue at Terma Linca followed by the Gups from different Gewogs in two different regions at Samtse and Bumthang respectively. The Honourable President of the Institute, Her Royal Highness Ashi Sonam Dechan Wangchuck inaugurated the opening of each training that were provided to the Gups in different phases.

The training program has received great appreciation in the communities in resolving the dispute amicably without having resort to the formal system of adjudication. Given its importance and use for the community, the Institute therefore continues to provide training to the second round elected local government leaders since last financial year 2016-2017. The nation-wide inaugural 3-day training of the Second Phase of Local Government Leaders was launched at Haa on 19 September 2017 to newly elected local government leaders (Mangmis & Tshogpas) of Haa and Paro Dzongkhags followed by Second, third, Fourth and Fifth phase in Samtse, Gelephu and Chhukha Dzongkhag.

Feedbacks from the participants were collected. This was done in order to obtain the views on overall training and the content of the training, in particular. This will help the Institute to determine the issues of concern and help to improve the quality of the training in future. Not much difference has been observed in the feedbacks. Maximum participants believed that the objectives of the training were clearly defined and it has been duly met. The participants also felt that the course content were organised and easy to follow, and agreed that the trainer's knowledge on the subject matters is vast and

immense. Every participant shared their views on the relevancy of the training and how the training will help them to mediate the dispute at the grass root level. However, most of the participants were not satisfied with the duration of time allotted for the training. Overall, the participants had provided good feedback. They had gratifying experiences and also thanked HRH and the Institute for providing such awaited training.

The following table shows the mediation conducted in different regions:

Sl. No.	Dzongkhag	No. of Participants	Venue
1	20 Dzongkhag Chairman, Deputy chairman and Gups	205	Thimphu, Samtse and Bumthang
2	Chiwog Tshogpas and Mangmis of Haa and Paro	81	Haa
3	Chiwog Tshogpas and Mangmis of Samtse	42	Samtse
4	Chiwog Tshogpas and Mangmis of Dangana and Sar-pang	102	Gelephu
5	Chiwog Tshogpas and Mangmis of Bumthang, Trongsa	41	Gelephu
6	Chiwog Thogpas and Mangmis of Thimphu, Samtse and Chhukha	90	Chhukha



(HRH, Ashi Sonam Dechan Wangchuck, the Honourable President with the participants during the Opening Program of Mediation Training at Haa)

3. School Law Club Capacity Development Programs

(i) School Law Clubs Dissemination Program

Overview

On 21 February 2012 coinciding the 32nd Birth Anniversary of His Majesty the King Jigme Khesar Namgyel Wangchuck, the BNLI has instituted School Law Clubs at various schools. Started initially for 24 schools, the BNLI has now 35 registered School Law Clubs in the country.

The introduction of School Law Clubs has a significant role to play both in the society as well as for the children themselves. The Club provides children an opportunity to understand the basic legal principles and values that concerns their lives. The primary objective of the Law Clubs is to promote legal awareness among the youth and the people of Bhutan. The legal literacy of the youth will facilitate the process of legal awareness and access to justice. The Club will also provide opportunities for the youth to prepare themselves for public life and to share the benefits of law and development to the society. Today, one of the main problems in the society is the youth coming into conflict with the law. This attributes to the lack of legal outreach and literacy. While we know that the ignorance of law is not excuse, we however, also have to know that advocacy to dispel the ignorance of law is our responsibility. Therefore, through these School Law Clubs, the students will acquire the basic legal knowledge which will help them becoming better citizens.

The importance of School Law Clubs is recognised in the schools and the youths are keen in taking up the Club activities despite time constraints. It is learned from the feedbacks of the students and teachers that it helps the school management in the enforcement of School Rules and settlement of playground disputes amicably through peer mediation. Members of School Law Clubs now act as a representative in all legal issues that are faced in the schools. Further, School Law Clubs serve as a medium through which our youth explore our laws, know their rights and duties, and make educated decisions as capable and contributing citizens of the country.

Therefore, it was felt important that the youths are well informed and made aware of law and its importance, the rights and duties enshrined in the legislations. Perhaps, the information disseminated to the Club members could further disseminate to their peers in the schools and also to the general public starting from their home.

Subject Knowledge

The objective of the workshop was to disseminate the legal information and knowledge to the members of the School Law Clubs. The Club coordinators and the members are informed of the recent Acts like Child Care & Protection Act of Bhutan, 2011, Tobacco Control Act of Bhutan, 2010 (And its Amendment Act, 2014) and Narcotic Drugs, Psychotropic Substances and Substance Abuse Act of Bhutan, 2015. Since drug related issues are increasing in the schools, it was designed to create more awareness in the schools which would help students in understanding the nature and consequences of dealing with drugs, alcohol, and tobacco related products. The focus was more on the responsibilities and obligations of the youth than their rights.

Participants

The targeted participants were the Law Club Coordinators and the members. However, considering the importance of the program, and in due respect of the request from some Principals and the Club Coordinators, the school counsellors/captains and other interested students were also made to attend the Program. The program was conducted to the below mentioned nineteen schools of twelve Dzongkhags. The total of 876 students attended the program out of which 431 are female and 445 are male.

In order to outreach this program to maximum students, two groups were assigned the program accordingly – one in the Southern Region and one in the Central Region. The officials from the Institute and some ToT Core Team from the Club Coordinators were involved in conducting the program to various School Law Clubs.

The following table shows the total number of participants attended the program:

Sr. No.	Dzongkhag	Schools	No. of Participants	Date	Venue
1	Thimphu	Yangchenphug High School	33	03.06.2017	Motithang HS
2		Motithang High School	46		
3		Rinchen High School	22		Kelki HS
4		Kelki High School	69		
5	Paro	Khangkhu High School	55	19.05.2017	Khangkhu HS
6		Shaba High School	34		
7	Haa	UgyenDorji Central School	5		

8	W/Phodrang	Bajo High School	30		
9		Ugyen Academy	31		
10	Punakha	Punakha High School	28	20.05.2017	Bajo HS
11		Jibjokha High School	5		
12		Dashiding High School	21		
13	Gasa	Bjishong Central School	72	21.05.2017	Bjishong CS
14	Trongsa	Sherubling Central School	86	23.05.2017	Sherubling School
15	Zhemgang	Zhemgang Central School	97	24.05.2017	Zhemgang
16	Bumthang	Jakar High School	92	26.05.2017	Jakar HS
17	Samtse	Samtse High School	32	22.05.2017	Samtse HS
18	Sarpang	Sarpang High School	38	25.05.2017	Sarpang HS
19	Dagana	Dagana High School	80	27.05.2017	Dagana HS



(School Law Club members attending the Workshop)

(ii) Legal Education and Awareness Program (LEAP) for School Law Club Coordinators

Overview

The Club Inception Document mandates of the Judiciary, the Ministry of Education and the BNLI to work in partnership to achieve the overarching objectives of the Clubs. The Club members will not only learn themselves but are also mandated to organise different legal activities to sensitise other students and people of locality on law and legal protection. Despite this mandate, the Clubs do not have human resource capacity to carry out the functions effectively. One of the frequent feedbacks that we receive from the Club Coordinators is with regard to the lack of legal knowledge to organise and conduct the activities of the Club. Although the BNLI as a patron of the Club need to take a lead role in implementing the activities listed in the Inception Document, the participation of the Institute was not adequate thus far. The Institute has done very less to keep the School Law Club alive, and not much has been done to inspire the school going children. Except for Peer Mediation Workshop, Lecture Series, and talk on Drugs and Substance Abuse, too little has been done to accomplish the objectives of the Club. Despite less support and supervision from the Institute, the School Law Club is not a defunct establishment. The Club Coordinators have been putting-in massive efforts and labours to keep the aspirations of Her Royal Highness Princess Sonam Dechan Wangchuck, the Honourable President of the BNLI. In fact, the Club Coordinators are doing their job in keeping with the mandates and obligations as spelled out in the Document. At the beginning of the academic year, the Club Coordinator prepares an action plan of the Club providing the list of activities to be carried out during the academic year. The Club Coordinator then prepares Annual Report of the Club and submit it to the BNLI. Although the level of their legal knowledge and skills is understandable, the Club Coordinators have been able to function keeping with the aims and objectives of the Club. According to their Annual Report compiled by the Institute, the lack of capacity to run the Law Club is the top most challenge.

Subject Knowledge

Given this challenge, the BNLI has conducted a three-day ***Legal Education and Awareness Program (LEAP)*** from 18-20 December 2017 at Peling Resort, Phuntsholing. It was a general legal education and awareness program intended to build

and enhance the capacity of the Law Club Coordinators to guide and manage the clubs effectively and help student members to understand law and appreciate the importance of laws in the society. It was not focused on one specific legal subject matter rather covered a wide range of legal subjects that would help enhance the capacity development of the Club Coordinators. The main reason for making it too general was because the participants are expected to understand the basic principles of the law so that they can disseminate the acquired information to the students in a simple and effective ways. The program was designed based on the activities of the Club as provided in the Inception Document.

Participants

The program was attended by 36 Law Club Coordinators.

(The participants during the Workshop)



(iii) Guest Lecture to School Law Clubs

Overview

Drug issue in Bhutan is a growing social menace that threatens to incarcerate the youth leading to sudden upheaval of children coming in conflict with the law. As the issue of drugs spirals, with increased number of people caught with drugs, exposing the youth of today to this vice. The concerns are raised on the issue by Civil Societies, medias, communities, families, individuals and the authorities. Therefore, the guest lecture series was conducted at School Law Clubs in September 2017 on the theme ‘Saying No to Drugs at all Times and Places’.

Subject Knowledge

Guest lecture can form a valuable real world adjunct to classroom education. Guest lectures, in support to other pedagogical methods adopted for the School Law Clubs are initiated to ensure additional information and knowledge. This is a pedagogical tool to enrich the learning experiences of students. It has proved to be an active learning alternative using interactive approaches as a means to demonstrate multiple seeing and knowing the law - through an increased awareness of the communication skill. The students and teachers welcomed the ‘theme’ as an appropriate and timely information in the existing climate. The Guest Lectures was delivered by Dzongkhag Drangpons of the respective Dzongkhags.

Participants

The Guest Lecture was conducted in thirty-three School Law Clubs across the country. It was attended by teachers and students.



(The Drangpon and the participants during the Guest Lecture Series)

4. Capacity Development Programs for Other Stakeholders

(i) Training on Investigative and Prosecutorial Skills

Overview

Prosecution services are playing an increasingly important part within criminal justice system. Police Prosecutors in Bhutan perform an active role in criminal proceedings, including investigation of crime, supervision over the legality of these investigations, supervision of the execution of court decisions and the exercise of other functions as representatives of the public interest. The roles of police, with the increasing number of petty crimes, have increased tremendously. Their roles are immensely important in the due administration of criminal justice system. This can only be achieved through apprising right knowledge skills and attitude. Thus, the BNLI perceived training on Investigation and Prosecutorial Skills as an integral part of the criminal justice system.

Subject Knowledge

The training ensured that the prosecutors acquire right knowledge, skills and attitude that a police prosecutor would need. The training highlighted the basic prosecution techniques, identifying best prosecution practices that builds trust and enhance the professionalism of the law enforcement personnel.

The training was also conducted with the objective to enhance the police personnel perform their duties fairly, consistently and expeditiously, and respect and protect human dignity and uphold human rights, thus contributing to ensure due process and the smooth functioning of the criminal justice system. It was also aimed at improving their communication skills, advocacy skills, and the prosecutorial skills.

Participants

The training was attended by 40 police prosecutors from 3 to 6 April 2017 at Royal Bhutan Police Head Quarters, Thimphu.



(The Chief of Police with the Participants)

(ii) Workshop on Media and Law

Overview

Today widely proliferated media print and electronic media is becoming an agent of change and information. News media such as internet and blog writing are growing tremendously. However, with growing volumes of law and interesting phase between law and media has thrown new dimension for discussion and debates. Mass media has become an important technological means of dissemination to a dispersed audience. Social and political would be impossible without the existence of mass media. They are often recognised as the ‘fourth power’, alongside the legislative, executive and judicial branches of government. Their role is much beyond the reproduction of facts. The mass

media also communicate political, social, ethical, cultural and other ideas thereby making an important contribution to the formation of public opinion. Broadcast media plays a central role in the functioning of modern societies, in particular, in the formation and transmission of social values. In ensuring that media play a meaningful role in the society, the BNLI organised a ‘Workshop on Legal Reporting for the members of the Journalists’ Association of Bhutan (JAB).

Subject Knowledge

The Workshop was organised to bring the media and the judiciary closer for better collaboration. This was also intended to help the media professionals and the judicial officials to understand one another for better working relationships by enabling the journalist to understand fundamental legal terminologies and issues for more accurate reporting on the judiciary. This Workshop also facilitated to understand the internal functioning of the courts by interexchange of information to help the judicial officials understand the issues related to the media. This was also expected to help media and the judiciary understand each other’s expectations to address common challenges. The two-day workshop covered various media-legal issues. During the two-day Workshop, following topics were covered by different facilitators.

Topic	Facilitator
Internal functioning of courts: what is there for journalists to understand?	Justice Sangay Khandu, Chief Justice, High Court
Contempt of Court: Definitions and Misconceptions	Judge Pema Rinzin, Commercial Bench, Thimphu.
Reporting on the Judiciary: Biases and Misinformation	Mr. Jangchuk Norbu, Legal Officer, BNLI
Naming and Shaming of suspects: Legality and Constitutionality	Judge Lungten Dubgyur, Justice of High Court
Code of Ethics for Journalists	Ugyen Penjor, Publications Editor, Kuensel
Sub judice: where do we draw the line?	Tharchean, Judge, BNLI
Analysis of Judgments: How far can the media go?	Judge Lobzang Rinzin Yargay, Civil Bench, Thimphu
Access to the judiciary: Issues and Challenges	Rinzin Wangchuk, President, JAB; Dzongkha Editor, Kuensel
Expectations of the Judiciary’s from the Media	Justice Sangay Khandu, Chief Justice, High Court
Expectations of the media from the judiciary	Tenzing Lamsang, Editor-in-chief, The Bhutanese

Participants

The Workshop was attended by 57 participants.



(HRH Ashi Sonam Dechan Wangchuck with the participants during the workshop on Law and Media)

(iii) Legislative Drafting Workshop (Training on Methodology and Process of Drafting Legislative Instruments)

Overview

Laws in Bhutan reflect the utmost will of the people. The Constitution of the Kingdom of Bhutan 2008 makes Parliament the supreme legal authority by vesting in it all legislative powers under the Constitution. Thus Parliament has the ability to enact Acts and through them to implement policies and effectively govern the nation. Therefore, legislative drafting has become an important mandate of Parliament and the need to draft good laws has also seen as an important part of legislative mandate. In pursuit to ushering good laws in the country, the BNLI has initiated training on methodology and process of Legislative Drafting.

Subject Knowledge

The training was aimed at matching the past and present legislative drafting processes and expose legislative drafters to an internationally accepted process for distilling draft legislations from a policy priority. This has introduced legislative drafters to appropriate online research data bases in enabling best research and drafting practices. This will indirectly encourage the evolution of a Bhutanese ‘practice’ in legislative drafting common across to all agencies and accentuating friendship and cooperation among the legislative drafters. The identified faculty from the Jigme Singye Wangchuck School of Law and officials from the Institute facilitated the workshop.

Participants

The workshop was attended by the legal officers and drafters from government and other agencies at Paro from 19-21 June 2017.



(HRH with the participants during the Opening Program on Legislative Drafting Workshop)

5. PGDNL Course

(i) Mediation Workshop to the PGDNL Trainees

Overview

Nangkha Nangdrig is an age-old informal community dispute resolution system prevalent in the country since time immemorial. Under the patronage and leadership of the Honourable President, mediation has revived and strengthened by capacitating the local government leaders and other stakeholders to resolve minor community civil disputes. This is a decentralisation of legal services and taking justice to the doorstep of the people. It strengthens relationships and improves community vitality to ensure peaceful coexistence of our society.

The PGDNL are at the entrance of the legal market. While some might work as a legal adviser in government and non-governmental organisations, many are expected to earn their livelihood by practicing in the market. With a recent establishment of the Bar Council in Bhutan, the number of practicing lawyers might easily double. Therefore, the Institute has conducted a three-day training on mediation for PGDNL Trainees at the Royal Institute of Management (RIM), Semtokha. Given this background, the training on mediation for PGDNL was timely and appropriately tailored so that petty civil cases are not litigated. This will not only decongest the courts with trivial cases but will certainly save time and resources of the people. Above all, it will help preserve the relation between the people and harmony in the society.

Subject Knowledge

The workshop has extensively covered the knowledge and the principles of mediation. In addition to the advantages and benefits of mediation the participants are imparted with skills and techniques to manage and resolve disputes through a structured process identifying the needs and interests of the parties leading to win-win outcomes acceptable to the parties through informal, confidential, expeditious, inexpensive and collaborative methods. Interspersed with theoretical presentations and practical simulations of mediator roles and leadership, the interactive and intensive workshop aims to prepare the participants to be mediation practitioners and trainers in future. The training has equipped them with the requisite skills, knowledge and competency as they are poised to join the legal system shortly.

The workshop was expected to serve not only as an orientation to the legal system but help law professionals begin their career on a sound footing and serve in different capacities in various sectors across the country. It is expected that the attitude of the legal professionals towards the conflict resolution mechanisms are enhanced.

Participants

The workshop was attended by the 53 trainees of PGDNL, Royal Institute of Management (RIM) as a part of their academic syllabus.



(Participants doing a group work exercises during the three-day mediation workshop at RIM, Semtokha)



(Director General of BNLI teaching the negotiation skills through fish-bowl method)

Moot Court Hearings to the PGDNL Trainees

The BNLI conducted moot court hearings to the PGDNL trainees at the RIM. The experiential simulated court proceedings at appellate court level are aimed at imparting advocacy skills such as drafting, pleading and court etiquette. The program was expected to be very useful to those trainees whose work will involve appearing before the courts as prosecutors, government representatives, defence counsels, and private practitioners. The program also hones public speaking, researching and communication skills of the trainees as it requires preparing and presenting cases before a panel of appellate court judges, law professors and experienced practices. In many countries moot court experience on lawyer's resume is considered advantageous in the job market.



(The PGDNL trainees submit before the Court during the Moot Court simulation exercise, RIM, Thimphu)

6. Legal Dissemination Program

(i) Publication of *Bhutan Law Review* (Volume 8)

Legal research and publication is one of the primary mandates of the BNLI. Our aim is to support sustainable socio-economic development through relevant and internationally excellent collaborative research, innovation and knowledge-based enterprise. With the socio economic development, judges and judicial personnel need research backed knowledge and information while dispensing their normal routine of administration of justice. Supporting through research and innovation for judicial personnel is crucial in the delivery of justice and thus, it is crucial to maintain the infrastructure which supports research at the highest levels, including information and communication technology systems. As and when the justices and judges seek our research assistance during any stage of court proceeding, we shall stand in a better position to provide the services they needed. In this way, we definitely will play greater role in the administration of justice.

Similarly, our endeavour to research service would extend to the law making agencies. For example, when the Parliament wish to amend the particular provision of legislation, we can play role through feeding with relevant information so that laws are made and amended with adequate information and in accordance with the constitution and the best international practices. Through this support, peace and harmony will exist in the society under good legislations. This is possible only through publication.

We also strive to provide research work that will help national and international scholars to flourish in their career. Research on law and good governance, law and Gross National Happiness (GNH), and qualitative research on practice of mediation will help global scholars to understand Bhutanese context of law and its roles in the good governance and GNH principles. With these objectives, Institute publishes a biannual Bhutan Law Review. We have also published legal pamphlets to inform the general public on the basic principles of law. In a long run, BNLI aims to increase publications such as research papers, journals, and magazines to ensure easy access to legal information and aiding the government in decision making processes.

As a symbol of our tribute to His Majesty the Fourth Druk Gyalpo on his glorious 62nd birth anniversary, the Bhutan National Legal Institute launched the 8th Volume of Bhutan Law Review. The Bhutan Law Review is the brainchild of Her Royal Highness,

Princess Ashi Sonam Dechan Wangchuck, the Hon'ble President of the Institute. It is aimed at providing a vibrant forum to the judicial academics and legal fraternity of Bhutan to engage in the contemporary legal issues and contribute toward building a fair, just and content society. In a simple Launching Ceremony, the Director General thanked the HRH for her charismatic leadership and steering the Institute to greater higher heights. The Hon'ble President took painstaking task to review every article of the Law Review. He also thanked the BNLI's team for aligning their creative energy and enabling him to inch toward fulfilling the vision of the HRH and mandates of the Institute. He said that the timely launch of the Law Review is the fruition of the hard work and sacrifices of every staff of the Institute. He said that the launching of the Law Review may be a small step for the Institute but a 'giant step' for the legal system of Bhutan where the rule of law and democracy are just deepening. The Institute has begun sowing the seeds for the next volume of the Law Review.



(Launching of the 8th Volume of Bhutan Law Review at BNLI Conference)

(ii) Legal Dissemination Program through Media

Bhutan is a small country and law play bigger roles in the society. Bhutan sees law as centre to economic prosperity, maintaining social stability, securing the liberties of our people and building a fair and a just society. It is important for Bhutan to retool its legal education strategies for its people. Legal education should prepare our people to use the aid of law. Laws today are different from what it was few years ago, and laws, like in other countries will rapidly escalate in Bhutan.

Like any other legal systems, Bhutanese legal systems require the people to uphold the rule of law and abide by the letter of the law to ensure protection of rights and privileges offered by the laws of the state. Knowledge of law to common citizens is increasingly recognised as an important component of inclusive growth. It is believed that citizens can be law abiding only if they know the laws well. This poses equal responsibility on the citizens and they cannot plead the ignorance of the law if they are caught breaking them. This principle is captured by the well-known Latin maxim *'ignorantia juris non excusat'* which literally means that 'ignorance of law is no excuse'. This means that we will be punished irrespective of whether we broke the law knowingly or unknowingly. Therefore, it is our utmost duty to respect the laws to avoid coming in conflict with the law. It can be said that had ignorance of the law had been an excuse, then every time people commits an offence, they will argue that they did not know the law that it was disallowed by the sections of the law. Therefore, to prevent this mischief, the State has the duty to make people informed of the prevailing laws. In order to ensure that information of the laws reach the people, laws must be widely published and made freely available to the public. Agencies and institutions must engage in advocacy and dissemination of laws so that people are not entangled in the legal mesh avoiding protracted and frivolous litigation. More importantly, Bhutan is small country composed of closed knit society that demand social harmony, peace and social unity as a contrivance for equitable growth of the nation. Thus, legal awareness as an arm for equal social justice plays an important role to uplift people living in remote areas.

Empowerment of the people through proper information about the laws strengthens the people's ability to use law to defend their rights and use law as a tool for social harmony, and equitable social development. Legal empowerment fosters development through empowering and strengthening the voices of the people at the grass root level. It seeks to establish the rule of law and ensure equal and equitable access to justice and tackle the root causes of exclusion, vulnerability and poverty. Security of livelihoods, shelter, tenure and contract can enable and empower the poor to defend their rights. Legal empowerment can give poor people and communities the legal tools to proactively

protect themselves from vices of the society. Despite continuous support for people in the rural areas, people in the remotest part of the country face challenges in legal literacy, and means of redress and access to justice and remedies. Many people in the rural areas have limited legal capacity, and many issues of land, family, marriage that severely limit people's ability to defend.

As part of the continuous effort to fulfil the aspirations of the people in bringing laws to their doorsteps, and promote positive changes in our rural communities, the BNLI has identified key aspects of legal empowerment of the people through voice and information. It is believed that the people in the rural areas need information on legal and judicial system which is accessible to make their legal entitlements practical, enforceable and meaningful. Legal empowerment of our people lies in strengthening the capacity of the people to exercise their rights either as individuals or members of the community. It is seen as the grass root justice - to ensure that laws are not confined within the Court Rooms, but is available to the ordinary people. Unlike traditional rule of law orthodoxies, legal empowerment views our citizens living in different parts of the country as our partners of justice. Legal empowerment as 'the process of systemic change' through which the poor are protected and enabled to use the law to advance their rights and their interests as citizens and economic actors. To ensure that Bhutanese citizens living in remotest part of the country are sensitized on various new legislations that comes up every year.

In this background, the BNLI has carried out Legal Dissemination and Awareness Programs to the rural communities since 2013. This was further reinforced by the wisdom of the Honourable President of the Institute who staunchly believes and stresses on "...taking justice closer to the door steps of the people at the grassroots level". In our commitment to empower the people with knowledge of law, the Institute had continued the advocacy and awareness programs to the rural communities in 2016 and 2017. The program was initiated in collaboration with the Bhutan Broadcasting Service Corporation (BBSC). So far, the Institute has initiated the Programs in the sixteen Dzongkhags. The program was assisted by the Department of Local Governance, Ministry of Home and Cultural Affairs and respective Dzongkhag and Gewog Administrations.

During the Program, officials from the Institute and Dzongkhag Judges of the respective districts delivered lectures and initiated the discussions with the people. Among various Acts - that were presented - the Institute selected categorical legislations - which were pertinent to the people, which would serve them with knowledge and information in executing their daily lives. The Institute was astute in making difference to the lives of the people – with relevant information that benefit them in their everyday lives. Looking at their everyday relevance and the nature of the society they were dwelling, Legal

Dissemination Program presentations were designed to address the challenges faced by the communities. As many people and families in the communities are often embroiled in inheritance related litigations, and as a part of providing them with detail provisions of the Inheritance Law, we presented the Inheritance Act of 1980. This enables to dispel their various doubts on various issues of inheritance.

Various other Acts were also disseminated at the same time. They also discussed various provisions of the Penal Code of Bhutan. Information on penal laws is important in the lives of common people - as they seek to either deter the people or arm them with legal defences. Other laws include Marriage Act of Bhutan 1980, Domestic Violence Prevention Act of Bhutan 2012, Child Care and Protection Act of Bhutan 2011 with relative stress on other topical discussions on their issues. From the feedback of the viewers and the participants, the programs seem to be both popular and beneficial to the people.

People cited that they got the opportunity to understand and know them. They held positive opinion on the programs and expressed satisfaction about its benefit. The BNLI in its efforts to materialise the noble objective of taking justice to every door step of the people in the rural communities and empowering them with legal information and knowledge is committed to carry out dissemination and awareness programs on laws in coordination with BBSC, the Department of Local Governance and the Local Governments. The BNLI is committed to facilitate dissemination and creation of awareness on laws and legal issues with special emphasis on rural communities and students/youth across the nation. The students are kept abreast of the emerging laws and legal issues through the respective School Law Clubs. Therefore, the BNLI aims to target the rural communities through this program. In our commitment to empowering the people with the knowledge of the law, the Institute had continued the advocacy and awareness programs to the rural communities in 2017. We aspire to capitalize on our citizens to enhance the knowledge of the law and take justice closer to our people.

Details of the Legal Dissemination Programs carried out in the year 2017:

Sl. No	Gewog/ Dzongkhag	Venue	Date	Acts presented	Presenters
1	Nangkor/ Zhemgang	Nangkor Gewog Center, Buli	01/01/17	The Civil and Criminal Procedure Code, 2001	Tharchean
2	Chhuzang Gang/ Sarpang	Chhuzang Gewog Center	05/01/17	The Narcotic Drugs, Psy- chotropic Substance and Substance Abuse Act, 2015	Tharchean

3	Barshong/ Tsirang	Barshong Center	Gewog	07/01/17	Domestic Violence Pre- vention Act, 2013	Tharchean; Dechen Lhamo; and Jang- chuk Norbu
4	S a m t s e / Samtse	Samtse Center	Gewog	19/01/17	The Contract Act, 2013	Tharchean & Dech- en Lhamo
5	Tseza/ Dagana	Tseza Center	Gewog	24/01/17	The Road Act, 2013	Tharchean & Jangchuk Norbu
6	Kartsho/ Haa	Kartsho Center	Gewog	27/01/17	The Alternative Dispute Resolution Act, 2013	Tharchean & Dechen Lhamo
7	Khatoed/ Gasa	Khatoed Center	Gewog	02/02/17	The Tenancy Act, 2015	Tharchean & Jang- chuk Norbu

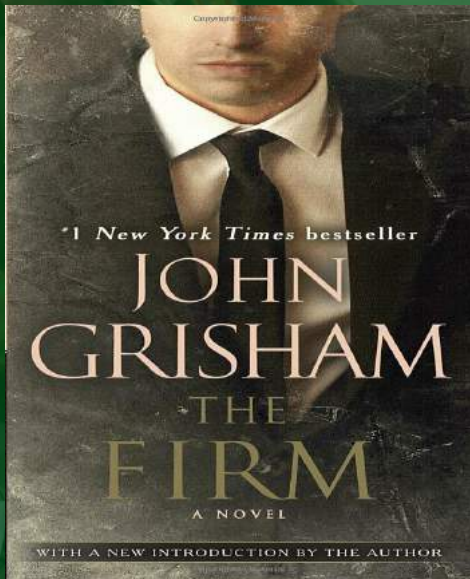


7. Judges Book Club

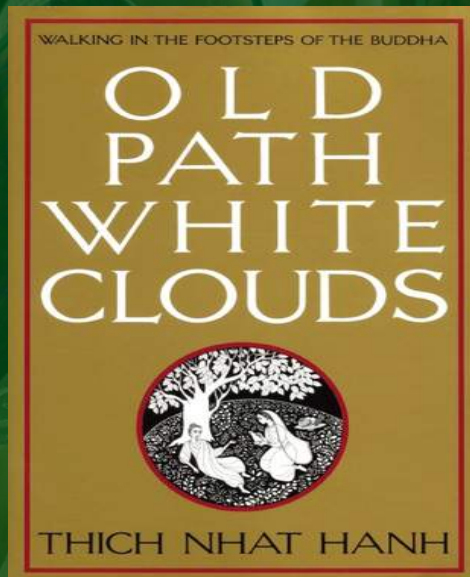
Judges Book Club was initiated by Her Royal Highness Ashi Sonam Dechan Wangchuck in 2011. The primary purpose is to promote and instil a culture of reading among the legal fraternity, mainly the judges. It is composed of judges and lawyers, who meet on the last Friday of every Month to discuss a book that they have chosen, and share their opinions, experiences and beliefs.

The forum enables the academically inclined judges and legal officers to cultivate a habit of reading. The Book Club is also a forum for interaction, to enrich the legal and the judicial fraternity over creative discussions. This will uplift the judges from the rituals of adjudication of disputes. It is expected to develop reading, writing, speaking, researching and presentation skills. So far, 48 Books have been reviewed, presented and discussed, out of which Six Book Sessions have been held in 2017 (39th – 44th Judges Book Club).

The following are the six books were discussed in 2017.




The Firm by John Grisham



Old Path White Clouds
by Thich Nhat Hanh

Yuval Noah
Harari



Sapiens

A Brief
History of
Humankind

Sapiens: A Brief History of Humankind
by Yuval Noah Hara

John Claude White

Sikhim and Bhutan
twenty-one years on the
north-east frontier

NAGARJUNA'S *Letter to a Friend*

with commentary by
Kyabje
Kangyur Rinpoche



translated by the
PADMAKARA
Translation Group

Nagarjuna's Letter to a Friend
by Nagarjuna

ONE MAN'S VIEW *of the* WORLD



LEE KUAN YEW

One Man's View of the World
by Lee Yuan Yew





8. Foreign Exchange Program

Honourable President Graces Memorial Symposium in Kyoto

Her Royal Highness Princess Sonam Dechan Wangchuck graced the Bhutan-Kyoto University 60th Anniversary Memorial Symposium on October 25 at Kyoto University, Japan. Addressing the Memorial Symposium, Her Royal Highness said, ‘The relationship between Bhutan and Japan is based on a common spiritual heritage, our shared respect for the institution of monarchy as symbol of unity, reverence for our cultures and traditions that gives us unique identities, and many other shared social values’. Her Royal Highness said that, ‘Bhutan’s development philosophy of ‘Gross National Happiness’ as propounded by His Majesty the Fourth King, and His Majesty the King Jigme Khesar Namgyel Wangchuck’s vision for a ‘Just and Content Society’ are the basic foundations for our democracy. Every Bhutanese shoulders the sacred duty to fulfil these noble visions. It is the primary obligation of my generation to nurture future leaders, and citizens who will carry forward this sacred responsibility.’ Relationship between Bhutan and Kyoto University began after Her Majesty the Royal Grand Mother Kesang Choeden Wangchuck’s visit to Kyoto in 1957. Professor Tetsuro Matsazuwa, and Professor Kozo Matsubayashi instituted the formal Friendship Programme after their visit to Bhutan in 2010. The objective was to share knowledge and skills in areas of health, culture, safety, and ecosystem through mutual contributions. During the visit,

Her Royal Highness also met Her Majesty the Empress, His Imperial Highness the Crown Prince, Prince Akishino, Princess Akishino and Princess Mako. Her Royal Highness's visit will deepen the special relationship between the two countries and help explore new areas of collaboration and cooperation.

Delegation from Queensland University of Technology (QUT), Australia

The BNLI and the QUT, Brisbane Australia had concluded a formal institutional linkage, and signed the Memorandum of Understanding (MoU). The signing of the MoU marked the establishment of a formal relationship between the two Institutions for mutual benefit and cooperation in terms of academic and scientific learning through conferences, seminars, symposiums/lectures, exchange program and development of joint venture projects. In this regard, a team of ten students accompanied by Academic Supervisor, Prof. Melinda Edwards of QUT has visited Bhutan from 2 - 11 February 2017. They were on a mission to conduct the workshop on Child Justice for the School Law Clubs coordinators and members. The delegations from the QUT facilitated the lessons on the criminal justice system in Bhutan by involving interactive pedagogical methods. The lessons, through use of games and exercises, and demonstration sensitised the students about various provisions under the criminal law and the consequences of breaching it. This has showcased participatory method of teaching learning through interaction and effective communication.



(Team of QUT students with Schools Law Club members)

Summary Activities

Sl. No.	Activity	Target Group	Duration	Donor Agency	Number	Venue
1	Legal Dissemination Program	General Public	January 1 2017	RGOB		Buli (Nangkor) Zhemgang
		General Public	January 5 2017	RGOB		Chhuzirgang, Gel-ephug
		General Public	January 7 2017	RGOB		Barshong, Tsirang
		General Public	January 9 2017	RGOB		Samtse Gewog
		General Public	January 24, 2017	RGOB		Tseza Gewog, Dagana
		General Public	January 27 2017	RGOB		Kartsho Gewog, Haa
		General Public	February 2 2017	RGOB		Khathey Gewog, Gasa
2	Training on Child Friendly Court procedures	Drungkhag Drangpons	January 19-21 2017	Save the Children	15	Phuentsholing
		Bench Clerks	January 23-25 2017		40	
3	Training on Investigation & Prosecutorial Skills to the Police Prosecutors	Police Prosecutors	April 3-6 2017	RGOB	40	RBP, Head Quarter
4	Training on Mediation Skills & Techniques	Chairman and Deputy Chairman of Dzongkhag Tshogdu	May 8-13, 2017	RGOB	37	Termalinca Resort, Thimphu
5	Training on Mediation Skills & Techniques	Gups of Chhukha, Dagana, Haa, Paro, P/Gasthel, S/J, Samtse, Sarpang, Tsirang	May 15-20, 2017	RGOB	87	Samtse
6	Training on Mediation Skills & Techniques	Gups of Bumthang, Gasa, Lhuentse, Mongar, Trongsar, Punakha, Trashigang, Trashiyangtse, Wangdiphodrang, Zhemgang	May 22.-27, 2017	RGOB	87	Bumthang,

7	Training to School Law Club Members	Khangkhu High School, Shaba High School and Ugyen Dorji Centre School	May 19,2017	Save the Children	94	Paro
		Ugyen Academy, Punakha High School, Jibjokha High School, Dashiding High School	May 20, 2017	Save the Children	85	Punakha
		Bjishong Central School	May 21.2017	Save the Children	72	Gasa
		Sherubling Central School	May 23,2017	Save the Children	86	Trongsa
		Zhemgang Central School	May 24.2017	Save the Children	97	Zhemgang
		Jakar High School	May 26.2017	Save the Children	92	Bumthang,
		Dagana High School	May 27.2017	Save the Children	80	Dagana
		Samtse High School	May 22.2017	Save the Children	32	Samtse
		Sarpang High School	May 25.2017	Save the Children	38	Sarpang
		Bajo High School	May 20.2017	Save the Children	30	Wangdiphodrang
		Yangchenphug High School, Motithang High School, Rinchen High School and Kelki High School	June 3.2017	Save the Children	170	Thimphu
8	Training on Judgment Drafting	Judges and Bench Clerks	June 14-16.2017	UNDP		Khangkhu Resort, Paro
9	Training on Legal Drafting	Legal Officers	June 19-21.2017	UNDP	38	Khangkhu Resort, Paro

10	Discourse to Media personal	Member of JAB and Legal Officers	June 26-27, 2017	ACC	57	City Hotel, Thimphu
11	Orientation Program	High Court Justices	September 13, 2017	RGOB	4	Supreme Court Conference hall
12	Mediation of Disputes in the Communities	Newly elected Tshogpas and Mangmis of Haa and Paro	September 19-21, 2017	RGOB	81	Haa
		Newly elected Tshogpas and Mangmis of Samtse	September 26-28, 2017	RGOB	42	Samtse
		Newly elected Tshogpas and Mangmis of Dagana and Sarpang	October 2-4, 2017	RGOB	102	Gelephu
		Newly elected Tshogpas and Mangmis of Bumthang and Trongsa	October 6-8, 2017	RGOB	41	Gelephu
13	Orientation Program	Drangpons and Registrars	November 7-8, 2017	RGOB	15	Supreme Court Conference Hall
14	Mediation of Disputes in the Communities	Newly elected Tshogpas and Mangmis of Thimphu, Chhukha and Samtse	November 23-25, 2017	RGOB	90	Chhukha
15	Training on Mediation Skills & Techniques	PGDNL Students	November 20-22, 2017		53	Royal Institute of Management
16	Moot Court Hearings	PGDNL students		53	53	Royal Institute of Management
17	Legal Education and Awareness Program	School Law Club Coordinators	December 18-20, 2017	36	36	Phuntsholing

9. Other Major Events

(i) Annual Tarayana Fair

The Tarayana Fair is an annual event organised by Tarayana Foundation. The BNLI participates in the event annually to contribute physical labours as well as to make financial contribution through sale proceeds. The money thus contributed, though small, would help to alleviate the poor by helping them to raise their living standards. The Institute considers the event as crucial to help the poor and the needy people. It is great opportunity for the Institute to contribute in the socio-economic building of the nation. 2017 was the 14th Annual Tarayana Fair, which was observed from 28-30 April 2017. During the three-day Fair, the Institute generated total sale proceeds of Nu. 40,066/- (Forty Thousand Sixty Six) only.



(Her Majesty Queen Mother Ashi Dorji Wangmo Wangchuck, the Founder of Tarayana Foundation with the staff of BNLI)

(ii) Appointment of new Director General

The BNLI ushers a new era of accomplishment. The Institute welcomes the new Director General, Drangpon Lobzang Rinzin Yargay, the former Judge of Civil Bench, Thimphu District Court. The Institute is pleased to extend our warmest congratulations to Dasho on his appointment. His new appointment to the Institute beckons another period of progress and service to the judiciary. The Institute will immensely benefit from his rich experiences brought in by long years of judicial service. We look forward to serving under his guidance and leadership to take this Institute forward.



(Drangpon Lobzang Rinzin Yargay formally joining the BNLI as the new Director General)

(iii) Team Building Trek to Lungchu Tse

Team building is an important organisational endeavour. The spirit of a team reinforces participation and build cohesion. Team building exercise is a structured opportunity to mingle, and share common values of coexistence, belongingness and working together. As a team building or bonding exercise, the officials and staff organised a hike to the sacred Lungchhutse Lhakhang. Befitting the auspicious day of the 30th day of the 9th month - on the day when the central monastic body proceeds on its annual Soelthab to Punakha, we made butter lamps, fruits and *Tshog* offerings and prayed for the wellbeing of all sentient beings. During the Team Building Trek, all of us carried food and drinks culminating in a grand pot luck lunch amidst the lush verdant canopy of the alpine vegetation with the magnificent views of the snow-capped mountains in the distant horizon. The trek was poetical, lost among the green woods, enchanted freshened air, wafting from the cool mountain breeze. While discovering more of each other, our families, worries and concerns while negotiating life in the capital, we also agreed on the need to fully devote our time and energy towards achieving the common organisational goals and objectives by working as a family and a team. We are convinced of the need to occasionally organise such activities.



(The BNLI hike to the sacred Lungchhutse Lhakhang)

(iv) Royal Civil Service Award

In keeping with the Royal Command received by the Royal Civil Service Commission, requirements of the Civil Service Act of Bhutan 2010, and as per the provisions of BCSR 2012, The RCSC is now ready to institutionalise the Civil Service Awards, which would constitute award of medals of different categories along with a Certificate each. This is a great institutional motivation - for their dedicated service to the Tsa-wa-sum. In 2017, a total of 3 BNLI staff was conferred with the Civil Service Award under the Hand and Seal of His Majesty the King. Two Accounts personnel, namely Mr. Dorji Gyaltsen and Mrs. Ugyen Zam were awarded with the Gold Medal in recognition to more than thirty years of dedicated service to the nation. While Mr. Phub Tshering, Driver was awarded with Silver Medal for his more than ten years of dedicated service to the nation.



(HRH awarding the Royal Civil Service Award to Mrs Ugyen Zam, one of the two recipients of the Gold Award).

Conclusion

Recognising its importance and roles required to play in a democratic Bhutan, with the adoption of the Judicial Service Act of the Kingdom of Bhutan, the Bhutan National Legal Institute is given the legislative recognition and independent legal status. It is the only legal training Institute established to cater in-service training and provide timely and appropriate training to judicial personnel with an objective of strengthening capacity of the judicial branch of the government. Under the wise leadership and stewardship of the Honourable President, Her Royal Highness Princess Sonam Dechan Wangchuck, the Institute has been working with utmost commitment to ensure capacity development in the judiciary and create informed citizens through Legal Dissemination Programs.

The implementation of Strategic Plan 2016-2020, which is prepared every five years has also led the Institute to bring new ideas and innovation towards dissemination of legal training and information to different sectors and stakeholders. In keeping with our vision, mission, core values and mandates of the Institute, the Institute has successfully conducted various programs for the Judiciary and other stakeholders in the year 2017.

Further, the Institute will nurture Bhutanese lawyers, judges, and other legal professionals who are positive to the organic values and principles of our traditional legal practices, but at the same time, responsive and supremely aware of the standards and implications of their actions in the modern setting. Therefore, with the blessing from Zhabdrung Ngawang Namgyel, and with the Monarchs who are the exemplars of enlightened leadership in their dedication of service to Tsa-Wa-Sum, the Bhutan National Legal Institute has been bestowed with new opportunities and enthusiasm to pursue further improvement of our standards of legal education and awareness of basic rights and responsibilities of the general citizenry of Bhutan. We aspire to promote the highest standards of professional competence and practice of the Judiciary and complement it with a legally well-educated society in fostering a modern, improved, and sound version of our own unique Bhutanese legal system.

