

ALTERNATIVE REPORT FOR BHUTAN

**For the Committee on the Elimination
of Discrimination against Women
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i. Definition of Discrimination (Article 1)

The definition of discrimination is understood by and large and there is no overt discrimination of any kind as men and women enjoy equal rights under law as well as in traditional norms and social settings. There may be however subtle discriminations in language usage, and in some religious beliefs. There are also subtle discriminations in favour of women in traditional inheritance norms and also in the Amendment of certain sections (1995) of the Marriage Act of Bhutan (1980).

We also recognize that women tend to use these subtle disparities to their advantage at times particularly when not keeping to their words or when not wanting to take responsibilities seriously by stating that they are “just ignorant women” incapable of knowing such things.

In general, women in Bhutan are privileged due to strong traditional norms of importance attached to women of the family. Moreover the government’s inclusive developmental focus helped create a meritorious selection process rather than one on gender biases. More Bhutanese women are entering into the unconventional job market. More women are also working as it gets difficult to provide for the family on single incomes. Traditionally women worked on the farms and shouldered the responsibilities of raising the family as well as making all major household level decisions.

ii) Policy Issues (Article 2)

Men and women are equal in the eyes of the law. In reality women in Bhutan traditionally enjoyed greater privileges in property inheritance, treatment and work. With development and the import of new ideas and work culture, many of these earlier privileges are now being considered bottlenecks. A case in point is the fact that because women inherited the family properties, they were often bound to the land and missed out on education. The inheritance Act ensures equal rights to inheritance so that no gender feels disadvantaged.

The Government has yet to acknowledge that girls and boys have different needs and that the gender neutral provisions of the law are sometime inadequate to address the needs of the girls. A case in point is the lack of sufficient designated toilets for girls even though it is well documented that on average girls need to use the facilities more. Requirements of the adolescent menstruating girls are still not being addressed adequately. This trend continues on in the work place where adequate basic toilet facilities are not provided.

Gender sensitive policy formulation will help us address issues better and will prove beneficial to addressing the real problems of why girls and women fall behind.

iii) Guarantee of Basic Human Rights and Fundamental Freedoms (Article 3)

The Constitution of Bhutan adopted in 2008 guarantees basic human rights and fundamental freedoms to all its citizens. Various sections of the Constitution ensure the provision of all the basic freedoms and the protection of human rights.

iv) Special Measures (Article 4)

The need for special temporary measures have been debated at many levels and most women still feel that the “quota” system is not the answer to ensuring better female representations. It must be mentioned here that many of the neighbouring countries where this has been implemented have been doing so for the last couple of decades. Reservations or quotas only help to create all sorts of negative connotations including that of one feeling less than equal or adequate. It was felt that instead of having a quota system it would be better to focus on creating enabling environments for girls and women to take more active part in politics and governance issues that is currently lacking. It is felt that there are many capable women who would step up to the challenges if only decisions were more inclusive and true participatory decision making processes were adopted.

v) Sex Role Stereotyping and Prejudice (Article 5)

The transformation in Bhutan has been fast and furious. Where most countries had centuries to figure out and adjust to the changing roles of women in an evolving society, Bhutan has had to condense transformations from the medieval past to the 21st century within the span of a few short decades.

Fortunately as a pragmatic small population there were not many prejudices or stereotyping involved except for the vulnerabilities created by biology that tied women to the home and hearth. From basic care givers, to pilots, doctors, engineers, architects, archaeologists, policy makers, bureaucrats, politicians, lawyers, business women, police, taxi/professional drivers, barefoot solar engineers the list of unconventional roles for women is growing rapidly.

All school text books have been reviewed for gender sensitivity and stereotyping is consciously being removed.

vi) Prostitution (Article 6)

Prostitution is illegal but is happening and there are agencies who work in reducing the health risks involved in this line of work. Many young girls and even some boys fall prey to circumstances that lead them into this profession. There have been special efforts made by the Government and civil society organizations to rescue and rehabilitate them. It is generally possible for a former prostitute to lead a reformed life without being stigmatized by the fact. Those who choose to continue in the profession are given free and periodic check ups and counseled on risk reduction safety measures. While prostitution is illegal, much needs to be done to address the causes that lead these young people to take up the profession in the first place. There is not enough being done to study and bring about a reduction on the demand for these services.

vii) Political and Public Life (Article 7)

Traditionally Bhutanese women have been known for their wisdom and intellect. Women have always interacted and taken on the responsibilities in local decision making both in social welfare related activities and also in local governance activities. Some senior women in the villages are still well known for their sharp wit and clever resourcefulness.

viii) Representation (Article 8)

Women are currently underrepresented in parliament as well as in the top bureaucratic positions. There is no female minister, ambassador, or anyone in the cabinet rank as of today.

29.5% of the 18,000 plus civil servants are women with most of them at the operative level. There are 10 women parliamentarians (six of 24 National Council members and four of 47 National Assembly members).

During discussions and deliberations with other gender focal persons and NGOs it was felt that there was no urgent need to try and have 50% representation on all fronts. It was felt that it would serve women better to have targeted strategic representation to begin with rather than to settle for quota based parity representation.

ix) Nationality (Article 9)

The opportunities for naturalization are provided uniformly to both male and female children in the event of any of the parent being a foreign national. Birth registration as well as civil registration is carried out for all born in the country whether national or non national. No Bhutanese citizen is allowed to hold dual passport. Should a citizen decide to take on another nationality legally he/she is permitted to provided that the old citizen card is surrendered.

Tarayana is aware of the situation of the cases of the people in the camps in eastern Nepal and know that to be consistent to the problems of illegal immigration issues. From a humanitarian point of view we are happy that the problem is being addressed through the efforts of resettlement in America and Canada.

x) Education (Article 10)

The enrollment rate for boys and girls at the pre-primary level is almost the same with girls doing better in some incidences (89% for girls and 87% for boys – UNICEF website). The drop out rate of girls is higher than that of boys after the high school level along with poorer performance levels. Thus girls entering into the tertiary level are only about a one fourth of the boys. Those who do continue on and graduate find it difficult to find suitable jobs in the ever shrinking job market where they face stiff competition.

Hostel accommodations in general are in dire need of improvement. There is inadequate hostel facility and even with the help of WFP feeding programmes the diet is not well balanced. There is little or inadequate trained supervision of the smaller children and in the absence of female teachers in remote rural schools, girls hostels are also supervised by male teachers, increasing the risks. The lack of staff quarters in remote schools is one of the reasons why most female teachers do not take up assignments there in addition to the long treks involved over difficult terrain.

While these boarding facilities have resulted in the increased number of children staying in school, the management of these facilities could be better. The hostels are all free and hence there is reluctance to complain about the poor management, however, free has to be commensurate with the substantive expenditure that the Royal Government makes annually. The gap between the actual service provision and the amount spent needs to be carefully monitored so that the children of Bhutan can enjoy better living standards in the free hostels.

xi) Employment (Article 11)

Employment is merit based and though there are a few stray rumours of unfair appointments, by and large there is equal opportunity for employment based on one's capabilities. Currently the Government is the single largest employer and women form about 29.5 % of the civil service. Many of the family businesses are run successfully by women entrepreneurs and many women including semi-literates also routinely go to Bangladesh, India or Thailand on business. The educated venture further afield to explore the export import markets in garment, fabric, furnishing, shoes and electronics.

The plight of women in some of the private sector operations is not so fortunate in terms of their working conditions. The Labour Act and provisions of strengthening the private sector are still nascent and have a long way to go in ensuring the protection of all the rights.

xii) Health (Article 12)

Specific targeted approaches to improving the health services in the pre-natal and neo-natal areas have helped improve Bhutan's health statistics on mother and child health indicators. Maternal mortality rate has dropped to 215 per 1000 live births, and improved awareness of mother and child risks have resulted in better successes.

Bhutan has a relatively small and manageable population of just about 0.7 million. The total fund spend in this sector is substantial as all aspects of healthcare is generally provided free. Focus sharpening on the medical needs of women has to be stepped up. The 40 bedded maternity ward at the National Referral hospital is clearly not adequate to meet the growing demands and the limited staff are overburdened. There is greater need to ensure that pregnant and new mothers have proper instructions and coaching on various aspects of child rearing. This used to

be the traditional role of the mother, aunties and community elders. However, in the fast urbanization processes where old social safety nets are disintegrating and new ones have not yet come about, many new mothers to be undergo traumatic experiences simply from the lack of proper coaching and preparation. There is no equipment in the country to carry out a mammogram. Cervical cancer is the commonest cancer among women indicating inadequate screening and early diagnostics.

There is no facility for the aging senior citizens in general and for senior women in particular. This has been included as a priority area of attention during the 10th plan period but there has been no development in this front during the first year of the plan period that just ended.

xiii) Economic and Social Benefits (Article 13)

There are a few Civil Society Organisations involved in improving the economic and social well being of the disadvantaged in general and women in particular. Tarayana works to provide opportunities to bring about socio-economic transformations in the rural areas and by default we work with a lot of women as they very often get left behind in the villages attached to their land and property, while the male have gone to the urban areas in search of better opportunities.

There are several governmental projects both self financed as well as with donor support all aimed at improving the socio-economic conditions in general. However, most of these are sector driven and implemented with not much understanding of the local nuances and interests hence there is limited ownership of these activities beyond the project period.

xiv) Rural Women (Article 14)

Somehow even with all its hardships the life of rural women is blessed with more independence and dignity. They are equal stakeholders and take active part in providing for their family. They have skills that enhance their self worth and keep them gainfully engaged. Rural women in Bhutan are feisty, confident, shy and innocent all at the same time. There is an endearing quality in them that spells dignity and equality without having to fight for their rights.

However, they also face alcohol related violence and trauma. There are incidences of being taken advantage of by ill intentioned visitors and people passing through their villages. With the exception of very basic health care from the Basic Health Units, most specialist facilities are far away.

xv) Law (Article 15)

Men and women are equal in the eyes of the law. In reality women in Bhutan traditionally enjoyed greater privileges in property inheritance, treatment and work. With development and the import of new ideas and work culture, many of these earlier privileges are now being considered bottlenecks. A case in point is the fact that because women inherited the family properties, they were often

bound to the land and missed out on education. This has now been addressed through the amendment (1995) to the Marriage Act of 1980 that provides all children equal rights to inheritance. In practice many families still follow the traditional systems.

Domestic violence and battering cases rank high on the civil cases that the local police have to deal with. NGOs like RENEW (Respect, Educate, Nurture and Empower Women) and the National Women's Association of Bhutan (NWAB) work hard at closing any gender related gaps that might creep in. There have also been a few cases of husband battering. All NGOs working to address gender related social issues, are happy to see that the social sector will receive the largest share of the budget during the 10th Plan just as in the past development plans. It is also heartening to see many laws and policies being framed to ensure more inclusive policy debates and discussions on the rights and needs of women in concert with the many CEDAW recommendations. While enforcement of these laws might not be at the desired level as yet, we are happy to see the effort and political will among the government agencies. It is noted that these agencies have to work against many odds, mainly to do with resource constraints, especially, the lack of professionals working in these very specialized areas such as psychiatrists, psychologists, counselors, and social workers.

It must be acknowledged that the National Commission on Women and Children (NCWC) has worked hard in the past couple of years to increase awareness of the recommendations of CEDAW and also to advocate when and where necessary. Women form more than half the population of the country with specific and special needs that are separate to those of the men. In this connection, there is no single organization both at the central as well as the District levels dealing with women and their rights. NCWC is a commission currently also charged with the functions of gender related service provisions. This dichotomy needs to be addressed and a separate service provider designated and NCWC freed up to carry out the larger regulatory and higher policy advocacy functions.

There is a need for separate correction facilities for girls who are convicted instead of them being sent to adult detention centres. The provision of facilities for vocational training as well as opportunities for continuing education would go a long way in rehabilitating girls instead of marginalizing them.

xvi) Marriage and Family Life (Article 16)

Marriages may be both arranged or love. Traditionally women married whom they fancied and it was only in the elite families that certain level of arranging would be attempted. There is no stigma attached to divorce should the marriage not work out and remarriage is not frowned upon. Widow remarrying is allowed and there is generally greater acceptance of children born out of wedlock. Because of the ease with which divorce is sought and received many innocent children are affected. There children from broken homes face several challenges

in these fast changing times and end up very often on the wrong side of the law. There are however, no family courts and marriage counselor to provide advice.

The role of women has been evolving silently in the last few decades. Rural women still work side by side with their male counterparts in farming the land. Some tasks like transporting and spreading farm yard manure is deemed unclear and women generally manage these activities in the field. For the past five decades, more girls are attending schools and moving into the urban areas in search of work and opportunities. Because of the late start, most of them are at the operative and lower management levels. Over the years more women have joined in the professional cadre and some have managed to reach executive levels. The new issue of youth unemployment because of a miss-match between the jobs available and skills need more girls are vulnerable to exploitation on the one hand and easy prey to temptations of quick money on the other.