

# Arbitrating Media Issues During Elections

*BICMA explains its specific role as the Office of the Media Arbitrator for the fourth general elections of Bhutan*

Media, both online and offline, play a very significant role in shaping public opinion and even influencing political outcomes. Unbiased media coverage during the electoral process is of paramount importance in ensuring a free and fair election. Recognising the significant role of media in the electoral process, the Election Commission of Bhutan establishes an Office of the Media Arbitrator (OMA) during national elections.

In the past, officials from different agencies were appointed by the ECB as the media arbitrator. ECB appointed the Bhutan InfoComm and Media Authority (BICMA) as the OMA for Thromde Elections 2021, Local Government Elections 2021, the 2023 National Council and the forthcoming elections.

The primary function of the OMA is to create a conducive environment to ensure that media coverage is fair, accurate and unbiased. The OMA also ensures that online platforms are not misused to spread misinformation, promote hate speech, or unfairly influence the electoral process. The OMA is given the responsibility to monitor and review media content during elections, handle media-related complaints, allocate campaign broadcasting time and space in print and broadcast media, and above all, to ensure strict adherence to media-related rules and guidelines issued by the ECB during the election period. In the past, problems included social media users engaging in third-party advertising and campaigning during the no-campaign period, which is also not permissible according to the electoral laws.

BICMA functions as the OMA, separate from its normal mandates. BICMA officials monitor broadcast, print and social media during elections. Recognising the complexity of social media and considering the reach and influence of the available platforms, the ECB also appoints a focal from each dzongkhag (district) as a dzongkhag social media monitor

to assist the OMA, specifically in overseeing activities on various social media platforms.<sup>1</sup> The monitoring is done mainly to ensure that there is no campaigning during the no-campaign period, no third-party advertising, and no defaming other candidates/parties.<sup>2</sup>

Additional responsibilities of the OMA include issuing media permit cards to Bhutanese journalists to cover election-related events and talks. As requested by the candidates, the OMA also issues work orders for the advertisement of campaign materials to the media houses, after ensuring that all campaign materials are approved by the ECB, and subsequently forwards the bills to the ECB/candidates for payment.

Unlike in the past, media coverage of the 2023 National Council Elections was wide and diverse. A total of six out of seven print media houses and two broadcasting media (BBS TV & Radio) covered and aired stories that included election campaigns.

Most of the articles covered by the newspapers were focused on introducing the candidates to the voters - their educational backgrounds, past work experiences, and pledges. A few of the editorials and stories educated the general public about the significance of choosing the right leaders and the importance of voting.<sup>3</sup>

It was observed that a majority of the candidates chose to advertise their campaign material in Kuensel, followed by The Bhutanese. While some advertisements also went to three other newspapers, two newspapers did not receive any advertisements. The advertisement of campaign materials in the newspapers was routed through the OMA according to the candidate's personal preference of the newspaper. The basis of the preference may be attributed to factors such as circulation, popularity and other personal reasons.

In the broadcast media, most of the content covered was related to the

1 ECB Social Media Rules and Regulations of the Kingdom of Bhutan, 2018 and Media Coverage of Elections Rules and Regulations of the Kingdom of Bhutan, 2021.

2 Foreign journalists who intend to cover the elections will be accredited by the BICMA and not OMA. OMA has issued media permit cards to only local journalists; For each advertisement (posters, placards, and videos for the campaign) sent to the media houses, the OMA issues a work order and the bills from the media houses for the election advertisements are later verified by the OMA and forwarded to the ECB or the candidates for settlement.

3 For print and broadcast media, the OMA ensures that equal time slots and space allocation are provided to all candidates through monitoring and by keeping track of work orders issued.

number of candidates contesting from each dzongkhag in the dhamngoi zomdus (a meeting where not more than one nominee is selected to contest for elections as the candidate of a gewog or dzongkhag thromde). Broadcast coverage includes a panel discussion with ECB officials advocating how ECB is doing everything possible to successfully conduct the fourth parliamentary National Council elections 2023. Coverage also includes postal ballot registration, transformation initiatives, candidates' public debates. Candidates' audio and video advertisements, and important ECB advocacy advertisement videos.

In general, it was noted that the mainstream media coverage, including the publication and publicising of election campaign materials, was fair and gave all the aspiring candidates a level playing field and, therefore, no complaint of unfair treatment by the media was lodged with the OMA.

When monitored, the social media accounts of the candidates and other legitimate users presented no issue. However, the OMA faced challenges in regulating anonymous pages and those where admin and moderators' details and messaging features were concealed, since they did not respond to the OMA officials to remove posts that were in violation of the electoral laws. Furthermore, comprehensive monitoring proved difficult, since candidates and supporters engaged in closed groups for campaigning purposes and the existence of such groups was difficult to get to the notice of the OMA.

As Bhutan continues on its democratic journey, BICMA is of the view that the OMA will play a pivotal role in ensuring free and impartial coverage of the elections by the media, bloggers, and social media users by adhering to the media rules and regulations of the ECB.