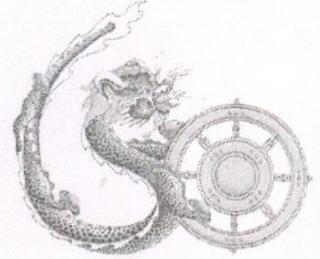




དཔལ་ལྷན་འབྲུག་གཞུང་།
ལྷན་ཁྲིམས་གཞུང་ཚོགས་ཡིག་ཚང་།

ROYAL GOVERNMENT OF BHUTAN
Cabinet Secretariat
Gyalyong Tshogkhang
Thimphu : Bhutan



CABINET SECRETARY
C-3/67/ 688

15 March, 2015

Hon'ble Secretary,
GNH Commission,
Tashichhodzong, Thimphu.

Sub: Revised Protocol for Policy Formulation of the Royal Government of Bhutan

Dasho,

The Government has endorsed the revision of the Protocol for Policy Formulation of the Royal Government. A copy of the approved Revised Protocol is attached herewith.

The GNHC Secretariat is directed to have proper definition of the Government policy since sometimes the strategies and guidelines are also treated same in the current context. It may therefore be important to differentiate and define properly policy, strategy and guideline, and what they mean.

This letter has reference to the 67th Lhengye Zhungtshog held on 3rd March, 2015.

RED
u
28/3

Yours sincerely,
Phuntsho Namgyel
(Dr. Phuntsho Namgyel)
Offtg. Cabinet Secretary

Copy for kind information to:

1. Hon'ble Minister, All Ministries, Thimphu
2. PS to PM, Gyalyong Tshogkhang, Thimphu

Director
13/3

Sent notification
to all
Govt. mins.
at Agencies.
Mme
23-03-15



Royal Government of Bhutan

Protocol for Policy Formulation

All public policies in Bhutan, irrespective of their origin but with the exception of a Royal Command or national exigencies, shall be formulated/ revised, approved and adopted in line with the following Protocol for Policy Formulation.

1. Proposals to formulate/revise public policies in Bhutan can originate from the Lhengye Zhungtshog (Cabinet), sectors and the GNH Commission.
2. For purposes of proper planning the conception and formulation of policies will be undertaken periodically and revision of policies can be undertaken as and when required.
3. All Policies/concept notes originating from the Sectors must be routed through their respective Policy & Planning Divisions (PPDs), who shall be the focal points for policy coordination.
4. All Policy concept notes will be submitted to the Gross National Happiness Commission Secretariat (GNHCS) for review.
5. The GNHCS will submit all Policy concept notes and recommendations to the Cabinet for approval.
6. The Cabinet will approve/reject the Policy concept notes and accordingly forward it's comments to the proponent and the GNHCS.
7. The formulation/revision of any Policy will be undertaken in two stages.

Stage one: Policy conception stage; and

Stage two: Policy formulation and approval stage.

8. Proponents desiring to formulate or revise a Policy shall do so only after the approval of the Policy concept note by the Cabinet.
9. Only Policies endorsed by the GNH Commission will be submitted to the Cabinet for approval.



Royal Government of Bhutan

Protocol for Policy Formulation

Stage One: Policy Conception Stage

1. The proposal to formulate/revise any Policy will begin with the preparation of a concept note of maximum 5 pages as per the format prescribed in Annex A, by the proponent.
2. The concept note will be submitted by the proponent to the GNHCS by the proponent.
3. The GNHCS will submit the concept note to the Cabinet for approval. The submission will include recommendations/views/comments on the concept note.
4. The Cabinet may either approve/reject the concept note or seek further clarifications from the proponent or GNHCS based on which approval/rejection can be made.
5. Approval/rejection of the concept note will be conveyed to the GNHCS and the proponent by the Cabinet Secretariat.
6. Upon approval of the concept note (with changes as directed by the Cabinet) the proponent may commence formulation/revision of the policy.

Stage Two: Policy Formulation and Approval Stage

1. The proponent shall commence formulation/revision of the draft Policy after receiving approval on the concept note from the Cabinet.
2. While formulating/revising the draft Policy, proponents should ensure that as a minimum:
 - i) all policy alternatives have been considered;
 - ii) all cross cutting issues such as Gender, Environment, Climate Change, Disaster, Poverty, Population and others are integrated within the policy;
 - iii) all relevant stakeholders who may be affected by the policy are consulted; and
 - iv) there is no conflict between the proposed policy and other existing policies, laws, and regulations.



Royal Government of Bhutan

Protocol for Policy Formulation

3. After formulation/revision, the concerned proponent shall submit the proposed draft Policy to the GNHCS along with the Policy Protocol Report as per the Format specified in Annexure B.
4. The draft Policy shall also be made available for comments on a public domain (web-based or other means) and shared with relevant Research Institutes and key stakeholders including those mainstreaming cross-cutting issues.
5. With the formal submission of the above documents to the GNHCS, the relevant division of the GNHCS shall review the draft Policy and provide feedback/comments to the proponent. When required, the proponent will make a presentation of the draft policy to the GNHCS.
6. The proponent can either incorporate the comments/feedback or seek further clarifications from the GNHCS. If required, bilateral discussions can be held between the proponent, key stakeholders and GNHCS.
7. Upon incorporation of the comments agreed on between the sector and GNHCS, the revised draft Policy shall be subjected to the Gross National Happiness (GNH) Policy Screening Tool by the Proponent Sector and the GNHCS (as two separate exercises):
 - i. Prior to screening of a draft Policy, a bilateral session shall be held between the proponent sector and the GNHC Secretariat on the relevance of certain GNH indicators against the policy in question.
 - ii. The screening shall be undertaken individually by those participating in the screening exercise (The revised draft Policy and Screening Tool to be shared a few days prior to the meeting).
 - iii. A diverse mix of stakeholders shall participate, numbering to at least 15 participants.
 - iv. The sectoral focal points for gender, environment, and other cross cutting issues (if there are such focal points appointed) and other external key stakeholders shall be involved in the screening exercise.
8. The proponent will submit their individual and consolidated GNH Screening results to the GNHCS. All rationales and mitigation measures need to be duly completed.
9. The GNHCS will also conduct a GNH Screening of the policy.



Royal Government of Bhutan

Protocol for Policy Formulation

10. The revised draft Policy document and the screening results shall be submitted to the GNHC through the GNHCS. The presentation of the draft Policy to the GNHC will be done by the proponent, the GNHCS will present both the GNH screening results and additional comments, if any.
11. The GNH Commission will either endorse the draft Policy as submitted, recommend further review which may be through the institutionalization of a task force, accord endorsement subject to revisions, or provide additional directives.
12. If instituted the task force shall present its recommendations to the GNHC for review.
13. If endorsed, the sector shall revise the draft Policy according to the directives received from the GNH Commission and submit a copy of the revised draft Policy to the GNHCS to ensure all directives of the GNH Commission have been considered.
14. The GNHCS will convey endorsement of the revised draft Policy to the proponent and Cabinet Secretariat.
15. The revised draft Policy endorsed by the GNHCS shall be submitted to the Cabinet by the proponent for approval.
16. The Cabinet shall convey approval of the draft Policy or issue further directives to the proponent with a copy to the GNHCS.
17. If approved, a copy of the approved Policy (after incorporation of Cabinet's directives) will be shared with the GNHCS by the proponent
18. If there are major revisions to the draft Policy the Cabinet can subject the draft Policy to the following before according approval:
 - i. The re-application of the entire Policy Protocol or
 - ii. An additional review by the GNHC/S or other agencies or institutions or
 - iii. A re-application of the GNH Policy Screening Tool
19. The approved Policy shall be implemented by the proponent/agency identified within the Policy.
20. The proponent/agency shall submit an action plan for implementation of the



Royal Government of Bhutan

Protocol for Policy Formulation

Policy to the GNHCS.

21. The action plan should clearly spell out the responsible agency, indicative budget and timeframe, activities, outcomes, outputs, and associated indicators.
22. The GNHCS will endorse the action plan and seek clarifications if necessary.
23. Based on the endorsed action plan, policy will be monitored according to the GNHCS Policy Monitoring Framework.
24. The GNH Commission shall carry out post-adoption evaluation of Policies. The findings of the evaluations shall be used to refine Policies.



Royal Government of Bhutan

Protocol for Policy Formulation

Annexure A: Format for Submission of Policy Concept Note

The formulation of any policy will begin with the approval of the Concept Note by the Cabinet.

The primary purpose of the concept note is to provide convincing arguments on the existence of pertinent issues that need to be resolved and to justify the need for a new policy/revision of an existing policy. The note should be succinct and understandable. As a minimum the Concept Note should clearly state the following:

i. Context and Background-The reason/rationale for proposing a new policy or revising an existing policy

- Is the proposed policy an outcome of government directives, if so which directive?
- What are the major issues the proposed new policy/policy revision intends to address? What are the root causes of the issues in question?
- What are the implications if the issues are not addressed?

ii. Critique of current policy options and approaches:

- Briefly explain the shortcomings/failing of the current approaches (policy/act/regulation/others) or the limitations posed by the absence of the policy in addressing the issue(s).

iii. Policy Recommendations

- Briefly explain how the proposed new policy/policy revision will address the shortcomings of the current approaches/regulations/policy or the limitations posed by the absence of the policy.
- Briefly explain the major costs and benefits that may arise out of the policy in terms of resources (physical, financial, human, and others) and processes that will result with the proposed new policy/policy revision.

iv. Integration of GNH and cross cutting issues



Royal Government of Bhutan

Protocol for Policy Formulation

- What are the opportunities and challenges pertaining to GNH, Disaster, Environment, Poverty, Climate Change, Gender, Population, Health, ICT, and other cross-cutting issues that may arise from the proposed new policy/policy revision?
- Briefly describe how the policy will make use of the opportunities or mitigate the challenges that may arise with respect to GNH, Disaster, Environment, Poverty, Climate Change, Gender, Population and other cross-cutting issues by adopting this policy.

v. Process and indicative timeline

- Provide details on the process and indicative timeline that will be followed developing the policy including likely need/use of TA. (If TA is to be used, the ToR must be shared with RED, GNHCS for comments)
- Briefly provide details on policies/acts/regulations that may conflict with the proposed new policy/policy revision and explain how the conflict will be resolved
- List of stakeholders who will be consulted.

vi. Major impediments or risks foreseen in the development of the policy.



Royal Government of Bhutan
Protocol for Policy Formulation

Annexure B: Format for Policy Protocol Report

1. Title Page

- a. Title of the Policy
- b. Name and contact details of the organization submitting the issue
- c. Name and Contact details of the focal point
- d. Date of submission

2. Background and Context

- a. Current situation: Provide a brief overview of major issues, their root causes, and implications if not addressed.
- b. Current approaches and options: Provide a brief overview of the existing approaches (rules/regulations/acts/ policy) that currently exist.
- c. Critique of the current approaches/options: Provide a brief overview of the shortcoming or limitations of the current options or approaches in addressing the issue.
- d. Provide brief information on Prior Government Decisions/ Orders. Kindly mention References, etc.

3. Policy Recommendations

- a. Provide a brief overview on how the proposed policy will address the issues in question.
- b. Briefly explain the major costs and benefits that may arise out of the policy in terms of resources (physical, financial, human, and others) and processes that will result with the proposed new policy/policy revision.

4. Research and Findings

- a. Mention any studies, appraisals, etc. carried out on issues related to the PP along with key findings and recommendations
- b. Attach copies of the studies and reports referred to under a.



Royal Government of Bhutan

Protocol for Policy Formulation

5. Integration of GNH and Other Cross Cutting Issues

- a. What are the opportunities and challenges pertaining to GNH, Disaster, Environment, Poverty, Climate Change, Gender, Population, Health, ICT, and other cross-cutting issues that may arise from the proposed new policy/policy revision?
- b. Briefly describe how the policy will make use of the opportunities or mitigate the challenges that may arise with respect to GNH, Disaster, Environment, Poverty, Climate Change, Gender, Population and other cross-cutting issues by adopting this policy.

6. Other Implications

- a. State any other implications (legislative, financial, social, administrative, political, institutional, etc.)

7. Consultations

- a. Consultation Process with other Stakeholders/Organizations – Provide a list of the stakeholders and organizations consulted.
- b. State controversial issues, key findings and recommendations from the consultation process.

8. Attach a copy of the proposed policy.