

## **SEMINAR PROCEEDINGS**

### **High Level Seminar on Green Public Procurement (GPP)**

**10 December 2015**

**Tshokhang II, Le Meridien, Thimphu**

#### **EXECUTIVE SUMMARY**

The large turnout and active participation from a total of 60 participants at the half-day High Level Seminar on Green Public Procurement (GPP) indicated the commitment from the legislature, the executive and the judiciary to moving forward with GPP in Bhutan. Lyonpo Dorji Choden, Honorable Minister for Works and Human Settlement graced the seminar as the Chief Guest. Other participants included the Leader of the Opposition Party, Honorable members from both the houses, Thrompon (Mayor) of Thimphu, Justices and Judges of the Royal Court of Justice, CEOs and procurement officials from corporate bodies and autonomous agencies as well as representatives from private firms.

The optimization of value-for-money across the lifecycle of an asset, which is one of the main foundations for GPP, was acknowledged as being important for sustainable development in Bhutan. It was also acknowledged that greater ownership had to be exhibited by policy makers, bureaucrats and implementers and that it was time to move beyond the mindset of doing business as usual to doing business with a difference.

Clear political commitment, improvement in procurement process and raised profile of procurement profession were identified as some of the important aspects of implementing GPP in Bhutan. A wide range of topics related to procurement were discussed which included: addressing corruption in procurement, developing appropriate standards, revising of Bhutan Schedule of Rates (BSR) and Standard Bidding Documents (SBDs), implementing e-procurement, developing local skills in manufacturing and service industry, moving towards performance budgeting, creating enabling policies and devising incentives for local industries to supply to the government. The participants learned that for green procurement, one of the main changes in procurement practice would be to make functional or performance-based specifications rather than the technical specifications in the bidding documents.

Key takeaways from the seminar were:

- GPP has the potential to drive green growth and promote sustainable development in Bhutan.
- Revision of Standard Bidding Documents (SBDs) and Bhutan Schedule of Rates (BSR), and simplification of procurement procedures would enable procurers and suppliers to supply green/sustainable goods, works and services easily.
- Close collaboration between the different stakeholders is a must in order to create the right ecosystem for implementation of GPP.
- Ownership of the GPP concept at all levels would be important for successful and sustainable implementation of GPP in Bhutan.

It was noted that providing lead time to private sector would be important when embarking on GPP so as to prepare the Bhutanese market to supply goods and services that meet the GPP criteria set by the procuring agency.

#### **OPENING SESSION**

### **Summary of opening statement from Ms. Oshani Perera, Director, Public Procurement and Infrastructure Finance, International Institute for Sustainable Development (IISD)**

Ms. Oshani extended welcome note to all the participants to the seminar. At the outset, she highlighted the importance of GPP for Bhutan. She pointed out that Bhutan government spends huge amount of money in the procurement of goods, services and infrastructure (60% of the public expenditure which roughly translates into 21% of the country's GDP in 10<sup>th</sup> Five year plan). She said that government can use opportunity of buying to further strengthen our goals of development which is strongly embedded with Gross National Happiness.

She commended the recent executive order of Royal Government of Bhutan to buy locally produced construction materials. When the government comes in the forefront demanding for green goods/services and assures market for it, it will encourage our own industries to invest more, innovate and take risk to produce more green/sustainable goods or services.

She also commended on Bhutan government prioritizing green growth, creating knowledge based industry, skills building and GNH. Bhutan sandwiched between two giant countries in world, it is very important to build skills on green public procurement and showcase it in the SAARC region. Green Public Procurement can also encourage foreign direct investments.

She also explained about Green Public Procurement (GPP) which she said is all about having policies in place to buy goods, services and infrastructures that have minimum environmental and social impacts. GPP is also about considering the cost of products throughout its life cycle rather than buying the cheapest goods which may not be cost effective. She also briefly presented on the status Green Public Procurement Project Bhutan and its future activities.

Lastly, she requested participants to take the leadership in GPP and also inform others about it, empower procurers and inform the market about it.

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### **Summary of keynote address by Chief Guest, *Lyonpo Dorji Choden*, Minister, Ministry of Works and Human Settlement (MoWHS)**

At the outset, Hon'ble Lyonpo Dorji Choden pointed out that Ministry of Works and Human Settlement (MoWHS), despite being considered as anti-environment and brown sector, has initiated many activities that are environmentally friendly in the construction sector such as green buildings, green roads, greening the cities. She also pointed that Green Public Procurement is clearly in line with Bhutan's development goals such as GNH, green growth and sustainable growth.

Hon'ble Lyonpo said that looking at the central budget, public expenditure on procurement is very high and it is much higher than 60% what GPPB has found in its research. Among the Ministries, MoWHS has highest expenditure on procurement especially in road construction, water supply and solid waste management. Hon'ble Lyonpo mentioned that procurement in Bhutan has come a long way and it is an evolving process. She also expressed concern about the capacities of the officials involved in the procurement to deal with all multifaceted aspects of procurement. Lyonpo shared the latest decision by government to use locally produced building blocks in all the public constructions mandatorily so

long as it is available in the market and she said that this decision is in line with Green Public Procurement. Lyonpo said that just issuing executive order to buy locally produced goods/services will not work, it has to be integrated into the Bhutan Schedule of Rates (BSR), Standard Bidding Documents (SBDs) and other related documents.

She also reiterated on Bhutan's commitment for sustainable development and said that environment and culture are at the core of Bhutan's development framework and Bhutan has made ambitious pledge in recent COP21 summit to absorb three times CO2 than it emits.

Lyonpo also pointed that recognizing the importance of procurement profession and developing capacity of procurement personals is also very important. Uplifting the procurement unit is very important for every organization and particularly MoWHS has plans to raise the profile of its procurement division. Lyonpo stressed that the upcoming trainings planned by GPP Bhutan should be more comprehensive where procurers should be able to learn about the practical applications of GPP. Pilot tender which is being initiated by GPPB project will really help to demonstrate the practical application of GPP in Bhutan.

*Lyonpo* highlighted the following areas to focus on as we go by implementing GPP:

- Procurement cannot be taken as 'by the way' job. It requires specialized training and adequate capacities development,
- Training is crucial, now, to focus beyond concepts and general skills to developing higher level skills to relate and interpret concepts to bigger goals that the country has embarked upon. In this regard, how procurement connects procurers and procuring agencies together and how they together help solve real-time problems in procurement, and
- The circular that directs mandatory use of local construction materials has to find appropriate place in Standard Bidding Documents (SBDs), Instruction to Bidders (ITB) and they must converge to make implementation of this policy a success.

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### **Summary presentation on Status of GPP Bhutan & Way forward, Mr. Yeshey Dorji, Senior Project Officer, GPP Bhutan/IISD**

Mr Yeshey Penjor highlighted on the different work packages of the project and way forward. Research was one of main activities carried out by the GPPB project to establish the basis for all other activities. Development of handbooks for procurers on goods, services and works was another achievement of the project and it is currently with MOWHS for review and inputs. Based on the six research findings GPPB has submitted 10 major findings and recommendations to the government. GPPB is also initiating real time pilot tenders with Thimphu Thromde and MoWHS.

He informed that another important aspect of the project was building capacity of procurement officials and suppliers which will be carried out in the remaining project period. Three trainings for procurers and one on sustainable supply chain management will be conducted and preparation of training materials are in the final stage. In addition ten sensitizations programs among suppliers will be conducted in the coming years.

He said currently the project is looking at the Bhutan Schedule of Rates (BSR) and Standard Bidding Documents (SBDs) to identify opportunities for inserting green criteria, and looking into creating preferential programmes for Cottage, Small & Medium Industries in public procurement.

He further informed that creating knowledge platform for the long-term sustainability of the GPP project would be done through integration of GPP in the curriculum of Royal Institute of Management and throughout the Royal University of Bhutan's constituent colleges.

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### **Summary presentation on Major Findings & Implications, Mr. Kezang, Project Director, GPP Bhutan/IISD**

Mr. Kezang presented on the 10 major findings and recommendations which is already submitted to Ministry of Finance, Royal Government of Bhutan. Following are the 10 major findings and recommendations highlighted:

1. There is exiting legal and policy space to implementation of Green Public Procurement. Bhutan's constitution, economic policies, GNH and other policies allows integration of GPP
2. There is adequate regulatory and operational provisions such as public procurement rules and regulations and SBDs for immediate implementation of GPP
3. Sustainable or green products and services are becoming increasingly competitive in the market.
4. Explicit support from government for promotion of CSMIs through fiscal incentives and preferential treatments. Government need to do more on it to make it more viable and prominent by considering environment and social criteria's.
5. There is already a provision of using local materials. 5% preferential treatments for local produced goods, works and services is not being effectively implemented. It is recommended to use this provisions more effectively and further review it.
6. Huge public expenditure is on procurement. During 10<sup>th</sup> Five Year Plan (2008-2013), 60% of annual budget was on procurement which is around 23% of the country's GDP. From this major chunk is spend at the central level therefore this project is working with central agencies to provide trainings and initiate real time pilot tenders
7. Out of ten ministries MoWHS has highest spending on public procurement (36%), MoAF (12%) and MoH (10%). Hydro power project expenditure is not captured in the current study.
8. 46% of public procurement is financed through external grants. Therefore it is important to work with external partners to implement GPP.
9. In terms of works and services government agencies already procures from domestic and local suppliers but in terms of tangible goods, they are are entirely imported. Therefore buy Bhutan or brand Bhutan is highly recommended in this matter for sustainable procurement.
10. Public procures and suppliers need to be informed about business case on GPP. Research findings shows that the communication between two key players namely procurers and suppliers are lacking. There is need for platform for dialogue and discuss about this matter regularly.

He informed the floor that the 10 major recommendations and findings have been submitted to government 19<sup>th</sup> November for endorsement and said that endorsement from the government of this recommendations would be crucial for the GPP Bhutan project to move forward.

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## **Thematic Breakout Group Discussion**

### **GROUP 1: Establishing link between Green Public Procurement and Economic Self Reliance**

#### **Group members**

1. *Dasho* Tashi Wangmo, Eminent Member, National Council
2. Dr. Kinley Tenzin, Executive Director, Royal Society for Protection of Nature
3. *Dasho* Sonam Dondup Dorjee, Member of Parliament, National Assembly
4. *Dasho* Tempa Dorji, Member of Parliament, National Council
5. *Dasho* Sonam Wangchuk, Member of Parliament, National Council
6. *Dasho* Dorji Wangdi, Member of Parliament, National Assembly

#### **Main discussion points**

- There is a strong link between Green Public Procurement and Economic Self Reliance.
- GPP project aims at up-scaling public demand for environmentally friendly and domestically produced goods. This can boost local suppliers' capacity resulting in increased availability of green and locally produced goods. In the long run this can translate to less dependence on foreign goods and services which eventually can help achieve economic self reliance.
- Challenges however lie in the market linkage between the domestic suppliers and the market (demand). For instance, Bhutan produces ample goods and services but they lack standard certification or labelling.
- GPPB as a project can help to overcome this limitation by providing market linkage between the demand and supply.
- In the services the current shortage of labour in the country should be addressed by enhancing output capacities of the technical training institutes by injecting more funds for their expansion.

Some of the potential green goods and services that can be produced include:

- Construction materials from stone, locally produced cement, timber, steel, etc.
- Services such as, construction labour,
- Bamboo flooring, and Agricultural products.

### **GROUP 2: Green Public Procurement for Green Industrial Development**

#### **Group members**

1. *Dasho* Kinga Tshering, Member of Parliament, National Assembly
2. *Dasho* Pema Tenzin, Member of Parliament, National Council
3. *Dasho* Tshewang Jurmey, Member of Parliament, National Council
4. Mr. Kesang Wangdi, Deputy Secretary General, Bhutan Chamber of Commerce and Industry
5. Ms. Tshering Lham, Assistant Procurement Officer, Ministry of Health
6. Mr. Hem Raj Nepal, Chief Finance Officer, Druk Green Power Corporation
7. Ms. Pushpa Chhetri, (Bhutan ICT & Training Association)

### **Main discussion points**

- The authority to procure of air ticketing services could be devolved at the procurement officers and or procuring agencies level, thereby reducing transaction costs through advertisement, tender opening and evaluation.
- The credit of sustainable development must be upheld and should go to His Majesty the Fourth King. Bhutanese should start packaging it to other countries rather than new concepts formulated on the principles of GNH and re-exported to Bhutan from outside.
- E-procurement offers tremendous potentials. Government must expedite its implementation in order to save multiple resources.
- Further, procurement process must be simplified to achieve value-for-money across life cycle of asset.
- Environmental Impact Assessment and Social Impact Assessment as a part of hydro-power development must be carried out by Bhutanese firms.

### **GROUP 3: Exploring Bhutan's role in implementing a SAARC-wide Green Public Procurement**

#### **Group members**

1. *Dasho* Lungten Dubjur, Judge, High Court
2. *Dasho* Tharchen, Member of Parliament, National Council
3. *Dasho* Pema Drukpa, Member of Parliament, National Assembly
4. *Dasho* Pelzang Wangchuk, Member of Parliament, National Assembly
5. *Dasho* Tashi Dorji, Judge, Thimphu District Court
6. *Dasho* Kinley Namgyal, Judge, Thimphu District Court

#### **Main discussion points:**

- Bhutan has strong legal and institutional setup to integrate the Green Public Procurement (GPP).

- Overall guiding development philosophy GNH, requirement of country to have 60% minimum forest cover in the constitution, land acts and other related environmental acts strongly support GPP in Bhutan.
- Adequate oversight and regulatory agencies in Bhutan (Anti-Corruption Commission and Royal Audit Authority) have been instrumental in curbing problems of embezzlements and fraud in the use of public money.
- Considering the strong legal and intuitional system in Bhutan, it can definitely show a leadership and example in implementing Green Public Procurement in the SAARC region.
- Despite lots of challenges for Bhutan being import driven country where we land up buying many fake and cheap goods, there are huge scope in promoting and exporting organic agricultural products and herbal medicines.
- There was also discussion about the pros and cons of signing the Bangladesh, Bhutan, India and Nepal (BBIN) transport agreement which is deferred by both the houses in the recent parliament session.
- Terminal evaluation of the GPP project should be carried out and the lessons disseminated nationally as well as regionally.

#### **GROUP 4: Implementing Green Public Procurement in Bhutan: Opportunities and Challenges**

##### **Group members**

1. Mr. Phuntsho Gyeltshen, Chief Executive Officer, Construction Development Corporation Limited
2. Dr. Kinley Tshering, President, Khesar Gyalpo Univesity of Medical Sciences of Bhutan
3. *Dasho* Rinzin Jamtsho, Member of Parliament, National Assembly
4. Mr. Cheki Gyeltshen, Head, Procurement, Druk Green Power Corporation
5. ?
6. Mr. Mani Kumar Ghalley, Deputy Chief Planning Officer, Election Commission of Bhutan
7. ?

##### **Main discussion points**

The members identified the following opportunities and challenges in GPP in Bhutan

##### **Opportunities**

- Skill enhancement in timber processing
- Mechanization of wood industries to minimize wastage in wood processing
- Promotion of local industries and employment
- Potential to check INR outflow
- Locally sourced timber is currently used in all constructions by public agencies

- E-procurement could help improve transparency, reduce turnaround time and transaction costs
- Potential in leasing services(e.g. cleaning services, security services etc.) against procurement of services by individual agencies

### Challenges

- Lack of standard and technical specifications( e.g. lack of standardization in wood products-prefabricated parts),
- Lack of enabling policies, pricing and incentives,
- Domestic preference also creates a narrow set of vendors thereby killing competition
- Supply-demand dynamics,
- Areas close to urban areas are fast being depleted of commercial timber due to illegal extraction, and
- The difficulty in fixing appropriate price, high transportation costs especially when timber is sourced from fringe areas.

### GROUP 5: A GPP pilot tender in your constituency/ministry/agency

#### Discussion members

1. *Dasho* Lekey Dorji, Member of Parliament, National Assembly
2. *Dasho* Choida Jamtsho, Member of Parliament, National Assembly
3. *Dasho* Madan Kumar Chhetri, Member of Parliament, National Assembly
4. *Dasho* Rinzin Dorji, Member of Parliament, National Assembly
5. *Dasho* Dupthop, Member of Parliament, National Assembly
6. *Dasho* Tashi Phuntsho, Member of Parliament, National Council
7. Dr. Gyembo, Khesar Gyalpo University of Medical Sciences of Bhutan
8. Mr. Pradeep Pradhan, Associate Director, Corporate Services, Bhutan Power Corporation

#### Main discussion points

- The members deliberated actively on the GC road of Bardo-Tong Constituency in Zhemgang, Bhutan. The members highlighted the importance on certain factors that are required to consider for the sustainability of GC road.
- Cost, design and monitoring are the three most important factors that contribute towards the sustainable and quality of GC road. In terms of cost, they mentioned that the limited budget for the construction of road compromises the quality of road. The budget allocation depends on the nature of terrain, for example, mountain topography in the northern part of the country incurs huge cost compared to the central valleys and the plains in the south. Currently, budget is not allocated on the basis of nature of terrain.
- On the design aspect, the members mentioned that the tender document should have certain provisions on the road specifications like standard size, type of drainage including bridge and type of materials for road surfacing and retaining walls.

- The weather conditions and terrain play vital role in determining the size, drainage and materials for the road construction in a particular constituency.
- In terms of monitoring, the members raised that close and proper evaluation and monitoring is necessary for the quality of the GC road. For the long term monitoring to be easy and cheaper, pre-planning specifications are critical for the very success of any GC road.

The members also highlighted the following key values that can be derived from such pilot tendering of GC road in the constituency:

- Cheaper maintenance cost in the long run although initial maintenance cost will be higher,
- Assures quality design,
- Gains public trust, and
- Empowers tender committee

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### Panel Discussion

**Moderator:** Ms. Oshani Perera, Director, IISD

### Panelists:

1. *Dasho* Tashi Wangmo, Eminent Member, National Council
2. *Dasho* Kinga Tshering, Member of Parliament, National Assembly
3. *Dasho* Lungten Dubjur, Judge, High Court
4. Mr. Phuntsho Gyeltshen, Chief Executive Officer, Construction Development Corporation Limited
5. *Dasho* Lekey Dorji, Member of Parliament, National Assembly

### Question and Answer Session (Q & A)

The Q & A session consisted of the following comments/feedback and questions

1. Bhutan currently practices budgeting system based on objective code. The system practiced in many other countries is 'performance budgeting' that places focus on value-for-money. For smooth implementation of GPP, there is a need to shift to performance budgeting since GPP also insists on value-for-money across the asset's life cycle (***Dasho Dorji Wangdi, MP, National Assembly***)

Response from *Dasho* Tashi Wangmo, Eminent Member:

Most draft Government policies are subjected to rigorous screening prior to their implementation. However, when it is adopted and subsequently implemented, the impact evaluation of the policy is somehow kept in back burner. If we are to continuously assess the impact, various policies are creating at the ground level then greater focus has to be placed on

impact assessment of implemented policies. This would allow policy makers to learn continuously and improve future policy formulation.

2. GPP could not have been better timed. This project will benefit Bhutan in general and also further improve its image as a champion of environmental conservation, Gross National Happiness (GNH) and sustainable development. However, even as we go by implementing GPP with a strong good intention it is equally important that 'trust deficit' if any is removed and all agencies at different level involve in this movement.

It is also wise to ask ourselves if the Government needs to provide subsidies industry players to cash in on the demand created by GPP for green goods, works and services (**Dasho Rinzin Dorji, Member of Parliament, and National Assembly**)

3. a. GPP could rightly be taken up to the SAARC level and not just restrict it to Bhutan.
  - b. Development of electronic Government procurement (e-GP) should be expedited. E – procurement has tremendous potentials to save resources as well as enhance transparency and improve the possibilities of misinterpretation of procurement rules and clauses. When environmental and social criteria are included in tenders it is important to sensitize the suppliers adequately so as to prepare them to respond to such 'green tenders' effectively (**Ms. Pushpa Chhetri, Bhutan ICT & Training Association**). In addition, creating regular awareness on GPP through media will help in disseminating information to the public
4. a. It is wise that CSMTs get the due focus in the promotion of GPP. However, how can quality of the products produced by CSMTs be ensured in supporting CSMTs?
  - b. Economic reliance, which the Government has been emphasizing, is not achievable without skills local skills and manpower. For instance, the Construction Development Corporation Limited (CDCL) has prioritized the employment of local labour in the infrastructure development works that it undertakes. Construction industry is heavily dependent on imported labor and so are hydropower development projects. Bhutan currently employs over 50,000 Indian workers in construction alone. How can this problem be addressed? (**Dasho Dorji Wangdi, Member of Parliament, National Assembly**)

Response from *Dasho* Tashi Wangmo, Eminent Member:

Over the years, Technical and Vocational Education Training (TVET) has always been placed high priority. The same level of focus has to be continued in order to make vocational education attractive to our unemployed youth. In addition, impact assessment in any project which is lacking in the country needs to be addressed.

5. a. GNH originated in Bhutan but somehow we lost ownership of it and today see many of the tenets of GNH re-packaged and coming to Bhutan. We have to take leadership on GNH front.
  - b. Performance budgeting is definitely needed. There are sufficient safeguards provided if principles of GNH are followed in our development process. However, as we go about implementing policies we are caught in the warp of confusion as to where to give more focus - outcome, output, or process of development.

## On market perception

1. Private sector today views the bureaucracy in very poor light. Bureaucrats have been viewed as an entity with no decision-making abilities. Due to rampant incidences where bureaucrats have been taken to task, the majority of bureaucrats are averse to risk taking. Further, the low level of support systems for the bureaucracy by the polity in times of need has further widened the 'trust deficit' between the two vital arms of the government. In addition, performance evaluation should be based on the concept of GNH rather than on budget spent. Strong laws should be also in place to protect our procurement officials. **(Dasho Kinga Tshering, Member of Parliament, National Assembly).**
  
2. a. Prevention of systemic problems even before they arise should be the guiding principle in governance. Currently, there are no clear cut rules, penalties and incentives on erring and well performing bureaucrats. The executive branch of the Government has to take the onus of rectifying this.  
  
b. On upskilling: up-skilling at all levels should be promoted **(Dasho Lungten Dujur, Judge, High Court)**
  
3. a. Up-skilling of our labor is important. Blue-collar jobs need to be respected. Through the experiences of CDCL, we have learned that Bhutanese are ready to take up blue-collar jobs when adequate remuneration and support systems are available. GPP would allow creation of jobs in areas like waste management, water supply, security, cleaning services, construction, plumbing, masonry etc.  
  
b. Standard Bidding Documents (SBDs) and Bhutan Schedule of Rates (BSR) are real tools that could help promote green infrastructure development. However, revision of BSR is long overdue. Besides, promotion of prefabricated construction materials, mechanization of construction wood processing processes, standardization of local products would be key areas to focus. Real economic and social multipliers would come about from these positive changes.  
  
c. Move beyond the mentality of 'loose outcomes: tight procedures'. We need to simplify procurement procedures, promote e-procurement. **(Mr. Phuntsho Gyeltshen, Chief Executive Officer, Construction Development Corporation Limited)**
  
4. a. Switching over to performance budgeting overnight would be difficult. Meanwhile the Parliament is looking at budgeting of non- Five Year Plan activities, especially hydropower development through critical lens. This is in the light of the huge cost over runs that the mega hydro power projects under construction are going through. Similarly, World Bank has also recommended strongly that hydropower budget be made a part of the Government's budget.  
  
b. 'Trust deficit' is an important issue to be addressed. For democracy to thrive, participative processes are needed. Hydropower development is one area that is rife with issues- impacts of climate change on our hydropower development plan, inadequate prospects of local employment, social issue (displacement of people, compensation, regionally balanced development through equity in distribution of projects etc.)

At the policy level, due diligence for any policy decision including procurement is taken care. Different committees are formed to overlook any policy decisions. It's important for each individual to practice and educate others the importance of buying green. **Dasho Leki Dorji, Member of Parliament, National Assembly**

5. Third party involvement in the procurement is unnecessarily escalating cost of procurement. Certain goods/services could be directly procured by the government agencies without involvement of third party example air tickets. Bhutan has a huge scope in exporting organic products and branding Bhutan. ( **Pema Tenzin, Member of Parliament, National Council**)

### Summary of the panel discussion

- For the private sector to optimally cater to the demand placed by the promotion of GPP it is important to provide them with lead time. The first few years of the movement would definitely be difficult to cope up with but sound leadership should take care of this aspect.
- 'Design competitions' for innovative green start-ups could help bring down the overall cost of procuring green.
- The current policy environment in Bhutan is conducive to the development of green industry and therefore Bhutan must capitalize on this dividend to promote green growth that would be in line with the country's guiding principles of GNH.

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