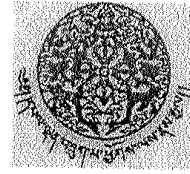




ROYAL GOVERNMENT OF BHUTAN
ANTI-CORRUPTION COMMISSION
'NATION'S CONSCIENCE'
THIMPHU, BHUTAN
"Lead by example"
"If you care, you will dare"



ACC/PD-02/854

20 June 2009

Secretary,
Cabinet Secretariat,
Tashichodzong

SUB: RULE & DECISION MAKING PROTOCOLS

Dear *Dasho*,

The ACC's perception surveys, complaints that we receive everyday and other empirical studies reconfirm that absence of clear rules and undefined discretionary powers lead to abuse of authority, which is one of the main causes of corruption. Rule and decision making procedures are either absent or if present in any form lacks transparency. Multiplicity of bills are packed for ratification every year, from which emanate greater number of rules or numerous government decisions are conveyed in various forms such as executive orders, officer orders, rules, procedures, guidelines, etc. Bills which are reportedly passed as a matter of urgency take as long as 5/7 years to be enforced. Most importantly, rules and government decisions that impact daily lives of people seldom carry the voice of the people and their realities. Besides, not only the general public but even public servants who are responsible for enforcing the rules or government decisions are not even aware of those very rules or decisions.

Rule of law is a critical tenet of democracy. Therefore, it is important that transparent and effective formal procedures are established for rule and decision making, clearly highlighting the important need for public engagement (beyond the regular stakeholders' convention) and public information.

Therefore, in an effort towards enhancing transparency, accountability and professionalism in setting objectives, who formulates rules, how they are formulated (process), what should be the content including its form (all forms need to be clearly defined) and plan and schedule of enforcement including laws passed by the parliament. Further, the procedure may also include the need for bills to be vetted for unnecessary regulatory costs using tools such as Regulatory Impact Assessment (RIA) or the Standard Cost Model (SCM). Amongst others, the need to establish a rule and decision making protocol is also reflected in the National Anti-Corruption Strategy Framework and its implementation plan, which has been submitted to your office for endorsement by the Cabinet.

We are enclosing a material titled "Regulations.gov," which is a useful reference especially in terms of public engagement.

Thank you and we look forward to continuing our joint efforts in making our system of governance transparent, efficient and accountable, which we believe will inherently reduce opportunities for corruption.

Warm regards,

Yours sincerely,



Neten Zangmo
(Chairperson)

- CC: 1) Chairperson, Legislative Committee, National Assembly of Bhutan;
2) Chairperson, Good Governance Committee, National Council of Bhutan; &
3) Secretary, Ministry of Information and Communications.

Encl: As above (3 pages)