



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

Distr.: General  
10 May 2009

Original: English

ADVANCE UNEDITED VERSION

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**Committee on the Elimination of Discrimination  
against Women**

Pre-session working group

Forty-fourth session

20 July-7 August 2009

**Responses to the list of issues and questions with regard to  
the consideration of the seventh periodic report**

**Bhutan**\*

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\* The present report is being issued without formal editing.

**WRITTEN REPLIES OF THE ROYAL GOVERNMENT OF BHUTAN TO THE LIST  
OF ISSUES PREPARED BY THE COMMITTEE ON THE ELIMINATION OF ALL  
FORMS OF DISCRIMINATION AGAINST WOMEN CONTAINED IN DOCUMENT  
NO. CEDAW/C/BTN/Q/7 DATED 12 AUGUST 2008**

*Prepared by the National Commission for Women and Children*

*for the*

*Royal Government of Bhutan*

*October, 2008*

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## ACRONYMS

1. **BBS** - Bhutan Broadcasting Service, the national radio and TV station
2. **BCSR** – Bhutan Civil Service Rules and Regulations
3. **BHU** - Basic Health Unit
4. **BLSS** - Bhutan Living Standards Survey conducted in 2003 (Report published in 2004)
5. **B.Sc** – Bachelor of Science
6. **CEDAW** – Convention on the Elimination of All Forms of Discrimination Against Women
7. **CPS** – Community Primary School
8. **CRC** – Convention on the Rights of the Child
9. **DLG** – Department of Local Governance
10. **DoP** – Department of Planning
11. **DTVTC** – Drak Tsho Vocational Training Centre for disabled children
12. **DYS** – Department of Youth and Sports
13. **DYT** – Dzongkhag Yargye Tshogdue (District Development Committee)
14. **ECB** – Election Commission of Bhutan
15. **FYP** - Five Year Development Plan of Bhutan
16. **GDP** – Gross Domestic Product
17. **Geog** - Block
18. **GER** – General Enrolment Ratio
19. **GFP** – Gender Focal Point
20. **GNH**- Gross National Happiness
21. **GoI** – Government of India
22. **Gups** – Head of Geog

23. **GYT** – Geog Yargye Tshogdue (Block Development Committee)
24. **HRD** – Human Resource Development
25. **HRM** – Human Resource Management
26. **HSS** – Higher Secondary School
27. **ICT** - Information Communication Technology
28. **LSS** – Lower Secondary School
29. **MCH** – Maternal and Child Health
30. **MDG** - Millennium Development Goals
31. **MSS** – Middle Secondary School
32. **MoLHR** – Ministry of Labour and Human Resources
33. **MSTF** - Multi Sector Task Force (Established in every districts for the HIV/AIDS programme)
34. **NCWC** - National Commission for Women and Children
35. **NEC** – National Environment Commission
36. **NER** – Net Enrolment Ratio
37. **NFE** – Non-formal Education
38. **NGO** – Non Governmental Organisation
39. **NID** - National Institute for the Disabled
40. **NPAG** – National Plan of Action for Gender
41. **NWAB** - National Women’s Association of Bhutan
42. **OAG** – Office of the Attorney General
43. **OLA** – Office of Legal Affairs
44. **ORC** – Outreach Clinic
45. **PC** – Planning Commission
46. **PS** - Primary School

47. **RAC** – Royal Advisory Council
48. **RBP** – Royal Bhutan Police
49. **RCSC** - Royal Civil Service Commission
50. **RENEW** - Respect Educate Nurture and Empower Women, a national NGO
51. **RGoB** - Royal Government of Bhutan
52. **RH** - Reproductive Health
53. **SAARC** – South Asian Association for Regional Cooperation
54. **SCF** - Save the Children Fund USA
55. **SPEA** - School Parenting Education Programme
56. **Thuemi** – Member of Parliament
57. **UNDP** – United Nations Development Programme
58. **UNFPA** – United Nations Population Fund
59. **UNICEF** – United Nations Children’s Fund
60. **UNIFEM** – United Nations Fund for Women
61. **VTI** – Vocational Training Institute
62. **YDF** - Youth Development Fund, a national NGO
63. **YDRC** - Youth Development and Rehabilitation Centre

## **Introduction**

### **Background**

The Kingdom of Bhutan signed the Convention on Elimination of All Forms of Discrimination Against Women (CEDAW) on 17 July 1980 and ratified it on 31 August 1981. Bhutan's combined initial through the sixth periodic report to the Committee on the Elimination of Discrimination Against Women (hereinafter referred to as the Committee) was presented in January 2004. The Seventh Periodic Report was considered by the Committee during its forty-third session held from 19 January to 6 February, 2008.

As a reaffirmation of its commitment to the protection of its citizens' rights, and in particular women's and children's rights, Bhutan has ratified the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution 2002; the SAARC Convention on Regional Arrangement for the Promotion of Child Welfare in South Asia 2002; the SAARC Code for Protection of Breast Feeding and Young Child Nutrition 2004 and signed the two Optional Protocols to the CRC on the involvement of children in armed conflict and sale of children, child prostitution and child pornography in 2005.

### **Publicizing the Convention**

The CEDAW reports and the committee's recommendations have been widely circulated among government officials and the Bhutanese media. Literature on the CEDAW as well as Bhutan's combined initial through sixth and seventh report along with the Committee's recommendations will be posted on websites (*ncwcbhutan.net.*) and made available to the public. To increase the role of the media in disseminating information on the Convention and

the country's efforts to promote and protect the rights of women and children, the print and broadcast media in Bhutan have representatives on the Executive Body of the National Commission for Women and Children (NCWC). A series of trainings, sensitization and awareness activities have been conducted to promote understanding and awareness on the CEDAW among stakeholders, especially members of the parliament, media, law enforcement officials, the judiciary, educationists, parents and women and children. The NCWC also adopted the normative standards of the Convention along with other international human rights instruments to train electoral officers as a part of Bhutan's historic transition to a parliamentary democracy. More systematic campaigns are being planned by the NCWC in partnership with the media and other stakeholders.

### **Frameworks to Advance the Status of Women in Bhutan**

The Kingdom of Bhutan has developed a range of mechanisms for promoting the rights enshrined within this Convention; at the forefront are the mechanisms and ideals provided by the Constitution of the Kingdom of Bhutan. Under Article 7, "Fundamental Rights", Bhutan's Constitution states that "all persons are equal before the law and are entitled to equal and effective protection of the law and shall not be discriminated against on the grounds of race, sex, language, religion, politics or other status."

Under Article 9, "Principles of State Policy", Bhutan's Constitution includes specific provisions to safeguard the rights of children and women and to promote the welfare of the Bhutanese people. Specific provisions under Article 9 of the Constitution include that:

- The State shall endeavor to take appropriate measures to eliminate all forms of discrimination and exploitation against women including trafficking, prostitution, abuse, violence, harassment and intimidation at work in both public and private spheres.
- The State shall endeavor to take appropriate measures to ensure that children are protected against all forms of discrimination and exploitation including trafficking, prostitution, abuse, violence, degrading treatment and economic exploitation.
- The State shall provide free access to basic public health services in both modern and traditional medicines.
- The State shall endeavor to provide security in the event of sickness and disability or lack of adequate means of livelihood for reasons beyond one's control.

Bhutan also has a comprehensive range of social, economic, political and legal frameworks that seek to further enhance the relatively equal status of women in Bhutan, and eliminate any discrimination and violence that might exist against women and girls. The legal system and positive cultural attitudes are also drawn upon for the implementation and enforcement of the rights enshrined in the CEDAW, and a number of initiatives have been established to advance the status of women in all fields. Bhutan is well on track to achieving most of the Millennium Development Goals (MDGs), especially the goals in the health and education sectors. These achievements will lead to a direct and positive improvement in the life of Bhutanese women. As the MDGs are in consonance with Bhutan's development philosophy of GNH, the RGoB is strongly committed through a positive policy environment to make the achievement of the MDGs a reality.

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## **Gross National Happiness Commission**

In 1974, His Majesty the Fourth King pronounced Gross National Happiness (GNH) as the guiding philosophy of Bhutan's development process. In simple terms, GNH translates into the achievement of a harmonious balance through the four pillars of: a) sustainable and equitable socio-economic development; b) conservation of the environment; c) preservation and promotion of culture; and d) promotion of good governance. The central key to GNH-based public policy is the requisite search for balance, both within and between the four pillars. The philosophy of GNH upholds strong principles of equality of all human beings, the interconnectedness between all sentient beings (humans, animals, plants), and the human rights and responsibilities that must guide human conduct. The philosophy of GNH advocates a development path that gives more regard to the happiness of the country's citizens rather than the accumulation of greater GDP. Today the GNH philosophy has gained global acclaim and acceptance and many countries, especially those in the developed world, are examining it as an alternative mode of development to protect the wellbeing and prosperity of future generations.

As with Bhutan's past Plans, the overall thrust of the current Tenth Plan is to improve the quality of life of the people. Therefore, the development philosophy of GNH continues to form the core values for the Tenth Plan. Accordingly, the priorities, strategies and programmes for the Tenth Plan are formulated to ultimately contribute towards strengthening the four pillars. Another important element of Bhutan's 10<sup>th</sup> Plan is that for the first time a separate component on the protection of women and children is included as an integral part of the plan.

Under His Majesty the Fifth King, Bhutan's erstwhile Planning Commission has now been converted into the GNH Commission and is the agency responsible for coordinating and monitoring gender issues.

### **National Commission for Women and Children (NCWC)**

The NCWC is the national mechanism for coordinating and monitoring activities related to women and child rights, and reporting to treaty bodies. The Commission has a cross-sectoral and mixed representation of eleven members from the government, law enforcement, judiciary, social sector, civil society, including the media and the business sector. Before the establishment of the NCWC, a CRC Taskforce was established through a special government order in 2004 to look after matters not only relating to children, but also women's rights and issues.

The newly elected Government having reviewed the functions of the NCWC in great detail upgraded the status of the Commission to a fully autonomous body in August 2008. The Commission is currently chaired by a Cabinet Minister.

After it was formally established, the Commission conducted a series of awareness and consultation activities to sensitize stakeholders on issues related to women and women's rights. As an outcome of these activities, the Commission drafted the National Plan of Action for Gender (NPAG) as a sensitive gender policy for a safer and more protective environment for women and children that would provide vital input into the country's future development plans. In the absence of the NPAG the current practice was to generally incorporate targets and

indicators of gender awareness, equity and women's empowerment already embraced by RGoB through its commitments under CEDAW and in pursuit of the MDGs.

**List of Issues and Questions with regard to the consideration of Bhutan's 7<sup>th</sup> Periodic  
Report**

**Legal Status of the Convention, Optional Protocol**

**1. Please provide information on progress relating to the adoption of the draft constitution of Bhutan. Please indicate whether the principles of equality and non-discrimination have been incorporated in the constitution in line with articles 1 and 2 of the CEDAW Convention.**

- i) The Parliament of Bhutan adopted the Constitution on 18 July 2008. The Draft Constitution was the first document discussed by the first session of the Parliament after the establishment of a Democratic Constitutional Monarchy in the country. **Article 7** of Bhutan's Constitution guarantees all Bhutanese the 23 fundamental Rights which are in line with article 1 and 2 of the CEDAW Convention. The fifteenth Fundamental Right states that "All persons are equal before the law and are entitled to equal and effective protection of the law and shall not be discriminated against on the grounds of race, sex, language, religion, politics or other status."
- ii) Under Article 9, "Principles of State Policy," Bhutan's Constitution includes specific provisions to safeguard the rights of children and women and to promote the welfare of the Bhutanese people. Specific provisions under Article 9 of the Constitution include that:

- The State shall endeavor to take appropriate measures to eliminate all forms of discrimination and exploitation against women including trafficking, prostitution, abuse, violence, harassment and intimidation at work in both public and private spheres.
- The State shall provide free access to basic public health services in both modern and traditional medicines.
- The State shall endeavor to provide security in the event of sickness and disability or lack of adequate means of livelihood for reasons beyond one's control.

**2. In its previous concluding observations, the Committee urged state parties to ratify the Optional Protocol and to accept, as soon as possible, the amendment to article 20, paragraph 1, of the Convention concerning the meeting time of the Committee. Please provide information on any steps taken to implement the recommendation of the Committee.**

- i) In the last two years, as the country was in the process of making a transition to a Democratic Constitutional Monarchy, the NCWC has not be able to submit this matter to the government for consideration. This will be submitted to the government at an appropriate time. It may be noted that the State Party appreciates the recommendation of the Committee on the matter.

**National Machinery for the Advancement of Women and Plan of Action**

**3. The report states at page 19 that the National Commission for Women and Children will be de-linked from the Royal Government of Bhutan with a view to strengthening, inter alia, its mandate, legitimacy and influence (see also page 25). Please provide further information on the status of the NCWC, the number of persons working within the Commission and the financial resources available to carry out its work.**

- i) The National Commission for Women and Children was upgraded to a fully autonomous statutory body in August 2008. The Commission is chaired by a Cabinet Minister.
- ii) Currently, the NCWC is staffed with an Executive Director and managed by 10 members. The office has six Divisions: Women's Division, Children's Division, Data and Information Division, Legal Division, Administrative and Finance Division, and Complaints Division. With full autonomy established, NCWC is now better placed to recruit appropriate personnel to strengthen the organization and to ensure that there are adequate and appropriate human resources to manage the strategic divisions. (See Table 1: Organogram of NCWC)
- iii) In 2004, NCWC activities had just an activity line under the UNICEF program. Today, UNICEF and UNIFEM support full fledged NCWC projects. Under the 10<sup>th</sup> Five Year Plan, the RGoB will also allocate resources for NCWC projects and programs. The RGOB will also provide resources to facilitate the mainstreaming of gender into other sectoral policies and programs. With full autonomy, the

NCWC is also now strategically well placed to mobilize and receive financial resources from external donor agencies.

**4. Please provide further information on the measures and activities laid down in the draft National Plan of Action for Gender (NPAG) and aimed at promoting the enjoyment by women of their human rights and gender equality, including information on its planned implementation period, its monitoring mechanisms and the financial resources allocated for its effective implementation (page 18)**

- i) The National Plan of Action for Gender (NPAG) has been endorsed by the RGoB with the Gross National Happiness Commission as the custodian of the NPAG. In order to facilitate the implementation of the NPAG, gender focal persons have been appointed in the various sectors of the government, NGOs and the private sector. The TOR for Gender focal points was also endorsed by the RCSC in 2008.
- ii) Several focal persons have already undergone trainings on gender mainstreaming (especially the implementation of the NPAG in different sectors).
- iii) Reflecting the importance of gender and equity, gender mainstreaming is considered a cross-cutting theme in the 10<sup>th</sup> Five Year Plan where each sector was required to mainstream gender issues in the formulation of sectoral plans using disaggregated gender data where possible. The focal persons in the various sectors also have the responsibility of conducting gender sensitization activities. The Royal Government is committed to achieving the gender equity goals reflected in

the various Conventions it is party to including the MDGs and SDGs and to implementing the provisions of CEDAW.

- iv) Several sectors have already begun gender mainstreaming exercises and studies for their sectors. Gender mainstreaming exercises have been carried out in the Ministry of Economic Affairs and a study on the status of mainstreaming gender in environment conservation and management in Bhutan was carried out by the National Environment Commission (NEC).
- v) Since gender mainstreaming has been adopted as a cross-cutting theme in the 10<sup>th</sup> Five Year Plan, the GNH Commission is responsible for monitoring how effectively the various sectors have addressed gender mainstreaming within their sectors. The approval of sectoral budgets for the 10<sup>th</sup> Five Year Plan will also be based on how sectors have addressed environment and gender as cross-cutting themes.
- vi) The NPAG has been adopted by the government as a guideline for mainstreaming gender in the different sectors and sensitization and awareness programs on gender will continue to be a thrust of NCWC activities in the 10<sup>th</sup> Five Year Plan.

**5. Please provide an update on the status of the project within the Non-Formal Education programme to publish a book on children and women's rights. Please also provide further information on its content and the plans to make it available to women, including rural women, throughout the country (para. 224).**

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- i) A handbook on children and women's rights has been published in Dzongkha by the Non-Formal Education programme and is being used as a textbook for post literary classes. The handbook is available at all the Non-Formal Education Centers including those located in the rural areas.

### **Violence against Women**

**6. The report identifies the low awareness of women of their legal rights and the “culture of silence” as the main issues to target in the fight against violence against women and sexual abuse. Please elaborate on measures taken, or envisaged, to sensitize police and other law enforcement officials, judges, health services providers as well as other relevant stakeholders on this issue and in order to raise the awareness of the women victims of the violence of their rights, encourage them to report the acts of violence and to ensure that violence against women is prosecuted and punished. Please refer in particular to measures taken to implement the “16 point recommendations” listed in Annex 4A (para.377 and 379).**

- i) The NCWC commissioned a report on Violence Against Women in 2007. The final report will be published soon.
- ii) The 16 point recommendations were the outcome of two national consultation workshops held with the police and the judiciary in 2005 and 2006.
- iii) Gender sensitization programs were conducted for all police officers in Command in 2007 and for all Superintendents of Police in 2008.

- iv) Training on the CRC and trafficking were also conducted for police personnel.
- v) By the end of 2008, five police officers and judges completed trainings on child abuse and child protection laws in Thailand.
- vi) NCWC also conducted a gender sensitization program for the *Gups* and *Thuemis* of Paro, Haa, Dagana, Chhukha and Wangdue Dzongkhags in 2006.
- vii) The NCWC has also undertaken an intensive program to sensitize the media on the CEDAW, its provisions etc. and is working with the media to develop ways to use the media to sensitize the Bhutanese on CEDAW.
- viii) Police officers and staff of NCWC also attended trainings on trafficking in New Delhi. Participants are now working to establish cross border links with partners outside Bhutan. Besides the training, police officers have also established a network with their counterparts in the neighboring countries.
- ix) The Complaints and Response Mechanism (CRM) has been set up and handed over to the Royal Bhutan Police. The CRM is intended to provide quick responses to assist women and children victims through a toll free helpline. Three vehicles will be stationed in three locations around the capital to act as mobile police stations thereby shortening the response time to calls made by victims.

- x) After the training on trafficking in New Delhi, the first case of trafficking was sent to court in 2007 where the accused received a sentence of three years. The case also highlighted that irrespective of nationality and legality, all children are given protection under Bhutanese law.
  
- xi) Separate detention centers for boys and girls are available in Thimphu. The Royal Bhutan Police intends to establish similar facilities in Phuntsholing. It is also the priority of the Royal Bhutan Police to establish a Rehabilitation Center with hostel facilities for girls at Tsimasham, Chukha. Right now facilities are only available for boys.
  
- xii) The Royal Bhutan Police in collaboration with the NCWC established a Women and Child Protection Unit (WCPU) in May 2007 in Thimphu. Besides looking after the protection issues of women and children, the unit also looks after women offenders. The unit provides basic counseling services and facilitates referrals to NGOs (RENEW) and provides separate detention centers for boys and girls.
  
- xiii) Similar units will be established in Phuntsholing, Samdrup Jongkher, Gelephu and Bumthang to provide quick and sensitive responses to children and women's rights violations, especially to deal with domestic violence and abuse cases. The WCPU in Thimphu is staffed with twenty people who are trained and educated on the provisions of the CRC and CEDAW.

- xiv) To further complement the efforts of the NCWC and the Royal Bhutan Police, sensitization programs especially on child trafficking for the police, the judiciary and law makers will be continued.

**7. The Report states that the non-governmental organization “RENEW” expects to open a crisis and rehabilitation center for women victims of violence in Thimphu area (para. 379). Please provide an update on this project and indicate whether any shelters for women victims of violence or sexual exploitation are already available.**

- i) RENEW currently operates a crisis center in Thimphu City that can accommodate 12 women. A permanent crisis center that can accommodate as many as 100 victims is being constructed at Selekha, Sisina, about 20 km from the capital city. The center is expected to be completed in October 2009.
- ii) RENEW will construct a similar safe house in Trashigang District to cover the eastern districts.
- iii) These temporary shelter homes will operate 24 hours and provide victims of domestic violence and their children refuge from their abusers. The centers will also provide counseling services and support to help heal their emotional and physical wounds and to help them start lives free of abuse and violence.
- iv) Specifically, these shelters will provide a) crisis intervention; b) shelter services for abused victims; c) counseling; d) advocacy; and e) education.

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**Trafficking and exploitation for prostitution**

**8. The report states that the Royal Government of Bhutan has continued to work with local authorities, NGOs and the international community to combat trafficking in women (para. 86). It also states that in 2005 the Royal Bhutan Police recommended that the NCWC initiate studies, *inter alia*, on this issue (para. 90). Please describe the measures taken or strategies developed or planned to prevent and to combat trafficking in women or girls, and the results of the studies on trafficking, if available. Please also provide information on the cooperation within the framework of the South Asian Association for Regional Cooperation (SAARC) on the issue of trafficking in women (page 20).**

- i) A SAARC gender data base has been established to collect qualitative and quantitative data on gender to pursue ways of meeting SAARC commitments to mainstream gender in national and regional policies, to share information on trafficking, and to establish networks for the repatriation of victims of trafficking.
- ii) SAARC conducted training on trafficking in New Delhi earlier this year for law enforcement officers from member states.

**9. Please indicate whether the helpline for women victims of physical or sexual abuse, which could provide assistance also for women in prostitution, has been established (para 95).**

- i) The Royal Bhutan Police in collaboration with the NCWC established a Women and Child Protection Unit (WCPU) in May 2007 in Thimphu. Besides looking after the protection issues of women and children, the unit also looks after women offenders. The unit also provides basic counseling services and facilitates referrals to NGOs (RENEW) and also provides separate detention centres for boys and girls. The WCPU will also look after the functioning of the CRM which will be linked to the Child Help International network and other regional help lines.
- ii) RENEW is also in the process of setting up a “Hotline” to provide assistance to women victims of physical or sexual violence.

**10. According to para. 93 of the report, the Penal Code recognizes prostitution as misdemeanor punishable by a prison sentence. Please indicate what measures have been taken to ensure that women in prostitution, requesting assistance or advice, do not become subjects of criminal proceedings and can benefit from such assistance. Please describe on laws and measures adopted to prevent and punish the exploitation of prostitution as well as any measures taken to provide rehabilitation and support for the social rehabilitation of women who wish to leave prostitution. Please also indicate information on any measures taken to provide specialized training on trafficking for members of the police and other law enforcement officials, border guards, and the judiciary and give information on the effectiveness of these measures.**

- i) As a part of the women and child friendly initiative, NCWC is working with law enforcement officials to look at them as victims rather than criminals.

- ii) In the Constitution, Section 18 and 19 under Article 9 relating to Principles of State Policy state that:
- The State shall endeavor to take appropriate measures to eliminate all forms of discrimination and exploitation against women including trafficking, prostitution, abuse, violence, harassment and intimidation at work in both public and private spheres; and
  - The State shall endeavor to take appropriate measures to ensure that children are protected against all forms of discrimination and exploitation including trafficking, prostitution, abuse, violence, degrading treatment and economic exploitation.
- iii) Although the Constitution protects and provides safeguards against all forms of discrimination and exploitation including trafficking, prostitution, abuse, violence, degrading treatment and economic exploitation, sensitizing and training police officials and members of the judiciary remain critical to effectively implement these provisions of the Constitution. Only when law enforcement officials and the judiciary have a better understanding of issues related to trafficking and prostitution, the establishment of child and women benches in courts etc. will become a reality. The NCWC has embarked on programs to address this issue already and will reinforce its endeavors during the Tenth Plan.
- iv) A police officer, heading the Women and Child Protection Unit, attended a training on trafficking in New Delhi and in the United States. Besides learning

the technical aspects of trafficking, the officer also established a network with participants from neighboring states.

- v) In the first case of trafficking in Bhutan, the Royal Bhutan Police convicted a man of trafficking in 2007. He was sentenced to three years imprisonment by the court.
- vi) In terms of rehabilitation for women wanting to escape from prostitution, RENEW has a skills development program that includes weaving and IT. Although, RENEW's main target is victims of domestic violence, women wanting to leave prostitution are also welcome to join the skill development program.
- vii) Although concerted efforts are underway to sensitize all the stakeholders, the efforts have to be straightened to review existing legislation to make it more child and women friendly and to protect women from violence. These activities have already been highlighted in the 16 Point recommendation and will form integral parts of NCWC work plan during the 10<sup>th</sup> Five Year Plan.

### **Political participation and participation in public life**

**11. According to the report, the representation of women in the public and elected bodies remains low and the number of women elected to the national assembly in 2006 has declined compared with the number of women successful in the elections in 2001. Please provide information on any measures taken or envisaged**

by the government, including temporary spatial measures as per article 4, paragraph 1 of the Convention and the Committee's general recommendations 23 and 25, to promote the participation of women in public decision-making positions, in particular in the southern parts of the country, including measures aimed at empowering the women themselves and encouraging their standing for elections both at national, Dzongkhag Yargay Tshogdu, and Geog Yargay Tshogdu levels (paras. 105, 112-119 and 142).

- i) The NCWC collaborated with the Election Commission of Bhutan (ECB) to promote the participation of women and youth in Bhutan's first election.
- ii) In the first democratically elected parliament, there are four women parliamentarians in the National Assembly and six women parliamentarians in the National Council (Upper House). This translates into 13.2% percent women representation in Parliament (both National Assembly and National Council).
- iii) His Majesty the King's nomination to the Upper House included two women out of five nominees. This is another indication of the growing role of women in governance and a reflection of the Royal Government's endeavors to raise the profile of women.
- iv) Under the present government, fourteen standing Committees have been established in the National Assembly. While the Legislative and Public Accounts Committees were established in 2003, the other 12 Committees were established in 2008 during the first session of the National Assembly. The Committees on

Women and Children and Education Development are both chaired by women MPs.

- v) In the National Council, there are seven Committees. The Committee on Social and Cultural Affairs is chaired by a women MP.
- vi) The two political parties that contested the first democratic elections in Bhutan also had women's committees to campaign for the parties. These committees highlighted the commitments of the parties to health and issues related to women and women's rights and were effective tools in garnering the votes of women and girls.
- vii) In the Prime Minister's Office, a woman is also heading the section looking after the social sector that includes health, education, women and youth issues and human rights.
- viii) NCWC has also commissioned a study on Gender Prejudices and Stereotypes, and Women's Political Participation (Women in Governance). The study will analyze the obstacles to women's equal participation in decision making and make concrete recommendations to address the challenges. The results of these studies will help the NCWC in making strategic interventions to promote women in governance at all levels.

**12. Please provide further information on the measures taken to or planned, including temporary special measures as per article 4, paragraph 1 of the Convention and**

**the Committee's general recommendation 23 and 25 to address the very low participation of women in civil service functions, in particular at higher levels of public administration and in the judiciary. Please also provide further information on measures taken or envisaged to address the prevalence of vertical segregation of women and men, and to facilitate the access of women with higher education to work and salary levels corresponding to their qualifications (paras. 121 -127 and tables 7.4 – 7.6).**

- i) Employment figures for June 2007 and June 2008 from the Management Information Services Division of the Royal Civil Service Commission indicate a rise in the number of female civil servants. Contrary to the belief that female civil servants were mostly employed in the operational section, figures indicate a rise in the percentage of females at the professional and management levels.
- ii) In June 2007, out of a total of 18,592 civil servants, there were 5,391 female civil servants comprising 29% of the civil service. Out of this 2,659 female servants occupied positions at the professional and management levels and only 339 female civil servants held positions at the operational level.
- iii) In June 2008, out of a total of 19,516 civil servants, there were 5,763 female civil servants comprising 30% of the civil service. Out of this, 2,924 females' occupied positions at the professional and management levels and only 392 females held positions at the operational level.

- iv) This trend indicates that although the Royal Civil Service is a gender neutral agency and offers no special privileges for female job seekers, female employees are gaining more ground, especially at the professional and management levels.
- v) The Labour and Employment Act 2007 also include provisions to prevent gender based discrimination at workplaces. Chapter II of the Act, from Sections 11 to 15 addresses discrimination of employees and job seekers.
- vi) Section 11 of the Labor and Employment Act 2007 states that “*An employer and an employment agent shall not discriminate against employees or jobs applicants for vacancies in connection with recruitment, dismissal, transfer, training and demotion*”.
- vii) Section 12 of the Act states that “*An employer shall not discriminate against an employee with regard to wages and working conditions*”.
- viii) Section 13 of the Act ensures equal pay for equal work, “*Discrimination regarding pay conditions takes place in the case of failure to give equal pay for equal work or work of equal value*”.
- ix) Violators of these sections are liable to pay a fine of a minimum of one year’s wage to a maximum of three years wage.
- x) The Department of Labor has conducted several workshops around the country to create awareness of the Act throughout the country.

**Stereotypes and Education**

**13. According to para. 85 of the report, the Royal Government of Bhutan will work towards eliminating existing negative images of women through the mass media and review school curricula and school books. Please elaborate on any concrete measures taken or envisaged to that effect and indicate whether any other measures have been taken to eliminate stereotypes and cultural patterns that discriminate against women.**

- i) Reforms in the school curricula for Math, Dzongkha and English have already been engendered.
- ii) With regard to mass media, the current situation in Bhutan is very conducive for promoting the image of women. The Bhutan Broadcasting Services (BBS) and Kuzoo FM are both headed by women who have a keen interest in elevating the profile of women in Bhutanese society. NCWC is currently working with Kuzoo FM to develop programs on women's rights and women's issues.
- iii) KUZOO also invites experts from NCWC and RENEW to sit on their shows to talk about CEDAW and RENEW programs and facilities.
- iv) Although these programs are made and broadcast by KUZOO FM, the station hopes to receive financial and technical support from UNICEF and NCWC in

the near future so that it is able to play a more comprehensive role in eliminating stereotypes and discrimination against women.

- v) BBS programs on women and women's issues are intended to not only educate viewers and listeners on women's rights and health, but also to remove gender stereotypes in the work place.

**14. Please indicate information on whether any targeted measures have been undertaken or are envisaged to address the gender gap in favor of the boys in the enrolment in primary schools in the four Dzongkhags, as identified in para 188 of the report.**

- i) The Ministry of Education has recently commissioned a study on access to education. The study is intended to address gaps in enrolment in primary figures and device mechanisms to improve such gaps.
- ii) The Indicative Net Primary Enrolment Ratio and the Gross Primary Enrolment Ratio per Dzongkhag for 2008 indicate improvements in the ratio of girls to boys enrollment. The Gender Parity Index (GPI) is the ratio of girls to boys enrolment. If the index is between 0.97 and 1.03, it is considered to be parity or equal representation of both sexes. However, if it is higher or lower, one of the sexes is underrepresented. The Net Enrolment GPI figures for Lhuntse (0.95 in 2006, 0.99 in 2008); Trashigang (0.0.90 in 2006, 0.99 in 2008); Trashiyangtse (0.95 in 2006, 1.00 in 2008) and Samdrupjongkher (0.94 in 2006, 0.95 in 2008) all show increases in the enrolment of girls. Figures for Lhuntse, Trashigang and

Trashiyangtse indicate equal enrolment of girls and boys in 2008. Table annexed.

**15. Please provide information on measures undertaken, or envisaged, in particular under the pilot Continuing Education Program 2006, to improve the achievements of girls as from class IX and to address the gender gap as well as the higher drop-out rates of girls from that grade onwards as an effort to give girls equal access to higher secondary education (paras. 229-231). Please also indicate whether any research will be undertaken on the causes of the girls' higher drop-out rates (para. 237).**

- i) In 2006 the Ministry of Education started a pilot Continuing Education Programme at Kelki Private HSS, to offer adults who had to leave school before finishing their secondary education the opportunity to upgrade their qualifications. Presently the programme offers 2 year courses for completion of classes X and XII. Since most of the participants are in-service people, the classes are conducted in the evenings and on the weekends. In 2007 and 2008 the programme expanded to more schools in Paro and Chhukha. The programme has been found to be very popular, especially at classes XI and XII. The number of women enrolling in these programs is increasing every year. In 2008, out of 577 students, 311 were women; 12 in class IX, 33 in class X, 171 in class XI and 95 in class XII (See Annex Table 5).
- ii) The Ministry of Education is also conducting a comprehensive study on Girls Enrolment at Higher Secondary levels to find out the reasons for the low

participation of girls at Higher Secondary levels. Based on the recommendations of the study, the Ministry will devise appropriate interventions to encourage greater enrolment of girls at the Higher Secondary level.

**16. Please provide further information on concrete measures taken, or envisaged, to increase the number of women who complete the higher secondary school to continue their studies and enroll in institutions offering tertiary education, and also accomplish such studies, as recommended by the Committee in its previous concluding observation (para. 154 and table 10.10).**

- i) Maintaining the number of girls in tertiary institutions still remains a big challenge for the Royal Government. As highlighted in paragraph 69, the Ministry of Education is conducting a comprehensive study on Girls Enrolment at Higher Secondary levels to find out the reasons for the low participation of girls at Higher Secondary levels. It is expected that appropriate interventions to enhance girls enrollment at Higher Secondary levels will automatically lead to more girls enrolling in tertiary institutions.
- ii) Each year the government provides scholarships for class XII graduates to study various professional courses abroad. These slots are limited and merit-based. Several funding sources like the Government of India also provide undergraduate scholarships. The number of Bhutanese students studying abroad through private funding has also increased and the number of girls studying abroad through private funding is much higher than the number of boys. However, the number of females receiving scholarships is much lower than the

number of boys as maintaining the number of girls in tertiary institutions (at the same level as in class X) still remains a major challenge for the Royal Government.

### **Nationality and Citizenship**

**17. Please provide information on any amendments made or planned in respect of citizenship and nationality laws to bring them in conformity with article 9 of the Convention, as recommended by the Committee in its previous concluding observations, which focus on changes required to grant women equal rights with men with respect to the nationality of their children.**

- i) It may be mentioned that Article 6 of the Constitution deals entirely with citizenship. Section 3 of Article 6 provides clear criteria for acquisition of citizenship through naturalization. Further Article 9 of the Constitution includes specific provisions to safeguard the rights of children and women.

### **Employment and reconciliation of work and family life**

**18. Please elaborate on the provisions on punishment for acts of gender-based discrimination in the new 2007 Labor and Employment Act of Bhutan, and indicate whether they have already been applied, and if so, with what effect (page 29)**

- i) The Labor and Employment Act 2007 include the following provisions to punish acts on gender-based discrimination at workplaces.
- Chapters II of the Act, from Sections 11 to 15 address the discrimination of employees and job seekers.
  - Section 11:  
*“An employer and an employment agent shall not discriminate against employees or jobs applicants for vacancies in connection with recruitment, dismissal, transfer, training and demotion”.*
  - Section 12:  
*“An employer shall not discriminate against an employee with regard to wages and working conditions”.*
  - Section 13:  
*“Discrimination regarding pay conditions takes place in the case of failure to give equal pay for equal work or work of equal value”.*
- ii) Those who violate these sections of the Act are liable to pay a fine of a minimum of one year to a maximum of three years of the daily minimum National Wage Rate.
- iii) As per the record of complaints received by the Department of Labor (DoL), no complaints on gender discrimination in the work place have been received so far.

**19. Please provide information on any measures taken, or envisaged, to address the higher unemployment and stereotypical attitude of employers towards women as**

**employees that were revealed by the National Labor Force survey and referred to in para. 261 of the report.**

- i) No concrete measures have been taken to address this issue so far.

**20. The report states that sexual harassment is prohibited under the 2007 Labor and Employment Act of Bhutan and that it is also defined as a crime under the Penal Code (paras. 297 and 301). Please indicate whether these provisions have been applied, and if so, with what effect, and whether these provisions have brought any changes to the attitude towards sexual harassment.**

- i) Chapter II, Section 16 to 20 of the Labor and Employment Act, 2007 addresses sexual harassment.

- Section 16:

*“An employer shall not sexually harass: a. a person seeking employment with that employer; or b. an employee of that employer”.*

- Section 17:

*“An employee shall not sexually harass: a. another person employed by his or her employer; b. his or her employer; or c. a person seeking employment with his or her employer”.*

- Section 18:

*“For the purpose of section 16, 17 and 19, sexual harassment includes: a. making unwelcome sexual advances or an unwelcome request for sexual*

*favours to the other person; or b. engaging in any other unwelcome conduct of a sexual nature in relation to the other person”*

- Section 19:

*“In section 16 to 18 “conduct of a sexual nature” includes: a. subjecting a person to any act of physical intimacy; b. making any oral or written remark or statement with sexual connotations to a person or about an in his or her presence; or c. making any gesture, action or comment of a sexual nature in a person’s presence”.*

- Section 20:

*“A person who contravenes section 16 to 19 shall be guilty of an offence which shall be a petty misdemeanor. In addition, the court may impose fine at the rate of the Daily Minimum National Wage Rate to a maximum of 3000 days in accordance to the severity of the offence”.*

- ii) So far, the Department of Labor has received one complaint related to sexual harassment in the work place.

**21. Please clarify whether women who work in the private sector enjoy the same rights regarding maternity leave and access to family benefits as those working in the public sector. If this is not the case, please provide further information on the differences in their access to such services (paras. 307-303).**

- i) The Labor and Employment Act 2007 ensures that women in the private sector enjoy all the rights regarding maternity leave and access to family benefits as those

working in the public sector who are governed by the Bhutan Civil Service Rules and Regulations.

## **Health**

**22. Please provide information on HIV/AIDs prevalence among women and mother to child infection. Please also provide information on the measures taken or envisaged to provide information on sexually transmitted diseases and on means to avoid such transmittance, including for vulnerable groups of women (para. 96).**

- i) The HIV/AIDS epidemic in Bhutan is still in its early stages. However, the continuing spread of the HIV/AIDS can present serious obstacles to the nation's development if timely and effective responses are not put in place. The first case of HIV infection in Bhutan was reported in 1993. 35 new cases of HIV/AIDS were detected in 2007, raising the total burden to 140.
- ii) Bhutan features among the low HIV/AIDS prevalence states (0.2 percent) and exhibits a generalized epidemic pattern. The most common route of transmission is the heterosexual route (87%) followed by mother-to-child transmission (10%) and intravenous drug use (2%).
- iii) HIV infection has been reported in all groups. However, more than 30 percent of the cases fall below the age of 25 years. Among them more than 80 percent are females. This includes 11 minors infected from mother-to-child.

- iv) Bhutan's HIV/AIDS prevention receives priority from the highest level. The commitment and concern of the Government is reflected in the Royal Decree on HIV/AIDS issued by His Majesty the King of Bhutan in May 2004. The decree calls for a concerted effort by all Bhutanese towards HIV prevention along with providing support and care and protecting the legitimate rights of HIV/AIDS patients.
  
- v) Her Majesty the Queen Mother Ashi Sangay Choden Wangchuck in her role as UNFPA Goodwill Ambassador has been instrumental in attaining support and giving visibility to adolescent reproductive and sexual health issues including teenage pregnancy, STIs and HIV/AIDS. The strong leadership provided by Her Majesty Ashi Sangay Choden Wangchuck in HIV/AIDS prevention has resulted in an increase in the level of public awareness, especially among young people and the rural population.
  
- vi) While the commitment to HIV prevention is high there are several factors fuelling HIV transmission in Bhutan. These factors include a significantly young population, existence of high rates of HIV. A highly mobile population both within and outside the country, high rates of unprotected casual sex, and the emerging problems of drug use.
  
- vii) The Ministry of health has initiated a national Monitoring and Evaluation Framework.

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- viii) Screening of HIV and other sexually transmitted diseases through the Mother and Child Health Program and the Public Health Laboratory are regular activities.
  - ix) Multi-Sectoral Task Forces (MSTF), Chaired by the Dzongdags have been established in all the 20 Dzongkhags. Many block level Task Forces are also being set up. MSTFs are primarily working on HIV/AIDS awareness and prevention activities in the rural areas.
  - x) The Ministry of Health has piloted Health Information Centers in the urban areas of Thimphu and Phuentsholing to provide effective prevention, counseling and treatment services to those who are reluctant to use the services provided to the general population.

**23. Please provide information on measures taken to reduce teenage pregnancy as well as to improve the level of information concerning sexual and reproductive health among adolescents.**

- i) To enhance young people's awareness in reproductive health and family planning both in individuals and advocates, reproductive health has long been a part of the school curriculum in the middle and higher secondary schools in Bhutan.
- ii) Counseling services through the life skills services, with a focus on the prevention of HIV/AIDs, teenage pregnancy, sexual harassment and drug abuse, were initiated in all middle and higher secondary schools of the nation in 2002.

- iii) The Comprehensive School Health Program (CSHP) was initiated in 1999. The main objectives of the CSHP are to encourage health promotional activities and to develop programs and activities for youth that can address adolescent reproductive health.
- iv) School-based Parent's Education and Awareness (SPEA) program on youth and adolescent issues is now implemented in seven Dzongkhags. The main objective of the SPEA program is to raise parental awareness and knowledge on adolescent and youth issues such as teenage pregnancy.
- v) The Youth Information Center was established in 2000 with the objective of increasing awareness on existing and emerging youth issues in an environment where youth can interact with their peers. Opportunities are presented where youth and adults can address health issues. Confidential counseling services are also provided.
- vi) The majority of the programs target the in-school population. The out-of-school population still remains hard to reach but there is strong acceptance amongst policy makers that this group is more at risk than school-going adolescents. The MSTFs in the 20 Dzongkhags have played a pivotal role in filling this gap and addressing adolescent health issues amongst the out-of-school youth.

**Situation of particular Groups of Women and girls**

**24. The report states that at the time of submission of the report, children were kept in the same facilities as adult detainees, girls with women, but that separate detention facilities for girls and boys would be established in 2007 in Thimphu. Please indicate whether separate centers have now been opened. Please provide information as to whether any facility similar to the Youth Development and Rehabilitation Centre for boys has been opened for girls convicted of having committed a crime, and on the educational and rehabilitation activities offered to girls placed in that institute (paras. 27 and 48). Please also provide information on the number of girls serving sentences at the moment, and if there is a special centre for girls as referred to above, indicate where these girls are placed and provide information on their access to education.**

- i) Separate detention centers for boys and girls have now been opened in Thimphu. Besides, the Women and Child Protection Unit (WCPU) of the Royal Bhutan Police also looks after women and child offenders and victims by providing counseling services and referrals to counseling etc. with NGOs.
- ii) The pilot WCPU in Thimphu has been very successful and RBP plans to open a similar unit in Phuentsholing.
- iii) The establishment of a Youth Development and Rehabilitation Center for girls remains a high priority for the Royal Bhutan Police. However, a dearth of funds and trained personnel especially for rehabilitative services has constrained the establishment of such a center so far.

**Refugee Women**

**25. The report indicates that the Government of Bhutan and Nepal have reached at an agreement on the situation of the persons staying in refuge camps in Nepal, but that since 2003, the deteriorating security situation in Nepal has prevented the resumption of the repatriation work with negative consequences for the situation of refugee women and girls. Please provide information on any plans to reinstate the negotiations with the Nepalese Government and to continue the repatriation work.**

- i) With regard to the women in the refugee camps they are beyond the territorial jurisdiction of Bhutan and are currently under the care of the Nepalese government, the UNHCR and other humanitarian agencies. The position of the Royal Government is that the purpose of the bilateral talks that Bhutan has held with Nepal since 1993 is to verify the bonafides of the people in the refuge camps in Nepal. The two governments have agreed there are four categories of people in the refuge camps including non-Bhutanese. Therefore, it is factually incorrect to term all people in the camps as Bhutanese. Bhutan cannot accept a blanket reference to all the people in the camps as being “refugees” from Bhutan.
- ii) The Royal Government stands fully committed to the bilateral talks to finding a durable solution to the problem of people in the refugee camps in Nepal in keeping with the agreements reached with the Government of Nepal.

iii) Following the elections in Bhutan in March 2008 and with the formation of a new democratically elected government, the Royal Government has indicated its willingness to resume bilateral talks with Nepal. The Prime Minister of Bhutan conveyed this to his Nepalese counterpart when they met during the 15<sup>th</sup> SAARC Summit in Colombo, Sri Lanka, on 3<sup>rd</sup> August 2008. The Bhutanese Prime Minister told his Nepalese counterpart that the Royal Government was looking forward to continue the discussions with Nepal so that the problem could be resolved as quickly as possible. On 29<sup>th</sup> August 2008, the Foreign Ministers of Bhutan and Nepal met on the sidelines of the 10<sup>th</sup> BIMSTEC Ministerial Meeting in New Delhi. Both sides reiterated the need to resume the bilateral process. On 24<sup>th</sup> September 2008, the Prime Minister of Bhutan met with the new Prime Minister of Nepal on the sidelines of the 63<sup>rd</sup> UN General Assembly in New York. The two Prime Ministers expressed the readiness of the two governments to resolve the problem at the earliest. On its part, Bhutan is prepared to continue its ongoing bilateral dialogue with Nepal.

### **Child Domestic Workers**

**26. The report refers to a recent report on Assessment of the Protection Factors for Children in Bhutan, according to which most child domestic workers are girls without access to schooling who often work long hours for little pay, and are vulnerable to different forms of abuse (para.303). Please indicate whether the entry into force of the Labor and Employment Act has brought about any changes to this situation and whether any concrete action has been taken or envisaged on the basis of this report to address the situation of these girls.**

- i) The Labor and Employment Act 2007 also allows children between the ages of 13 to 17 to work in certain occupations which are yet to be approved by the government. Once these rules on child labor are approved, the Department of Labor will work to ensure that working conditions for child workers is child friendly (receive at least the National Minimum Wage, leave, monitored hours of work etc.).
- ii) The Department of Labor has also initiated a campaign to make the general public more aware about issues related to child labor.
- iii) The NCWC recently commissioned a study on child labor in Bhutan. The objective of the study is to determine the sources of child laborers, places and industries employing child laborers, their working conditions and the age breakup. The study is intended to provide the basis of planning policy and legal interventions to protect the rights of these children.

### **Women with disabilities**

**27. The report notes in para. 391 that increased awareness and support mechanism for disabled women should be created, and that this topic is expected to be covered through the National Plan of Action for Gender. Please provide updated information on this issue and elaborate on the measures undertaken or planned in this regard.**

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- i) Bhutan's constitution provides protection of people with disabilities under Article 9 (22) "The State shall endeavor to provide security in the event of sickness and disability or lack of adequate means of livelihood for reasons beyond one's control."
  - ii) Currently, the country's policies regarding disability do not feature specific programs for women with disabilities, nor is there any government or non-government organization that works specifically for women with disabilities. Because no explicit mention of gender disability exists in relevant policy and programmes, there is a critical need for studies describing the situation of women with disabilities and possible gender-related activities that can be mainstreamed into policy.
  - iii) The NPAG calls for future studies to focus on gender disparities in disabling conditions and to assess gender differences in the socioeconomic impact of disabilities.
  - iv) The NPAG also recommends that future legislation and policies reflect gender concerns and the gender perspective in disability to ensure elimination of any discriminatory acts, thus protecting the rights of the people with disabilities.
  - v) As a part of the new special education project, a school for the hearing impaired was opened in Paro in November 2007. 23 hearing-impaired children enrolled in the first batch. The aim of the project is to integrate the hearing-impaired children into the lessons of the non-impaired children in the primary and

secondary schools after a transition period in the school of the hearing-impaired children.

### **Rural Women**

**28. Please provide information on the measures taken to improve the visibility of rural women in all sectoral policies and programs and their full access to health, education and vocational training. Please indicate whether there is any social security scheme for the protection of older women and for women in the agricultural sector.**

- i) The district development committees (*Dzongkhag Yargye Tshogdu*) and block development committees (*Geog Yargye Tshogdu*) were empowered by the parliament in 2002 to function with independence. These committees prioritize and carry out development work such as building schools, health facilities, roads and communications facilities. Development activities are prioritized at the GYT based on the consensus and recommendations of community meetings or “*Dzomdues*”. Women play an active role in these community meetings and there are no constraints to their attendance at these meetings. In fact, women represent as many as 70% of the participants at these meetings.
- ii) The advent of democracy in the country has also brought about the formation of Women’s Groups in the rural areas to campaign for political parties. These groups are also effective agents of change bringing about greater visibility of rural women and further enhancing their participation in developing sectoral plans and policies.

- iii) To ensure that women are involved in planning and implementing community development projects, the Tenth Plan Guidelines instructed that grassroots be involved at all levels of planning development activities. The Tenth Plan has been prepared through an extensive consultation process with local levels of government and community leaders.
- iv) Other initiatives include: Providing micro-credit services, creating opportunities in agriculture, enhancing capacity in developing planning, and widening the range of social services. Bhutan is also a member of the SEWA initiative through the SAARC Development Fund.
- v) Women are also encouraged to run for office at the community levels (village headperson, etc).
- vi) In terms of Non-Formal Education (NFE), figures for 2008 indicate that there are 747 NFE centers in the country. The participation of women both as learners and instructors is greater than the participation of men. In 2008, out of a total of 13,829 students at the NFE centers (both basic and post literary courses), 9,647 were females. Also out of a 736 instructors, 414 were women.

### **Marriage and family relations**

**29. The report indicates that, in practice, traditional systems to share inherited property which are informal, flexible and often circumstantial are applied in**

**addition to the Inheritance Act 1980 (para. 399). Please provide further information on these practices and describe the measures that have been taken to ensure that their application is not conducive to de facto discrimination of women.**

- i) The Inheritance Act, 1980, makes no restriction on whether a woman can inherit property and reserves equal rights for all children, irrespective of sex and age.
- ii) Traditional systems still favor inheritance by girls and women and parents tend to look at women as their caretakers when they reach old age.

**30. The report indicates that although the legal age of marriage is now 18 years for both sexes, underage marriage continues to occur (paras. 465 and 486). Please provide further information on measures taken to prevent and eliminate underage marriages.**

- i) According to the Marriage Act, no person can be forced into a marriage. Women have freedom in making decisions related to their marriage and family. As per the Marriage Act, *Kha 1-2*, “... a person has the right to marry any other person, irrespective of status, caste, wealth or appearance, provided the persons contracting the marriage thereof have expressly consented to their marriage.” The law gives all women and men the right to marry of their “*own volition without discrimination based on status, caste, wealth and appearance.*” (section *Kha 1-2*).

- ii) Technically, according to the Civil and Criminal Procedure Code, even in instances of consensual marriage, sex with a minor can be charged as “statutory rape”.

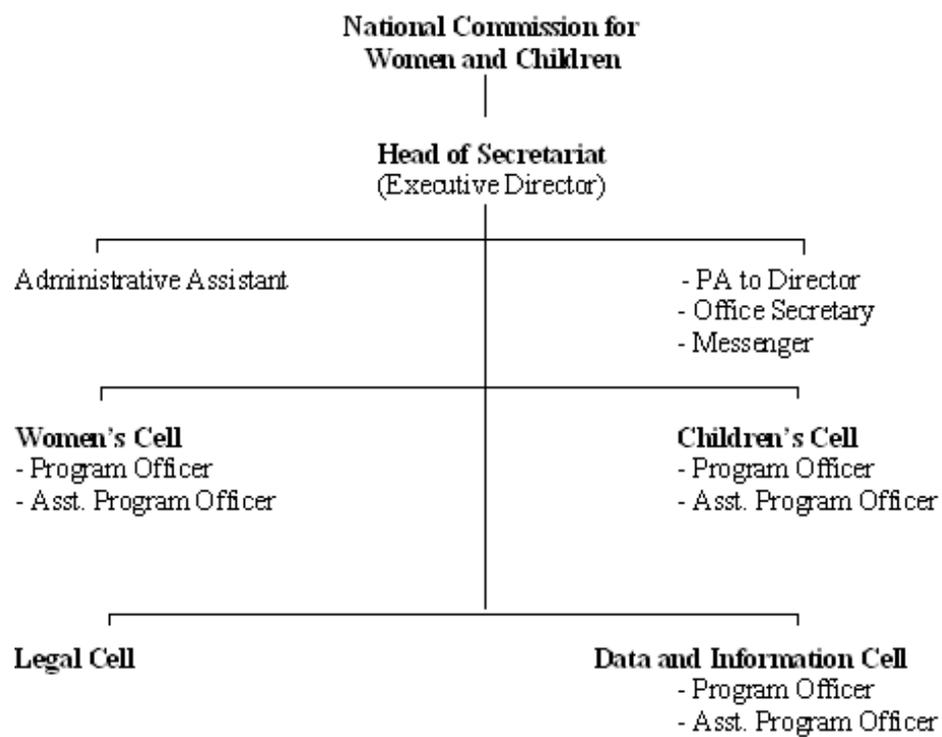
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**Annex: Tables**

**Table 1: NCWC ORGANOGRAM**



**Table 2: Civil Servants by Position and Gender (30th June, 2007)**

Positions	Total		Grand Total
	M	F	
<b>Executive</b>			
Ex1	22	2	24
Ex2	25	0	25
Ex3	129	9	138
Total	176	11	187
<b>Specialist</b>			
Es1	0	0	0
Es2	6	0	6
Es3	36	7	43
Total	42	7	49
<b>Professional And Management</b>			
P1	370	47	417
P2	376	62	438
P3	1043	193	1236
P4	1263	484	1747
P5	3152	1873	5025
Total	6204	2659	8863

<b>Supervisory and Support</b>			
S1	840	222	1062
S2	1369	428	1797
S3	1218	492	1710
S4	646	347	993
S5	1119	886	2005
Total	5192	2375	7567
<b>Operational</b>			
O1	297	200	497
O2	405	110	515
O3	331	19	350
O4	544	10	554
Total	1577	339	1916
<b>Grand Total</b>	<b>13,191</b>	<b>5,391</b>	<b>18,592</b>
<b>% of female civil servants</b>			<b>29%</b>

*Source: Management Information Services Division, Royal Civil Service Commission,  
June 2007*

**Table 3: Civil Servants by Position and Gender (30th June, 2008)**

Positions	Total		Grand Total
	M	F	
<b>Executive</b>			
Ex1	22	2	24
Ex2	25	0	22
Ex3	132	8	140
Total	176	10	186
<b>Specialist</b>			
Es1	0	0	0
Es2	7	0	7
Es3	42	7	49
Total	49	7	56
<b>Professional And Management</b>			
P1	356	39	395
P2	366	69	435
P3	1,244	304	1,548
P4	1,364	536	1,900
P5	3,386	1,976	5,342
Total	6,716	2,924	9,640
<b>Supervisory and Support</b>			

S1	997	258	1,062
S2	1,341	535	1,797
S3	1,220	448	1,710
S4	650	372	993
S5	1,023	817	2,005
Total	5,231	2430	7,567
<b>Operational</b>			
O1	330	234	497
O2	392	99	515
O3	378	36	350
O4	481	23	554
Total	1,581	392	1,916
Grand Total	13,753	5,763	19,516
<b>% of female civil servants</b>			<b>30%</b>

*Source: Management Information Services Division, Royal Civil Service Commission,  
June 2008*

**Table 4: Indicative NER and GER Primary and the Gender Parity Index per Dzongkhag,****2008**

	NER				GER			
	B	G	BG	GPI	B	G	BG	GP1
Bhutan	87%	89%	88%	1.02	112%	112%	112%	1.00
Bumthang	89%	96%	92%	1.07	110%	116%	113%	1.06
Chukha	86%	86%	<b>86%</b>	0.99	111%	104%	<b>108%</b>	0.94
Dagana	82%	92%	<b>87%</b>	1.12	118%	122%	<b>120%</b>	1.04
Gasa	90%	63%	<b>76%</b>	0.70	105%	76%	<b>91%</b>	0.72
Haa	85%	95%	<b>90%</b>	1.11	104%	112%	<b>108%</b>	1.08
Mongar	89%	91%	<b>90%</b>	1.02	108%	110%	<b>109%</b>	1.02
Paro	96%	97%	<b>97%</b>	1.01	117%	118%	<b>117%</b>	1.00
Pemagatshel	94%	92%	<b>93%</b>	0.98	120%	120%	<b>120%</b>	1.00
Punakha	90%	96%	<b>93%</b>	1.08	110%	120%	<b>115%</b>	1.10
Samdrupjongkhar	85%	80%	<b>82%</b>	0.95	113%	109%	<b>111%</b>	0.97
Samtse	74%	78%	<b>76%</b>	1.06	103%	103%	<b>103%</b>	1.00
Sarpang	83%	85%	<b>84%</b>	1.02	111%	111%	<b>111%</b>	1.01
Thimphu	94%	95%	<b>95%</b>	1.01	115%	113%	<b>114%</b>	0.99

Trashigang	88%	87%	<b>87%</b>	0.99	109%	107%	<b>108%</b>	0.98
Trashiyangtse	98%	98%	<b>98%</b>	1.00	126%	125%	<b>126%</b>	0.99
Trongsa	92%	96%	<b>94%</b>	1.04	115%	120%	<b>118%</b>	1.04
Tsirang	78%	79%	<b>78%</b>	1.00	115%	113%	<b>114%</b>	0.98
Wangdue	87%	91%	<b>89%</b>	1.04	106%	114%	<b>110%</b>	1.08
Zhemgang	91%	95%	<b>93%</b>	1.05	120%	123%	<b>121%</b>	1.02
<b>Lhuentse</b>	<b>89%</b>	<b>88%</b>	<b>89%</b>	<b>0.99</b>	<b>114%</b>	<b>114%</b>	<b>114%</b>	<b>0.99</b>

*Source: Source: General Statistics, PPD, Ministry of Education, Thimphu, Bhutan*

**Table 5: Students and staff for Continuing Education Programme 2006 – 2008**

Class	2008			2007			2006		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
<b>Class IX</b>	24	12	36	7	20	27	14	17	31
<b>Class X</b>	13	33	46	9	12	21			
<b>Class XI</b>	138	171	309	104	141	245	64	53	117
<b>Class XII</b>	91	95	186	57	43	100			

<b>Total</b>	<b>266</b>	<b>311</b>	<b>577</b>	<b>177</b>	<b>216</b>	<b>393</b>	<b>78</b>	<b>70</b>	<b>148</b>
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**Source: Source: General Statistics, PPD, Ministry of Education, Thimphu, Bhutan**

**Table 6: Staff and students in Royal University of Bhutan academic year 2007**

	Courses	Students		
		B	G	BG
1. College of Natural Resources, Lobesa	6	117	23	140
2. College of Science and Technology, Rinchhending	12	189	58	247
3 Institute of Language and Culture Studies, Semtokha	7	213	125	338
4 Jigme Namgyel Polytechnic, Dewathang	9	244	63	307
5 National Institute of Traditional Medicine, Thimphu	2	32	3	35
6 Paro College of Education, Paro	9	537	302	839
7 Royal Institute of Health Sciences, Thimphu	5	131	126	257

8 Royal Institute of Management, Semtokha	164	177	100	277
9 Samtse College of Education, Samtse	7	425	234	659
10 Sherubtse College, Kanglung	24	741	350	1091
<b>Total</b>	<b>245</b>	<b>2806</b>	<b>1384</b>	<b>4190</b>

*Source: Source: General Statistics, PPD, Ministry of Education, Thimphu, Bhutan*

**Table 7: Bhutanese Undergraduate students abroad with RGoB scholarships**

Year of passing out	India, RGoB			India, GOI			Other, RGoB			Other (SDS, Thai Gov.etc)			Total		
	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T
2008	34	8	42	27	7	34	4	1	5	5	3	8	70	19	89
2009	33	7	40	27	5	32	11	2	13	3	0	3	74	14	88
2010	9	2	11	54	9	63	7	2	9	2	0	2	72	13	85
2011	13	3	16	51	14	65	11	3	14	1	0	1	76	20	96
2012	1	1	1	23	6	29	14	2	16	2	3	5	40	11	51
2013	0	0	0	4	0	3	7	2	9	1	0	1	11	2	13

2014	0	0	0	0	0	0	14	0	14	0	0	0	14	0	14
<b>Total</b>	<b>90</b>	<b>20</b>	<b>110</b>	<b>185</b>	<b>41</b>	<b>226</b>	<b>68</b>	<b>12</b>	<b>80</b>	<b>14</b>	<b>6</b>	<b>20</b>	<b>303</b>	<b>67</b>	<b>370</b>

*Source: Source: General Statistics, PPD, Ministry of Education, Thimphu, Bhutan*

**Table 8: Bhutanese privately funded Tertiary Education students abroad, 2007**

<b>Country</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>
India	1114	1582	2730
Thailand	7	9	16
Nepal	1	0	1
Phillipines	3	5	8
USA	2	0	2
United Kingdom	1	0	1
Bangladesh	4	4	8
<b>Total</b>	<b>1166</b>	<b>1600</b>	<b>2766</b>

*Source: Source: General Statistics, PPD, Ministry of Education, Thimphu, Bhutan*

**Table 9: Number of HIV cases by Age Distribution**

<b>Age Group</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>
Less than 5 years	1	9	9
5-14 years	1	2	3
15-19 years	0	6	6
20-24 years	5	19	24
25-29 years	24	13	37
30-39 years	29	15	44
40-49 years	10	7	17
50+ years	0	0	0
<b>Total</b>	<b>70</b>	<b>70</b>	<b>140</b>

*Source: Annual Health Bulletin, 2008, Ministry of Health, Thimphu*