



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

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

**Consideration of reports submitted by States parties under  
article 18 of the Convention on the Elimination of All Forms  
of Discrimination against Women**

**Seventh periodic report of States parties**

**Bhutan\***

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\* The present report is being submitted without formal editing. For the combined initial, second, third, fourth, fifth and sixth periodic report submitted by the Government of Bhutan see CEDAW/C/BTN/1-6, which was considered by the Committee at its thirtieth session.



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## Acronyms

1. **ACC** — Anti-Corruption Commission
2. **ANC** — Antenatal Clinic
3. **ATP** — Apprenticeship Training Programme
4. **BA** — Bachelor of Arts
5. **BBA** — Bachelor of Business Administration
6. **BBS** — Bhutanese Broadcasting Service, the national radio and TV station
7. **BCCI** — Bhutan Chamber of Commerce and Industry
8. **BCSR** — Bhutan Civil Service Rules and Regulations
9. **BDFC** — Bhutan Development Finance Corporation
10. **BHU** — Basic Health Unit
11. **BLSS** — Bhutan Living Standards Survey conducted in 2003 (Report published in 2004)
12. **B.Sc** — Bachelor of Science
13. **CEDAW** — Convention on the Elimination of All Forms of Discrimination Against Women
14. **CPS** — Community Primary School
15. **CRC** — Convention on the Rights of the Child
16. **DLG** — Department of Local Governance
17. **DoP** — Department of Planning
18. **DTVTC** — Drak Tsho Vocational Training Centre for disabled children
19. **DYS** — Department of Youth and Sports
20. **DYT** — Dzongkhag Yargye Tshog-due [Bhutanese equivalent of a District Development Committee]
21. **ECB** — Election Commission of Bhutan
22. **EMoC** — Emergency Obstetric Care
23. **FYP** — Five Year Development Plan of Bhutan
24. **GDP** — Gross Domestic Product
25. **GER** — General Enrolment Ratio
26. **GFP** — Gender Focal Point
27. **GNH** — Gross National Happiness
28. **GoI** — Government of India
29. **GYT** — Geog Yargye Tshog-due [Bhutanese equivalent of a Block/county Development Committee]
30. **HRD** — Human Resource Development

31. **HRM** — Human Resource Management
32. **HSS** — Higher Secondary School
33. **ICT** — Information Communication Technology
34. **LSS** — Lower Secondary School
35. **MCH** — Maternal and Child Health
36. **MDG** — Millennium Development Goals
37. **MSS** — Middle Secondary School
38. **MoLHR** — Ministry of Labour and Human Resources
39. **MoU** — Memorandum of Understanding
40. **MSTF** — Multi Sector Task Force (Established in every district for the HIV/AIDS programme)
41. **NAS 2003** — National Anaemia Study conducted in 2003
42. **NCWC** — National Commission for Women and Children
43. **NEC** — National Environment Commission
44. **NER** — Net Enrolment Ratio
45. **NFE** — Non-formal Education
46. **NGO** — Non-governmental Organization
47. **NID** — National Institute for the Disabled
48. **NPAG** — National Plan of Action for Gender
49. **NWAB** — National Women’s Association of Bhutan
50. **OAG** — Office of the Attorney-General
51. **OLA** — Office of Legal Affairs
52. **ORC** — Outreach Clinic
53. **PC** — Planning Commission
54. **PS** — Primary School
55. **RAA** — Royal Audit Authority
56. **RAC** — Royal Advisory Council
57. **RBP** — Royal Bhutan Police
58. **RCSC** — Royal Civil Service Commission
59. **RENEW** — Respect Educate Nurture and Empower Women, a national NGO
60. **RIHS** — Royal Institute of Health Services
61. **Royal Government of Bhutan** — Royal Government of Bhutan
62. **RH** — Reproductive Health
63. **RMA** — Royal Monetary Authority

64. **SAARC** — South Asian Association for Regional Cooperation
65. **SCF** — Save the Children Fund USA
66. **SPEA** — School Parenting Education Programme
67. **UNDP** — United Nations Development Programme
68. **UNFPA** — United Nations Population Fund
69. **UNICEF** — United Nations Children’s Fund
70. **UNIFEM** — United Nations Fund for Women
71. **VAW** — Violence Against Women
72. **VHW** — Village Health Workers
73. **VTI** — Vocational Training Institute
74. **WID** — Women in Development
75. **YDF** — Youth Development Fund, a national NGO
76. **YDRC** — Youth Development and Rehabilitation Centre

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## Executive Summary

### Introduction

The Kingdom of Bhutan signed the Convention on Elimination of All Forms of Discrimination Against Women (CEDAW) on July 17, 1980 and ratified it on August 31, 1981. It presented its combined initial through sixth periodic report to the Committee on the Elimination of All Forms of Discrimination against Women in January 2003. The Committee considered the report at its 30<sup>th</sup> Session in 2004.

Bhutan also ratified the Convention on the Rights of the Child (CRC) in 1990 and presented its initial report to the Committee on the Rights of the Child on 5<sup>th</sup> June 2001.

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

### Publicizing the Convention

The CEDAW report 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 report and the Committee's recommendations are posted on websites and available to the public. To increase the role of media in dissemination of 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 is also represented by a member in the NCWC Executive Body. A series of trainings have been conducted to promote understanding and awareness on the CEDAW among stakeholders, especially law enforcement officials, the judiciary, educationists and parents and women and children. More systematic campaigns are being planned by the NCWC in partnership with a number of 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 Draft Constitution of the Kingdom of Bhutan [draft *Tsa-thrim Chen-mo*] and various legislative acts.

Bhutan 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 some of the Millennium Development Goals [MDGs], some possibly

before 2015. There is strong Royal Government of Bhutan commitment through a positive policy environment to make the achievement of the MDGs a reality.

### **Gross National Happiness**

In 1972, His Majesty the Fourth King pronounced the guiding philosophy of Bhutan's development process to be the pursuit of Gross National Happiness (GNH). In the sphere of public policy, GNH has translated into four main pillars: Sustainable and equitable socio-economic development; Conservation of the environment; Preservation and promotion of culture; and Promotion of good governance. A central key to GNH-based public policy is the requisite search for balance, both within and between the pillars and 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.

### **National Economy**

Bhutan's small economy is dominated by the hydropower industry. The sectoral breakdown of growth rates and sources of growth show that the industrial sector, broadly defined to include energy, construction and manufacturing, has the largest share. Over the period 1980 to 2004, direct contribution by the sector amounted to over half of the growth in GDP, with services contributing slightly less than one-third and agriculture 17 per cent. In terms of building infrastructure to create access to services and facilities, about 80 per cent of the planned budget for the Ministry for Works and Human Settlement is allocated for construction.

High rates of capital formation and a high incremental capital-output ratio (ICOR) are expected to remain characteristics of the Bhutanese economy in the years ahead. Regarding trade, Bhutan is by far the most open economy in South Asia, with a trade ratio close to 60 per cent of GDP. Bhutan's debt service ratio remains low at 4 per cent, as most loans are taken at concession rates. The relative decline in grants in the recent years has led to a rising overall budget deficit, which has increasingly been financed with the help of external loans. Bhutan has been accumulating debt, which increased in 2003/2004 to an equivalent of 75 per cent of GDP.

Given the low level of development of the private sector, the Royal Government of Bhutan is the main provider not only of infrastructure and social services, but in producing economic goods and services. The private sector remains nascent and lacks human skills and other resources.

### **Gender Disaggregated Data**

The Royal Government of Bhutan is working with its development partners in developing disaggregated data in all sectors. Training and capacity building have been provided to improve data collection. Once in place, more effective planning, monitoring and evaluation can take place, particularly in determining the gaps in reaching the vulnerable groups.

The National Statistical Bureau, upgraded by the Royal Government of Bhutan in 2004, is developing disaggregated data. All sectors are improving their information systems, and the Royal Government of Bhutan has begun to take steps to promote e-governance to ensure greater access to data. The findings of the first national Population and Housing Census of Bhutan 2005 (PHCB 2005) will provide much needed official disaggregated baseline information, and enable the Royal Government of Bhutan to



develop frameworks for the sectors and programmes. The Census was conducted with assistance from UNFPA.

The Management Information Services Division (MISD) of the Royal Civil Service Commission produces bi-annual statistical reports which include gender disaggregated data of the civil service through the Human Resource Information Management System, known as *Zhiyog*. Although much needs to be done to improve the analysis of the data available and also in providing the use of such data for policy analysis and decision-making, the system has been updated with the Position Classification System and is connected to all agencies, ministries and *dzongkhags*.

A SAARC Gender Database is being developed by the SAARC member countries. The database, envisioned as a unique G-Data Shop, will collate and generate data on violence against women, especially trafficking, feminization of poverty, and Health including HIV/AIDS. It will serve as a common pool to facilitate engendered planning, advocacy and the identification of gaps and challenges.

### **Allocation of Budget and the Tenth Plan**

Bhutan's draft Constitution makes provision for equitable distribution of budgets for development. Article 9 section 8 states that the "*State shall endeavour to ensure that all the Dzongkhags are treated with equity on the basis of different needs so that allocation of national resources shall result in comparable socio-economic development*". Bhutan has made serious concerted efforts in health, education and other development rights.

Since the beginning of its five-year development plans, Bhutan has maintained a high rate of investment in development, averaging over 40 per cent of GDP during the 1990s<sup>1</sup>. The focus on the Ninth Plan is on improving rural livelihood, reducing poverty, implementing decentralization, and expanding rural infrastructure to improve access to markets and social services. These are all aimed at reducing rural-urban migration. After generous capital outlays in the social sector over successive five year plans, Bhutan became one of the few countries in the world to meet its part of the 20:20 compact (20 per cent of public investment in health and education). In 2004 and 2005, health and education sectors accounted for 27 per cent of the total government outlay<sup>2</sup>. This increased to 30 per cent of the total outlay in 2005/2006; with 12 per cent for the health sector with construction of water supply schemes, BHUs and outreach clinics, and 18 per cent for the education section which emphasizes the development of human resources and expansion of infrastructure. Governmental expenditures accounted for over 45 per cent of GDP in recent years<sup>3</sup>.

Many women and children, especially vulnerable and underprivileged, benefit from programmes aimed at improving women and children's education, health and nutrition. Bhutan faces a challenge to the continued high priority placed on human development considering the spiralling costs of social services arising from the country's youthful demographic profile and rising incremental costs of reaching services into remote areas. Apart from the United Nations system, external development

1 World Bank 2004 Bhutan Country Assistance Evaluation, Washington, World Bank

2 NAB, 2004, Proceedings of the 82nd Session of the National Assembly of Bhutan

3 Asia-Pacific in Figures, 2004, UNESCAP

partners involved in women and children and women-related programmes include Government of India (GoI), CIDA Canada, DANIDA (Denmark), Finland, JICA (Japan), GTZ (Germany), World Bank, Asian Development Bank, and Save the Children (USA). External development partners are supporting activities as diverse as building schools, providing primary health care, developing textbooks for primary grades, and protecting women and children and women from violence and abuse. UNDP has focused on youth unemployment as the theme for the second national human development report.

### **Discriminatory Laws**

Review of existing laws can be initiated by various agencies such as the National Assembly, Government, Judiciary, and civil society organizations. Progressive reviews have led to the review and removal of discriminatory provisions.

The National Commission for Women and Children (NCWC) is finalizing the National Plan of Action for Gender (NPAG), which includes a review of existing discriminatory laws against women. The NCWC will present a report with suggestions on such review to the Government.

### **Draft Constitution**

The written Constitution of the Kingdom of Bhutan has been drafted with guarantees of twenty two fundamental rights to all its citizens. The written constitution which is expected to be adopted in 2008 will usher in parliamentary democracy and supersede all other legislation.

The Royal Government of Bhutan has adopted policy, organizational and procedural measures to ensure the continuity of policies and programmes related to women's and children's issues. Such existing commitments will be reinforced by constitutional guarantee as provided by Article 7 on Fundamental Rights and as clarified by Article 9 section 24 and Article 10 section 24 of the Draft Constitution<sup>4</sup> which is scheduled to be adopted in 2008, and will supersede all other legislations in the country.

### **National Legislation**

The National Assembly of Bhutan has passed a host of legislations in recent years to strengthen the rule of law, with 40 in the past decade alone. The National Assembly established a Legislative Committee in 2003 to scrutinize all new legislations before submission to the National Assembly. This is expected to professionalize the legislation drafting system. The Office of Legal Affairs was established in the year 2000. This was later changed to the Office of the Attorney General on 15 August 2006, to facilitate government agencies in identifying, assisting and reviewing draft bills before submitting to the National Assembly. The reviewing of draft Bills helps provide pre-legislative scrutiny needed to ensure transparency, professionalism and help set standards. A review of legislation is included in the Assessment of Protection Factors for Children in Bhutan undertaken by the NCWC in 2004.

Efforts have been made through amendments in policy and legislation to bridge gaps in existing acts and harmonise with the principles of the CEDAW and the Draft Constitution There is also an

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<sup>4</sup> Royal Government of Bhutan, The Constitution of the Kingdom of Bhutan Draft as on 18th August 2005

increasing effort to reinforce issues related to women and children in sectoral plans and policies. In the absence of a women's and children's code, both the Penal Code of Bhutan and the Civil and Criminal Procedure Code 2001 have had an impact in the way women and children are dealt with under the law, and these two legislations have been instrumental in how the judiciary and law enforcers handle legal cases involving women and children.

In Bhutan, all persons are equal before the law. A number of laws that have direct and serious implications on women have been enacted in Bhutan. The Marriage Act of Bhutan was enacted in 1980 and amended in 1996; the Bhutan Citizenship Acts in 1958, 1977 and 1985; the Inheritance Act in 1980; and the Penal Code of Bhutan enacted in 2004. Bhutan is a party to the Convention on the Elimination of All Forms of Discrimination against Women (ratified in 1981), the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution (ratified in 2003), and the SAARC Code for the Protection of Breastfeeding and Young Child Nutrition.

### **Human Rights and Fundamental Freedoms for Women**

The Draft Constitution of the Kingdom of Bhutan guarantees basic human rights and fundamental freedoms to every citizen. The Constitution also provides for effective remedy and enforcement of these rights. The Supreme Court is empowered, under its extraordinary jurisdiction, to protect fundamental rights by issuing various forms of writs. Promotion and protection of human rights is also one of the directive principles of state policy.

### **National Commission for Women and Children**

The National Commission for Women and Children established through a special government order in 2004 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. The Commission will be de-linked from the Royal Government of Bhutan in 2007 which will strengthen its mandate, legitimacy, influence, and partnership with the Royal Government of Bhutan for effectual gender mainstreaming.

The Commission has drafted the National Plan of Action for Gender 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 is to generally incorporate targets and indicators of gender awareness, equity and women's empowerment already embraced by Royal Government of Bhutan through its commitments under CEDAW and in pursuit of the MDGs.

Traditional civil society in the form of local self-help groups have evolved, with the modern development processes and the evolving democratization of the country, into NGOs and civil society groups that will provide active forums in the near future. The Royal Government of Bhutan is involving civil society to carry out, monitor, and evaluate women and women-related programmes, and in reviewing the situation of women in relation to the implementation of the Convention, and on drafting legislation, regulations, and guide policy. The NCWC and the Royal Bhutan Police include

civil society members at workshops to improve police responses to the public, especially women and children. The NCWC currently receives support from UNICEF, UNDP, and UNIFEM for its development, in addition to support from the Royal Government of Bhutan. The Commission meets quarterly and has established its office in the capital, Thimphu.

The National Women's Association of Bhutan (NWAB) and other non-governmental organizations such as RENEW (Respect, Educate, Nurture and Empower Women), Tarayana Foundation, and the Youth Development Fund are also concerned with improving women's socio-economic conditions and promoting their participation in development activities. For example, RENEW operating under the patronage of Her Majesty the Queen Ashi Sangay Choden Wangchuck, the UNFPA Goodwill Ambassador, works on improving the lives of underprivileged and marginalized women.

### **Temporary Special Measures**

To realize gender equality, the Royal Government of Bhutan in line with *Article 7* of the Draft Constitution, and in accordance with CEDAW, has taken legal measures in favour of women such as the *Local Governance Act*, the *Labour and Employment Act*, and *Labour Regulations*.

The forthcoming transition to parliamentary democracy in Bhutan is being carefully planned in order to minimize confusion and setbacks. The further opening and diversification of the economy is anticipated following the process of the transition to parliamentary democracy.

The preparation of the Tenth Plan which is to be launched in 2008 has taken into account the forthcoming transition, and precaution has been taken to ensure its validity and relevance. An extensive consultation process is being engaged in the preparation of the Tenth Plan.

### **Gender Roles and Stereotyping**

Conventional assumptions on women's role and position, which deny placing women at an inferior level, remain steadfast in Bhutan. However, the dangers of stereotyping of gender roles do exist to some extent, and measures led by the NCWC will ensure gender equality.

More needs to be done to sensitise police, judges, doctors, teachers, mass media, young people and political leaders alike on domestic and sexual violence to make interventions more effective. Prevailing traditional notions of masculinity and femininity prevents promotion of supportive roles for men and alternative gender roles. There exists a culture of silence among women and their families with respect to rape and domestic violence against women. Many women concede that marital violence occurs because of jealousy and the influence of alcohol. Victims usually complain to formal institutions, such as the police or courts, only after repeated episodes. Understanding of the causes and impacts of domestic and sexual violence is lacking.

### **Trafficking in Women and Exploitation of Women through Prostitution**

Although prostitution and trafficking in women are not prevalent in Bhutan, measures are already in place that treat prostitution and trafficking in women as crimes under the law. Bhutan also cooperates with neighbouring countries to address this issue within the framework of the SAARC (South Asian Association for Regional Cooperation).

The Draft Constitution of Bhutan contains a special clause for the protection of women against all forms of discrimination and exploitation, including trafficking, prostitution, abuse, violence, harassment and intimidation at work in both public and private sphere (Article 9 section 17).

### **Political Participation and Decentralization**

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 prioritise and carry out development work such as schools, health facilities, roads and communications, which will also have direct impact on women's access to services and facilities. A Department of Local Governance was created in 2004 under the Ministry of Home and Cultural Affairs with the overall responsibility for decentralization. *Gup* offices are being strengthened through infrastructure and training. Fifty-seven different *Geogs* have received local development funds as part of a pilot scheme to enable them to carry out development activities.

The Tenth Plan, which is to be launched in 2008, is being prepared through an extensive consultation process with local levels of government and community leaders.

### **International Representation**

Women have equal rights and opportunities to represent the Royal Government of Bhutan at the international level, and participate in the work of international organizations on an equal footing. Bhutanese women have led and participated in many Royal Government of Bhutan delegations to international conferences.

Two women were appointed in 2003 as Secretaries to the Royal Government of Bhutan – as Foreign Secretary and Finance Secretary respectively. The Foreign Secretary has since been appointed as the Chairperson of the Anti Corruption Commission. In the Ministry of Foreign Affairs, there is a higher women's representation in grades 4-8 [36 per cent] and grades 9-13 [39 per cent] than at lower grades 14-17 [7 per cent].<sup>5,6</sup>

### **Nationality**

Non-national spouses of Bhutanese citizens are granted residency status and may acquire Bhutanese citizenship, provided they fulfill the required criteria.

### **Education**

Bhutan has been closing the gender gap in enrolment figures in the recent years, though girls continue to have a slightly lower ratio than boys. The national literacy rate which was only 2 per cent in 1951 is now 60 per cent by June 2006, and the gross primary school enrolment rate is 96 per cent. To reduce gender disparity in education there are general and special focused educational programmes, but there remain differences in the primary school enrolment levels between rural and urban areas, and those in different income groups. The overall literacy rate has gone up for both sexes.

<sup>5</sup> National Commission for Women and Children, *Draft National Plan of Action for Gender*

<sup>6</sup> According to the Position Classification System of the Royal Civil Service Commission: Grades 4-8 fall under the Professional and Management position category while grades 9-13 under the Supervisory and Support position category, and grade 14-17 under the operational position category

Access to primary education has grown rapidly over the recent years, and it is possible Bhutan will soon achieve universal access to primary education. Progress has been made towards gender parity at primary and secondary levels, but attainment of gender parity at the tertiary education levels by 2015 presents a challenge. The transition of females from primary to secondary to tertiary levels and greater female enrolment into technical, professional and vocational institutions need to be further promoted.

There still exists a distinct gap between literacy rates of the two sexes. The Royal Government of Bhutan has been emphasizing on the effective implementation of basic primary education and ensures that all primary schools have women-teachers. Non-availability of secondary schools within a short walking distance, non-availability of female caretakers at the boarding facilities, traditional belief and attitude that boys need education more than girls, and teenage pregnancy and early marriage result in fewer number of girls in schools.

There are several targeted programmes such as alternative schooling, out-of-school programmes, incentives programme for girls and disadvantaged children, and adult literacy promotion through formal and non-formal education.

### **Employment**

The national unemployment rate increased from 1.8 per cent in 2003 to 2.5 per cent in 2004 (Labour Force Survey report 2003/2004), with females facing greater unemployment rates than male counterparts. The female unemployment rate (3.4 per cent) is almost twice as high as that of males (1.9 per cent) (National Labour Force Survey 2004). Female unemployment is particularly high in urban areas. And the incidence of unemployment is high among urban female youth aged 15-19. In the civil service, 28 per cent of civil servants are women [Draft National Plan of Action for Gender 2006], the majority of which is in the lower grades despite the fact that civil service rules are gender-neutral regarding pay, hiring, training, promotions and benefits and also allow three months paid maternity leave for each of three pregnancies.

There are a relatively high percentage of women among unpaid family workers as well as among those receiving lower remuneration (Labour Force Survey 2004). It is also important to look into the issue of underemployment as many Bhutanese, who are classified as employed, do not necessarily have a year-round job but work seasonally with little or no remuneration. According to the survey, around 16 per cent of those employed worked fewer than 40 hours a week, and more than 36 per cent of those employed were unpaid family workers engaged in farming or household activities. The Constitution guarantees equal pay for work of equal value for both men and women workers for similar jobs.

### **Health**

The Royal Government of Bhutan has undertaken a number of measures to enhance women's health status. First of all, emphasis is being given to quality and coverage of health services. Health care services in Bhutan are based on integrated primary health care and referral curative systems. Bhutan is among those very few countries where women's life expectancy at birth (66.2) is higher than that of men (66). With the overall goal to reduce maternal/neonatal mortality/morbidity during pregnancy,

and childbirth, a plan of action for safe motherhood programme has been prepared. The Royal Government of Bhutan has also taken steps to bring legal reforms in the health sector, especially in reproductive health.

The experience with the provision of health services has demonstrated that service provision alone is not sufficient to improve women's health, as women are married at a relatively young age, and there is a tendency to bear children soon after marriage, women tend to remain silent even within the family on their health problems, especially in reproductive health, and the lack of gender disaggregated data and research on women's health affects quality of health programmes.

Domestic violence and sexual harassment are covered under the general provisions of the *Thrimzhung Chen-mo*, or Supreme Laws.

### **Economic and Social Benefits**

The Royal Government of Bhutan acknowledges that despite strong pro-poor development policies and interventions, poverty continues to be a serious concern. The recent statistics revealed by the Bhutan Poverty Analysis Report, August 2004 are that 31.7 per cent of the total population falls below the national poverty line. The emphasis for the Tenth Plan is to reduce the proportion of population living below the poverty line from 31.7 per cent to approximately 20 per cent by the end of 2012.

There is no evidence to suggest there is a gender gap in payment for equivalent work between men and women in Bhutan. The Labour and Employment Act ratified by the National Assembly in January 2007 contains provisions in line with Royal Government of Bhutan commitments to the CEDAW with regard to minimum wage, maternity leave, maximum weekly work hours and amount of labour that can be performed by a child for a family business.

Women enjoy equal legal status with regard to ownership and inheritance. Accordingly, women enjoy equal rights to receive family benefits, bank loans, mortgages, and other forms of financial credits. With respect to inheritance, the traditional practice of the matrilineal family system in western and central Bhutan allows land to be inherited through the daughter, while in the south the system is usually patrilineal. While the matrilineal inheritance patterns in western and central Bhutan imply more social freedom for women and the recognition of women's economic contribution, they also present women with responsibilities to care for their parents, resulting in their limited economic and social choices (Draft National Plan of Action for Gender 2006.) Property rights are also guaranteed in the Draft Constitution.

The Constitution also guarantees the rights to culture and religion.

Traditional culture and social norms in Bhutan do not restrict women's participation in socio-economic development. The laws do not restrict equal opportunities of participation in sports and cultural activities.

## **Women in Rural Areas**

The Royal Government of Bhutan has taken initiatives to help rural women that may be broadly classified as follows: Providing micro-credit services, creating opportunities in agriculture, enhancing capacity in developing planning, and widening the range of social services. The Tenth Plan Guidelines in line with the decentralisation policy to include grassroots in all levels of planning development activities ensures women are involved in planning and implementing community development projects.

Rural women are targeted also for the delivery of social services, including health, education, drinking water and sanitation. Also in the health sector, initiatives are being taken towards safe motherhood, reproductive health, and the services of female community health volunteers.

The character of the Bhutanese economy poses a formidable challenge for integrating the rural economy with the national economy. Lack of adequately developed infrastructure and inaccessibility also hinder the implementation of development activities. Scattered settlements, especially in the hilly areas, further complicate the delivery of public services. Due to limited mobility, economic opportunities are more limited for women than men. Also in terms of social development, rural areas are lagging behind.

## **Equality before Law and Judiciary**

Provision *Om* of the *Thrimzhung Chen-mo* also guarantees the right to equality. The Draft Constitution also guarantees all citizens the equality before law and equal protection of law. No one shall be discriminated against on the basis of sex. Also equal remunerations for men and women are guaranteed by the Constitution.

## **Marriage and Family Relations**

Although family relations are governed by civil law, in some communities particularly in the south, women are not treated equally with men. The Royal Government of Bhutan wants to address these problems through (a) the implementation of poverty reduction measures, (b) public awareness campaigns, and (c) institutional measures for an effective enforcement of the legal provisions that are in place.

Poverty and a low level of social awareness constitute the primary problems in this area.

## **Concluding Note**

Bhutan's enabling factors contributing to real progress in the area of gender and development are the high status of women, a strong commitment to education, recognition of the contribution of women to Bhutan's development, increasing women's political participation, and the significant impetus of commitments to CEDAW and the Beijing Platform of Action. Advancements in the status of women in Bhutan since the submission of Bhutan's combined initial through sixth periodic report are that women and girls have made steady progress in their participation in education, health, training, employment, and in decision-making and leadership. Initiatives have achieved an effective and committed collaboration at all levels of Royal Government of Bhutan and various agencies with resultant advances in policy approaches to violence against women.



## Difficulties

Women's participation lags behind that of men in political representation, civil service, and engagement in non-agricultural employment. This overall low participation in public aspects of the national sphere may be ascribed to the sizeable gender gap arising in education in the early years of the development process when lack of school facilities<sup>7</sup> in Bhutan preordained that children were sent to India for education. This situation has improved markedly with better transportation links and more educational and boarding facilities in Bhutan. The provision of social infrastructure in education, public health and employment are some development challenges Bhutan faces with a young demographic profile and increasing number of youth entering the job market. Rural-urban migration is another major challenge.

The country's level of urbanization is low. Difficulties of access due to the difficult topography of Bhutan are still a major cause of poverty affecting women disproportionately to men. Many households lack access to town services being several hours walk from the nearest road head, and compounded by weak transportation structure.

Factors contributing to the high mortality of women include the risks of childbirth and women's limited access to knowledge, food, and care. Early marriage and pregnancy, low literacy, and inadequate family planning services also undermine the health status of women. Access to health care in general and maternal health care in particular can be problematic for rural women, given that as child bearers they are more prone to health risks than men. Royal Government of Bhutan strategies to decentralize the health system have been implemented to mitigate this significant obstacle.

The lack of data and a fast changing social and economic situation in the country is a challenge in understanding the needs of women in Bhutan today. The Royal Government of Bhutan and the small but growing number of non-governmental organizations are taking increasing steps and initiatives to understand the situation of women in the country, and the need for their protection and safety. There is also a need to strengthen NGOs that work for the interest of women.

To be able to meet the obligations of the CEDAW meaningfully, the NCWC's Assessment of Protection Factors for Children in Bhutan 2004, states that intensive training on CEDAW and rights based programming needs to be conducted for all persons and organizations working with women and children and on CEDAW issues. While noting the potential that the NCWC holds in monitoring and implementing women's rights activities, the NCWC is newly established and will take time, resources and commitment to become a fully effective organization and to realize its mission. Similarly, most of the NGOs are based in Thimphu and with resource constraints, are not always able to reach out to the communities given the difficult terrain.

## Future Action

The Ninth Plan has adopted a policy to increase the access of women to political institutions, which is taken further for the Tenth Plan. The Royal Government of Bhutan also supports NGOs through financial assistance and other assistance improving the overall status of women. Further, these

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<sup>7</sup> There were eleven primary schools established around the country initially.

organizations have actively been organizing networks and lobbying groups to influence pro-women policies and affirmative actions.

## **Part I: Articles 1 to 6**

*The Kingdom of Bhutan, having signed the Convention on Elimination of All Forms of Discrimination Against Women on July 17, 1980 and ratified it on August 31, 1981. It presented its combined initial through sixth report in January 2004. Existing commitments will be reinforced by constitutional guarantee as provided by Article 7 on Fundamental Rights, and as clarified by Article 9 section 24 and Article 10 section 24 of the Draft Constitution<sup>8</sup> [draft Tsathrim Chhenmo] scheduled for adoption by the National Assembly in 2008, and which to be adopted will supersede all other legislation in the country.*

### **Article 1: Discrimination against Women**

#### **Definition of Discrimination against Women**

1. Provision *Om* of *Thrimzhung Chhenmo* 1953 and section 3 of the Civil and Criminal Procedure Code of Bhutan 2001 encompass all citizens as persons equal before the law, “*entitled to equal protection of the law without fear of discrimination on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.*” Auxiliary, “*discrimination*” is defined under the Labour and Employment Act of Bhutan 2007 to mean “*if a person is treated less favourably, either directly or indirectly, on the basis of race, colour, sex, marital status, pregnancy, religion, political opinion, social origin or involvement in a workers’ association or as an occupational health and safety representative*”.

2. There is no specific definition of the term, “*discrimination against women*” in the Draft Constitution as the substance is encompassed by Article 7 on Fundamental Rights, in particular section 15 by which, “*all persons are equal before the law and 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*”.

### **Article 2: Policy Measures**

#### **A: Embody Principle of Equality and Practical Realization**

3. The Royal Government of Bhutan strives to ensure equal rights between men and women through its legislative policy and regulations and in its practical actions. The principle of equality between men and women is contained in the Marriage Act 1980, Civil and Criminal Procedure Code of Bhutan 2001, Penal Code of Bhutan 2004, and the Labor and Employment Act of Bhutan 2007.

4. Further, Article 7 on Fundamental Rights of the Draft Constitution of Bhutan covers the principle of equality between men and women. This guarantee is reinforced by Article 9 section 3 whereby Bhutan will “*...create a civil society free of oppression, discrimination and violence, based on the rule of law, protection of human rights and dignity, and to ensure the fundamental rights and freedoms of the people*”, and section 17 by which Bhutan “*...shall endeavour to take appropriate*

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<sup>8</sup> Royal Government of Bhutan, 2005, The Constitution of the Kingdom of Bhutan Draft as on 18th August 2005

*measures to eliminate all forms of discrimination and exploitation against women including trafficking, prostitution, abuse, violence, harassment, and intimidation at work both in public and private spheres” and section 18 which states that Bhutan “...shall endeavour 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”.*

5. Article 9 section 24 and Article 10 section 24 of the Draft Constitution set out legal measures to ensure women’s rights and freedoms in all fields, especially in political, economic, social and cultural fields. The provision of the Draft Constitution is a key legal instrument used for drawing up and adopting various measures to ensure the proper implementation and functioning for the advancement of women.

## **Primacy of Draft Constitution and Incorporation of CEDAW by Domestic Law**

### **Legislative Drafting Guidelines**

6. Members of parliament and Royal Government of Bhutan agencies may propose amendments to existing legislation and have been doing so to meet the changing economic and social needs of Bhutan. The National Assembly had drafted and adopted much new legislation during the last two decades, all in consistency with Bhutan’s international commitments and provisions of the Draft Constitution. The Judiciary under Article 1 section 11 is the “*guardian of this Constitution and the final authority on its interpretation*” and may examine the constitutionality of laws with exclusive jurisdiction in matters arising under the Draft Constitution, and for this purpose, any provision of a law declared by the Judiciary to be inconsistent with the Draft Constitution cannot be promulgated nor be applicable.

7. The Legislative Committee of the National Assembly has been established to study draft legislation submitted to the Assembly. Legislative Drafting Guidelines have been prepared in accordance with which any Bill being submitted for ratification to the Assembly would be done so two months before an Assembly Session to allow the Committee ample time for review. The Guidelines further require that all Acts passed by the National Assembly are indexed to facilitate the purpose of easy reference and application. The 83<sup>rd</sup> National Assembly Session 2005, in concurrence to recommendations of the Legislative Committee, resolved that all ministries, departments and agencies in the Bhutan shall henceforth draft Bills in accordance with the guidelines.

## **Laws and Rules Governing Elections**

### *Constitutional Guarantee*

8. Article 7 section 6 of the Draft Constitution guarantees all Bhutanese citizens the right to vote and exercise adult franchise.

Draft Election Bill , DYT and GYT Chathrim

9. The Draft Constitution by Article 22 covers all issues related to local governments. The respective Chathrim of the *Dzongkhag Yargye Tshogdue* and the *Geog Yargye Tshogdue* do not make explicit distinction between women and men in eligibility and grant any Bhutanese citizen as equally eligible to vote and stand for elections. [Refer Article 7 paragraph B] With the establishment of the Election Commission of Bhutan and following the imminent enactment of the Election Bill, the Rules of Procedure on election process would be implemented in the *geogs* and *dzongkhags*. The National Assembly in its 84<sup>th</sup> session also resolved that the *GYT/DYT* Manual 2004 should be effectively implemented.

**Laws and Rules Governing Employment**

10. Article 7 section 8 of the Draft Constitution grants all Bhutanese citizens with equal opportunity to join the public service. In addition, Article 25 section 4 directs the Royal Civil Service Commission (RCSC) to “...ensure that civil servants render professional service, guided by the highest standards of ethics and integrity to promote good governance and social justice, in implementing policies and programmes of government.” These provisions are reinforced for women by Article 9 section 17. Also, Article 7 section 11 grants every person the “right to equal pay for work of equal value,” as does Chapter II section 13 of the Labour and Employment Act, section 8.23 of the Policy Document of the Position Classification System of the RCSC. [Refer Articles 4, 5, 7, 11, and 15]

11. The Bhutan Civil Service Rules and Regulations of 2006 (BCSR 2006) of the RCSC, do not distinguish between female and male civil servants. Civil servants are accorded equal criteria when considered for selections, appointment, up-gradation, trainings, promotions and transfers, with the main differentiator being qualification and merit. In addition, a policy document and manual on the Position Classification System (PCS) which is complementary to the BCSR 2006 was released in June 2006. The Civil Service Act is also being prepared and expected to be endorsed before 2008.

- The *Zhiyog* system developed by the RCSC in 2001 with financial assistance from the Government of Denmark and the United Nations Development Programme, deals with human resources information of civil servants pertaining to recruitments and selections, placements, transfers, secondments, separations, promotions, performance appraisals, training and development and personal bio-data of employees. The system was networked with internet in all line Ministries, Agencies, and each Dzongkhag by May 2005.
- The *Zhiyog* is expected to strengthen the process in enabling all agencies to update and synchronize data pertaining to civil servants in their respective agencies and ensure accurate information for generation of statistical reports. These reports are important for strategic Human Resources Management, manpower planning and development at the central as well as at the ministry and *Dzongkhag* levels. The system will facilitate monitoring and evaluation of the performance of civil servants on a regular basis.

- The Human Resources Management and the Human Resources Development Divisions are the two operational divisions responsible for input of data into the system. The Management Information Services Division will develop the system, train personnel in use of *Zhiyog*, generate statistical reports for HR Management, and coordinate all activities pertaining to Information Management. In line Ministries, Agencies and the *Dzongkhag*, Human Resources Divisions manage *Zhiyog* and provide timely and accurate information to their organizations and the RCSC.

## **Laws and Rules Governing Marriage and Family**

12. All women have the right to enter into marriage and to freely choose a spouse; ownership and acquisition of property; and access to the information and means those enable them to exercise these rights. [Refer Article 16]

## **B: Appropriate Legislation and Sanctions**

### **National Initiatives**

13. The Civil and Criminal Procedure Code of Bhutan 2001, Penal Code of Bhutan 2004 and the Evidence Act of Bhutan 2005 also regulate the proper functioning of the Judiciary to fulfil their duties towards all citizens of Bhutan.

14. Various provisions of existing laws cover offences and punishments that are imposed on acts of discrimination against women: Provision *Om of Thrim zhung Chen mo* and section 3 of the Civil and Criminal Procedure Code encompasses this through reference to the incitement to nationality, race, and religious discrimination, national, racial or religious hatred; the Labour and Employment Act includes punishments for acts of discrimination, including discrimination against women [refer Article 11, paragraphs 1A and 2C]; the Penal Code of Bhutan, 2004 encompasses offences of discrimination and those that constitute of gender based violence. [refer Article 2 paragraph D and E]; Provisions in the Civil and Criminal Procedure Code, 2001 relating to gender discrimination and particularly direct discrimination against women was endorsed by the National Assembly to enable provisions on condemnation against offences of discrimination against women to be applicable.

15. Article 10 section 24 of the Draft Constitution guarantees that existing international conventions entered into by Bhutan, including CEDAW, shall continue in force. The legal definition of “*discrimination against women*” is thus based on the CEDAW. In practice, the Royal Government of Bhutan uses the above said definition as a basis to draw up legal documents and laws to ensure that women enjoy equal rights as men in all fields without any distinction, exclusion or restriction imposed on women. The Judiciary under Article 1 section 11 is the “*guardian of this Constitution and the final authority on its interpretation*” and may examine the constitutionality of laws with exclusive jurisdiction in matters arising under the Constitution, and for this purpose, any provision of a law declared by the Judiciary to be inconsistent with the Constitution cannot be promulgated nor be applicable.

## **The Penal Code of Bhutan 2004**

16. The Penal Code of Bhutan 2004 includes several provisions for crimes which constitute gender based violence. As with all offences, the Penal Code stipulates that offenders found guilty of the same or similar offence, shall be liable to enhanced punishment. In the case of a repeated offence of marital rape, the severity of the offence would be raised to a misdemeanour, punishable by a minimum prison term of 1 year and a maximum term less than 3 years.

### **Assault**

17. Assault is defined as purposely, knowingly, recklessly, or negligently causing apprehension of bodily injury to another person in the Penal Code and is a violation, punishable by a fine equalling the daily minimum national wage rate for a maximum of ninety days. Most cases of domestic violence reported to the police are registered as assault and battery.

### **Battery**

18. Battery is defined as purposely using physical force of an adverse nature on another person in the Penal Code and is a petty misdemeanour, punishable by a minimum prison term of 1 month and a maximum term of less than 1 year, or a misdemeanour if aggravated circumstances are present.

### **Rape**

19. The Penal Code repeals the Rape Act, and covers rape as a felony of the fourth degree punishable by minimum prison of 3 years and maximum of less than 5 years. In addition, the Penal Code under Chapter 14 section 177 stipulates that compensation is to be paid where injury is the result of the commission of rape of any description. The Penal Code defined 11 different categories of rape, all of which were felonies of the fourth degree or higher, except for marital rape, which is a petty misdemeanour.

### **Other Crimes that Constitute Gender based Violence covered by the Penal Code**

20. Other crimes which could constitute gender based violence include (i) Child molestation, (ii) Incest; (iii) Child Abuse; (iv) Paedophilia; (v) Endangerment of a Child; (vi) Sexual Harassment; and (vii) Indecent Exposure.

21. In June 2006, the Ministry of Home and Cultural Affairs announced with a formal notification to the 20 *Dzongkhag* administrations that all offences related to rape and attempted rape are not subject to bail and convicts are to be given maximum penalties.<sup>9</sup> The notification re-iterated that sexually related crimes are “*non-compoundable*”, meaning they are not allowed to be mutually settled between parties. The intent of the notification was to raise awareness among people across all sections of the society towards this problem, and to make anyone think twice before committing such acts. The ministry also stipulated the necessity to having the notification discussed through forums like DYT, GYT, and community gatherings. In addition, stories on the notification were also included in the 3 Newspapers, further raising awareness.

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<sup>9</sup> Choden, Karma (2006) Sex-related crimes, maximum penalty In Kuensel, 14 June 2006

## **C: Establish Legal and Effective Protection through Institutions**

### **Matters Relating to National Mechanisms and National Machinery**

#### **Legal Instruments**

22. The Judiciary has the constitutional guarantee by Article 21 of the Draft Constitution, to grant courts in Bhutan the jurisdiction to settle all kinds of lawsuits. The settlement of complaints and claims reside under the competence of the courts. Victimized women may file complaints with a competent court against acts of discrimination, and the use of violence such as insult, rape, battery with injury, manslaughter, and sexual harassment as such acts are deemed a criminal offence.

23. The Royal Government of Bhutan approved the establishment of the National Commission for Women and Children (NCWC) in January 2004. This was an outcome of extensive deliberations in the Coordination Committee Meetings (CCM) of the Council of Ministers for a national structure to spearhead the execution of Royal Government of Bhutan's obligations towards addressing women and children concerns and meeting obligations under the CEDAW and CRC. The NCWC was formally launched by the Prime Minister on May 6 2004, and the Secretary of the Ministry of Health was appointed as the Chairperson of the NCWC, which functions with a separate secretariat. [Refer Article 3]

24. The Draft Constitution Article 7 section 22 states that "*All persons in Bhutan shall have the right to initiate appropriate proceedings in the Supreme Court or High Court for the enforcement of the rights conferred by this Article*" Further, Article 21 section 18 guarantees "*every person has the right to approach the Courts for enforcement of the rights conferred by this Constitution or by the laws.*" In conformity with the Draft Constitution and Article 2 of the CEDAW, Bhutanese law assures any person, whether female or male, the right to institute court proceedings if she or he believes their rights have been violated. Under the Civil and Criminal Procedure Code, Part II Civil Procedure Chapter 18 section 116 "*a suit may be initiated in accordance with the Code by: (a) a litigant himself/herself; (b) a member of his/her joint family; or (c) a Jabmi of his/her choice. Every suit shall be instituted: (a) by presenting a Petition of Complaint to a Court with jurisdiction by the pleader or his/her member of the family/ Jabmi; and (b) in good faith and not for harassment*".

#### **The Jabmi System**

25. In Bhutan, there is an organized legal assistance body based on the traditional system of law defendant and representative know as *jabmi*, sanctioned by the Royal Government of Bhutan to defend cases in the courts according to roles and duties as determined by law. Under Chapter 5 section 33 of the Civil and Criminal Procedure Code, "*A person may: (a) plead or defend himself/herself in person; or (b) be represented by a Bhutanese Jabmi of his/her choosing and where this right is waived it must be done competently and intelligently.*" Through this Institution, victimized women may seek the service of lawyers to defend their rights and sue for justice, and may also seek legal support. In this case, if the female victims are poor, legal assistance is provided free of charge as stipulated under Chapter 5 section 34 of the Civil and Criminal Procedure Code "*Only an indigent Accused shall have Legal Aid provided for one's defence where the interest of justice so requires.*"

The *jabmi* system is also provided for in the Draft Constitution Article 7 section 20. [Refer Article 15 paragraph 2]

### **Complaints and Response and IT Mechanism**

26. The Civil and Criminal Procedure Code 2001, the Penal Code 2004, and the Narcotics and Psychotropic Substances Act 2005 provide for separate facilities for women offenders and minors. At present, all detention centres have separate facilities for women. The Royal Government of Bhutan, the judiciary and the police are aware of the need for separate facilities for children but have not been able to provide due to resource constraints. In 2007, separate detention facilities for girls and boys will be established in Thimphu.

27. To date, child offenders have been segregated by sex and kept in women's and men's cells while undergoing court proceedings, after which, if convicted, are transferred to the Youth Development and Rehabilitation Centre (YDRC). At present, the YDRC is for boys only, as there are almost no female juvenile offenders. Efforts are underway to construct facilities for girls in the event that female juvenile offenders are committed to YDRC.

28. The NCWC and the Women and Child Protection Unit of the Royal Bhutan Police (RBP) have collaborated in establishing a Complaints and Response Mechanism that aims to provide support and counselling services for people in distress.

### **Policy Support and Capacity Building**

29. The Royal Government of Bhutan gender focal points in its line ministries to mainstream gender concerns into policy. Although the mandate for gender related policy recommendation lies with the Planning Commission Secretariat, they work in collaboration with the NCWC for practical implementation. In September 2005, the NCWC developed a Terms of Reference (ToR) which clearly spells out GFP roles and responsibilities and recognizes their contributions towards the gender mainstreaming initiatives of the Royal Government of Bhutan. GFPs have been appointed by the ministries and autonomous agencies nationwide. The GFP network, with support from UNDP, has been actively participating in workshops, trainings, consultations and briefings on gender and women issues organized across the country. The GFPs have also been instrumental in the development of the country's first National Plan of Action for Gender (NPAG). Capacity building of the GFPs is an important step forward for maintaining the "gender mainstreaming" momentum in the country.

30. Efforts are concentrated to achieve the MDG relating to gender equality and the advancement of women. Bhutan's national policy on women through policies in development planning and the NPAG, currently being finalized by the NCWC, will make a practical reference point for the line ministries when planning for the Tenth Plan. The Framework for the NPAG was endorsed at the National Gender Planning Retreat in November 2005 to facilitate interventions necessary to achieve gender equality in Bhutan, and provide a reference document for preparing the Tenth Plan.

31. With the MDG Needs Assessment and Costing Exercise initiated in Bhutan, and given the comprehensive coverage and accurate description of the pertinent gender issues in Bhutan as contained in the draft NPAG, the NPAG has served as a template for estimating the cost of achieving



gender equality. As gender equality is a cross-cutting issue interrelated to all sectoral goals, the MDG costing for gender equality is focused on a more holistic approach.

## **D and E: Prohibition of Discrimination and Elimination of Discrimination**

### **Legal Measures against Discrimination**

32. The Civil and Criminal Procedure Code contains specific provisions relating to women under Chapter 28 Arrest without Warrant, Cognisable Offences 165 which states that “*a police officer may arrest without a warrant in a public place, if any person is reasonably believed to be ... attempting to forcibly dishonour a female.*” Further, in section 171.5 it states that “*whenever it is necessary for a woman to be searched, another woman shall make the search with strict regard to decency.*” The Narcotics and Psychotropic Substances Act [Article 9 section 71] also provides that a woman officer shall be the arresting officer for women offenders, and in absence of whom a woman shall be present during the search and arrest.

33. Provisions under the Police Act, 1980 and Prison Act, 1982 ensure and specifically protect the rights and interests of women. Provisions of the Police Act state that “*in order to facilitate the working of the police, women may also be recruited in the police, where they will be helpful in investigating cases involving women or to handle female prisoners or in traffic control duties.*” The Prison Act ensures separate confinement for female and male prisoners in jail and prohibits convicted women and minors from being given prison work “*beyond their capabilities*”.

34. Bhutan has adopted appropriate measures to ensure a better application of *Paragraphs D and E* of Article 2 of the Convention, and to give equal rights to women and men in political, civil, economic, social and cultural fields, as per Articles 7, 9, and 23 in the Draft Constitution. The principle of equality of men and women in this supreme law is a fundamental basis for adoption of measures to abolish discrimination against women in all sectors of State and private institutions. Further, under Fundamental Duties as defined by Article 8 section 5 “*a person shall not tolerate or participate in acts of injury, torture or killing of another person, terrorism, abuse of women, children or any other person and shall take necessary steps to prevent such acts.*”

### **Awareness of Convention in Judiciary, Law Enforcement Authorities & Other Spheres**

35. The English version of the CEDAW had first been disseminated among Royal Government of Bhutan agencies and a summary of the CEDAW in Dzongkha, the national language, as well as in Lhotsampa (Nepali) had been circulated to all National Assembly members on ratification in 1981. Translations of the entire text of the CEDAW and a summary of the periodic report were undertaken in 2003, and distributed to all branches of national and local government, and non-governmental organisations (NGOs). Efforts have been made to take the Convention into account during consideration of all relevant legislation. The very process of reporting to the Committee has served to increase consciousness. A series of trainings have been conducted to promote understanding and awareness on the CEDAW among stakeholders, especially law enforcement officials, the judiciary, educationists and parents and children.

## **Role of Media**

36. To increase the role of media in dissemination of information on the Convention and to promote and protect the rights of women, the print and broadcast media in Bhutan is represented in the board of the NCWC and the Gender Focal Point Network. Literature on the CEDAW, Bhutan's combined Initial through Sixth periodic report, and the Committee's recommendations have been widely circulated among the Bhutanese media, are posted on websites, and are available to the public domain. The Royal Government of Bhutan, in cooperation with development partners and relevant NGOs have developed training packages for teachers, law enforcers, health workers, and guidance counsellors that include perspectives on women and child rights. UNICEF and the Royal Government of Bhutan have produced flyers, books and resource materials on both the CEDAW and the CRC for use in schools and for public distribution.

## **National Consultation on Women and Child Friendly Judicial Procedures**

37. The National Consultation on Women and Child Friendly Judicial Procedures, organized by the NCWC and the Royal Court of Justice with support from UNDP, UNICEF, and UNIFEM was convened at Gedu from 28 to 31 March 2006 for 75 delegates consisting of several *Drangpon*, *Drangpon Rabjams*, Lawyers, Legal Officers, Police Officials, Gender Focal Points, NCWC Members, NGOs, Media and health Officials.

## **National Consultation on Women and Child Friendly Police Procedures**

38. An initial step towards creating awareness and understanding of the needs of victims and removing of barriers to the reporting of incidents, a four-day national level consultation in October 2005 on Women and Child Friendly Police Procedures organized by the NCWC and the RBP Head Quarters, and supported by the UNDP and UNICEF was attended by 50 police officers, NCWC members, and representatives from the NGOs. Deliberations covered issues pertaining to Bhutan's justice system in relation to women and children in conflict with the law, with extensive briefings on the Penal Code, Draft Constitution, and the Civil and Criminal Procedure Code. Outcomes of this process are the 16 point recommendations, which already have or will be implemented, and are elaborated under Article 4 *Special Measures*.

## **Briefing for Parliamentarians on CRC and CEDAW**

39. On 23<sup>rd</sup> December 2005, the NCWC conducted a Briefing for Parliamentarians on the CRC and the CEDAW. This is the first in a series of nationwide briefing on CRC and CEDAW, issues related to children and women's rights, and children's protection issues and gender concerns in the country.

## **Workshop on Key Gender Issues and Gaps in Bhutan 2005**

40. This workshop held on 19 August 2005 in Thimphu saw representation from gender focal points and senior planning staff from various Ministries and Departments, members of the NCWC working group, donors and other development partners. The workshop was the starting point for a process of participatory planning which will result in Bhutan's first NPAG which will be the basis for all gender activities in Bhutan and enable all proponents of gender mainstreaming to work in a coordinated manner towards common goals.

## **F: Abolition of Discriminatory Laws, Provisions, Customs and Practices**

41. To provide equal rights to women and men as guaranteed in Article 7 of the Draft Constitution, Bhutan has adopted measures for change, and nullification of laws, customs, and practices, which are discriminatory against women. Given the provisions under Article 1 section 10, Article 7 section 21, and Article 10 section 24 of the Draft Constitution as a basis, any laws and provisions which are discriminatory must be automatically null and void.

## **G: Repeal of Penal Provision Discriminatory against Women**

42. The Penal Code of Bhutan 2004 repeals all penal provisions of any laws, rules, regulations and circulars inconsistent with it. Provisions which categorize gender related discrimination as offences punishable by a prison term are incorporated into the Civil and Criminal Procedure Code 2001 and Penal Code of Bhutan 2004. The principle of elimination of discrimination against women is also guaranteed in the Draft Constitution, which will take precedence over all laws. Thus, any discriminatory provisions against women if existing are automatically abrogated under Article 7.

## **Issues of Concern**

### **Difficulties**

43. Bhutanese women while enjoying equal status in society still suffer subtle forms of discrimination in both the private and public spheres. Efforts made in the adoption of legal and administrative measures, and the implementation of these measures has not always been fully effective, and gender issues not totally understood. Gender awareness can be considered high at government, policy planning, donor and NGO levels, much data is available, and some analysis has been done, but capacity to translate the information into policies or actions remains low.

44. Criminal provisions, those that specifically determine acts of discrimination against women as punishable offences, have not been drawn up, thereby weakening the effective implementation of the principle of elimination of all forms of discrimination against women.

### **Future Action**

45. A revisiting of policies and legislations, in general and of the policies and legislations relevant to good governance in particular, from a gender equity perspective will be undertaken through the NPAG to ensure that women benefit from the plans, policies and legislations.

46. Pertaining to relations with NGOs, the Royal Government of Bhutan is cognisant of their practical role in promoting national development and thus recognizes their autonomy. The Civil Society Bill will be deliberated during the 87<sup>th</sup> session of the National Assembly in June 2007.

47. Issues had been raised at the National Consultation on Women and Child Friendly Judicial Procedures which are potential problems such as i) Bail for juveniles dependent on nature of crime and other considerations; ii) The complexity of complaints registration and withdrawal by the RBP; iii) Delay in court decisions due to lack of adequate evidences particularly DNA and forensic services especially after the enactment of the Evidence Act 2005 and iv) The issue of mediation and its practical utility, without compromising rights of women, is being reviewed.

48. The Women and Child Protection Unit of the RBP will establish a detention centre with cells and recreational facilities for minors, separate for boys and girls, and separate from adult offenders. The RBP is also establishing a Complaints and Response Mechanism with parallel IT applications to make the overall complaints process public friendly, and to introduce in-house strategies that augment the response mechanism of the RBP. This exercise is a follow-up of the ongoing discussions on the mechanism between the RBP and the NCWC, as per the 16 point recommendations from the National Consultation on Women and Child Friendly Police Procedures [Annexure 4].

49. With introduction of a pilot digital data management system in the Thimphu RBP branch, complemented by efforts of the Women and Child Protection Unit, it is anticipated that improvements in access to records regarding gender based violence and all crimes will soon occur. The digital data management system is expected to expand to police stations in each Dzongkhag. The NCWC also plans to train 65 RBP on the system.

### **Article 3: Guarantee of Human Rights & Freedoms**

#### **Constitutional Guarantee to CEDAW**

50. Existing commitments under the CEDAW are reinforced by constitutional guarantee as provided under Article 7, Article 9 section 24 and Article 10 section 24 of the Draft Constitution which will supersede all other legislation in the country once it is enacted in 2008.

51. In relation to women and children concerns and their rights, Bhutan has signed and ratified the SAARC Conventions on Preventing and Combating Trafficking in Women and Children for Prostitution 2002 and Regional Arrangements for the Promotion of Child Welfare 2002, the Single Convention on Narcotic Drugs 1961, and the Convention on Psychotropic Substances, 1971, the Yokohama Global Commitment made at the 2<sup>nd</sup> World Congress Against Sexual Exploitation of Children 2001, the SAARC Code for the Protection of Breast Feeding and Young Child Nutrition 2004, and the two Optional Protocols to the Convention on the Rights of the Child on the involvement of women and children in armed conflict and sale of children, child prostitution and child pornography 2005.

#### **National Machinery**

##### **National Commission for Women and Children: Mandate and Structure**

52. The Royal Government of Bhutan approved the establishment of the NCWC on 29 January 2004. The NCWC was formally launched by the Prime Minister on May 6 2004. The Secretary of the Ministry of Health was appointed as the Chairperson of the NCWC, which will function with a separate secretariat. The NCWC is the first national institution with the primary responsibility for issues related to women's and children's rights, and is an expression of Bhutan's commitment towards ensuring gender equality under law.

53. The NCWC monitors implementation of activities under international and regional conventions related to women and children including the preparation of periodic reports. It makes recommendations to the Royal Government of Bhutan on women's and children's issues. It provides a forum for receiving and investigating reports on violations of rights of children and women. The

NCWC is currently finalizing the NPAG with the emphasis on building up women's capacity and focusing on priority fields.

54. Membership of the NCWC is multi-sectoral, including NGOs, with clear selection criteria and may be appointed or nominated by their respective organisations. Members serve in their personal capacity. Present members include Representatives of National Assembly Members, NGO's, Private Sector, Media (Bhutan Broadcasting System (BBS)/Kuensel), Academic Institutions, RBP, Office of Legal Affairs, Ministry of Labour and Human Resources, Ministry of Education, and Ministry of Health. The NCWC will be de-linked from the Royal Government of Bhutan in 2007. This will strengthen their mandate, legitimacy, influence, and partnership with the Royal Government of Bhutan for effectual gender mainstreaming. NCWC Secretariat.

55. The NCWC Secretariat, initially attached to the Ministry of Health, became a separate entity in 2005. The Royal Government of Bhutan provides staff and financial support to the secretariat. The structure is illustrated by the Organogram in Annex 2.

56. The NCWC Secretariat, prepares periodic reports for the Royal Government of Bhutan, coordinates the submission of periodic country reports to Treaty Bodies; coordinates and monitors implementation of activities under CRC, CEDAW and other conventions within and outside Bhutan; provides a forum for receiving and investigating reports on violations of child and women rights to be reported to the Royal Government of Bhutan; disseminates and advocates information on conventions; assists in the mobilisation of resources for implementing agencies, determines annual work plan and budget requirements; and recommend issues/policies/actions pertaining to children and women to the Royal Government of Bhutan.

## **Issues of Concern**

### **Difficulties**

57. To be able to meet the obligations of the CEDAW meaningfully, the Assessment of Protection Factors for Children in Bhutan 2004 states that intensive training on CEDAW and rights based programming needs to be conducted for all persons and organizations working with women and children and on CEDAW issues. While noting the potential that the NCWC holds in monitoring and implementing women's rights activities, the Commission is newly established and will take time, resources and commitment to become a fully effective organization and to realize its mission. Similarly, most of the NGOs are based in Thimphu and with resource constraints, are not always able to reach out to the communities given the difficult terrain.

58. Capacity building and implementation support are required for organizations and institutions working in gender and development in Bhutan to convert the high levels of awareness, support and momentum into projects, actions and results.

59. NGOs also require additional resources, both financial and technical, to develop and implement a long term strategy to protect, counsel, rehabilitate and reintegrate into society victims of gender based violence.

60. The baseline data given in the Ninth Plan document and the Tenth Plan guidelines are not gender-disaggregated, showing thus a deficiency of such data.

### **Future Action**

61. The NCWC will become an autonomous organisation in 2008, which will strengthen its role as the national machinery for the promotion of women's and children's rights.

62. The efforts of the NCWC, the ongoing focus given to the generation of gender disaggregated data, and capacity-building for gender focal points in all relevant agencies will be instrumental for gender-concerns to be considered in national policy-making.

63. To develop and advance the situation of women and to ensure that they exercise and enjoy fundamental rights and freedoms on the basis of equality with men, the Royal Government of Bhutan has set out systematic strategies in which women are empowered to participate in development. The Royal Government of Bhutan has adopted Five Year Plans (FYP) within the larger perspective of Vision 2020 to enhance economy, social, cultural development and utilize natural resources and environmental management. The Royal Government of Bhutan plans to enhance professionalism and productivity skills of all Bhutanese with focus on women in urban and rural areas based on the provision of basic education, elimination of illiteracy, vocational training, enhancement of health care services and nutrition.

## **Article 4: Special Measures**

### **A. Adoption of Temporary Measures**

64. As women in Bhutan by law have the right to participate in political, economic, social and cultural affairs on an equal basis with men, provisions are not made for preferential treatment in favour of women by way of special support in education or employment. The Royal Government of Bhutan recognizes the temporary special measures as determined in Article 4 of the CEDAW and does not consider such measures discriminatory. Bhutan has adopted some special measures to accelerate the de facto equality between women with men. These include the creation of institutions and agencies with the duty and responsibility for the development of women and of children such as the NCWC, Youth Guidance and Counseling Division (YGCD) under the Ministry of Education, and the Women and Child Protection Unit in the Royal Bhutan Police. NGOs working in the area of women and children include the Tarayana Foundation, RENEW, the Youth Development Fund (YDF), the NWAB, and other private based voluntary welfare associations.

65. Any provision of law which puts an end to discrimination against women constitutes a proper measure to change discriminatory customs such as: Marriage Act which has reinforced the traditions that empower women in choosing their marriage partner, Land Act which strengthens the customary rights of women owners of immovable property, and the Civil and Criminal Procedure Code which provides for female personnel to arrest and frisk female detainees.

66. Bhutan will consider the adoption of temporary special measures where needed.

## **B. Measures Aimed at Protecting Maternity Are Not Considered Discriminatory**

67. There are no reports of female infanticide, dowry deaths, bride burning or organized trafficking of women and children in Bhutan. In Bhutan, once a woman has given birth, the husband traditionally takes care of the wife and household chores. Bhutanese parents show no preference for the birth of sons over daughters, nor are they inclined to give less care to children based on their sex. Inheritance practices favour women in many parts of the country, and decisions concerning family are defined by consulting women.

68. Bhutan has recognized maternity as an indispensable social function that must be given special attention to ensure the advancement of women and children. The Royal Government of Bhutan does not consider measures taken to protect maternity discriminatory. It has laid down various laws and measures to protect maternity and to ensure its better implementation with the main initiative being the Labour and Employment Act. (Refer Article 11 Paragraphs response to 2A and 2B for further details).

69. Section *Kha* 8-1 of the Marriage Act protects an unmarried woman who becomes pregnant; if she brings suit, the man found liable is required to pay an amount equal to the national daily wage for 10 months to the woman toward the cost of the medical treatment, besides child support allowances equivalent to 20 per cent of the monthly income.

### **Article 5: Sex Role Stereotype and Prejudice**

70. Women and men enjoy equal rights and responsibilities. The people of western and central Bhutan, and some ethnic groups in eastern Bhutan, have a matrilineal family system which for most Bhutanese means that family wealth in terms of land and other property is inherited through the daughter. In southern Bhutan and other parts of the east, patrilineal inheritance is the standard. In both cases parents have final say in distribution of family property. Resultant of National Assembly resolutions, legal provisions now require authenticated signatures of all children to validate distribution of family wealth amongst inheritors. Daughters and sons enjoy equal right to inheritance under the law.

71. The Draft Constitution, Article 9 section 3 provides for the creation of a “*civil society free of oppression, discrimination and violence, based on the rule of law...and ensures the fundamental rights and freedoms of the people.*”

72. The Gender Pilot Study 2001 and Bhutan’s combined initial through sixth CEDAW periodic Report 2004 revealed critical concerns affecting women in Bhutan despite the common acceptance that there is no overt gender discrimination.

## **A. Elimination of Prejudice and Modification of Social Norms**

### **Role of Women According to Custom and Tradition**

73. Women engaged in homemaking, child-rearing or other unpaid work may reinforce cultural stereotypes. Socio-cultural perceptions of women as less capable than men, particularly as being a) physically weaker and b) sexually more vulnerable, has limited their access to educational and

employment opportunities, and Bhutanese women's own perception of themselves seems to be based on these two factors.<sup>10</sup> Barriers that exist to restrict their entry into the paid labour force as a career option is a violation of their right to self-determination and gainful employment, and the Royal Government of Bhutan has strived in all areas of legislation, policy, and awareness to nullify such. There is no distinct division of roles between the majority of rural women and men, and traditional roles of tilling the fields with oxen is still regarded as a man's job while the realm of housekeeping is a women's. In a household short of women, however, men engage in routine domestic work. Cultivation from sowing to harvesting is fully shared. Although husbands and wives are now legally bound to jointly own the farm resources, women still enjoy control of family income but again this largely depends on communities.

74. Violence against women appears mostly in the family sphere, and as marital violence is usually equated with physical battery, psychological and sexual abuses are often excluded. This will be further examined under Article 12 on Health.

75. The practice of consanguineous marriage still happens in sections of Bhutanese society, and by cultural norms are not regarded incestuous and is permitted by law (*Kha 1-10*) if in conformity to local customs and practice. There is a belief that there is a decreasing trend. However there are no data on this subject.

76. Intermarriages among different castes in the past were condemned by Bhutanese of ethnic Nepalese origin who follow the Hindu faith, but these restrictions are gradually eroding. For the majority of the Bhutanese, no social stigma is associated with divorce or remarriage, and it is normal for those divorced and widowed who choose to, to remarry and have children without social stigma whereas this is socially unacceptable in amongst the Bhutanese of ethnic Nepalese origin. Widows have equal status in society with no social stigma attached to widowhood.

### **Matters Relating to Polygamy, Consanguineous Marriage and Under Age Marriage**

77. While the Marriage Act does not contain a specific definition of marriage, different aspects of marriage are covered under the various provisions of the Act. [Refer Article 16]

78. The few occurrences of polygamy and polyandry are permissible under the law; if it is done with the consent of the existing spouse(s). With socio-economic changes and increasing education, such practices are fast declining. The general opinion among both women and men seems to be that the situation is acceptable after spousal consent.

## **B. Family Education**

### **Maternity is Recognized as a Social Function**

79. A traditional system of *Nanggi Aum* defines women's lives and is still the base for consolidating the rights and freedoms of women leading to visible equality between men and women in social and cultural fields. This prestige was reinforced by the practice that land was handed down to

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<sup>10</sup> National Commission for Women and Children (2005) *The Situation of Women and Children in Bhutan*



daughters as inheritance and by the fact that a husband would often go to live in the house of his wife's family.

### **State Responsibility in Taking Care of and Educating Children**

80. Educating children is a common duty of the family and the state and the obligation of both parties. The government provides free basic education to all children and free higher education on basis of merit. The Draft Constitution, Article 9 section 18 provides that *“The state shall provide free education to all children of school going age up to the tenth standard and ensure that technical and professional education is made available generally and that higher education is equally accessible to all on the basis of merit”*.

81. Education is recognized both as a basic right and a prerequisite for achieving wider social, cultural and economic goals. A primary strategy is to improve the quality and relevance of education to ensure holistic development of the child, irrespective of sex. More specifically, through education, particularly through special programmes such as Scouts and career counselling, girls are able to participate equally in all spheres. The curriculum department of the Ministry of Education has made efforts to avoid gender-biased words and pictures in textbooks. The need to address perceptions that hinder achievement of women's development is recognised. Increased capacity and experience in Bhutan would make it possible to step up advocacy and awareness programmes towards that end.

### **Education and Awareness Program**

82. The education sector has high priority in national development, because of the important role of education for developing the quality of life. The Royal Government of Bhutan and NGOs have extended education programs through short training courses and workshops to further raise understanding about maternal functions in society and to make parents aware that educating children is a common duty of the family and society. The Education Sector will undergo capacity building for the development of child friendly teaching and learning materials.

### **Issues of Concern**

#### **Difficulties**

83. Although there are efforts at educating the public, it will take more time to reverse stereotypes and change current behaviours.

#### **Future Action**

84. The Royal Government of Bhutan, through various ministries, NGOs, and the NCWC continues to disseminate information and educate people as broadly as possible on behavioural change and to accept progress in social and cultural fields. Any rare occurrence of under-age marriages will be further reduced by enhancing awareness that they are not legally recognized and would be liable to prosecution.

85. Elimination of prejudice and stereotypes is one of the 7 critical areas for action under the draft NPAG, and will be mainstreamed in other areas such as education and governance. A study will be done to assess prejudice and stereotypes in Bhutan. The Royal Government of Bhutan will work

towards eliminating existing negative images of women through the mass media, and review curriculum and course books to modify prejudices based on concepts of inferiority or superiority of either of the sexes or on stereotyped practices for men and women. The NPAG once adopted will provide gender and women's rights training for civil servants and local authorities so that they are aware of women's rights and equality between men and women.

## **Article 6: Human Trafficking & Exploitation**

### **A. Human Trafficking**

86. Bhutan signed the SAARC Convention on the Prevention and Combating of Trafficking of Women and Children for Prostitution on 5 January 2002, and the instrument of ratification was deposited on 4 September 2003. Articles of the CEDAW to a large extent have been incorporated into national laws. The Royal Government of Bhutan continued to work with local authorities, NGOs, and the international community, especially through the FYPs, to combat root problems associated with trafficking. The Royal Government of Bhutan in collaboration with development partners and NGOs have been supporting programs for economic development among poor rural women (refer Paragraphs under Articles 1 and 2).

87. The Penal Code recognises human trafficking as a fourth degree felony and child trafficking as a third degree felony. Trafficking is defined as transporting, selling or buying a person within, into or outside of Bhutan for any purpose. A fourth degree felony is punishable by a minimum prison term of 3 years and a maximum of less than 5 years and a third degree felony by a minimum prison term of 5 years and a maximum term less than 9 years.

88. The Labour and Employment Act [Chapter II] prohibits sale or trafficking of children and various forms of child labour. Any person breaking such prohibitions can be charged with committing a serious offence, making them liable to (i) pay a fine of not less than Nu. 252,000 and not more than Nu 540,000.00 or (ii) serve a minimum prison term of 1 year and a maximum less than 3 years.

89. Trafficking of a Person for Prostitution is a separate offence under the Penal Code and defined as transporting, selling or buying a person into or outside of Bhutan with the purpose of engaging that person in prostitution. This offence is a third degree felony; but a second degree felony if it is a child above 12 and below 18 years and a first degree felony if it is a child 12 years and below. A second degree felony is punishable by a minimum prison term of 9 years and a maximum of less than 15 years and a first degree felony by a minimum prison term of 15 years and a maximum term of life. Sections 17 and 18 of Article 9 of the Draft Constitution also include provisions to protect women and children from trafficking (refer Paragraphs under Articles 1 and 2).

90. Bhutan became the 183<sup>rd</sup> member of Interpol (International Police), on September 19 2005. With this undertaking, Bhutan will be better equipped to undertake its role in combating international crime, including human trafficking. The RBP at the National Consultation on Women and Child Friendly Police Procedures in October 2005 recommended that NCWC initiate studies with support from the police and other stakeholders on the issue of trafficking, missing persons, domestic violence and children in conflict with the law.

91. Advances in the education sector are also expected to prevent trafficking, as well as commercial sex work, by empowering girls and women (refer paragraphs under Article 10).

92. A critical area for action during the 2005 National Gender Planning Retreat was human trafficking. As a result, the draft NPAG includes a sub theme on trafficking of women and girls under the Violence Against Women section and NCWC will work to ensure that strategies and activities to prevent and combat trafficking are incorporated in the Tenth Plan. Through the National Consultation on Women and Child Friendly Police Procedures in 2005, the NCWC was instrumental in obtaining agreement for the establishment of a Women and Child Protection Unit within the RBP. The Women and Child Protection Unit will have the mandate to prevent and combat human trafficking and will develop and implement programmes for this means in the near future. The NCWC has and will continue to support the RBP in this undertaking.

### **B. Commercial Sex Work**

93. The Penal Code recognises prostitution as a misdemeanour, being defined as offering, agreeing to engage, or engaging in sexual conduct with another person for money or property, and being punishable by a minimum prison term of 1 month and a maximum term of less than 1 year. Promotion of prostitution and patronizing a prostitute were included in the Penal Code as misdemeanours, but a fourth degree felony if the person used for prostitution is a child above 12 years and below 18 years and a third degree felony if the person used for prostitution is 12 years and below. Article 9 of the Draft Constitution Sections 17 and 18 include provisions to protect women and children from exploitation through prostitution (refer Paragraphs Under Articles 1 and 2).

94. Chapter II of the Labour and Employment Act includes the following prohibitions: (i) the use, procurement or offering of a child for prostitution, for the production of pornography or for pornographic performances; (ii) the use, procurement or offering of a child for illicit activities, in particular for the production and trafficking of drugs; (iii) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of a child including work which exposes a child to physical, psychological or sexual abuse. Any person undertaking such prohibitions can be charged with committing a serious offence, making them liable to (i) pay a fine of not less than Nu. 252,000 and not more than Nu 540,000.00 or (ii) serve a minimum prison term of 1 year and a maximum less than 3 years.

95. As the lead agency for the NPAG, the NCWC worked to include a sub theme of commercial sex work during the 2005 National Gender Planning Retreat. Areas of focus included: (i) Counselling; (ii) Reintegration (vocational training and reform measures through rehabilitation); and (iii) Exploration of preventive measures (vocational training, education). In addition, there are plans to establish help lines for victims of physical and sexual abuse in the near future, which would also help commercial sex workers experiencing violence. Such efforts will help ensure that strategies and activities to prevent commercial sex work and improve the lives of commercial sex worker are incorporated in the Tenth Plan.

96. Reported cases of commercial sex work involve persons from across the border and those operating in a well established network of persons and places located in urban centres, major

construction sites, and bars and hotels along national highways.<sup>11, 12</sup> There are no overt or clandestine brothels, but the increased number of guest houses, amusement places, massage parlours, karaoke bars, etc., may contribute to the growth of the sex business if unregulated. Of the 90 detected HIV cases as of July 2006, 7 were among commercial sex workers, 5 of which were non-Bhutanese and 6 of which have since left the country.<sup>13</sup> In 2004, sex with female sex workers was a major cause of HIV/AIDS with 80 per cent of all cases detected being so infected. The situation has changed with more cases detected among wives of infected males and children through Mother to Child Transmission.<sup>14</sup> In 2000, the Ministry of Health's findings of high risk "sero-surveillance" in Phuentsholing revealed that 72 per cent of sex workers tested had syphilis, a sexually transmitted disease that is an important factor in HIV infection.

97. RENEW, provides counselling, including referral for public vocational training for all women in need, including commercial sex workers. With the opening of RENEW crisis centre and rehabilitation centre in Thimphu, sex workers wishing to leave the trade will have increased support. In addition to referrals for public vocational training, RENEW will have vocational training opportunities at the rehabilitation centre for women who are especially traumatised and are not ready to participate in public programmes. As RENEW expands, services will eventually become available throughout the country. Health Workers have been working with hotels, as well as providing counselling on management of STDs and use of condoms to sex workers.<sup>15</sup> The Ministry has also been providing free condoms in the restrooms of hotels, bars, restaurants and gas stations. Sex workers can also access the 2 Health Information and Service Centres for confidential information and services outside of the formal health care system. (Refer Article 12 Paragraph 1)

98. Projects of the Tarayana Foundation and YDF also contribute to the prevention of exploitation of women. Scholarship programmes for basic, secondary and tertiary education benefit both girls and boys from poor rural families and training centres provide vocational skills for girls who did not gain admission into higher education. Education empowers girls and helps them become active members of society, thereby decreasing their vulnerability to exploitation such as through prostitution and human trafficking.

## **Issues of Concern**

### **Difficulties**

99. There is danger that the increase in restaurants, bars, nightclubs and other amusement places may contribute to the growth of the sex business if unregulated.

100. As per official records, there continue to be no reports of human trafficking within, into or outside of Bhutan. There are police reports on missing women and children, but they are most often

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11 Rinzin Wangchuk (2003) Sex Workers and Pimps Imprisoned. In Kuensel, 11 July 2003

12 Kencho Wangdi (2004) HIV mostly spread through sex workers. In Kuensel, 1 August 2004

13 Kencho Wangdi (2004) HIV mostly spread through sex workers. In Kuensel, 1 August 2004

14 Kinley Wangmo (2004). Seven More Cases Detected. In Kuensel, 16 October 2004/Two more minors infected with HIV/AIDS. In Kuensel, 3 December 2005

15 WHO Bhutan Protecting Shangri-La from the AIDS Virus Accessed online on 20 July 2006, url <http://www.searo.who.int/EN/Section864/vol11-3c.htm>

located in Bhutan. There is a small percentage of missing persons' cases that remain unsolved, but there is no evidence that these cases are linked to human trafficking.

101. The Ministry of Health indicated that sex workers were aware of HIV/AIDS but were unable to adopt safe sex practices because of their client's insistence on not using condoms. This was sometimes compounded by alcoholism among sex workers. The Ministry has concerns that by including prostitution as a crime under the Penal Code, the profession may be further sent underground and that it will become more challenging to bring sex workers out into the open to provide them with protection and monitor their health and HIV/AIDS status.<sup>16</sup>

102. There is general consensus that the existing penalties for human trafficking need to be increased.

### **Future Steps/Challenges**

103. With laws now in place to protect women and children from exploitation through trafficking and commercial sex work, NCWC will work towards improving surveillance, protection, prevention, and rehabilitation and reintegration efforts in coordination with the Women and Child Protection Unit at the Royal Bhutan Police, and other agencies. Given that human trafficking is a trans-border problem, Bhutan's entry into Interpol will help Bhutan improve cooperation in this area with neighbouring countries. Identification of a lead agency and line responsibilities for human trafficking and commercial sex work issues, and improved coordination between different sectors, for example to ensure optimal programming for the protection of the health of commercial sex workers will be undertaken by the GFPs through the NPAG.<sup>17</sup>

## **Part II: Articles 7 to 9**

### **Article 7: Political and Public Life**

104. The Draft Constitution of the Kingdom of Bhutan guarantees and protects women's rights to participate in political, social and public life on an equal basis with men. The guarantee from existing laws, the draft Election Act, and the recent public discussions of the Draft Constitution show positive trends of women's participation in public life whether in judiciary or in the executive institution, and number of positions in decision making. The Royal Government of Bhutan has guaranteed equal rights between men and women to participate in the formulation of Royal Government of Bhutan policy and to implement and hold public office and perform all public functions at all levels of government.

105. Traditionally, women in Bhutan have had low involvement in public life, whether in national political or in community leadership positions, but have rather used their influence indirectly towards these sphere via social and economic means. Although the patriarchal value system found in southern Bhutan may particularly discourage women's presence in the public arena with strong cultural inhibitions against discussing issues in public with men, this is generally not the case in northern

<sup>16</sup> Editorial (2005) Understanding Law In Kuensel, 21 August 2004

<sup>17</sup> National Commission for Women and Children (2005) Report on the National Gender Planning Retreat 7 to 9 November 2005

Bhutan. Bhutanese youth, especially young women, are increasingly vocal in various public fora, and it is also common for them to discuss issues forthright and informally with their male friend and relatives. With the advent of development planning, women in Bhutan play a part in development planning, and the Tenth Plan Guidelines in line with the decentralisation policy to include grassroots in all levels of planning development activities ensures women are involved in planning and implementing community development projects.

### **A. Equal Rights to Vote and Stand for Election**

106. Men and women enjoy equal rights to vote in all elections and to stand for election as members of the National Assembly. The Draft Constitution of the Kingdom of Bhutan, Article 7 section 6 states that “a Bhutanese citizen shall have the right to vote,” and Article 23 section 2 guarantees this right “by adult suffrage through secret ballot”. According to the Draft Constitution, women are empowered to exercise their Constitutional rights to engage in public functions. This fact is clearly demonstrated in the recent years of various levels of elections since 2002 in which over 50 per cent of women fulfilled their duties as voters. Article 23 section 9 also provides for the right to elections.

107. The respective *Chathrim* of the *Dzongkhag Yargye Tshogdu* and the *Geog Yargye Tshogdu* do not make explicit distinction between women and men in the eligibility criteria for its members and grant any Bhutanese citizen as equally eligible to vote and stand for elections. The Royal Government of Bhutan has provided opportunities for women to participate in training courses on leadership and to encourage popular and capable women to stand as candidates for their respective areas.

### **B. Equal Rights to Formulate, Implement Policy and Perform Public Functions**

#### **Sharing of Power and Decision-Making**

108. The increased involvement of women in development efforts, as decision-makers and representatives of the people at the grassroots level, is a priority under overarching goals of decentralization and local governance. There does remain scope for improvement in Bhutanese women’s participation as an active force in the political life of the country and at higher levels of decision-making.

109. The NCWC composed of 11 members from a cross section of Bhutanese society, promotes the well being of children and women, monitors implementation of activities under CRC and CEDAW, prepares reports for the Royal Government of Bhutan and provides a forum for receiving and investigating violations of rights of women and children to be reported to the Royal Government of Bhutan. NCWC has already begun awareness-raising and sensitisation of the judiciary and other law enforcement authorities about the convention.

#### **Women in Public Service**

110. The BCSR 2006 affirms the principle of equality in hiring, training, promotions and benefits. In the private sector, occasional gender-specific job advertising and hiring is encountered, and when occurs is always in favour of women. No court cases have ever been filed by women regarding alleged infringement of their right to work.

111. As of June 2006, the proportion of civil servants that are women is 28 per cent (Table 7.4), a figure that is still low but rising. While there are no women in the Royal Bhutan Army, except as medical professionals, there are 144 women in the RBP.

112. Women's representation at the national level is inadequate. In 2006, women represented only 3 per cent of total National Assembly members, representing a decline from 11 per cent in 2001 (Table 7.1). Women's representation is only evident as *Chimi* or people's representatives. The *Chimi* is elected directly by the people to the National Assembly for a term of three years and is allowed to stand for election for two consecutive terms. The Councillors of the Royal Advisory Council are also elected for a three year term. Although there was one female representative from 2002-2004 in the Royal Advisory Council, there have been none since then. Bhutan's first female Councillor was appointed in 1971, and the second elected only in 2002. At the GYT level, there are 2 women *Gup* out of a total 201. Reasons for the decline in women's participation need to be studied. There is no information available as to whether any women stood for elections prior to 2002. There has never been a women representative from the Royal Government of Bhutan or the *dratshang* in the National Assembly. The absence of women representatives from the Royal Government of Bhutan could be attributed to the low number of women in the civil service, especially at the higher levels.

## **Women in Community, Block and Dzongkhag Decision-Making**

### **Dzongkhag Yargye Tshogdu (DYT)**

113. With decentralization of decision-making to the grassroots level in 1981, the Royal Government of Bhutan has been delegating its responsibilities to the administrations of the 20 *Dzongkhag* and the 201 *Geog* in the country. The DYT consists of all the *Gup*, *Mangmi* and *Chimi* of the *Dzongkhag*. The *Gup*, *Mangmi* and *Chimi* elect the Chairperson from amongst themselves. The DYT has non-voting members such as the *Dzongdag* and the *Drungpa* (where a sub *Dzongkhag* exists). The DYT membership may also include representatives of municipalities and towns. Other non-voting members of the DYT include *Dzongkhag* officials: the planning officer, the finance officer, the education officer, the head engineer, the agriculture officer, the forestry officer, the animal husbandry officer, and the health officer.

114. Data compiled from the 20 *Dzongkhag* reveal a total of 2116 elected representatives (*Gup*, *Chimi*, *Mangmi*, and *Tshogpa*) in the country, only 4 per cent are women. Of the 4 per cent, the majority of women are either *Tshogpa* or *Chimi*. Despite the election of two female *Gup*, women's representation in this public office stands at 1 per cent. The national female to male ratio for *Gup*, *Chimi*, *Mangmi*, and *Tshogpa* are presented in Table 7.2. Increasing women's participation as *Mangmi* and *Tshogpa* will have a positive effect on the number of women *Chimi* and *Gup* in local governance, as these two positions are often considered as stepping stones to the latter two positions. The percentage of female voting members in the DYT is highest in Gasa (10 per cent), and for GYT in Bumthang and Pema Gatshel (21 per cent) (Table 7.3).

### **Geog Yargye Tshogdu (GYT)**

115. The GYT is the local level form of government chaired by the *Gup* who is supported by the *Mangmi*. Both have voting rights. Other voting members include the *tshogpa*. Non-voting members

are the *Chimi* and the *gaydrung* or the geog clerk. Local public offices are still largely held by men. The *gup* is the highest office, and thus far was male dominated till the election of Bhutan's first female *gup* in November 2005 and the second one in April 2006. The second highest office after the *Gup* is the *Mangmi*. Women's representation as *Tshogpa*, in comparison, to the numbers of women *Gup*, *Chimi* and *Mangmi* is a little higher. According to an official from the Department of Local Governance, women are increasingly becoming *tshogpa*. The rate of turnover among *tshogpa* is believed to be high and hence, there has been a difficulty in keeping track of the numbers.

116. Women participate in the election of *Gup* (village heads) and *Chimi* (representatives to the National Assembly). They also attend public village meetings known as *dzomdu*, sometimes representing up to 70 per cent of the participants. The sex composition of the decision-makers at these levels thus is also important. Following the adoption of new statutes in 2002, GYT members are elected through universal adult suffrage.

117. The office of the *Chipon* is the lowest rung in the local government hierarchy, and requires conveying public messages and announcements to the community, collecting contributions for local festivals and rituals, and informing people of dates of community meetings. In the *Chipon's* absence, the wife shoulders the responsibility. Conversely, wives of other office bearers do not substitute for the husband.

118. Although decisions concerning community such as water supply schemes, school and Basic Health Unit construction and other issues are taken in these meetings, matters of national importance must be routed through the Block Development Committees (GYTs) and District Development Committees (DYTs), and finally, the National Assembly. Women did recognize the value of meetings at the higher levels but found extensive travel and night halts as major constraints for attending block and *Dzongkhag* level meetings. In addition, the burden of household and farm work, coupled with long and inflexible hours of both public and political work, prevented women from being more active. Many women still perceive that important governance decisions are better made by men and many women still believe men are better equipped to understand and participate in matters of governance. The inability to read and write was considered paramount in women's limited public participation thus far, because women generally have had less access to information and to fewer opportunities for travel and for experiencing life outside of their communities.<sup>18</sup>

119. A priority is the need to provide basic facilities in the Geog as a result of recent reforms in the decentralised planning process. Because the Ninth Plan is *Geog* -based, and so will the Tenth Plan, it is important to have facilities that enhance people's participation in planning and implementation of development activities.

### **Legislative Institution**

120. To encourage greater participation of women, a 1998 Royal Decree gave emphasis to the importance of women's representation in the National Assembly. The decree influenced participation of women with 16 of the 99 *chimi*, or elected representatives of the people to the National Assembly, being women in 2001. There has been a decrease between 2001 and 2004 (Table 7.1). The number of

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<sup>18</sup> Royal Government of Bhutan et al, 2002



female participants dropped greatly, with only 4 of 100 *chimi* during the 85<sup>th</sup> session in 2006 (Table 7.1). Although there were no female Royal Advisory Councillors in 2005 or 2006, one of the 6 during the period from 2002 to 2004 was also female. No seats are reserved for women, who were first nominated to the Assembly in the 1980s.

### **Executive Institution**

121. The Executive branch of the Royal Government of Bhutan consists of ministries and autonomous agencies that together constitute the civil service of Bhutan.

122. Representation of women in the civil service is low, accounting for 28 per cent of all civil servants (or 40 females for every 100 males) in 2006 (Table 7.4), although there has been an increase of 3 per cent since 2002. Women's representation is the lowest at the top levels (Grade 1-3), accounting for only 5 per cent. This is in part due to the late start of women's participation in the modern education system.

123. Women's highest representation in the civil service can be found in grades 9-13 (32 per cent) possibly indicating that more women are entering the civil service. Conversely, the number may also indicate that the majority of women in the civil service are employed as clerical staff.

124. The Ministry of Education and the Ministry of Health have the highest percentage of female civil servants at 40 per cent and 38 per cent (Table 7.4). The lowest female representation is in the Ministry of Works and Human Settlement (16 per cent) and the Ministry of Agriculture (16 per cent). The scenario is the same for the proportion of female civil servants in Grades 1-9, with 36 per cent in the Ministry of Education, 35 per cent in the Ministry of Health, 9 per cent in the Ministry of Information and Communications, 9 per cent in the Ministry of Works and Human Settlement, and 8 per cent in the Ministry of Agriculture.

125. In the Ministry of Home and Cultural Affairs, the proportion of female civil servants is 22 per cent, while the proportion of the female civil servants between Grades 1-9 is 12 per cent, indicating that the majority are in lower grades. The reverse situation exists in the Ministry of Foreign Affairs, where more female civil servants are in Grades 1-9 (32 per cent.) There is almost 50-50 parity in the female representation in the higher and lower grades in the Ministry of Health.

126. There are no women Ministers yet, but there is one women secretary holding the position of Secretary of Finance and one woman who is the Chairperson of the Anti-Corruption Commission who previously held the posts of Cabinet Secretary and Foreign Secretary.

127. At the professional and managerial level there are 1589 (as of June 2006) women in the civil service, with only six women at the executive level. Further, 4 women head the main NGOs with stated priority on women.

### **National Police Force**

128. In the RBP, there are 144 women within the entire police force with a female to male ratio of 0.04 (Table 7.7). Although the proportions for new recruits are higher (Table 7.7), given that the number of new recruits is small, it will take time for the ratio to improve.

## **The Judiciary**

129. As in the National Assembly, women's representation in the Judiciary is low. Available data provided by the Royal Court Justice shows a proportionately higher representation at the lower grades. Although women account for only 2 per cent of the *Drangpon*, and 6 per cent of the *Drangpon Rabjam*, women's representation as Registrars stands at 40 per cent (Table 7.6). Moreover, there are 6 women out of a total 15 persons who are currently undertaking legal studies outside the country and 6 women with law degrees already hold various posts within the judiciary, corporate sector and the Royal Government of Bhutan. The first professional lady judge was appointed in 2003.

### **C. Equal Rights to Participate in Associations Concerned with Public and Political Life**

130. Freedom of assembly and association are fundamental rights guaranteed by the Draft Constitution. There are no restrictions on assembly and association so long as these activities do not infringe upon the law and order, and the peace and security of others and the country. The Draft Constitution, while not making special clauses to reserve women's seats, guarantees the recognition of women if elected by due process as Heads of Political Parties and into any political position.

131. New initiatives taken by Their Majesties the Queens and other female members of the Royal Family to support the Royal Government of Bhutan, particularly in leading social service activities, also provide positive female role models and lend encouragement for girls and women to participate in civil society.

132. Many women have actively and directly participated in Bhutan's social and economic development, in which a large number of women play an important role in decision-making. Several important NGOs for women issues are headed by women. Brief descriptions of each NGO are given below.

#### **Tarayana Foundation**

133. The Tarayana Foundation established in 2003 under the patronage of Her Majesty the Queen Ashi Dorji Wangmo Wangchuck provides income generation opportunities, start up interest free small loans, and steps in as guarantor in access to loans from financial institutes in the case of small loans. The Foundation, through counselling and skills development, works with beneficiaries to improve loan repayment capabilities. Support has also been accorded to poor rural families to facilitate in building their houses. As Tarayana is not a specialized care giver the Secretariat is in the process of initiating dialogue with the Ministry of Health as well as the Youth Development Fund to determine possibilities of helping them through a Royal Government of Bhutan project or programme. The Foundation has started a database of the students supported through this scheme.

134. Personal interaction allows the Foundation to understand needs better. The Secretariat documents and monitors children supported by the programme, to provide updated information on any child sponsored by the Foundation, and assist in the planning of activities in relation to the Education Endowment Fund. The Foundation continues to pay maintenance allowance of Nu.6000 per annum to individuals incapable of looking after themselves. The number of beneficiaries has increased to 58 as of April 2006 as more people ranging from the old and the infirmed to those in critical need of institutionalized care are aware of the Foundation and its activities. Support is

provided to help students complete their high school education although it is not within the core mandate of the Endowment Fund, by matching sponsors with students to pay for higher studies.

### **National Women's Association of Bhutan [NWAB]**

135. The National Women's Association of Bhutan (NWAB), established 1981, as an autonomous organization, with Her Royal Highness Ashi Sonam Chodron Wangchuck as its President, has the objectives to improve the living standards and socio-economic status of women, especially rural women; create an awareness among women of the importance of proper maternal and child care, nutrition, clean drinking water and hygiene, in order to improve the general health of the people; encourage women to take an active part in the implementation of socio-economic development programmes and in all other nation-building activities; and promote harmony, understanding and friendship especially among rural people.

136. The NWAB activities are aimed to improve the living standards of women, particularly rural women, raise awareness about maternal and child care, nutrition, clean drinking water and hygiene, and encourage women to take an active part in social and economic development through vocational training, and environmentally sound projects to generate income and rural credit schemes. At the implementation level, NWAB has the track record and network of local implementation groups to be an important force in moving gender objectives nationally. NWAB's key strength is the *aumtshu tshogpas* (women's associations) created nationwide which has resulted in a widespread network of committed and talented women across the country capable of identifying and implementing development projects at the local level.

### **Youth Development Fund (YDF)**

137. The Youth Development Fund (YDF) was launched under the patronage of Her Majesty the Queen Ashi Tshering Pem Wangchuck in 1999. YDF's mission is "*Through sustained financial support, the Youth Development Fund will enable Bhutanese youth to realise their full potential as productive citizens of this world*". YDF works towards achieving its mission by addressing the following objectives: (i) To establish a sustainable funding mechanism within Bhutan so that youth development and empowerment activities can be undertaken now and in the future; (ii) To help sustain various youth programmes through the formal school curriculum and extracurricular activities in areas such as environment conservation, health and hygiene, reproductive health, agriculture and sports; (iii) To be a national funding partner to international donors providing assistance for youth development activities, targeting all segments of the youth population. In particular, this will include disadvantaged youth such as the disabled, school drop outs, juvenile delinquents, unemployed youth, and youth from un-reached areas; (iv) To raise awareness among youth about the importance of their role as future adult citizens in the country.

138. Flagship projects of YDF contribute to the prevention problems facing women such as gender based violence. YDF's scholarship programmes for basic, secondary and tertiary education benefit both girls and boys from rural families living below the poverty line and their training centres provide vocational skills for girls who did not gain admission into higher education. Education empowers girls and helps them become active members of society, thereby decreasing their vulnerability to abuse and exploitation. In addition, YDF provides counselling and support services to chemically dependent

youth. Given that a high proportion of domestic violence occurs while the spouse is intoxicated, such programmes can help prevent these problems.

### **RENEW**

139. RENEW (Respect Educate Nurture and Empower Women) established in 2004 by Her Majesty the Queen Ashi Sangay Choden Wangchuck, is the first non profit organization dedicated to the relief and empowerment of disadvantaged women and girls. RENEW has the vision to be the leading institution in the nation for shaping the role of women in Bhutanese society, with the mission statement “*to empower disadvantaged girls and women in Bhutan and integrate them back into their own communities as independent, socially and economically productive members of the society*”. RENEW aims to improve the position of women through education, skills training, counselling and advocacy by addressing the following objectives: (i) To forge a better understanding of gender inequalities at all levels of society; (ii) To provide support and care services for victims on violence in the Bhutanese society and giving them a second chance in life; (iii) To enable strategic planning and implementation of activities through research; and (iv) To ensure future sustainability of the RENEW organization.

140. RENEW has undertaken steps to increase awareness and decrease stigma surrounding gender based violence. Her Majesty Ashi Sangay Choden Wangchuck delivers proactive speeches at local celebrations for International Women’s Day in different parts of the country each year covering topics such as domestic violence and rape. RENEW identified the following areas that require special attention: (i) women’s awareness on their rights and (ii) the ‘*culture of silence*’ on domestic violence and sexual abuse. RENEW targets these areas, through awareness-raising amongst women on their rights, legal recourses in case of violation of their rights and appropriate channels of complaint, redress, and protection. RENEW also intends to implement an awareness-raising project for *Dzongkhag* administrative staff and the police to help ensure that gender based violence cases receive official and appropriate responses.

141. RENEW has secured funding and expects to open a crisis centre and rehabilitation centre for destitute women in the Thimphu area in the next few years. Other envisaged projects include a database for gender issues and a broad based programme of sensitising the public, the police, and local governments.

### **Measures to Increase Women’s Participation in Politics and Public Life**

142. The decentralization experience has been considered successful in increasing citizens’ participation in governance and in particular in increasing women’s participation in decision-making. Available data indicate that the choice and design of projects are becoming increasingly responsive to the needs of women. The Royal Government of Bhutan has been making further efforts to increase women’s participation in politics and public life. The DYT and GYT *Chathrim* both guarantee the participation of women in the electoral process as voters and as candidates competing for office. The Royal Government of Bhutan has developed different strategic interventions through the various Five-

year Plans since 1961, National Poverty Reduction Strategy 2004, and a NPAG to build upon and further strengthen the capacities of women.

143. The Royal Government of Bhutan also plays an important role in mainstreaming gender in the development of all national institutions and continues to focus on the integration of gender in policy at all levels and is developing the NPAG. The policy for the advancement of women is translated into the National Five-Year Plans, which in turn, is incorporated into the national policy of Gross National Happiness.

144. In 2005, under the RCSC HRM initiatives, human resource officers were appointed in all Royal Government of Bhutan agencies after participating in training programs organized by RCSC. The Secretariat of the RCSC is made of 4 divisions of which three are headed by women. The Royal Government of Bhutan has established gender focal points in all government agencies to coordinate activities regarding women issues.

145. The Ministry of Education has not instituted a policy of affirmative action in the selection of students into tertiary studies, as such would be construed as gender discrimination against male students, nor is there such a policy in the Royal Institute of Management, which trains all civil servants for Royal Government of Bhutan positions. This is because in Bhutan there is no overt discrimination, nor is there a bias for males for education and jobs, but rather the quality of merit that defines selection. The Royal Government of Bhutan maintains the current practice as it is hoped that this will contribute to a marked increase in qualified persons for selection into the education stream and eventually into the civil service and other decision-making positions.

146. In the Ministry of Agriculture, there still are several major current and proposed projects with donor assistance that indirectly are promoting gender mainstreaming by usually targeting women, in the rural areas, thus acknowledging the significant role women play in the economy through agricultural production and marketing. Efforts are being made to strengthen agriculture and rural economic development strategy, as well as attempting to coordinate donor driven efforts, reduce duplication, and sharing of best practice. This will require the employment of new staff that will include more women; provide extension services and credit to farmer groups and provide relevant gender training for staff and farmers.

147. In 2004, the Royal Government of Bhutan established the NCWC as a mechanism for monitoring the implementation of all laws and regulations to promote the current status of Bhutanese women. The NCWC is staffed primarily by women officers and women administrative staff.

148. The main NGOs in Bhutan have mainly included women issues in their programs, and cooperate with pro-women units within the system in addressing a diversity of issues especially domestic violence.

149. Certain private based welfare *Tshogpa* through their *gelwa* programs provide monetary assistance and logistic and other support to women, especially the poor, who are affected by and unable to respond to crisis such as death of a family member, sickness, or calamities. These organisations are based on the traditional culture of *tshogpa* where various persons both male and

female organize themselves as a group with similar ideals based on belief, compassion and social welfare.

## **Issues of Concern**

### **Difficulties**

150. Local public offices such as *Gup*, *Chimi*, *Mangmi Tshogpa* and *Chipon* are usually occupied by men, with only rare instances of women office bearers. Public offices also are considered physically demanding, requiring frequent movements between places, which has discouraged rural women from seeking such offices.

151. Slow integration of gender perspective into all policies and legislations addressing the causes for the low participation of women in governance, and increase and maintain women's representation at all levels of governance, especially local governance. While differential needs may be expressed at village meetings, there is insufficient focus on strategic gender interests at the *Dzongkhag* level and higher.

152. Most line Ministries are yet to develop gender mainstreaming strategies, and certain cases exist where people do not understand nor take seriously the need to address gender disparities in policy development and implementation.

### **Future Action**

153. The Royal Government of Bhutan will further strengthen and reaffirm its gender mainstreaming policy and the NCWC is preparing the NPAG. This will endorse line Ministries to develop gender strategies and seek, if necessary, technical assistance to sustain capacity to mainstream gender in poverty alleviation and governance and promote equitable participation and empowerment of women in development.

154. The Royal Government of Bhutan will continue to expand the participation of women in decision-making positions in the civil service, increase the number of women entering tertiary education.

155. The NCWC will continue to strengthen the capacity of women through training and projects/programs, and encourage women's participation in political life and other leadership positions.

156. Under the policy of decentralization of public services, support is given through the Decentralisation project to *Dzongkhag* and *Geog* authorities to undertake their new responsibilities. The Royal Government of Bhutan provides training to local communities' leaders, such as *Gup*, *Chimi*, *Mang mi*, and *Tshogpa*. There is a need to strengthen the Department of Local Governance and *Dzongkhag* Administrations to collect gender disaggregated data through a standardized data collection system.

157. Use of mass media, especially post Media Act and the foreseen emergence of even more media participation, will be extended and strengthened, especially in remote areas to raise awareness of women and empower women through advocacy and public awareness campaigns. The media will be used to encourage women to participate in governance and feature stories on women already established in leadership positions to set an example for others and to challenge stereotypes.

158. The Royal Government of Bhutan continues to promote wider representation and participation of women in broader decision-making bodies as well as the civil service. The situation is already improving with the increase of enrolment of girls in the higher secondary levels.

### **Article 8: Representation**

159. Article 7 of the Draft Constitution stipulates that Bhutanese citizens regardless of sex have the right to participate in the political, economic, social, and cultural life of the nation, and section 8 states that “*a Bhutanese citizen shall have the right to equal access and opportunity to join the Public Service*”.

### **Women’s Representation in Government and Diplomatic Forums**

160. Although Bhutan has adopted no specific legislative measures directed specifically towards women, gender neutral legislation ensures women the opportunity to represent the country at the international level and to participate in the work of international organizations. Moreover, Their Majesties the Queens are actively engaged in representing Bhutan at international and regional symposiums on youth issues, reproductive health, sexually transmitted diseases and HIV/AIDS, as well as other issues, providing excellent role models for girls and women. Women’s representation in diplomatic forums is still less than men because of the low percentage of women in the Royal Government of Bhutan. Although, Bhutan has not had a woman Ambassador yet, many important positions are held by women. Female high-ranking officials often lead Bhutanese delegations to participate in international and regional forums including those dealing with women and other issues.

### **Women Participation in the Foreign and Diplomatic Services**

161. The post of Foreign Secretary of Bhutan, the second highest position in the diplomatic service, was previously held by a woman.

162. Presently, there are 25 women out of 77 officers in the Ministry of Foreign Affairs, including women currently working at Bhutanese diplomatic missions.

163. Women diplomats took up 44 per cent of all training and fellowship programmes offered by the Ministry. Two of the three diplomats pursuing postgraduate studies were women, who have now returned to head divisions within the Ministry. In the last decade, one out of two delegates sent from the capital to the United Nations General Assembly had been women diplomats.

164. Bhutan provides equal opportunities without discrimination for both men and women in international representation. The Royal Government of Bhutan also encourages women to join

international and bilateral organisations based in Bhutan. Over the past years many women from these organisations have then availed the opportunity to work in various positions in other countries where these organisations have offices.

## **Issues of Concern**

### **Difficulties**

165. There being no real and overt discrimination in Bhutan towards women for service in the diplomatic corps, nor for education and other jobs, but rather the quality of merit that defines selection, the Royal Government of Bhutan maintaining its policy of recruiting the most qualified to increase qualified persons for selection into the education stream and eventually into the civil service and other decision-making positions, which may in itself be misconstrued as being gender insensitive.

### **Future Action**

166. The Royal Government of Bhutan will continue to provide opportunities to women to have leadership positions in the Royal Government of Bhutan and at the diplomatic missions of Bhutan in foreign countries. Women will be further encouraged to participate in training courses in country and abroad.

167. The Royal Government of Bhutan has also contributed, and will continue to do so, to the process of improving the situation currently challenging women in the world, by participating in relevant international and regional fora.

## **Article 9: Nationality**

### **Bhutan Citizenship Act and Draft Constitution of the Kingdom of Bhutan**

168. Bhutanese nationality is acquired under the Bhutan Citizenship Act 1985 which provides for rights to nationality through birth, registration and naturalization. A person, domiciled in Bhutan on or before 31<sup>st</sup> December 1958 and whose name is registered in the official record of the Royal Government of Bhutan shall be a citizen of Bhutan by registration. For citizenship by naturalization, the applicant must fulfil criteria such as having “*lawfully resided in Bhutan for at least 15 years, not have any record of imprisonment for criminal offences within the country or outside, be able to speak and write Dzongkha (the national language), have a good knowledge of the customs, traditions and history of Bhutan, have no record of having spoken or acted against the King, the country and the people of Bhutan, and renounce citizenship, if any, of a foreign state on being conferred Bhutanese citizenship.*” If any citizen of Bhutan acquires the citizenship of a foreign state, his citizenship of Bhutan shall be terminated.

169. The above provisions are also included in the Draft Constitution.



## **A. Equal Rights in Maintaining or Changing their Nationalities**

170. There is no gender bias in eligibility for citizenship and the grant of nationality to non-Bhutanese spouses. Marriage to a non-Bhutanese does not change nationality. Women, as protected by law are neither rendered stateless nor forced to acquire the nationality of the husband, and where a husband changes his nationality, the woman is free to make an individual decision with her right to choose.

171. Non-national spouses of Bhutanese citizens are granted residency status with provisions for naturalization. In practice all spouses of Bhutanese citizens, irrespective of their marriage date, are legally allowed to reside in Bhutan and enjoy the full protection of the law.

172. All citizens of Bhutan already hold or are in the process of being issued Citizenship Identity Cards.

### **Equal Rights in Using Passports [*Refer Article 15, paragraph 4*]**

173. Bhutanese citizens of both sexes are entitled to have their own passports. For travel abroad, Bhutanese women have the rights to obtain and handle their own passports without requiring permission from their husbands. Children less than 18 years old may apply for a passport with permission in writing from their parents or guardians.

### ***Women and Children in Conflict Situations***

174. There are no refugee women and children in Bhutan. With regard to the people in the camps in Eastern Nepal, this is not a typical refugee situation that lends itself to conventional solutions. Rather, it is a highly complex issue with its genesis in illegal immigration which has been explained in the initial through sixth combined CEDAW periodic report. The governments of Bhutan and Nepal have been engaged in bilateral negotiations for many years on this issue in an effort to establish the identity of the people. The two governments have arrived at an agreement on the different categories of people in the camps and how to deal with them, and concluded a joint verification of the Khudunabari camp. In December 2003, Bhutanese verification officials were violently assaulted by the camp residents when briefing the people of Khudunabari camp on the terms and procedures for repatriation to Bhutan. Since then, the security situation in Nepal had deteriorated, preventing resumption of the work.

175. Bhutan engaged in operations in December 2003 to flush out militants from the neighbouring Indian states of Assam and West Bengal who were illegally camped in the country. Before the operations, schools in affected areas were relocated and the public especially women and children were moved out. The Royal Government of Bhutan, being fully conscious of the humanitarian aspect of the operation, ensured that there were minimum casualties. Injured militants and their families were provided the same medical treatment as the Bhutanese. Those who were apprehended or surrendered were handed over to the Indian authorities. Wives and women and children of senior leaders and cadres of the militants were handed over to Indian civilian authorities. Schools in these areas have since been re-opened, and families have moved home to the previously affected areas.

## **B. Equal Rights in Nationality of Descendants**

176. The 1985 Citizenship Act is gender neutral in acquiring of citizenship whether by birth registration or by naturalization. The 1985 Act gives children whether boys or girls, with one Bhutanese parent, the choice at the age of 15 years, to adopt either Bhutanese citizenship or that of the other parent, as dual citizenship is not allowed. Pending their choice of citizenship, such children enjoy equal rights as other Bhutanese children with regard to residence and free access to all social services.

### **Issues of Concern**

#### **Difficulties**

177. Even though there is a de jure guarantee of equality in maintaining, selecting and practicing nationality, in practice many Bhutanese, either male or female, may sometimes have difficulties in exercising these rights due to lack of information and awareness about their rights

#### **Future Action**

178. The Royal Government of Bhutan shall continue to take appropriate measures to promote legal rights awareness to the people, specifically women, so that women can exercise their legal rights in practical life. With regard to the people in the camps in Nepal, Bhutan has always stated that it will take responsibility for all genuine Bhutanese refugees and it is hopeful that the two governments will find a way to move forward through the bilateral process.

## **Part III: Articles 10 to 14**

### **Article 10: Education**

179. The Draft Constitution indicates that access to basic education (classes PP to X) is an inalienable right of all Bhutanese (Article 9 section 16), stating “*The state shall provide free education to all children of school going age up to tenth standard and ensure that technical and professional education shall be made generally available and that higher education shall be equally accessible to all on the basis of merit*”.

#### **A. Equality in Access to All Forms of Education**

##### *Primary Education (classes PP to VI)*

180. Both the Royal Government of Bhutan and communities are involved to build more Community Primary Schools (CPS) in remote areas to improve access to primary education. In 2006, there were 63 more CPS and 9 fewer Primary Schools (PS) than in 2002 (Table 10.1). The lower number of PS is because some were expanded to Lower Secondary Schools (LSS), thereby housing classes PP to VIII. The lower number of CPS in rural areas is due to a similar reason; some were expanded to PS and some areas have changed in classification from remote to rural or rural to semi urban/urban given road construction projects.

181. There were 60 more CPS in remote areas in 2006 than 2002 (Table 10.1). This helped address one major problem “that school is too far” for girls not enrolling in and/or dropping out of school. Some rural parents are wary to send their young daughters on the long walk with dangers of wild animals, landslides and other natural hazards common in rural Bhutan<sup>19</sup>.

182. Given that some CPS do not house all primary level classes, the 9<sup>th</sup> Annual Education Conference in 2005 re-emphasised the need that all CPS will offer classes PP to VI as much as possible, with multi-grade teaching in case of low student numbers.<sup>20</sup> This is expected to decrease drop out, especially among girls, given that they will be able to continue studying up to class VI in a school near to their home.

183. Most schools established between 2002 and 2006 have been supplied with water and sanitation facilities (with separate facilities for girls) on site. In addition, recent efforts have been made to provide over 80 existing schools without previous access or with defunct water and/or sanitation facilities with separate sanitation facilities for girls and access to piped water by the beginning of the 2007 school year. Given that a lack of water and sanitation facilities is known to increase school drop out among girls globally,<sup>21</sup> these efforts have been particularly important in terms of decreasing the gender gap.

184. Although parents are generally aware of the importance of sending their children to school, during this reporting period, the Ministry of Education worked with local leaders from rural communities to help them plan and undertake community level enrolment campaigns. In addition, efforts to promote girls enrolment were made among NFE learners, most of whom are women, through inclusion of messages regarding girls’ education within the curriculum. By educating NFE learners about the importance of educating girls, they are not only more likely to send their daughters to school, but also to communicate the message to their community members given that NFE learning materials are often presented in a way that the story character is an NFE learner sharing information with other community members.

185. To help economically disadvantaged students from rural and remote areas attend school, as of 2003, the Youth Development Fund (YDF) has been providing 25 scholarships each year, seeing students to completion of class VI. Although primary school is free, school uniforms and contributions to the School Development Fund, though negligible are beyond the means of some families. In 2006, 19 girls and 6 boys were sponsored.

186. The Tarayana Foundation established a Education Endowment Fund to support girls and boys from disadvantaged families to receive an education up to class X. Recipients do not receive funds directly, but receive a school uniform, stationary, school meals (in boarding schools) and other items. In 2006, there were 407 Tarayana scholarship students in schools all over the country, up by 107 from 2005.<sup>22</sup>

187. The impact of efforts in primary education is evident through the most recent enrolment figures. Bhutan’s primary net enrolment ratio (NER) increased between 2003 and 2006 moving from

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19 Ministry of Education (2003) A Study on the Status of Access to Primary Education of the Girl Child in Bhutan

20 Ministry of Education (2006) Ninth Annual Education Conference Report and Resolutions

21 United Nations Water for Life 2005-2015 Factsheet on Water and Sanitation Accessed online 4th July 2006 .url: <http://www.un.org/waterforlifedecade/factsheet.html>

22 Tarayana Foundation (2006) Annual Report 2005-06.

70.2 per cent (67.1 girls; 73.4 boys) to 79 per cent (79 girls; 80 boys) (Table 10.2). With 7,075 more girls and 4,206 more boys enrolled in primary classes in 2006 than in 2002 (Table 10.3), progress is obvious. Bhutan is now on par with the regional NER for South Asia (Table 10.2). In addition, the gender gap for primary NER has virtually been eliminated; being only 1 per cent in 2006 while the gender gap in South and West Asia is 11.7.

188. The *Dzongkhag* of Trashigang (9 per cent) Trashiyangtse (5 per cent), Samdrup Jongkhar (5 per cent) and Lhuentse (4 per cent) have the largest gender gaps in favour of boys and Punakha (11 per cent) Haa (8 per cent), Trongsa (4 per cent) and Wangdue (4 per cent) have the largest gender gaps in favour of girls (Table 10.4).

189. The 2004 Poverty Analysis Report revealed primary NER among poor and non-poor rural and urban boys and girls.<sup>23</sup> Poor was defined as those living below the national poverty line of Nu 740 per month. Rural girls and boys from poor families had the lowest primary NERs at 55 per cent and 60 per cent respectively (Table 10.5). Non-poor urban boys and girls had the highest primary NERs 90 per cent and 86 per cent respectively. Even non-poor girls in rural areas (68 per cent) were faring worse than poor urban girls (80 per cent). As data from the survey on which the Poverty Analysis are based were enumerated in 2003, the situation may have changed given that there were 60 more CPS and 6 more PS in remote areas in 2006 (Table 10.1). As rural-urban breakdowns are not available on a yearly basis, it is not possible to ascertain the level of progress made for rural girls and boys.

190. Another perspective on gender equality comes from the girl to boy ratio for classes PP to VI. On this basis, Bhutan made substantial progress between 2002 and 2006, when the ratio increased from 0.89 to 0.96, with the greatest increases in classes II, III, and V (Table 10.3). The 2005 figure was below the national average in the following *Dzongkhag* Samtse 0.82, Gasa, 0.87; Zhemgang 0.91, Tsirang 0.91, Mongar 0.91 and Trashigang, 0.91 (Table 10.6). Samdrup Jongkhar, Pemagatshel and Lhuentse made the greatest progress since 2002, moving up by 0.15, 0.14 and 0.10 respectively. Although Tsirang and Zhemgang have low ratios, they progressed significantly, moving up by 0.08 each. Reasons behind *Dzongkhag* level changes are unknown but could benefit from investigation so as to replicate positive actions.

#### *Secondary Education (classes VII to X and classes XI to XII)*

191. Between 2002 and 2006, the Royal Government of Bhutan made significant investments to increase the number of LSS, Middle Secondary Schools (MSS) and Higher Secondary Schools (HSS) from 65 to 84, 27 to 28 and 12 to 21 respectively (Table 10.1). Given the limited number of spaces, access from one level to the next continued to be based on merit as determined by national and external examinations with students attaining the highest grades gaining admission. Given limited funding and the high demand for higher secondary education, the Ministry of Education has been facilitating the creation of private schools for students who do not meet the grade cut off for public schools. The Ministry monitors the quality of education at private schools and students from these schools undertake the same national and external examinations. Between 2002 and 2006, 2 new private HSS were established, bringing the total to 7.

<sup>23</sup> National Statistical Bureau (2004) Poverty Analysis Report Bhutan.

192. Actions mentioned under primary education, such as local level enrolment campaigns and education of NFE learners on the importance of education for girls, were also targeted at secondary education.

193. In 2003 it was decided that LSS, MSS and HSS would have one female and one male counsellor to address behavioural and emotional needs of students. As such, the Career Education Counselling Division trained 285 teacher-counsellors on vocational, parenting and health education. Schools were also asked to incorporate career education periods in Classes VII to XII in the 2005 Education Ministry guidelines. A Peer Counselling programme was also introduced in schools which trains peer counsellors to provide support for their fellow students.

194. In 2004, the Minister of Education issued a directive that all HSS were to establish a science stream to increase access to and create interest in science related fields. Given that one major constraint to equipping all HSS with a science stream was a lack of science teachers, the National Institute of Education in Samtse has also increased enrolment of science teacher trainees from 98 to 142 between 2003 and 2005, during which time the female to male ratio increased from 0.18 to 0.37.<sup>24</sup>

195. With the aim of giving girls and boys with exceptional co-curricular and leadership skills an opportunity to study in HSS, starting in 2005, the Ministry of Education has been receiving the name and details of one girl and boy every year that are considered the best “*all rounders*” from all MSS and HSS. The Ministry reserves 41 scholarships for these girls and boys for admission to class XI even if they do not meet the grade cut off, as long as they have a minimum of 50 per cent in English and 4 other subjects.<sup>25</sup>

196. To help economically disadvantaged students from rural areas that do not meet the grade cut off but have good grades, attend classes XI and XII, since 2002, YDF has been providing scholarships for 15 students each year to attend private school. In 2006, 6 girls and 9 boys were sponsored by YDF.<sup>26</sup>

197. Given that secondary NER and Gross Enrolment Ratio (GER) are not available prior to 2006, it is difficult to ascertain if progress occurred with respect to enrolment ratios since Bhutan’s last CEDAW report. Progress is however evident in the increased numbers enrolled in classes VII to X (5,118 more girls; 3,668 more boys) and classes XI and XII (1,668 more girls; 1,957 more boys) between 2002 and 2006 (Table 10.3).

198. Progress was also seen through increased girl to boy ratios between 2002 and 2006 for classes VII to X (from 0.87 to 0.98) and classes XI and XII (from 0.61 to 0.71). The greatest increases were seen in classes IX (0.12), X (0.17) and XI (0.12). The 2006 girl to boy ratio for classes XI to XII were higher in private schools (1.00) than public schools (0.55).<sup>27</sup> This may be due to the fact that girls’ performance at higher level are lower than that of boys, and as such girls did not gain access to higher secondary classes in public schools. It does however indicate an interest among girls to participate in

24 Ministry of Education 2003 General Statistics Royal Government of Bhutan AND Ministry of Education (2005) General Statistics

25 Gopilal Acharya 2004. 60 per cent and above qualify for class XI. In Kuensel: Saturday 14 February 2004.

26 Personal Communication with YDF Director July 2006.

27 Ministry of Education 2006 General Statistics

secondary education if given the opportunity and the willingness of families to support the studies of their girls on par with their boys.

199. It was possible to calculate secondary GER using denominator data from the 2005 census and numerator data from the Ministry of Education's enrolment figures (Table 10.8) from which future progress can be tracked. The 2006 GER for classes VII to X was 58 (girls 57; boys 59) and 27 (girls 22; boys 31) for classes XI to XII. Enrolment in secondary level classes is entirely in urban areas given that all MSS and HSS are situated in urban or semi urban areas. Students from rural areas are enrolled in these schools as boarders. The proportion of students in these schools that are from rural areas is not known.

200. One reason identified by the Ministry of Education for lower girls' enrolment in higher secondary classes is that girls perform lower than boys in national and external exams at higher grades and therefore do not gain access to higher education as the system- is based on merit. The reasons for poorer examination performance among girls are unknown. Given that admission to tertiary education requires admission to and success in higher secondary classes, if any progress is expected for girls in tertiary education, an effort has to be made to help girls to achieve higher grades so that they can qualify for scholarships.

#### *Tertiary Education*

201. The Royal University of Bhutan was established in 2003 uniting the 9 institutes across the country that provides tertiary education (Table 10.10). The Royal Institute of Health Sciences (RIHS) recently instituted a policy to give preference to girls (4 girls for every boy) for its 3 year diploma programmes in nursing and midwifery. A new college at the Tala hydro-power project complex at Gedu is expected to open in 2008 and enrol approximately 80 students in the first year.

202. The number of pupils studying at the different institutes that make up the Royal University of Bhutan was 3,525 (1,135 girls; 2,390 boys; 0.47 girl boy ratio) in 2006 (Table 10.10). In 2006, the female to male ratio was highest for RIHS (0.86) and the two National Institutes of Education (0.60) and lowest at the National Institute of Traditional Medicine (0.04) and the Natural Resource Training Institute (0.11).

203. In 2006, the female to male ratio for pupils in science related courses (B.Sc. in Physical, Biological or Computer Science) at Sherubtse College of the Royal University of Bhutan was 0.30 compared to 0.56 for non science courses (BBA, Bachelors in Commerce, BA in English, Dzongkha, Geography or Economics).<sup>28</sup>

204. The scholarship system for Tertiary Education continued to be based on merit. All students meeting cut off grades for areas of study can apply for scholarships and those with the highest grades are granted the scholarships, irrespective of their sex. With the aim of giving girls and boys with exceptional co-curricular and leadership skills, an opportunity for scholarships, starting in 2005, the Ministry of Education has been receiving the name and details of one girl and one boy from all MSS and HSS to give these students special consideration for certain post secondary scholarships.

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<sup>28</sup> Royal University of Bhutan 2006 Staff and Student Statistics of May 2006 (Brochure)

205. More girls and boys were granted tertiary education scholarships in 2006 than in 2002 and the female to male ratio for science related scholarships increased by 0.05 (Table 10.13). However, the overall female to male ratio for new scholarships decreased from 0.31 to 0.23 during the same period, the main reason being that there are more boys in classes XI and XII.

206. In 2005, YDF started a scholarship programme sponsored by a private Indian company providing 10 scholarships each year, of which 3 were awarded to girls in 2006. The Ministry of Education administers these scholarships based on the merit system.

207. The loan ceiling for the educational loans available to all civil servants under the National Pension Provident Fund increased to Nu 1,000,000 from Nu 500,000. All civil servants are automatically in the pension system and granted access to the low interest educational loans irrespective of sex and can use these loans for their education or the education of their children.

208. In 2005, the Ministry of Education began registering students studying in tertiary institutes abroad privately, with 878 girls and 1,140 boys (female to male ratio 0.77) registering in 2006 (Table 10.12). However, these records may be incomplete as some students may not register. The Ministry of Education gives all Bhutanese students studying abroad a subsidy to form a Bhutanese Student Association.

209. The female to male ratio in 2006 for private students (0.77) is far greater than the one for scholarship students (0.25). This difference indicates that girls are interested in pursuing tertiary education if given the opportunity and that their families are willing to send them using their own funds. In addition, the female to male ratio is much higher for private students than scholarship students in medicine (0.77 vs 0.21), science (0.85 vs 0.29) and Arts (1.08 vs 0.36). The 0.53 ratio of females to males in tertiary education, while representing an improvement over the 2000 ratio of 0.41, has aroused the special attention of the Royal Government of Bhutan.

#### *Vocational Education*

210. The Royal Government of Bhutan continued to improve and expand vocational education during the reporting period. A vocational education and training policy was also recently drafted which states *“All vocational education and training related services will be available to every Bhutanese citizen irrespective of gender, different abilities, origin or religion. To an increasing extent these services will be provided against cost-covering fees (either monetary contribution or in-kind) except initial training for school leavers which would remain free of charge as a matter of principle. The Ministry will support an increasing number of private institutions and agencies to provide these services and guide them to maintain quality services. It will inform the public about the availability and quality of private training programmes and related services so that all citizens are able to make the right choice for themselves”*.

211. One new public vocational training institute (VTI), the Khuruthang VTI was established in Punakha after 2002 (Table 10.1). There are plans to expand and improve the quality of vocational training in the near future. A new campus for the VTI in Trashigang was established in 2005 with training courses on computer hardware and carpentry. Longer term plans for this VTI include introduction of auto repairing and civil construction courses. Bhutan's first hotel and tourism management institute will open by 2007, offering vocational and diploma courses for improving

quality of tourism services in Bhutan. A new rural development training centre will open in Zhemgang in 2007 and approximately 1,100 girls and boys are expected to be trained by 2010. Initial enrolment is to include 300 trainers of trainers, 300 school drop-outs in individual farm management, 300 young farmers in commercial farming and 200 leaders of farming groups.

212. In 2006, the Ministry of Labour and Human Resources (MoLHR) and the Bhutan Chamber of Commerce and Industry (BCCI) signed a Memorandum of Understanding (MoU) to promote and strengthen vocational education and training through public-private partnership. The MoU is aimed at ensuring an improved match between the vocational training system and the market demand to ultimately create a skilled and productive workforce in the Bhutanese private sector, and make the private sector an active participant in developing the labour sector.

213. An Annual National Skill Competition in different vocational areas was initiated in 2005 to raise the status of vocational education and training. Girls continued to be encouraged to participate in all areas of vocational training and the media has been doing its share to project a positive image of women with respect to vocational training and the workplace. In 2006, Kuensel, the national newspaper, published the story of a girl who won the national plumbing skill competition.<sup>29</sup> In the Article, the winner encourages other girls to take up trades even if a field traditionally seen as a male dominated, mentioning that girls are as capable in succeeding as males. Another 2006 story featured quotes from female graduates of VTIs, indicating that the training programme has made them feel “*as capable as their male counterparts*”.<sup>30</sup> A story of a male weaver was also highlighted in 2006, depicting that the profession was for both men and women<sup>31</sup>. These stories indicate that gender stereotypes associated with traditional roles in the workplace and society have begun to be dispelled and that the success of females and males in non-traditional areas is being celebrated.

214. The Apprenticeship Training Programme (ATP) initiated in 2000 continues to place 300 apprentices each year within the private sector, providing trainees with practical experience and supplemented with theory through classes. An assessment found that many of the apprentices find jobs before their training was over. The ratio of females to males under ATP is similar to that for VTIs. ATP offers skills training in auto mechanics, hairdressing, tailoring, earth-moving equipment operation and computer hardware repair.

215. In 2005, YDF initiated a private VTI, the Bhutan Souvenir Production and Training Centre. Admission is only open to girls from economically disadvantaged families that have completed class X but not qualified for further studies or vocational programmes. It is a one year programme. The first batch consisted of 22 girls from all over the country, including remote rural areas like Merak Sakten and Dorokha. Tuition is free and students are provided with lodging and a monthly stipend for food and living expenses. The first batch just graduated and 10 were hired as instructors by the VTI, another 5 found employment and YDF will support the remaining graduates with equipment such as tailoring machines and mentorship to start a Community Production Unit in their home area. For the second year, YDF advertised for candidates through the MoLHR and also asked each *Dzongkhag* to nominate girls meeting the criteria for admission. In 2005, YDF also obtained support from a private Indian company to send 10 students to vocational training at Indian Institutes each year, 4 of which

29 Kesang Dema 2006. Skills Matter More. In. Kuensel. Thursday 27 April 2006.

30 No Author 2006. Buna vocational institute: giving life skills. In. Kuensel. Tuesday 4 July 2006.

31 Jamyang Phuntsho 2006. Male weaver strikes a chord. In. Kuensel. Thursday 30 March 2006.



were girls in 2006. The Tarayana Foundation has been providing women and men from disadvantaged households with vocational training. In 2005, 82 people were trained in traditional papermaking, paper product development, nettle yarn preparation and spinning, nettle weaving, candle making, soap making, and furniture making.<sup>32</sup> Enrolment in publicly funded VTIs increased by 174 for girls and 160 for boys between 2002 and 2006 while the female to male ratio increased from 0.39 to 0.55 (Table 10.14). Although completion data for vocational institutes continue to be irregular, the Ministry of Labour and Human Resources indicates that almost all enrolled complete their programme successfully with no difference between girls and boys.

## **B. Equal Access to Same Curricula and Facilities**

216. **No Update.** As reported in Bhutan's combined Initial through Sixth periodic report all schools are co-educational, and have national equity in provisions of curriculum, teaching staff, and facilities.

## **C. Co-education Policy and Appropriate Curricula**

217. All schools and other educational institutes in Bhutan continue to be co-educational.

218. Major reforms in curriculum were initiated in 2004 starting with English, *Dzongkha* (National Language) and Mathematics. The curriculum reform for these 3 subjects will be completed by the end of 2007 for all grades (PP to XII). Curriculum changes for the remaining subjects will continue into the Tenth Plan. The Ministry of Education is taking this opportunity to mainstream gender into the new curriculum with the assistance of a gender advisor. Efforts include integration of a gender perspective while reviewing textbooks and other teaching and learning materials, ensuring a gender balance among writers, and inclusion of subject specific gender related activities in the teachers' guide.

219. The number of female teacher trainees at the National Institutes of Education increased between 2002 and 2006, but the female to male ratio decreased slightly (Table 10.9). Despite this, there were more female role models available for girls in classes PP to X in 2002 than 2006 both in terms of numbers and female to male ratio of teachers. This is likely due to replacement of non-Bhutanese teachers, who are mostly male, with Bhutanese teachers. PS and LSS had the highest female to male ratios at 0.99 and 0.92 and also had the greatest increases between 2002 and 2006 (Table 10.9). CPS had the smallest increase (0.01) likely because females do not feel comfortable moving to remote areas where most CPS are located and are therefore more sympathetically considered in terms of their placement. Therefore, it will remain a challenge to increase the ratio in CPS and provide girls in remote communities with female role models.

220. The female to male ratio for positions of head teacher/principal was 0.06 (0.01 for CPS, 0.06 for PS, 0.09 for LSS, 0.22 for MSS and 0.42 for HSS) in 2006<sup>33</sup>. Girls also have access to female role models at the community level through female NFE Instructors and NFE Learners. See under Paragraph A and E for further details.

221. In 2005, the Ministry of Education initiated a pilot Child Friendly School programme based on the UNESCO Toolkit in 20 schools with the aim of improving the quality of education and reducing

<sup>32</sup> Tarayana Foundation 2006 Annual Report 2005-06.

<sup>33</sup> National Commission for Women and Children. Draft National Plan of Action for Gender

repetition and drop out rates.<sup>34</sup> The Child Friendly School Programme will incorporate gender related strategies and programmes as per the toolkit. The programme will likely expand to all schools in the next FYP.

#### **D. Equal Access to Scholarships**

222. All girls and boys continued to have the same opportunity to benefit from scholarships as the system continued to be based on merit, with those performing best in examinations gaining access. See under paragraph A for further details.

#### **E. Continuing Education and Training**

223. The Non-Formal Education (NFE) programme continued with the basic literacy course (1 year) and the post literacy course (9 months). This programme contributes to reducing the gap in education existing between men and women at the earliest time possible with a strong focus on rural women. Annual enrolment expanded immensely between 2002 and 2006, due to the increased number of NFE centres (292 in 2002 and 646 in 2006). Of the 646 NFE centres in operation in 2006, 79 per cent are in rural areas.<sup>35</sup> The annual enrolment in NFE increased from 9,798 in 2002<sup>36</sup> to 18,550 in 2006, of which 71 per cent were female.<sup>37</sup>

224. The NFE programme developed new reading materials after 2002. A book on children's and women's rights was developed in 2006 and will soon be released. The book not only aims to educate women on their rights and their children's rights, but to empower them by encouraging their participation in areas such as community level decision-making. In addition, 3 books on Early Childhood Care and Development were introduced in 2003. These books contain messages on the importance of preparing children for and enrolling them in school. Much of the existing materials that continue to be used for NFE also contain messages on the importance of literacy and education for all girls and boys as well as a variety of health topics. In addition, NFE learning materials are often presented in a way that a story character is an NFE learner sharing information with community members, thereby encouraging them to act as agents of change.

225. The NFE curriculum also includes "how to" reading materials and practical instruction on various income-generating activities such as mushroom cultivation and poultry farming. Given that NFE instructors are members of the communities they serve, they are encouraged to act as role models and practice some of these income-generating activities as examples for the learners and community members. Income generation training provided through NFE is a form of vocational training given that the skills provided have helped many learners start their own income generating activities. Given the rural and remote nature of Bhutan with people scattered throughout the country in small and isolated pockets, the far reach of the NFE programme is an ideal means of reducing disparities, especially among rural women, by providing such training.

226. With the efforts made to expand the NFE programme, especially for rural women, and the increase in primary enrolment for girls, Bhutan's literacy rates are moving towards the global

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<sup>34</sup> Ministry of Education (2005) 24th Education Policy Guidelines and Instructions

<sup>35</sup> Personal Communication with the Adult and Higher Education Division of the Ministry of Education July 2006.

<sup>36</sup> Ministry of Education 2002 General Statistics 2002

<sup>37</sup> Ministry of Education 2006 General Statistics 2006

averages. Progress was seen for adult females and females aged 15 to 24, for whom the reported literacy rate increased from 14.3 per cent to 39 per cent and from 48.9 per cent to 68 per cent between 2003 and 2005, respectively (Table 10.15). Progress in rural areas was also seen with an increase from 22.0 per cent to 44 per cent for adults and from 52.5 per cent to 68 per cent for 15 to 24 year olds. Despite the continuing gap in literacy for females, more progress is expected in the near future given the trend for increased girls' primary enrolment as well as continuation of the NFE programme. There continues to be a lack of data regarding completion of the NFE programme.

227. In addition to imparting literacy and numeracy, NFE empowers women. For example, 14 of the 99 elected representatives at the National Assembly were women in 2001, most of whom were beneficiaries of NFE.<sup>38</sup> Other NFE graduates have gone on to become *Gaydrungs*, *Tshogpas* and even *Gups*.

## F. Participation of Women and Girls in School

228. All efficiency indicators for primary classes improved between 2002 and 2005 with girls doing better than boys. Drop out and repetition rates for class VI improved from 11.6 per cent and 5.7 per cent in 2002 to 3.5 per cent and 3.3 per cent in 2005.<sup>39</sup> In 2005, for classes PP and V, girls were doing slightly better than boys while in class VI they were doing the same (Table 10.7). In addition, the student survival rate to class VI improved between 2002 and 2005 from 72.6 (77.3 girls; 68.6 boys) to 84.4 (87.7 girls; 81.1 boys)<sup>40</sup>. This indicates that once in the school system, girls are given an equal opportunity for success as boys up to the end of primary classes.

229. Girls continue to be on par with boys for efficiency indicators up to class VIII but the situation changes as of class IX. In class IX, the promotion rate was 4.7 per cent lower, the repetition rate 1.2 per cent higher and the drop out rate 3.5 per cent higher for girls than boys in 2005 (Table 10.7). Although progress was seen in efficiency indicators at the national level between 2002 and 2005, during which time repetition rate for class IX fell from 11.6 per cent to 6.7 per cent and drop out rates from 8.7 per cent to 5.0 per cent, no gender disaggregated data for these indicators exist prior to 2005. Therefore, it is difficult to ascertain whether the gap between boys and girls improved or not, but the 2005 figures can be used as a basis on which to track future progress. The student survival rate up to class VIII does point to better status for girls with an improved rate between 2002 and 2006 from 62.1 (67.5 girls; 57.8 boys) to 75.0 (79.2 girls; 71.0 boys). Given that girls are on par with boys for promotion, repetition and drop out and do better than boys in overall survival to class VIII, it is evident that once in the school system, girls are given an equal opportunity for success up to class VIII. However, further progress can be made to improve the achievement of girls from class IX onwards and to decrease the gender gap so as to give girls an equal opportunity for success. To do so, more information would be required regarding the factors leading to these findings, so that appropriate interventions can be introduced.

230. Although further study would be needed to understand factors contributing to higher drop out of girls in higher classes, the Population and Housing Census of Bhutan findings point to one possibility. The census found that 3.6 per cent of 15 to 19 year old girls had a live birth in the year

38 Ministry of Health 2005 Implementing the ICPD Programme of Action in Bhutan

39 Ministry of Education 2006 General Statistic.

40 Ministry of Education 2002 General Statistics Royal Government of Bhutan. AND Ministry of Education (2006) General Statistics

preceding the census and that 10.2 per cent of all girls in this age group reported having at least one child (Table 12.6). The census also revealed that 15.4 per cent of all 15 to 19 year old girls were currently married and that even some 10 to 14 year olds were married (Table 16.1), despite it being against the law. Marriage and motherhood can make continuation of education difficult, but schools that encounter incidences of teen pregnancies have been accepting the mothers back in school after the baby is born.

231. To address school drop out and low enrolment in higher secondary classes, the Ministry of Education introduced a pilot Continuing Education Programme in 2006,<sup>41</sup> giving youth and adults who left school before completing class X to XII a second chance. The programme prepares learners for class X and XII exams over 2 years. Classes are held in the evenings and on weekends. In 2006, 70 females and 78 males were enrolled in the Continuing Education Programme with a female to male ratio of 1.21 for class IX and 0.83 for class XI. After an evaluation of the pilot, the aim is to expand the programme to other *Dzongkhag*.

### **G. Equal Access and Participation in Sports**

232. The Ministry of Education established the Department of Youth and Sports (previously the Department of Youth, Culture and Sports) in 2003 to give renewed emphasis to recreational, cultural and sports activities among girls and boys. This was initiated as part of an attempt to provide more wholesome education to children and to target mass participation in sports for girls and boys. The department works closely with all national sports federations in Bhutan and has been expanding its winter sports programmes to provide sports activities and coaching for children and youth in various *Dzongkhag*. A major challenge is shortage of facilities, coaches and trainers in the country.

233. The Royal Government of Bhutan is investing in new infrastructure and facilities for leisure, recreation and cultural activities. These include the building of a Youth Development Centre in Thimphu, which began in 2002. The facility funded by the Government of India, will provide a multi-purpose facility to encourage youth involvement in social and sports activities. The youth centre is meant to be a safe environment for youth to pursue leisure activities and is expected to open by 2008. A Youth Centre is also being built in Thimphu with hostels and other youth facilities.

234. The School Sports Programme continues to promote and develop sports as an important component of a wholesome education for both girls and boys. Programmes are organized to encourage maximum participation of both sexes and to have sports activities all year round to promote healthy living. In 2005, chess and keshey (traditional wrestling) were added to the programme for classes VII–X, and traditional archery for HSS. In the winter break of 2005-06, the Ministry of Education opened schools in Thimphu, Phuentsholing and Gelephu for the recreation, leisure and cultural activities of students. Schools kept their libraries, halls and sports facilities open for specified timings. In a country with limited sports and recreational centers, it will be an important experiment in opening up existing facilities to young people.

### **H. Health and Family Life Education**

235. See *under response to para 1* under Article 12, Health.

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<sup>41</sup> Ministry of Education 2006 General Statistics.

## Issues of Concern

### Difficulties

236. Much progress has been made in formal, non-formal and vocational areas but gaps remain, especially at the tertiary levels. As Royal Government of Bhutan advocates improvements in education and the parallel positive effects both on reducing poverty and decreasing fertility, constraints remain however, particularly in women's access to NFE as one study found that the drop out rate for women was high due to work and domestic burdens. Projects that reduce women's workload, such as rural electrification (less time spent collecting fuel, etc), and decreasing travel time, such as rural roads, will have a positive gender impact. Training connected with the rural sector such as agricultural extension, and training to improve rural incomes such as alternative livelihood and micro enterprise development are also likely to benefit the poorest people.

237. Factors leading to low girls' enrolment and achievement in secondary classes are not known. Therefore, it will be difficult to address the problem with appropriate interventions until and unless research is undertaken and targeted programmes introduced.

238. The figures related to enrolment presented in this section only include children enrolled in formal schools within Bhutan and therefore do not include children enrolled in monastic education or schools outside of the country. Therefore the indicators will always appear worse than they are.

239. Despite an improvement in the distribution of schools, with many more schools in remote areas in 2006 than in 2002, the Royal Government of Bhutan is not yet able to reach most children of nomadic populations given the constraints of the difficult mountainous terrain, scattered communities and a shortage of resources, such as a shortage of trained teachers, financial resources and lack of infrastructure. There continues to be reports of "informal boarders" who live in temporary shacks to attend the nearest CPS given that the nearest school is too far for them to walk to and from on a daily basis. Adults, such as grandparents, accompany some of these children, while others live alone and lack proper protection, making them vulnerable to abuse and poor living conditions.

240. Given the preference of female teachers not to move to remote areas where there are hardships, and the special consideration they are given by the Ministry of Education in terms of placement, it will remain a challenge to increase the number of females role models for girls in remote areas attending CPS.

241. As a policy, all children, citizens and non-citizens, have access to free education upto class X.

242. The ability to bring secondary and tertiary education facilities closer to rural girls and women in the areas where they live will be difficult given the small population, and scattered and remote nature of the population, with people in rural areas living in small scattered pockets. Therefore, most secondary schools will remain in urban and semi urban areas as boarding schools. However, as admission is based on merit and as boarding facilities are free, rural girls have an equal access to secondary education.

243. Although the Tenth Plan Guidelines have goals to increase the number and proportion of girls in basic and tertiary education, without a specific goal and actions to improve the ratio in higher

secondary education (Classes XI and XII), it will be difficult to achieve the goal set for tertiary education.

### **Future Action**

244. As outlined in the Tenth Plan Guidelines, the Ministry of Education will work towards: (i) increasing primary NER to 90 per cent for girls and boys; (ii) increasing the girl to boy ratio for classes PP to X to 1.0; (iii) increasing adult literacy to 80 per cent; and (iv) increasing the girl to boy ratio in tertiary education to 0.80.

245. In addition, gender disaggregated targets are being set in the draft NPAG, for results related to: (i) primary enrolment; (ii) primary completion; (iii) secondary enrolment; (iv) girl to boy ratio in all levels including VTIs; and (v) literacy rate. Other expected results in the draft NPAG include: (i) development of a gender sensitive education policy; (ii) development of gender sensitive curriculum and teaching and learning materials for all subjects; and in all class levels; and (iii) improved school and boarding facilities for girls (e.g. access to water and sanitation facilities at schools and separate shower facilities and access to female matrons for girl boarders). Results for rural students were also included such as providing school feeding. Provision for additional incentives has been made in the Position Classification System for teachers posted in rural and remote areas which may help increase the number of female teachers in these areas.

246. The Tenth Plan Guidelines indicate a target to establish more VTIs in Bhutan between 2008 and 2012. Through the draft NPAG, an effort will be made to increase the number of VTIs offering programmes beyond the traditionally male dominated areas and to increase enrolment of females. This is expected to impact employment status of women.

247. The quality of education was discussed at the highest level during the 85<sup>th</sup> session of the National Assembly in July 2006. All levels of education, including NFE, could benefit from improvements in quality and the Ministry of Education agreed to take up this issue as a priority. In addition, the quality of boarding facilities could benefit from further efforts to ensure the protection of girls and boys residing in such facilities.

### **Article 11: Employment**

248. The right to employment is enshrined in the Labour and Employment Act which has been enacted for gainful employment for all Bhutanese and with the aim of ensuring the well-being of all women and men workers. The Draft Constitution covers equality in employment, freedom of choice of employment and non discrimination under Article 7 on Fundamental Rights and Article 9 on Principles of State Policy. There is no discrimination in terms of equal employment opportunity for Bhutanese women.

249. The Ministry of Labour and Human Resource [MoLHR] was established on 20 June 2003 to focus on job and employment related plans and policies which will also ensure gender equality.

250. In line with the Position Classification System of the RCSC, the new BCSR was released in 2006.

251. The largest occupational category continues to be Agriculture and Forestry, with 62,300 women and 70,500 men in 2004 (female to male ratio 0.88). There is no distinct division of roles between most rural women and men, with duties related to cultivation from sowing to harvesting being fully shared. Some jobs fall under gender stereotypes, such as ploughing with oxen which is generally regarded as a man's job and housekeeping which is generally considered a women's job, in a household short of women, men engage in routine domestic work. Husbands and wives may jointly own the farm resources, although in some regions, women usually have more control over family resources. For these reasons, most employed women in Bhutan have similar work situation as men.

252. The data on employment by completed level of education suggests that a higher proportion of employed women are in careers requiring less skills and are less likely to be in positions of decision making authority than men. This is evident in that a higher proportion of employed women (78.1 per cent) than employed men (57 per cent) fell under categories of unpaid family worker and owner/cultivator in 2004 (Table 11.4). Women assume singular import as a vulnerable group whose societal amalgamation through productive work is essential for realising the larger goal of GNH, and women employment has come to the forefront following the exponential increase in the numbers of young educated women entering the labour market in search of quality employment.

### **1A. Right to Work**

253. There is no law that limits the right of women to work. As with all policies and programmes, Bhutan has maintained a gender neutral approach to employment.

254. According to Article 7 on Fundamental Rights of the Draft Constitution, Bhutanese citizens of either sex can enjoy the right to choose any lawful employment according their ability and to the needs of the society. Article 7 states "*A Bhutanese citizen shall have the right to practice any lawful trade, profession or vocation,*" and "*A Bhutanese citizen shall have the right to equal access and opportunity to join the public service*". In addition, Article 9 on Principles of State Policy of the Draft Constitution states "*The state shall endeavour to ensure the right to work, vocational guidance and training and just and favourable conditions of work*". Given the fundamental right of non-discrimination under the Draft Constitution, these Articles hold equally for women and men.

255. In line with the Draft Constitution, Chapter II of the Labour and Employment Act prohibits discrimination of employees.

### **1B. Equal Opportunity and Equality in Employment**

256. The Labour and Employment Act guarantees equality of opportunity and equality in employment for women and men (refer to Article 11 Paragraph 1A).

257. Private institutions, employers or enterprises publicly announce any job vacancies. Women have the right to apply for jobs according to the established criteria of each company or enterprise.

258. Chapter 3 of the BCSR 2006 indicates that both male and female candidates may be acceptably employed in the civil service providing that they meet the eligibility criteria of: (i) Being a Bhutanese citizen; (ii) Meeting all qualifications and requirements specified for the particular post; (iii) Having qualified in the selection process prescribed for the position concerned; and (iv) Having

attained at least 18 year of age but not more than 40 years on the date of recruitment, based on the birth certificate, unless specified otherwise.

259. According to Chapter 3 of the BCSR 2006, selection of civil service personnel is based on merit through a fair and open competitive selection process as determined by: (i) academic performance; (ii) performance on the Civil Service Common Examination; and (iii) a panel interview, which adheres to the guidelines for the code of conduct of the Human Resource Committee.

### **Information Regarding Employment of Women and Men**

260. Although the enactment of the Labour and Employment Act 2007 and BCSR 2006 is a positive step, it will take more time until women are on par with men in terms of labour force participation and participation in the paid labour force.

261. The 2004 National Labour Force Survey reported that the labour force participation rate is higher for men (67.5 per cent) than women (42.7 per cent) with a greater discrepancy in urban areas (Table 11.1). In addition, the unemployment rate became worse for women between 2001 and 2004 while it remained almost unchanged among men (Table 11.8). Reasons for higher unemployment among women may have to do with attitudes among employers uncovered during a recent survey which found that: (i) employers felt women were more likely to demand preferential postings and men were more flexible towards their place of work; (ii) 52 per cent of employers interviewed felt that men were more competent than women, 48 per cent felt women and men were equally competent and 0 per cent felt that women were more competent than men; and (iii) employers believed that males were more versatile than females.<sup>42</sup>

262. Table 11.2 indicates that of all employed women interviewed during the 2004 Labour Force Survey, most (71 per cent) have not completed any course of education with only 18.5 per cent of them completing some level of formal education and 8.3 per cent completing NFE. Among employed men, a lesser proportion was found to have no education (54 per cent), and a higher proportion with some level of formal education (28.3 per cent).

263. A higher proportion of employed men fell under the category of regular paid employee (25.6 per cent) than women. (9.7 per cent) (Table 11.5). This translated into lower earnings among women than men in 2004 as indicated in Table 11.7. The highest rate of employment for women was noted among women completing NFE, with 57 per cent of all female NFE completers being employed in 2004 (Table 11.3). However, for women who had completed formal education, the rate of employment was much lower at 40 per cent for those completing primary and 33 per cent for those completing at least the first year of tertiary education. The employment rates for men completing formal education were much higher than those for women (Table 11.3). The only occupational category where the female to male ratio exceeds 1 is Manufacturing (Table 11.6). The female to male ratio is lowest in (i) Mining and quarrying (0.00); (ii) Public administration/defence; compulsory social security (0.08); (iii) electricity gas and water supply (0.11); (iv) construction (0.15); and (v) transport, storage and communication (0.18).

264. Women have been given opportunity for self employment through loans provided by the Bhutan Development Finance Corporation (BDFC). In 2005, the BDFC reported a total of 2,737 loans

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<sup>42</sup> Ugyen Dorji, MoLHR (2005), A Matter of Gender: Exploring Causes for Female Unemployment in Bhutan – Draft



being granted to females. These loans are generally used for small scale trade, buying livestock, transport of produce for sale and house renovation. Although these loans are granted to both rural and urban women, they are generally taken up by rural women. Those in urban areas generally take loans from commercial banks.

265. Women head several prominent private sector firms and they are also represented on the board of directors of prominent institutions in Bhutan.

266. While most of Bhutan's population still live in rural areas, urban centres have emerged in recent decades in most *Dzongkhag* and have attracted a considerable number of people from rural communities, with one of the main reasons being access to cash income. Almost 60 per cent of the migrants are men, thus leaving women further behind to take care of the farms<sup>43</sup>. Rural women moving to urban areas have had fewer choices for employment than men given their lack of urban sector skills, potentially contributing to the higher unemployment rate among women. As a result, many rural women and girls have been working as domestic help for the urban elite.<sup>44</sup> A recent study found that most child domestic workers in such situations are girls without access to schooling and often working long hours for little pay, being vulnerable to different forms of abuse.<sup>45</sup> This situation limits their education attainment and future career choices.

267. The female to male ratio in the civil service was 0.40 as of June 2006, with a ratio of only 0.05 in the highest grades of 1 to 3 and the highest ratio (0.47) among grades of 9 to 13 (Table 7.4). Given these figures, there is scope to improve female representation in the civil service. (Refer to Article 5 for further details on women in the civil service).

### **1C. Free Choice of Work and Equality in Criteria in Promotion and Privileges**

268. Refer to paragraph 1A for details on constitutional rights regarding employment.

269. Refer to paragraph 1A for details regarding prohibitions against discrimination in terms of application, training, dismissal, transfer, promotion, or demotion.

270. In practice, women serving in Royal Government of Bhutan institutions are equally eligible for promotion to higher grades according to their qualification, experience and capabilities.

271. Under the BCSR 2006 promotions are based on merit, thereby allowing civil servants, irrespective of their sex, equal opportunity to promotions. There are 5 methods through which a civil servant can be granted a promotion: (i) Promotion Based on Post Vacancy (ii) Promotion within Broad-banded Positions and (iii) Meritorious Promotion; (iv) Direct Promotion by the RCSC; and (v) Promotion of Secretary to the Government.

272. Chapter 10 of the BCSR 2006 allows civil servants, irrespective of their sex, to take study leave to pursue a formal course of study/training relevant and useful to their present or future duties. Study leave is granted with full gross pay for the first 12 months, after which they receive 50 per cent of their basic pay. While on study leave, for up to 18 months duration, civil servants are considered to

<sup>43</sup> Ministry of Agriculture 2005, Rural Urban Migration in Bhutan

<sup>44</sup> Royal Government of Bhutan Bhutan's Combined Initial through Sixth Report to the CEDAW Committee, 2002.

<sup>45</sup> National Commission for Women and Children (2004). Report on: Assessment of the Protection Factors for Children in Bhutan.

be in active service for purposes of promotion. If the training is not relevant to their field of work or future field of work within the civil service, civil servants can be granted study leave, but without pay.

273. Opportunities for training through for civil servants are also based on merit and relevance of a training programme to the position held by an employee. There is also no scope for discrimination in training opportunities given that the nomination form for in service training contained in the BCSR 2006 does not indicate sex, and as the majority of names in Bhutan are gender neutral (e.g. men and women share names) it is not evident whether it is a woman or man on the application.

274. Civil servants are also eligible for extraordinary leave without pay. A civil servant may be granted Extraordinary Leave for: (i) Pursuing studies when the study leave is not permissible; and (ii) Family problems, when the attention of the official concerned is genuinely required.

275. Human resource development in the private sector has also made remarkable developments, especially with the commitment from Royal Government of Bhutan to share its financial budget for Human Resource Development between government and the private sector.

276. Training and investment in human resources is a priority of the HRD policy of the Royal Government of Bhutan. The vocational, technical, scientific and professional training for primary, secondary or higher levels to civil servants, pupils, students and others has been continuously available since the commencement of the modern development process, and is ongoing up to now, both inside the country and abroad. [Refer to Article 10 Education, for further details.]

### **1D and Recommendation 26. Equal Pay for Work of Equal Value**

277. According to Article 7 on Fundamental Rights of the Draft Constitution, “A *Bhutanese citizen shall have the right to equal pay for work of equal value*”. In addition, Article 9 states “*The state shall endeavour to ensure the right to fair and reasonable remuneration for one’s work*”.

278. Chapter II of the Labour and Employment Act includes the following prohibition against discrimination of employees “*Discrimination regarding pay conditions takes place in the case of failure to give equal pay for equal work or work of equal value*”. Any employer or employment agent contravening the prohibition is committing an offence, making them liable to pay a fine or receive a prison sentence.

279. Women do not generally get discriminated by receiving lower pay than men for doing the same job and in some cases, such as during plantation and harvest; often receive more pay than men.

280. Chapter VIII of the Labour and Employment Act includes a provision for overtime pay stating “*An employer shall pay an employee employed below supervisory level, overtime of a minimum of the employee’s normal rate of pay when the employee is required to work outside any of the periods referred to in section 104*”.

281. Chapter VIII of the Labour and Employment Act includes a provision for pay for work during night hours stating “*If an employee below supervisory level is required to perform night duty besides his normal day shift by the employer, and outside the time period referred to in section 104, the employer shall pay the employee additional 50 per cent of the employee’s normal rate of pay for the number of hours worked*”. An employer who fails to comply with this section commits an offence, making them liable to pay a fine or receive a prison sentence.

282. Women working as civil servants have rights to equal salaries with men for similar work, positions and technical expertise. A new system of allowances for public civil servants was carried out under the Position Classification System and remuneration is now based on position and grade level, irrespective of sex. Female civil servants have the same rights of gaining all working benefits such as pedagogy fees, overtime payment, and health care disbursement. Any male or female civil servant posted in remote area is granted a geographical allowance above their net salary.

#### *Pay for Unskilled Labour*

283. Chapter VIII of the Labour and Employment Act also gives the MoLHR power to fix a minimum wage stating “(i) *The Ministry may in consultation with the government, the employers and the employees fix a minimum wage or wages to come into effect 90 calendar days after the making of the order; or from a date fixed by the Ministry in the order but not earlier than the date of the order; and (ii) Every minimum wage shall be expressed in an hourly rate, a daily rate and a monthly rate*”.

284. As of 2000, the national minimum wage rate was set at Nu 100 a day for daily workers and for other levels of daily workers at Nu. 110, Nu. 120, Nu. 135 and Nu. 150 a day, to be paid irrespective of gender.

#### **1E. Entitlements and Security**

285. According to Article 9 on Principles of State Policy of the Draft Constitution, “*The state shall endeavour to ensure the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay*”.

286. Chapter VII of the Labour and Employment Act guarantees the following forms of paid leave: (i) Sick Leave; (ii) Annual Leave; (iii) Casual Leave; (iv) Maternity Leave; and (v) Paternity Leave. Employees are also entitled to a minimum 9 public holidays each year, and in the event that an employee is made to work on an agreed holiday, they are to be paid an additional 50 per cent of their normal rate of pay.

287. Retirement benefits are included under Chapter VI of the Labour and Employment Act stating “*An employee, upon retirement from the services shall be entitled to the following benefits: (a) Gratuity; and (b) Provident fund or Pension.*”

288. With the enactment of the Labour and Employment Act, the MoLHR will have the power to fix the maximum working hours and duration for meal breaks through an executive order. Once set, no employee shall be required to work beyond the maximum working hours in the executive order.

289. According to Chapter 10 of the BCSR 2006, civil servants are entitled to the following forms of paid leave: (i) Vacation Leave (annual leave); (ii) Casual Leave; (iii) Bereavement Leave; (iv) Maternity Leave; (v) Paternity Leave; (vi) Medical Leave; and (vii) Study Leave. Pay during Medical Leave (sick leave) is only allowed up to 6 months. In addition, civil servants can also be granted special leave without pay. Women and men in the civil service are further entitled to take days off from work based on the number of days they have worked in that year with full wages and receive all other national and traditional holidays with pay.

290. Chapter IX of the Labour and Employment Act stipulates that “*An employer shall provide accident compensation for all the employees*”. Any employer failing to do so can be charged with an offence, making them liable to pay a fine or serve a prison sentence.

291. The Royal Government of Bhutan has provided through various schemes a Government Employee Group Insurance Scheme, for civil servants, retired persons, and persons who have lost physical working capacity. Rules concerning Government Employee Group Insurance Scheme govern pension schemes for old age benefits, invalidity benefits and survivors’ benefits. It also covers employment risk (employment incident and employment disease) benefits. Through the Government Employee Group Insurance Scheme, civil servants are entitled to compensation for Service Incurred Injury. Contract workers for the Civil Service are also entitled to compensation for Service Incurred Injury. Compensation is payable under the Government Employee Group Insurance Scheme admissible for the grade of his post. Those working in the agriculture sector, informal sector and home-workers, which comprise the majority of the Bhutanese labour force, are still not protected under any social insurance scheme.

#### **1F. Occupational Health and Safety**

292. Protection of health and safety of employees in the private sector is guaranteed under the Labour and Employment Act on an equal basis for women and men. Inspectors from the Ministry of Trade and Industry, Ministry of Health, Ministry of Agriculture regularly check for hygiene and working security in enterprises, workshops and factories. With the enactment of the Labour and Employment Act, the MoLHR will also be involved in such inspections

293. In terms of occupational health and safety, the Labour and Employment Act defines the duties and responsibilities of government officers to ensure that employers operate their businesses according to safety measures, as well as providing appropriate working conditions and environment for employees. Chapter IX of the Act correspondingly specifies that employers and employees must cooperate in ensuring occupational safety as outlined below. In many instances, employer’s failing to comply with duties related to occupational health and safety can be charged with an offence under the Labour and Employment Act, making them liable to pay a fine or serve a prison sentence.

294. In addition, the Labour and Employment Act has the following Article with respect to the cost of occupational health and safety needs “*An employer shall not require an employee to pay for any machineries, systems, arrangements, facilities, equipment, protective clothing and equipment, information, instruction, training or supervision provided and maintained at a workplace in relation to occupational health and safety*”. An employer who fails to comply with this section can be charged with committing an offence, making them liable to pay a fine or serve an prison sentence.

295. In addition to responsibilities of the employer and employee, Chapter IX on Occupational Health and Safety of the Labour and Employment Act also has a section on the Rights of an Employee that state, “*If an employee has reasonable justification to believe that a work situation presents an imminent and serious danger to his or her life or health, the employee may remove himself or herself from that situation; An employee taking action under section 162 shall immediately report to the employer’s representative or to the employer of that situation.*” In addition, “*An employer shall not require an employee to return to a work situation where there is a continuing or imminent threat of serious harm to an employee; or withhold pay from the employee by reason of his or her action under*

*section 162 provided that the employee stays at the workplace and continues to demonstrate his or her willingness to work.* These rights are equally held by women and men and may also apply in cases of pregnancy. An employer, who commits an offence, is liable to pay a fine or serve a prison sentence, if they take any punitive or discriminatory action against an employee who exercises his or her right under section 162.

### **Sexual Harassment**

296. Chapter 9 of the Draft Constitution includes provisions for elimination of all forms of discrimination against women, including harassment and intimidation at work in both public and private spheres. The Penal Code also covers sexual harassment.

297. Chapter II of the Labour and Employment Act has a section on Prohibitions against: (i) forced and compulsory labour; (ii) the worst forms of child labour; (iii) discrimination of employees and job seekers, and (iv) sexual harassment. The section on prohibitions against sexual harassment indicates that: (i) *An employer shall not sexually harass: (a) a person seeking employment with that employer; or (b) an employee of that employer;* (ii) *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.* The definition of sexual harassment includes: (i) *making an unwelcome sexual advance or an unwelcome request for sexual favours to the other person; or (ii) engaging in any other unwelcome conduct of a sexual nature in relation to the other person.* Conduct of a sexual nature” includes: (i) *subjecting a person to any act of physical intimacy;* (ii) *making any oral or written remark or statement with sexual connotations to a person or about a person in his or her presence; or (iii) making any gesture, action or comment of a sexual nature in a person’s presence.*

298. Chapter V of the Labour and Employment Act indicates that an employee found guilty of serious misconduct, which includes sexual harassment and assault, may be dismissed without notice or with payment in lieu of notice.

299. Under Chapter 19, Administrative Discipline, of the BCSR 2006, offences related to conduct or behaviour in violation of the RCSC Code of Conduct and Ethics include: (i) Disgraceful and immoral conduct, in particular, misuse of his position for taking undue personal advantage on subordinates or colleagues; and (ii) Misconduct, inter-alia, repeated lack of *Driglam Namzhag*; habitual absence from duties; violation of dress code; discourtesy in the course of official duties; habitual drunkenness; physical or mental incapacity due to immoral or vicious habits or conviction of a crime involving moral turpitude. Although not directly indicating harassment or sexual harassment, some of these offences could encompass all forms of harassment and therefore protect civil servants from such behaviour. In addition, Chapter 19 identifies “*Abuse of official authority and position*” as an offence related to performance of official duties. Sexual harassment can also be encompassed under this offence. Any person, including the disciplinary authority, is allowed to submit a written complaint against any other civil servant or consultant working for the civil service in accordance with the list of offences included in the BCSR 2006, as long as it is supported with sufficient documentary evidence.

300. The BCSR 2006 indicates that “*In no case shall imprisonment be imposed as a penalty in an administrative case. It shall be pronounced only by a court of law. If warranted under the circumstances, the RCSC or any other disciplinary authority shall file appropriate criminal charges*

against a respondent civil servant in a court of law in Bhutan”. Given that sexual harassment is a crime in the Penal Code, if a complaint is made within the civil service, it is expected that the RCSC would file criminal charges.

301. Sexual Harassment is a petty misdemeanour, punishable by a minimum prison term of one month and a maximum of less than one year. In addition, if convicted of a petty misdemeanour, such as sexual harassment, according to the BCSR 2006, a civil servant may be retired from service. In addition, given that the Penal Code increases the penalty for repeat offenders, if a civil servant were to be found guilty of sexual harassment a second time, the court would charge them with a misdemeanour. The BCSR 2006 indicates that a civil servant would be terminated from services if he is convicted by the court of law for an offence of: (i) a misdemeanour relating to his power and function or corruption; (ii) any felony, with or without post service benefits based on the nature and gravity of the offence.

### **Protection of minors**

302. Minor girls and boys have also been protected under the Labour and Employment Act under Chapter X, through which a variety of safeguards have been put in place. Employment of any child under 15 is prohibited, except for children aged 13 and 15, who can work up to 8 hours per week, if the employment falls within a set of criteria. The Act prohibits the employment of children under 18 in the following areas: (i) mining and quarrying; (ii) confined spaces; (iii) heavy labour; (iv) manufacturing, or work with any toxic substances; (v) slaughter houses; (vi) carpet weaving; (vii) construction; (viii) forestry (ix) gas, electricity and water supply; (x) sanitary services; (xi) transport, communication and storage; and (xii) plantations or other commercial agriculture undertakings. In addition, employers of children cannot require them to work overtime hours or to work between 10 pm and 8 am. Employers are also to keep a register of each child under their employ, including: (i) their name and date of birth; (ii) the hours and periods of work; and (iii) the nature of the work. Any person failing to comply with the stipulations regarding employment of minors can be charged with committing a serious offence, which is punishable by payment of a fine or serve a prison sentence.

303. According to the report on Assessment of the Protection Factors for Children in Bhutan, most child domestic workers are girls without access to schooling, often work long hours for little pay, and vulnerable to different forms of abuse. Little protection has been available for these girls to date given the nature of the situation. Given the vulnerability of child domestic workers, section 175 of Chapter X was included in the Labour and Employment Act: “*If a person causes or permits a child to work as a domestic servant in a home which is not the home of the child’s immediate family; or participate or assist in a business, trade, calling or occupation carried on for profit the person is deemed to employ the child whether or not the child receives payment or other reward for his or her participation or assistance.*” The Labour and Employment Act protects child domestic workers, ensuring they do not have to work the long hours and receive the substandard pay many of them have been subjected to until present.

304. Under Chapter II on Prohibitions, both minor girls and boys have been protected against the worst forms of child labour, including: (i) *sale and trafficking, debt bondage, forced or compulsory labour, including recruitment for use in armed conflict;* (ii) *the use, procuring or offering of the child*

for prostitution, for the production of pornography or for pornographic performances; (iii) the use, procuring or offering of the child for illicit activities, in particular for the production and trafficking of drugs; (iv) work under particularly difficult conditions such as work for long hours or during night or work where the child is unreasonably confined to the premises of the employer; or (v) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of a child including (a) work which exposes a child to physical, psychological or sexual abuse; (b) work underground, under water, at dangerous heights or in confined spaces; (c) work with dangerous machinery, equipment or tools, or which involves the manual handling or transport of heavy loads; or (d) work in an unhealthy environment that may expose the child to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to his/her health. Any person failing to comply with the prohibitions regarding the worst forms of child labour can be charged with committing an offence of a felony of the third degree.

## **2A. Protection from Unlawful Termination**

305. Among the forms of unlawful termination included under Chapter V of the Labour and Employment Act are terminations based on the employee's race, colour, sex, marital status, pregnancy, religion, political opinion, or social origin and terminations due to the employee being absent from work on maternity leave or paternity leave.

306. According to Chapter V of the Labour and Employment Act, *if proceedings have been initiated in a court of law under wrongful dismissal, the Court may do one or more of the following: (i) with the consent of the employee and the employer, order that he or she be reinstated to his or her employment to the same or equivalent position and that the employee be treated as if he or she had never been dismissed; (ii) order the employer to pay compensation to the worker in a sum equal to 21 days' pay for that worker for each year or part year of continuous employment with that employer up to a maximum of 189 days' pay; and (iii) order costs to be paid by one party to the other in such sums as the Court considers just in all the circumstances. In action for wrongful dismissal, the burden of proving the existence of a valid reason for the termination shall rest on the employer.*

## **2B. Matters Relating to Maternity**

307. Under Chapter VII of the Labour and Employment Act, women are entitled to maternity leave and men to paternity leave. Chapter VII of the Labour and Employment Act also ensures preservation of position after maternity leave, stating "*On return from maternity leave, the employer shall place the returning employee in the same or a materially similar position to the position held by the employee immediately before starting the leave*". An employer who fails to comply with this section commits an offence, making them liable to pay a fine or serve a prison sentence.

308. Chapter VII of the Labour and Employment Act also provides provisions for nursing mothers, stating that "*An employer shall allow an employee to interrupt her work every 4 hours for one hour for a period of one month immediately after the expiry of her maternity leave to nurse her child and those interruptions shall be treated as work time for which the employee shall be paid*". An employer who fails to comply with this section commits an offence, making them liable to pay a fine or serve a prison sentence.

309. In addition, Chapter VII of the Labour and Employment Act protects employees from not getting paid while on leave stating “*If the Chief Labour Administrator is of the opinion that an employer is intentionally avoiding the payment of leave to an employee by breaking a contract of employment, the Chief Labour Administrator may deem a contract or contracts to be continuous for the purposes of calculating the leave entitlement of the employee*”.

310. According to Chapter 10 of the BCSR 2006, upon production of a medical certificate, civil servants are entitled to Maternity Leave with full gross remuneration (including basic pay and any allowances) for a total period of three months. In addition women are entitled to Maternity Leave with full gross remuneration in case of a miscarriage for a maximum period of one month on production of a medical certificate. On completion of maternity leave, women in the civil service may resume their work without loss of seniority, turn of promotion, or any other opportunity.

311. According to Chapter 10 of the BCSR 2006 civil servants are entitled to Paternity Leave of 5 working days which may be combined with other forms of leave.

312. Civil Servants may request their supervisors to change their functions in case of problems with their health, which is normally given. Chapter 10 of the BCSR 2006 allows civil servants who have been certified as incapable of performing duties due to illness or injury to be granted Medical Leave on production of a medical certificate issued by a medical authority in Bhutan. Medical leave is granted with full gross pay for the first six months, after which it ceases to be paid. Pregnant women with complications or medical reasons for not being able to undertake their duties could fall under this rule and thus be granted sick leave with full gross pay if required.

313. The BCSR 2006 also allow for Flexi Time of two kinds: (i) Flexibility of hours to attend to personal needs during a normal working day for which a civil servant may take personal time during normal working hours and make up this time later in the day; and (ii) Long-term -Flexi Time which is formalized through a supervisor on the condition that a civil servant has a genuine ground. Guidelines for the Flexi Time are yet to be developed for proper implementation. There is scope for breastfeeding mothers to avail of the flexi time arrangement after the 3 months of maternity leave.

## **2C. Care Centers**

314. With the aim of standardising the quality of preschools, the Ministry of Education began licensing private day care centres in 2005.<sup>46</sup> Through this programme, a comprehensive set of guidelines were developed and all proprietors of existing day care centres and persons interested in starting day care centres were provided with free training on the guidelines. Training on other topics for both proprietors and teachers of day care centres have also been provided free of cost through the Ministry of Education.

315. In 2006, there were 5 licensed private day care centres in Bhutan<sup>47</sup>. At present all of the day care centres are in urban areas, providing early childhood care for working parents. The apparent lack of institutionalized child day care facilities in urban areas, may force working mothers and fathers to entrust their children to extended family members or baby sitters. Sometimes, if suitable help cannot

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<sup>46</sup> Ministry of Health 2005 Implementing the ICPD Programme of Action in Bhutan. Royal Government of Bhutan

<sup>47</sup> Ministry of Education 2006 General Statistics Royal Government of Bhutan



be found, the mother may find it difficult to consider employment outside the home. Child day care for single parents in urban areas, who are mostly impoverished women, is even more difficult.

## **2D. Safety during Pregnancy**

316. Under the section of Night Work and Risky Work in Chapter VII of the Labour and Employment Act, an employer who fails to comply with the following provisions during pregnancy and the post partum period can be charged with committing an offence, making them liable to pay a fine or serve a prison sentence:

- An employer shall not require a pregnant employee to work between the hours of 10 o'clock at night and 8 o'clock in the following morning: (i) 140 days before she is due to give birth and 56 days after she has given birth to the child; or (ii) at any other time if the employee produces a medical certificate showing that such work would endanger the child or the mother.
- If an employee is withdrawn from night work under section 111 or if, due to her pregnancy or breastfeeding, an employee's work is a risk to the health or safety of the employee or her unborn or newborn child: (i) The employer shall temporarily adjust the employee's working conditions or hours of work to avoid exposure to the risk; or (ii) if an adjustment is not feasible or can not reasonably be required to be made, the employer shall transfer the employee to other appropriate work that will: (a) not expose her to the risk; and, (b) as nearly as possible, comparable in status and pay to that of her present work.

## **3. Conformity to Convention and Law Review**

317. A review of all legal instruments which have a bearing on women and children has been initiated through the National Consultation on Women and Child Friendly Judicial Procedures in 2006, which will be followed by the NCWC.

### **Issues of Concern**

#### **Difficulties**

318. According to the preliminary results of the national census, there were about 37,500 registered foreign workers in the country from a total of about 125,000 foreigners living in Bhutan. In Bhutan, the road construction and other maintenance work have generally been carried out by foreign workers. Although there was an unemployment problem, the demand for foreign workers was much more than the number of people seeking employment.

319. About 28 per cent of civil servants are women, and the number of women holding senior executive positions is comparatively small.

320. While there are day care centres that cater to children over three years of age, no services exist for younger children. Child day care for single parents in urban areas, who are mostly impoverished women, is even more difficult.

321. Although domestic workers, many of which are girl children, are protected in the Labour and Employment Act, it will be difficult to enforce the act given that such employment occurs within private homes which are not easily monitored.

322. The slow growth in the private sector and lack of an entrepreneurial culture is noted as a major contributing factor to the unemployment rate in Bhutan.

323. There remain no gender disaggregated data regarding private enterprise ownership or holders of trade licenses of active businesses.

324. It is estimated that about 100,000 students will enter the labour market by 2010<sup>48</sup>. In addition, about 19,000 economically active rural persons are expected to migrate to urban centres seeking employment by the end of the Plan. Thus, about 70,000 jobs will need to be created outside farming by the end of the Ninth Plan, or about 14,000 jobs each year. One of the daunting challenges that the country faces is not only the creation of adequate gainful employment opportunities for the exponentially increasing Bhutanese workforce, but also ensuring that women have an equal chance to avail of those opportunities.

325. Given that GDP growth favours sectors with a lower employment co-efficient, economic and demographic trends suggest the gap between demand and availability of employment for young Bhutanese women is expected to widen. Moreover, the expected rapid growth of the national economy does not suggest it will be labour-intensive nor will create sufficient numbers of high-quality job opportunities. Employment in the public sector is expected to remain largely at present levels in view of the policy to maintain a small, efficient administration. Bhutan's small private sector has contributed toward alleviating unemployment pressure; but is slow to generate sufficient jobs required to meet an expanding labour force.

326. While gender gaps have been narrowing rapidly in schools, the country is still far from achieving gender equality when it comes to the world of work. Much of this employment disadvantage has been attributed to the late start that Bhutan made in education in general and for women in particular.<sup>49</sup>

327. Most women remain engaged in a career of homemaking, child-rearing or other unpaid work. This may be an obstacle to their right to self-determination and gainful employment. Socio-cultural perceptions generally hold women as less capable than men. Women in general are regarded as the homemaker, wife and mother. The perception that women are physically weaker and sexually more vulnerable has greatly influenced their access to education and employment opportunities. Women's own perception in Bhutan seems to be based on these two factors.<sup>50</sup>

### **Future Action**

328. With the enactment of the Labour and Employment Act, Regulations and other associated documents are to be developed which will provide further details on issues such as the procedures and remedies for dealing with sexual harassment, the minimum wage and maternity leave entitlements. The Labour and Employment Act will be disseminated to the public.

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48 Royal Government of Bhutan, National Human Development Report 2005

49 United Nations Country Team 2006, Bhutan Common Country Assessment

50 National Commission for Women and Children 2005 The Situation of Children and Women in Bhutan, 2005

329. Efforts need to be put in place to increase the availability of child day care centres, especially centres that are affordable to single parents, who are mostly impoverished women.

330. To reduce the problem of unemployment in the country, the Royal Government of Bhutan is working to improve vocational and tertiary education opportunities, to attract labour to work in the private sector and to make employment in the private sector more attractive. In addition, through the NPAG, plans to develop vocational training that can lead to the development of small and medium enterprises for women were discussed at the National Gender Planning Retreat in 2005.

331. In line with the Education policy, the Department of Youth and Sports (DYS) will continue to provide wholesome education to students, equipping them with relevant skills and instilling in them an appropriate work attitude, thereby enabling students to work in any situation, including villages, *Geogs* and the private sector. This would help reduce the unemployment problem. In order to mitigate the problem of unemployment, three call centres with financial support from the Government of India will be established. Depending on volume of business, each centre would employ 150-500 people.

332. A Bhutanese investor is establishing a medical transcription centre in the country which would employ 120 Class XII and college graduates in the next one year.

333. Tourism with its high labour intensity and linkages with downstream services has the potential to provide employment for a significant number of young women expected to enter the labour force in the next few years. The tourism bill is in its advanced stages and will promote tourism products by expanding ecotourism, establishing an integrated visa issuance regime, allowing multiple tourist entry points into Bhutan, developing skills capacity by establishing a hotel and tourism and management institute, establishing service standards for hotels, and promoting community-based tourism. These are encouraging developments that will lead to expanding of job opportunities for women in the short-term with more significant expansion in the medium-term.

334. The Royal Government of Bhutan will take all appropriate measures to eliminate de facto discrimination in the field of employment in order to ensure the same rights in employment for women as for men:

## **Article 12: Health**

335. The Royal Government of Bhutan's continued commitment to the provision of free and accessible health care to all women and men in Bhutan was reinforced through Article 9 Paragraph 20 of the Draft Constitution, which states, "*The State shall provide free access to basic public health services in both modern and traditional medicine*".

### **1. Access to Health Services**

336. Bhutan has made tremendous strides to improve health care and has taken on the challenge of reaching the un-reached in a country marked by difficult mountain terrain. All services, including essential drugs, provided through the Primary Health Care System continue to be free of charge. All hospitals and BHUs continue to provide primary health care services and run daily Maternal and Child Health (MCH) and Antenatal Care (ANC) clinics. ORCs continue to provide primary health

care services by holding a monthly daylong clinic, including MCH and ANC services, run by BHU and/or Hospital staff.

337. Between 2002 and 2006, the Ministry of Health made significant investments to bring health care services closer to rural communities by further increasing the number of BHUs from 166 to 176 and the number of ORCs from 455 to 485 (Table 12.2). Given that BHUs and ORCs are generally established in rural and remote areas, they help bring services closer to those most in need.

338. The number of health staff also increased between 2002 and 2006 (Table 12.2). An estimated 50 per cent of all health workers are women.<sup>51</sup> With an aim of further improving the female to male ratio of health service providers, so as to improve acceptability of health services among women, the RIHS recently implemented a policy to give preference to female students (four girls to one boy) for its 3 year diploma programmes in nursing and midwifery.

#### *Access to information and awareness raising campaigns*

339. Behaviour Change Communication activities on topics related to women's health and reproductive health continued to be regular occurrences between 2002 and 2006. The most influential of these are the regular high level visits to rural schools and communities by the UNFPA Goodwill Ambassador, Her Majesty the Queen, Ashi Sangay Choden Wangchuck. During her visits, Her Majesty addresses the people with information on (i) reproductive health including family planning, protected sex, and teenage pregnancy; (ii) STDs including HIV/AIDS; (iii) women's health including cervical cancer; and (iv) other health issues.

340. Her Majesty has visited all parts of the country; the South in 2003,<sup>52</sup> the West in 2004,<sup>53</sup> the North in 2005,<sup>54</sup> and the East in 2004 and 2006<sup>55,56</sup>. Her Majesty makes an effort to talk with community members, for example, she mingled with the people relaying messages while distributing condoms during a local festival in Trashiyangtse in 2004.<sup>57</sup> Such grass roots activities undertaken by such a high level and greatly respected authority are expected to have lasting impact. In addition, her visits are televised and articles written in the newspapers, thereby disseminating information at the national level. Through Her Majesty's role of UNFPA Goodwill Ambassador and as President of RENEW, such high level activities throughout the country are expected to continue.

341. The Primary Health Care system also continued to provide information regarding women's health, on topics including family planning, safe delivery, and nutrition through regular contact between patients and health workers at health facilities. The reach of the primary health care system is wide given that the 176 Basic Health Units (BHUs) continued to provide information through daily clinics. In addition, the 485 Out Reach Clinics (ORCs) continued to provide people living in rural and remote areas with services including information, education and communication on various topics. Through MCH and ANC clinics occurring at all hospitals and BHUs on a daily basis and all ORCs on a monthly basis, mothers and pregnant women continued to be provided with information on topics

51 Bhutan's 2nd Report to the Committee on the Convention on the Right of the Child, 2006.

52 Kuensel 2003. UNFPA goodwill ambassador in Zhemgang. In Kuensel: 7 March 2003.

53 Kuensel 2004. Ashi Sangay Choden Wangchuck to visit Wangduephodrang dzongkhag. In Kuensel: 16 April 2004.

54 Rinzin Wangchuk 2005. Health to launch pap smear campaign in northern region. In Kuensel: 4 October 2005.

55 Kuensel 2004. UNFPA goodwill ambassador to visit eastern dzongkhags. In Kuensel: 26 March 2004.

56 Gopilal Acharya 2006. UNFPA goodwill ambassador concludes eastern tour. In Kuensel: 13 April 2006.

57 Bishal Rai 2004. Condom awareness in Gomphu Kora. Tshechu. In Kuensel: 7 April 2004.

such as how to have a safe and healthy pregnancy, including nutrition and safe delivery (e.g. danger signs).

342. Given that 90 per cent of all households visited a Health Facility in the year prior to the census, with similar rates among rural and urban households and all *Dzongkhag* (Table 12.1), access to health information and services through this means is expected to be high.

343. The network of over 1,300 Village Health Workers (VHWs) continued to provide information on reproductive health, MCH and ANC at the community level on a regular basis. VHWs were also trained on various topics between 2002 and 2006, including reproductive health and safe motherhood<sup>58</sup>, thereby increasing their effectiveness.

344. As part of the primary health care system, women delivering in institutions are provided with post-natal care. Through post-natal care, women are counselled on birth spacing and other topics related to family planning. Even women delivering in their rural and remote homes are provided with information on family planning through home post-natal visits made by VHWs. As VHWs are linked with the Primary Health Care staff that run the ORCs, follow up occurs during the ORCs.

345. An Adolescent Reproductive Health Education and Life Skills Programme was developed in 2002 targeting girls and boys in MSS and HSS through the School Health Programme. The programme is guided by a national steering committee with education and health representatives.<sup>59</sup> Other initiatives to increase awareness on reproductive health among youth include the Scouts Programme and training on reproductive health counselling for matrons of school boarding facilities. The Scouts programme in Bhutan includes both boys and girls.

346. Through inclusion of reading materials on reproductive health into the curriculum, NFE learners also continued to receive information on this topic and more recently, a new reading material on reproductive health topics was included for the post literacy course.<sup>60</sup> There are also NFE reading materials covering other health related topics which impart practical information to learners.

347. The school based parent education programme on adolescent and youth issues was initiated in 2000, being introduced to 75 schools in 15 *Dzongkhags* to date. This initiative brings parents together to discuss issues like reproductive health and teenage concerns. Experience has shown that many parents express reservation about talking openly with their children about issues such as teenage sexual behaviour.

348. A variety of radio and TV spots on issues related to health, including family planning and reproductive health were aired over the last 4 years. Most recently, a series of radio spots and TV programmes on emergency contraceptives and female condoms were aired starting in late 2005 to mid 2006. Awareness campaigns on safe motherhood and other women's health issues such as cervical cancer were also conducted regularly using media such as posters and leaflets.<sup>61</sup>

### *Access to Family Planning and Reproductive Health Services*

<sup>58</sup> Ministry of Health 2003 Annual Health Bulletin.

<sup>59</sup> Ministry of Health 2005 Implementing the ICPD Programme of Action in Bhutan. Royal Government of Bhutan.

<sup>60</sup> Ministry of Health 2005 Implementing the ICPD Programme of Action in Bhutan. Royal Government of Bhutan.

<sup>61</sup> Ministry of Health 2002 Annual Health Bulletin. Royal Government of Bhutan.

349. Family planning services, including free contraceptives, continued to be available at all Hospitals, BHUs and ORCs. The range of free contraceptives available include Intrauterine Devices (IUD), Depo-Provera® injection (DMPA), contraceptive pills, condoms, vasectomies and tubectomies. BHUs and ORCs provide IUDs, DMPA, pills, condoms and referrals to the hospitals for permanent sterilization.

350. The HIV/AIDS and Reproductive Health programmes started providing free condoms outside of the health system at locations including the restrooms of bars, restaurants, hotels and gas stations.

351. Condoms continued to be available free of cost in villages through VHWs. In 2005, VHWs also began distributing oral contraceptive pills on a follow up basis after initial consultation at a health centre.<sup>62</sup>

352. Two Health Information and Service Centres were opened in Thimphu and Phuentsholing in 2005 by the Ministry of Health.<sup>63</sup> In addition to providing information and confidential and free testing for HIV/AIDS and other STDs outside of the formal health care setting, the centres provide counselling services on family planning (including free contraceptives), substance and alcohol abuse, tobacco control and mental stress. All services provided by the centre are free of charge. The aim is to have one centre in each *Dzongkhag* by 2007.

353. A pilot programme introducing female condoms in Thimphu and Phuntsholing was initiated in 2003. The Guidelines on Medical Standards for Contraceptives were updated and new sections added on female condoms and emergency contraceptives. New guidebooks, one on infertility management, one on post abortion care, and another on IUD insertion, were also developed in 2004.<sup>64</sup> In 2004 and 2005, all of the District Medical Officers were trained as trainers on these new and revised guidelines and in turn trained the health staff in their *Dzongkhag* including doctors, nurses, midwives, Health Workers and Health Assistants.<sup>65</sup> In addition to training of in service staff, the above-mentioned standards were incorporated into the RIHS curriculum so that new graduates entering the health services will be able to implement them. One result of these efforts has been increased availability of certain services. For example, prior to 2005, female condoms were only available in 3 *Dzongkhag* and emergency contraceptives were only available through the 4 gynaecologists. At present, women can avail female condoms and emergency contraceptives in all 29 hospitals and the 7 Grade 1 BHUs. However, as the utilization of female condoms continues to be low, awareness-raising, as mentioned in the previous section, has been ongoing.

354. A cervical cancer-screening programme was also piloted in 3 *Dzongkhag* in 2001.<sup>66</sup> Prior to the pilot, PAP smear screening services were only available at the National Referral Hospital in Thimphu. Findings of the cervical cancer screening pilot were presented at the 2006 Annual Health Conference and the programme will be expanded to cover all 20 *Dzongkhag* in the near future.

355. Illegal abortion was included as a misdemeanour in the Penal Code, punishable by a minimum prison term of 1 year and a maximum term less than 3 years. Illegal abortion was defined as

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62 Ministry of Health 2005 Implementing the ICPD Programme of Action in Bhutan. Royal Government of Bhutan

63 Kesang Dema 2006. Taking health services closer to the people. In Kuensel: Thursday 03 November 2005.

64 Ministry of Health 2003 Annual Health Bulletin.

65 Ministry of Health 2004 Annual Health Bulletin.

66 Ministry of Health 2002 Annual Health Bulletin.

unlawfully aborting or inducing expulsion of an embryo or foetus or preventing a child from being born alive, except if the act is caused in good faith for the purpose of saving the life of the mother or when the pregnancy is a result of rape or incest, or when the mother is of unsound mental condition.

356. In compliance with the Penal Code, the number of legal abortions in Bhutan increased from 311 to 657 between 2002 and 2005,<sup>67</sup> indicating that women in need have access to such services. The Ministry of Health is aware that young women and girls continue to resort to unsafe and questionable abortion services in neighbouring towns across the border in India.<sup>68</sup> The extent of the problem is unknown.

357. Various improvements occurred in health related indicators denoting an enhanced situation for women in Bhutan. The 2005 census allowed for calculation of various indicators, all showing great progress since the 2000 National Health Survey. The total fertility rate among 15 to 49 year olds decreased from 4.7 in 2000<sup>69</sup> to 2.5 (2.1 urban; 2.7 rural) in 2005 (Table 12.4). The general fertility rate also decreased from 142.7 in 2000 to 86.4 (75.3 urban; 92.5 rural). Both the crude birth and crude death rates decreased from 34 and 8.6 per 1,000 population, to 20 and 7, as such decreasing the rate of natural increase from 2.55 to 1.3.

358. Although there is no update on the contraceptive prevalence rate, the decrease in fertility rates indicate success of the efforts aimed at increasing awareness on and access to family planning services.

359. Although the age specific fertility rates for 15 to 19 and 20 to 24 year olds have decreased significantly between 2002 and 2006 (Table 12.3), one area that could use further improvement is pregnancy among young girls. In 2005, 11 per cent of all births were among 15 to 19 year olds and 10.2 per cent of all 15 to 19 year olds reported having at least one child ever born (Table 12.6).<sup>70</sup>

## 2. Access to Maternal and Child Health Services

360. The Royal Government of Bhutan's commitment to enhance the survival of pregnant mothers and children also continued. MCH and ANC clinics continued to be conducted at all Hospitals and BHUs on a daily basis and at all ORCs on a monthly basis. Pregnant women are provided with check ups, Tetanus Toxoid immunization, and education on topics including nutrition and safe delivery through ANC. Pregnant women continued to be provided with iron-folate tablets free of charge with doses ranging from 60 mg to 180 mg iron per day depending on haemoglobin levels. In 2005, universal deworming with albendazole in the third trimester was also introduced through ANC. In that same year, the multi-sector National HIV/AIDS Commission approved the provision of Anti-Retroviral Therapy for people living with HIV/AIDS, particularly pregnant women, to prevent the vertical transmission of HIV. It also approved voluntary testing for pregnant mothers who are encouraged to undertake the tests through counselling.

361. Attendance to at least one ANC clinic has improved from 51 per cent in 2000 to over 100 per cent in 2005. The figures for 2005 presented in Table 12.7 are based on administrative data from the

<sup>67</sup> Ministry of Health 2006 Annual Health Bulletin. Royal Government of Bhutan; Ministry of Health (2002) Annual Health Bulletin.

<sup>68</sup> Ministry of Health 2005 Implementing the ICPD Programme of Action in Bhutan.

<sup>69</sup> Ministry of Health 2000. A Report National Health Survey 2000..

<sup>70</sup> Calculated using information sourced from (Table 5.2 live births by age group, Table 5.4 child ever born, and Table 3.4 Total population by age) from Office of the Census Commissioner (2006) Results of Population and Housing Census of Bhutan 2005 Royal Government of Bhutan

Ministry of Health for the number of women attending at least one ANC clinic (numerator) and the census data for the total number of live births (denominator) while the 2000 figures are based on a sample survey. Therefore, the figures are not entirely comparable as the 2000 survey interviewed women who were currently pregnant and women in their first trimester possibly brought down the overall percentage. One reason for an attendance rate above 100 per cent in 2005 is that even non-residents of Bhutan are allowed to use the health services free of charge. In border areas, Indian residents do cross the border and use the free Bhutanese health services. In addition, some women are double counted, if for example they go to an ANC in their village and are then referred elsewhere given complications, if they attend an ANC clinic in a new location, they could be counted as a new pregnant women on her first ANC visit. In addition, as the denominator is the total number of live birth, but not total pregnancies, there could be some pregnancies that did not go to term, for example in 2005, there were 657 legal abortions performed in Bhutanese health facilities. In spite of the potential discrepancies with regard to the ANC attendance rate, the available figures indicate that it is likely high. High ANC attendance may have contributed to the zero maternal and neonatal Tetanus status maintained between 2002 and 2005.

362. In addition to counselling and education on a variety of topics including family planning and nutrition education, mothers continued to be provided with check ups, iron and vitamin A supplements through Post-natal care services.

363. To improve evidence based programming, the Maternal Death Investigation system has been providing information on determinants of maternal deaths on an annual basis after being revitalized in 2001. All of the Maternal Death Reviews since 2001 found that Post-Partum Haemorrhage (PPH) was the leading cause of registered maternal deaths, constituting 53 per cent of the deaths reviewed between April 2004 and 2005.<sup>71</sup> In addition, approximately 52 per cent of all registered maternal deaths occurred at home. Given the high proportion of deaths occurring as a result of PPH, the Ministry of Health has made oxytocin available, even in BHUs, starting in 2004. Prior to this, oxytocin was only available in hospitals.

364. The Minister of Health issued a directive to move towards 100 per cent institutional delivery as a strategy to decrease maternal mortality during the 2005 Annual Health Conference. To help achieve this goal, the Ministry of Health has been working towards making delivery services at health facilities more women friendly. In 2005 and 2006, over 130 Basic Health Units (BHU) were equipped with heaters and sheep skins. Remote BHUs lacking electricity were provided with kerosene heaters. In addition, some BHUs were provided with electricity, the labour rooms of some hospitals were upgraded to have attached toilets for the convenience of women and nearly 150 BHUs will be equipped with delivery beds by the end of 2006.

365. To improve delivery services, the Midwifery Standards were revised in 2004 and all health staff were trained on the revised standards by the District Medical Officers between 2004 and 2005.

366. Given their role in maternal health and delivery at BHUs, an attachment programme for in service Auxiliary Nurse Midwives (ANM) was initiated in 2005. To date, 35 ANMs have undergone an attachment at the National Referral Hospital where they gained hands on experience on birth complications. The programme will continue and will be expanded to include other health care

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<sup>71</sup> Ministry of Health 2006 Annual Health Bulletin, 2005 Royal Government of Bhutan.



providers who perform deliveries such as Health Assistants and Health Workers, with a focus on female staff.

367. Efforts to increase availability of Emergency Obstetric Care (EmOC) for pregnant women also continued between 2002 and 2006. To equip comprehensive EmOC centres with required staff, between 2002 and 2006, 13 nurses were trained in anaesthesiology, 2 nurses in neonatology, 4 nurses in Occupational Therapy and 6 doctors in comprehensive EmOC provision. Equipment was also purchased to upgrade 2 hospitals to comprehensive EmOC centres during the same period. In 2003, the Ministry of Health introduced a training programme on Basic EmOC services for all new doctors and B.Sc. nurses entering the health care system. This will help ensure that at least all hospitals and Grade 1 BHUs can function as Basic EmOC centres at all times. It has been difficult to maintain the number of comprehensive EmOC centres given frequent transfer of staff between health facilities. By the end of 2006, 11 health facilities will be functioning as Comprehensive EmOC centres, up from 9 in 2002.

368. The institutional delivery rate has more than doubled between 2000 and 2005 from 19.8 per cent to 42 per cent (Table 12.8). Deliveries attended by a trained health professional also increased to 55 per cent in 2005. Despite the high national average, efforts to increase institutional delivery should focus on Gasa (0 per cent), Pemagatshel (2 per cent), Dagana (10 per cent), Trashiyangtse (12 per cent), Wangdue (16 per cent), and Zhemgang (19 per cent).

369. Although there is no update for Maternal Mortality Ratio (MMR), process indicators, such as ANC attendance and institutional delivery rate are important to track progress in women's health. Like many other countries Bhutan is struggling with a problem of deficient registration, reporting and analysis of maternal deaths with an ensuing problem of under registration of such deaths. The small population size and low number of annual births also make MMR neither a satisfactory nor a useful indicator to monitor progress over short periods of time. An improved notification of maternal deaths will be indispensable for the future.

370. Improvements were seen for the Infant Mortality Ratio (IMR) and Under-five Mortality Ratio (U5MR) between 2000 and 2005 when the IMR decreased from 60.5 to 40.1 and U5MR from 84.0 to 60.6. Although there were no sex differences in IMR or U5MR in 2000, the 2005 census findings revealed higher ratios among boys (Table 12.9). U5MR was highest in the *Dzongkhag* of Chukha (88.9), Trashigang (86.0), Sarpang (79.5), and Samdrup Jhongkhar (79.5).

371. The 2002 National Anaemia Survey found women and children to be at highest risk for anaemia with prevalence rates of 28 per cent for men, 55 per cent for women of childbearing age and 81 per cent for children under 2 years of age. As a means to address the problem through the life cycle approach, the Ministry of Health and the Ministry of Education joined forces and initiated a school iron supplementation programme in 2004. The programme provides all primary school boys and girls and all girls in higher education with a weekly iron-folate tablet and a 6 monthly deworming tablet. In 2005, the same programme was introduced to non-formal education learners, most of whom are women. Adolescent girls and women are a target of this programme given their biological vulnerability to anaemia and consequences of anaemia among this group and their children during pregnancy and delivery.

372. In 2003, Bhutan was the first country in the region to be declared as having eliminated iodine deficiency disorder by an independent evaluation led by the Network for the Sustainable Elimination of Iodine Deficiency Disorders. Bhutan has been able to capitalize on the fact that there is only one salt producer, which iodizes salt imported from India, but needs to be careful to block imports of cheaper, non-iodized salt. Regular cyclical monitoring of iodine content of salt at various levels (production, retail and household) has also contributed to the continuing success of this programme.

## **Violence Against Women (VAW)**

### *Constitutional Guarantee*

373. Article 7 sections 17 of the Draft Constitution states that a person shall not be subjected to torture or to cruel, inhuman or degrading treatment or punishment, and Article 9 contains 2 paragraphs dealing with violence against women and children.

### *Data on Violence against Women*

374. The RBP in Thimphu have compiled a presentation on crime related to women and children occurring in the capital city. The presentation indicated that reports of assault against women and children have fluctuated since 2000, but generally increased in rural Thimphu and generally decreased in urban Thimphu between 2000 and 2005 (Table 12.10). The presentation also indicated a total of 71 reported cases of domestic violence in the capital in 2005 (Table 12.11). However, the report may not be entirely representative given that the manual process of recording used can subject records to damage and loss.<sup>72</sup>

375. In 2006, 57 cases of domestic violence were treated at the National Referral Hospital in Thimphu, with the most common reason for the violence being alcohol intoxication of the husband (28 per cent), adultery of the husband (28 per cent) jealousy of the husband (19 per cent) and adultery of the wife (5 per cent).<sup>73</sup> The most common type of violence perpetrated in the 57 cases was punching/fist blows (28 per cent) and kicking (19 per cent). In addition, 5 of the 57 cases occurred among pregnant women and in 10 of the 57 cases, children were also assaulted at the same time as the woman. Of the 57 women treated, only 12.3 per cent reported this as the first episode they have encountered, while 56 per cent reported that the current incident was the 5<sup>th</sup> to >20<sup>th</sup> episode. Of the 57 cases treated at the hospital, 61 per cent were reported to police. Although there is no official system for the collection of data regarding cases of gender based violence treated within the Health Care System, there has been an individual effort through the forensic medical specialist at the National Referral Hospital.

376. Results of a recent series of focus groups conducted by RENEW revealed that participants felt that all segments of society were equally prone to gender based violence and that it was more prevalent in urban than rural areas. Participants recommended the following interventions to prevent and manage gender based violence in Bhutan: (i) Advocacy and awareness through mass media, school dramas, street plays etc.; (ii) Education and empowerment of women (e.g. literacy and legal rights); (iii) Education on gender based violence for police and health workers ; (iv) Establishment of a call centre and a centre with food and lodging services for victims in crisis; (v) Establishment of

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72 Officer in Charge, Rural Division, Presentation on the Status of Crime Related to Women and Children. Royal Bhutan Police, Thimphu [2006]

73 Dr. Pakila Dukpa 2006 Preliminary Findings Wife Battery. Jigme Dorji Wangchuck National Referral Hospital.

support groups or networks in the community; (vi) Build on and take advantage of existing networks and programme such as the armed forces and the Non Formal Education (NFE) programme; and (vii) Counselling and legal advice services for victims.

*Remedial Measures [Refer also to Article 7]*

### **National Consultation on Women and Child Friendly Police Procedures**

377. The issue of violence against women is gaining focus due to coverage by the media and the efforts of agencies such as the NCWC and RENEW. As a first step to help understand the needs of victims and barriers to reporting incidents, a four-day national level consultation was held in October 2005 on Women and Child Friendly Police Procedures<sup>74</sup>. The consultation attended by 50 police officers, NCWC members and representatives from NGOs covered issues pertaining to Bhutan's justice system in relation to women and children in conflict with the law, with extensive briefings on the Penal Code, Draft Constitution, and the Civil and Criminal Procedure Code. Outcomes of this process are the 16 point recommendations, which already have or will be implemented, and are elaborated under Article 4 Special Measures. The RBP has since established a Women and Child Protection Unit to provide a safe environment that would enable women and children victims or complainants to voice their problems freely. Another objective is to provide rehabilitation efforts for women and children. The unit, together with the NCWC, will establish a detention centre with separate detention rooms for girls and boys in Thimphu in 2006. For adults, there are already separate detention rooms for women and men in conflict with the law. Following a promotion drive towards a more gender balanced police force; the RBP have recruited 13 women in 2006, bringing the total for women in the RBP to 144. In addition, the NCWC is developing Child and Women Friendly Police Procedures to ensure optimal treatment and conditions for women and children in conflict with the law.

378. Through the NPAG, the NCWC will be coordinating activities aimed at preventing and addressing gender based violence. There are plans to establish a reporting mechanism on gender based violence in both rural and urban areas, establish help lines for victims, to provide temporary shelters, provide counselling to both victims and offenders, develop a communication strategy, and support evolution of the Women and Child Protection Unit.

### **RENEW**

379. RENEW (Respect Educate Nurture Empower Women) an NGO established in 2004 by Her Majesty the Queen Ashi Sangay Choden Wangchuck, is the pioneer organization in Bhutan dedicated primarily to the relief and empowerment of disadvantaged women and girls. Low awareness amongst women of their legal rights and the 'culture of silence' on domestic violence and sexual abuse are two areas identified as problems the organization will target; through awareness-raising amongst women of their rights, legal recourse and appropriate channels of complaint, redress, and protection. RENEW has obtained funds from the Government of India for establishing crisis and rehabilitation centres for female victims of gender based violence in the Thimphu area. Construction will begin soon and the centres are expected to be operational by 2008. Funds permitting, such centres will be established nationwide. Once the rehabilitation centre is opened, RENEW expects to provide vocational training

<sup>74</sup> Organized by the NCWC and the RBP Head Quarters, and supported by the UNDP and UNICEF

on site for traumatised victims that are unable to participate in public programmes. Referral for vocational training has also been made possible through close ties with the Ministry of Labour and Human Resources.

### **Role of Media**

380. The media has brought to the public forefront the problem of violence against women by reporting on instances of assault, sexual violence, and published various articles related to domestic violence and rape.<sup>75</sup> The Kuensel published a narrative told by a rape victim who describes her ordeal, and her attempts to raise awareness by explaining that victims have done nothing wrong, but rather have been wronged against and encouraging victims to come forward.<sup>76</sup>

### **Issues of Concern**

#### **Difficulties**

381. Although considerable progress has been made in access to health information and services through extension of facilities and training of health staff, this sector requires support in infrastructure assistance to make travel to medical facilities faster and safer, and improve service provision (electricity and information communication technology). There is further need to improve infrastructure for services related to women's and reproductive health. Such efforts will require substantial funds and will likely take time to complete

382. There still remains a gap for the incorporation of awareness-raising on basic health issues, including safe drinking water, hygiene, nutrition, sexually transmitted diseases and maternal/reproductive health into cross sectoral programmes. The NFE programme has shown some success in this area.

383. Despite continued investment to increase the cadre of medical doctors and other health care providers in the country, there continues to be a shortage of staff at the different medical facilities. There is also need to increase the number and proportion of female health workers in rural and remote areas.

384. In a small society, confidentiality remains a problem for youth in accessing RH related services. The Health Ministry recognizes that health workers are unable to effectively address adolescent reproductive health needs or to communicate effectively with adolescents.<sup>77</sup>

385. Bhutan has only recently introduced a system for certifying deaths, and carries out few post-mortems.

386. Detailed statistics on reported and convicted cases of gender based violence such as rape and assault continue to be lacking. Even if detailed statistics of cases reported to the police and treated within the health care system were available, they would only shed a partial light on the problems that exist. Many others would remain hidden because of social attitudes as well as lack of knowledge and understanding among the population and personnel concerned.

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75 Karma Choden 2004 Domestic Violence In Kuensel, 1 July 2004

76 Kinley Wangmo 2005 Literary: Against their Will. In Kuensel, 26 February 2005

77 Ministry of Health 2005 Implementing the ICPD Programme of Action in Bhutan.

387. At present, complaints regarding sexual abuse must be lodged by an individual or in the case of minors; the family can also choose to press charges. Given that sexual abuse often occurs at the hands of persons known to the child, even family members, children and family members may be reluctant to press charges, thereby being subject to repeated offences and endangering others. The Medical and Health Council Act of the Kingdom of Bhutan, which curtails the ethical principles for the conduct of medical professionals, does not ethically bind them to report suspected sexual abuse of minors that they would uncover through routine examinations. Such a stipulation in the Medical Act would provide protection to minor victims of sexual abuse. Another barrier is the lack of a public prosecution system which would be needed to handle cases reported by medical professionals. As a temporary measure, during the National Gender Planning retreat in 2005, it was recommended to pilot plain clothed police at the National Referral Hospital. Although the efforts to collect data regarding treatment provided for cases of gender based violence at the National Referral Hospital in Thimphu are commendable, there is no systematic system for collection of data on cases treated within the Health Care System nor are there plans to create one.

### **Future Action**

388. One goal in the Tenth Plan Guidelines is to improve the doctor per thousand population ratio from 1.8 to 2.5. The Ministry of Health also aims to work towards upgrading Basic EmOC facilities to Comprehensive EmOC facilities and all Grade 2 BHUs to Grade 1 BHUs. Other goals include further steps to upgrade facilities, such as provision of attached toilets to all labour rooms. .

389. Mechanisms for follow up, continuity of care and the inter-personal relations between service providers and clients all contribute to the quality of health care and services. The shortage of trained staff coupled with difficulties of reaching a scattered population add to the challenge of providing adequate time for counselling and service provision as well as enhancing the knowledge of clients. All of this points to a need to improve services for quality care.<sup>78</sup>

390. Parents, community leaders, teachers, and health workers need to be sensitized and become more open about adolescent reproductive health needs and to adopt a friendlier and age appropriate approach towards sexual and reproductive needs of youth.<sup>79</sup>

391. It was suggested during the 2005 National Gender Retreat that increased awareness and support mechanisms for disabled women and girls should be created. It is expected that this topic will be covered through the NPAG.

392. The NCWC and RENEW have plans to train health care professionals and police officials on identifying and dealing with cases of gender based violence in Bhutan, including harassment and violence that occurs in institutions such as schools and the work place. RENEW has an objective of conducting a study on gender based violence and to base long term strategic direction and programmes on evidence obtained through such an undertaking. The move for the RBP in Thimphu to digitise their data management system will allow for provision of reliable data on gender based violence.

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<sup>78</sup> Ministry of Health 2005 Implementing the ICPD Programme of Action in Bhutan.

<sup>79</sup> Ministry of Health 2005 Implementing the ICPD Programme of Action in Bhutan.

## Article 13: Economic and Social Benefits

393. The Draft Constitution has guaranteed equal rights to participate actively in the political, economic, social and cultural life of the nation (Article 7).

394. Bhutan remains on track regarding achievement of MDGs. The Tenth Plan has poverty reduction as a principal objective. Bhutan has graduated from the low to medium category on the Human Development Index, but recognizes the persistence of large inequities that suggests growth has not been as pro-poor as should be, and realize the need for adopting an employment oriented growth strategy.

### A. Equal Rights to Family Benefit

395. The Marriage Act regards all women and men as equals in the family and provides that women and men share equal benefits and equal responsibility in the family. Both have equal benefit from that common property owned by husband or wife, and children irrespective of gender have equal rights to family property.

396. Property is defined as land, houses, grain, head of cattle and other material property. Overall, 60 per cent of rural women hold land registration titles, while 45 per cent of property titles in urban areas (shares, building and business licenses) are registered to women.<sup>80</sup>

### Laws Governing Sharing of Properties after Exchange of Deed of Divorce

397. Wives and husbands have equal rights to common property after marriage. *Kha 6-5* of the Marriage Act stipulates that “*subsequent to the exchange of the deeds of divorce, the sharing of properties shall be undertaken in accordance with the conditions laid down in the deed of divorce. And if any particulars of a property have been omitted at the time of sharing in this manner, then that property shall not be shared out but shall be retained by the party having its possession. And in such a case, no person shall be entitled to raise any objections*”. (Amendment to section *Kha 3-4* of *THRIMSHUNG 1957*)

398. To protect women from fraud, the Marriage Act by *Kha 8-4* of the Act, states that “*if any man who cohabits with a woman on the promise of marrying her but subsequently abandons her without having acquired a Marriage Certificate, then that woman is entitled to acquire a Marriage Certificate, and following subsequent divorce shall be given all such properties as are entitled to her by law. In addition, that man who had deceived her shall be punished in accordance with the penalties laid down in the Section of Fraud under the Penal Code*”.

### Rules Governing Sharing of Inherited Properties

399. *The Inheritance Act, 1980*, makes no restriction upon whether a woman or a man can inherit property. The law reserves equal rights for all children, irrespective of sex and age. In practice, however, traditional systems operate which are informal, flexible and often circumstantial. Women and girls are included as members of the joint family eligible for inheritance. A daughter-in-law who has been married to a member of a joint family and who has lived with that family for at least 10 years

<sup>80</sup> Royal Government of Bhutan 2002 Bhutan's Combined Initial through Sixth Periodic Report

is also defined as a member (*Ga* 2-3). Excluded, however, are members of the family who already have received a share of property and live separately (*Ga* 2-4), or those who have lived separately for at least 10 years even without a share of property (*Ga* 2-4(2)). Under the prevalent system, parents divide the property equally among daughters, which protects their economic independence. Even if land holdings and houses are small, the daughters share them equally.

400. The Land Act of 1979, [Amended] includes registration of land in the names of women or men aged 18 (originally 16 years for females; amended through Point 19 of the 14<sup>th</sup> Judiciary Conference 1998 and Chief Justice Order No. HC [KA-33], 2002/2150), and states that a spouse has no rightful ownership to sell that land. Further, by *Kha* 1-25 of the Marriage Act, the grant of a Marriage Certificate by a Court is a document to prove the legality of a marriage, and no claims on its basis for properties are admissible.

401. A woman's access to land ownership is not restricted if she marries a non-national.

## **B. Equal Rights to Loan, Mortgage and Financial Credit**

402. Husband and wife have equal rights to enter into a contract of loan; mortgage, financial credit, and sale of private property except for common property that spouses should discuss and agree with on an equal basis. Women have equal rights with men in bank loan agreements, collateral, and to rental. The Loan Act of 1981 allows women to obtain loans or mortgages themselves. It also prohibits all minors, girls or boys, from being given loans. A woman's access to credit is not restricted if she marries a non-national. [Refer Article 14 for women's participation in micro credit schemes.]

## **C. Right to Participate in Recreational Activities, Sports and in All Aspects of Cultural Life**

403. The Draft Constitution of Bhutan affirms the right of citizens of either sex to participate actively in the political, economic, social and cultural life of the nation. Also, provisions under Article 9 ensure the "*right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.*" Further by section 15 the state shall endeavour to provide "*...the full development of the human personality*" and by section 23 the state "*shall encourage the free participation in the cultural life of the community, promote the arts and sciences and foster technological innovation.*" As the Draft Constitution grants that both women and men have equal rights to participate in all cultural and sports activities without any discrimination, the Royal Government of Bhutan has been putting greater effort into recruiting more students in sports and fine arts subjects aiming to further their participation in national and international matches.

## **Issues of Concern**

### **Difficulties**

404. Continuing instances of poverty, illiteracy and insecurity are potential hurdles to women to exercise the rights provided by the Draft Constitution. Although the 2005 MDG progress report reveals that Bhutan remains on track for meeting most of the income and non-income MDGs, existing data deficiencies on some of the indicators still needs to be removed. The 2004 Poverty Analysis Report calculated an income poverty line for Bhutan of Nu. 740 per capita per month. 31.7 per cent of the population live in income poverty, of which 97 per cent are in the rural areas.

## Future Action

405. Royal Government of Bhutan shall take all appropriate measures to ensure that women have equal rights to receive economic and social benefits, and will take the necessary steps to remove legal or social obstacles that affect their participation. The Judiciary and NCWC will continue to examine laws for their gender bias, and the NCWC will continue programmes on information dissemination of laws relating to equal rights of men and women.

## Article 14: Rural Women

406. Royal Government of Bhutan measures to eliminate any discrimination that might exist against rural women and ensure equal rights to participate in and benefit from planning and rural development implementation are guaranteed by the Draft Constitution through Article 9 that the state shall endeavour to: [section 7] “*develop and execute policies to minimize inequalities of income, concentration of wealth, and promote equitable distribution of public facilities among individuals and people living in different parts of the Kingdom*”; [section 8] “*...ensure that all the Dzongkhags are treated with equity on the basis of different needs so that the allocation of national resources results in comparable socio-economic development*”; and [section 15] “*provide education for the purpose of improving and increasing knowledge, values and skills of the entire population with education being directed towards the full development of the human personality*”

407. In the national economy, all men and women are guaranteed by Article 7 section 11 the “*right to equal pay for work of equal value*” and reinforced by Article 9 section 14 that “*the state shall endeavour to ensure the right to fair and reasonable remuneration for one’s work*” and in daily practice both men and women generally receive equal pay for equal work, even in the area of unskilled labour. Adoption of the Labour and Employment Act will assure further that men and women in the rural areas receive their entitlements to equal pay for work of equal value.

408. There is no distinct division of roles between women and men in most rural areas. The Royal Government of Bhutan policy is to build on existing traditions where women have played an important role in the household and in the decision-making process. More specific studies would have to be undertaken to clearly define such roles and responsibilities, especially the extent to which they affected advancement prospects for women.

### 1. Recognition of Rural Women

409. Rural women are a major force in agricultural production and thus assume the economic well-being of their family and community. The contribution of agriculture to GDP has increased in recent years, being 50 per cent in 2005 after a drop to 33.2 per cent in 2002 from the 1980 level of 55.7 per cent<sup>81</sup>. The increase has occurred despite a decrease in the proportion of the Bhutanese population living in rural areas from 80 per cent to 70 per cent in 2005.<sup>82</sup> After a drop to 60 per cent in 2001 from 95 per cent in 1984, the percentage of women employed in the agriculture sector increased to 72 per cent in 2004.<sup>83</sup> The increased participation of women in agriculture has contributed to the increase in

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81 National Statistical Bureau (2005), Statistical Yearbook of Bhutan, 2005

82 Office of the Census Commissioner (2006). Results of Population and Housing Census of Bhutan 2005, Thimphu: Royal Government of Bhutan.

83 National Commission for Women and Children (2006) Draft National Plan of Action for Gender



contribution of agriculture to GDP. Much of this progress can be attributed to the important task the country is taking to strengthen agricultural growth and promoting rural income-generation.

410. Generally farmers occupy small family plots – farm sizes average only 1.5 hectares per household. By 2003, 76 per cent of rural households had less than five acres and 10 per cent were landless.

411. In rural Bhutan, depending on the ethnic community involved, most household decisions are jointly made. Where husbands and wives jointly own farm resources, women usually have control of family income. In general, men in the south have more control and influence over decision-making than women do. In the rest of the country women are considered more reliable in deciding work programmes and finalizing dates for various agricultural activities, particularly when exchange of labour is involved. The Royal Government of Bhutan has taken a number of initiatives to address rural women that may be broadly classified as follows: Providing micro-credit services, creating opportunities in agriculture, enhancing capacity in developing planning, and widening the range of social services.

412. Through a series of consultations on the Draft Constitution held in each *Dzongkhag*, all citizens, including rural women and men, were given an opportunity to ask questions and make comments. These consultations were coordinated at the highest level with His Majesty the Fourth King and His Royal Highness the Crown Prince (now the Fifth King of Bhutan), consulting the people directly.

413. The Tenth Plan Guidelines, in line with the decentralisation policy, include grassroots activities in all levels of planning development to ensure their participation in planning and implementing community development projects. Rural women are targeted also for the delivery of social services, including health, education, drinking water and sanitation. In the health sector, initiatives are being taken towards safe motherhood and reproductive health through the ORCs and services of VHWs in rural and remote areas.

## **2A. Participation in Development Planning**

414. Royal Government of Bhutan has developed and implemented rural development policies aimed at poverty reduction and based on decentralization. Through this system, men and women are encouraged to participate in the planning and implementation of their local level development plan, including all sectors. Therefore, ownership of resources and power has shifted from central authorities to local communities. Through the decentralisation process, villagers, including women, have been actively involved in and receiving training in development planning, implementation, monitoring, and evaluation. This community approach is aimed at encouraging women to participate actively within the public sphere of the modern development process, enabling them to make their own decisions and to address problems in their communities.

## **2B. Access to health services and information**

415. Refer to paragraphs under Article 12 for further details on access to adequate health care facilities, including information, counselling and services in family planning.

## 2C. Social Security

416. *Article 9 on Principles of State Policy grants 24 provisions that encompass the principle of social security especially in the event of sickness and disability or lack of adequate means of livelihood for reasons beyond ones control. This would apply to women and men in both rural and urban areas. In addition, any citizen experiencing severe difficulty in securing a livelihood is able to request Kidu (benefits granted by the King or Royal Government of Bhutan) and participate in the land re-distribution programme. Upon being granted Kidu, up to 5 acres of land and other items are given. The granting of Kidu has been included in the Draft Constitution under Article 2 section 16 and both women and men are eligible.*

417. The Tarayana Foundation has also been providing maintenance allowance of Nu 6,000.00 annually to individuals incapable of earning and looking after themselves with a focus the rural and impoverished. The number of beneficiaries has been increasing annually, from 7 in 2003 to 37 in 2004 to 83 at present.<sup>84</sup>

## 2D. Access to Education and Skill Training

418. Primary education and literacy programmes are aimed at opening up capacities for innovation and development in rural areas, especially among Bhutanese women. The benefits of education are being enhanced by making curricula more sensitive to the needs of rural life. In addition, training on agriculture and other income generating activities is provided through the NFE programme, which has a high participation rate among rural women. Refer to paragraphs under Article 10 for details on access to formal and NFE, including vocational training, in rural areas.

419. Human resources, which are decisive to the development of all sectors, are being developed in the *Geog* communities. *Dzongkhag* Administrations are represented through several sector representatives in *Geog* rural development committees to help develop FYPs. The Planning Commission Secretariat in coordination with line ministries such as the Ministry of Home and Cultural Affairs, Ministry of Health, and Ministry of Agriculture conduct capacity building at both the *Dzongkhag* and *Geog*, and these trainees are expected to carry the training down to the villages. Extension programmes in the Renewable Natural Resources sector also help to promote knowledge and understanding among the adult population in rural areas. Rural men and women are participating in local development planning and budgeting for their community's development through various training programs and workshops carried out by the Department of Local Governance. Women are encouraged to participate in the training for GYTs.

420. The Ministry of Agriculture has been organising farmer's trainings and local and overseas study tours to better understand farm management and cultural practices in addition to gaining exposure. According to the Gender Pilot Study, 40 per cent of rural women had participated in training programmes run by the Agriculture and Animal Husbandry Departments of the Ministry of Agriculture. However, although women expressed their interest and keenness to learn new skills in Focus Group Discussions, they reportedly feel that many skills training programmes were more apt for men.<sup>85</sup> In addition to bringing training to rural areas, the Ministry of Agriculture has also been

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<sup>84</sup> Tarayana Foundation (2006). Annual Report 2005-06. AND Annual report 2004-5

<sup>85</sup> Planning Commission and et al 2001, Gender Pilot Study

providing incentives to all farmers, including women farmers, such as free seeds, farming tools and paddy transplanting equipment.

421. The majority of female farmers have also been attending the Annual Cattle and Vegetable Products Show organized at the *Dzongkhag* level by the MoA. At the show, farmers exhibit vegetable produce, dairy products and cattle as well as other farm based items and prizes are awarded for the best cattle and best quality farm produce. It is noted by the MoA that these shows encourage rural farmers to actively and effectively engage in farming activities.

## **2E/F. Establishment of Help Groups and Community Participation**

422. As guaranteed by the Draft Constitution, under Article 7 section 12 all Bhutanese citizens have the right to establish associations and political parties, and women are eligible to establish solidarity groups to help each other in the community. Further, under Article 9 section 19 the state shall endeavour to “*promote those conditions that are conducive to co-operation in community life.*”

423. As a means to improve the socio-economic security of poor rural communities, the Tarayana Foundation, initiated a Fair Price project in preparation for marketing activities of products developed in remote communities. The Foundation is currently studying international fair price systems to eventually build cooperatives and self help groups at the community level. Discussions are also underway to establish a community Fair Price shop for the supply of essentials. The Tarayana Foundation is also working to increase capacity in the areas of product development, packaging and marketing by using local products as a means of cash income for the rural communities.

424. The NWAB aims to improve the living standards of women, particularly rural women, raise awareness about maternal and child care, nutrition, clean drinking water and hygiene and encourage women to take an active part in social and economic development through vocational training, environmentally sound projects to generate income and rural credit schemes. Since its inception, the NWAB, with more than 400 members has undertaken a variety of activities in collaboration with Royal Government of Bhutan agencies, particularly in rural areas, covering family health, sanitation, non-formal education and income generation. It has provided training programmes to more than 14,000 women to enhance income-generating skills in such areas as weaving, knitting and tailoring. Another major initiative of the NWAB has been the installation of more than 13,000 fuel-efficient smokeless stoves in rural areas. This has reduced the drudgery of cooking over traditional open stoves for many women and has generally reduced health risks.

425. The NWAB has over the years successfully created several local chapters of the *aum-tshu Tshog-pa* (women’s associations) throughout Bhutan which has resulted in a widespread network of committed and talented women capable of identifying and implementing development projects at the local level.

## **2G. Equal Treatment in Land, Credit Programs and Agricultural loans**

426. Women in Bhutan have a traditional tie to land, reinforced through the matrilineal inheritance patterns in western and central regions. The Baseline Gender Pilot Study found that in rural areas, 60 per cent of women owned property, while only 40 per cent of men did. In urban areas, 55 per cent of men owned property, as compared to 36 per cent of women. Royal Government of Bhutan initiated

the Comprehensive Land Policy focusing on land administration, land distribution, and land management to create an enabling environment for women who are the head of the families to access land for housing and agriculture.

427. In collaboration with BDFC and other donors, the Royal Government of Bhutan developed guidelines, principles and a strategic action plan to improve access to credit, including the following: Promote medium and long-term credit services with lower interest rates in order to encourage effective and sustainable widespread micro finance; Link products with local and external market demands through the provision of credit to support and develop the products of farmers; Provide technical training in effective implementation; Enhance a mechanism for collecting local loans and attracting internal and external financial and technical assistance; and Encourage local authorities to facilitate in micro finance operations.

428. Initiatives boosted by the BDFC a lending agency that operates credit programmes for commercial farming, have served the interests of a significant number of women. The BDFC, established in 1988, with its network of branch offices in all 20 *Dzongkhag*, provides credit services to both women and men of the rural community. In order to enhance credit accessibility and delivery, BDFC decentralized its credit system with the establishment of block loan committees and introduced schemes such as savings mobilization and group guarantee lending. These measures also have brought about wider participation by the rural population, especially women. In 2005 women comprised 35 per cent of the total clients, which numbered more than 11,000. An increasing number of rural women are planning and implementing household schemes to better their economic status, while many women in urban centres are beginning to establish small businesses. Credit patterns still indicate the dominant role of men in taking investment decisions. Overall more men than women take loans. In addition, women may not necessarily be involved in financial decision-making processes, a trend counter to the usual norm of joint decision making within the household<sup>86</sup>.

429. Micro finance, including both credit and savings provision, remains an important vehicle for women to improve their social and economic status. To improve access to credit and banking among the rural population, including rural women, the BDFC has been conducting mobile banking services on a monthly basis in all the 20 *Dzongkhag*, during which awareness is created on credit programmes. Although more men take loans, women have been found to be more reliable in terms repayment.

430. The BDFC reduced the interest on the two rural credit schemes- single individual loans (SIL) and commercial agriculture loans (CAL) from 1 per cent to 13 per cent for SIL loans and from 15 per cent to 13 per cent for CAL loans following the decision of the 83<sup>rd</sup> National Assembly.<sup>87</sup>

431. The BDFC credit programs enable farmers to sell their products at appropriate prices, and to improve and expand their farming activities. Farmers have been given skills training in agricultural production enabling them to develop appropriate mechanisms in accordance with the family credit provisions. Information about and methodologies for employment creation, goods production and market demands are made accessible for farmers. These provisions help increase employment in local communities and decrease the numbers of people leaving their community to find jobs in the cities or towns. Local production has increased through the provision of credit and agricultural materials.

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<sup>86</sup> Royal Government of Bhutan et al, 2002

<sup>87</sup> Ministry of Finance Report to National Assembly 2006

432. The Tarayana Foundation has been facilitating potential economic ventures to access loans from financial institutes. The Foundation is currently studying the application of Grameen Bank principles in improving access to micro-credit at the local level.

## **2H. Access to Decent Living Conditions**

433. The Royal Government of Bhutan is improving the agricultural production system and handicrafts in rural areas to help improve living conditions. The Ministry of Agriculture, in order to attract youth to agriculture and agricultural trade, had initiated a number of programmes such as the construction of farm roads, enhancing the skills and knowledge on farm business and Rural Development Training Centre Programme. These would not only help reduce the problem of unemployment but would also reduce rural-urban migration.

434. In 2005, access to an improved water source was estimated to be 78.2 per cent in rural areas (83.4 per cent national; 98.0 per cent urban) and access to improved sanitation facilities 81.8 per cent in rural areas (81.0 per cent national; 79.1 per cent urban) (Table 14.1). Almost all of those with access to improved water had piped water within or outside of the house, meaning that most rural girls and women do not need to spend time collecting water. The other major water source in rural areas was classified as spring/river/pond (19.9 per cent) by the census. Through the decentralisation process, women have been involved in making decisions regarding the establishment of water and sanitation facilities serving their communities and participated in their construction. Women have also been encouraged to undergo training as Village Water Caretakers, the focal points for these schemes.

435. The 2005 census reported that electricity was the main source of lighting in 40 per cent of rural households, followed by kerosene (51.3 per cent) (Table 14.2). One objective set in the Tenth Plan Guidelines is to increase coverage under the rural electrification project to 84 per cent.

436. In 2005, 56.4 per cent of rural women were still using firewood as a cooking fuel, followed by electricity (21.4 per cent) and LPG (15.2 per cent) (Table 14.3). Although cooking with firewood may not be ideal with respect to health, at last count, 22 per cent of the population was using inexpensive stoves designed to use less fuel and minimize the amount of smoke after thousands of rural households were provided such stoves.<sup>88</sup>

437. Table 14.4 indicates the proportion of rural households owning different types of communication media, with 20.5 per cent owning a radio or tape player, 19.6 per cent owning a TV or video player, 12.2 per cent owning a telephone, 8.6 per cent owning a mobile phone, and 2.3 per cent owning a computer.

438. Transportation is a major factor affecting rural women, especially in Bhutan's difficult mountainous terrain. In 2005, 47.1 per cent of rural households were less than a 30 minute walk to the nearest motor road, while 13.9 per cent were more than a 6hour walk away (Table 14.5). Goals set in the Tenth Plan Guidelines, such as the construction of 585 km of mule tracks, are expected to improve this situation.

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<sup>88</sup> Royal Government of Bhutan, 2002

439. Another indicator of access to decent living conditions as well as security is occupancy status. In 2005, 77.9 per cent of rural households were living in a home that they owned.<sup>89</sup> The Tenancy Act 2004 protects the rights of women owners but more so for those who are tenants through the provisions in Chapter III Sections 7.1 and 7.2 as follows: Section 7.1 Succession of rental unit states that in the event of death of a tenant during subsistence of tenancy, “*the right of tenancy shall devolve upon members of the tenant’s family, provided that the successor had ordinarily been living in the rental unit with the tenant at the time of his death in the following order: Spouse; Children; Parents; and any other member of the family*” and Section 7.2 Succession of lease states that in the event of death of a lessee during subsistence of the lease, “*the lessee’s rights shall devolve upon his successors, provided that the successor had ordinarily been living on the leased land with the lessee at the time of his death in the following order: Spouse; Children; Parents; and any other member of the family.*”

440. Also, under chapter 5 section 14, the tenant is granted the right to “*a decent dwelling rental unit; protection against unlawful eviction by the owner; protection against lockouts and seizure of personal property; privacy and peaceful enjoyment of the rental unit and the premises during the subsistence of the agreement; leave the rental unit during the subsistence of tenancy in accordance with this act; the tenant may sublease the rental unit as specified in the agreement; and vacate the rental unit immediately if he is transferred, after serving notice in writing to the owner*”.

## **Issues of Concern**

### **Difficulties**

441. Poverty spatial analysis shows that east, south-central and central Bhutan are most vulnerable, especially in terms of food poverty. The character of the Bhutanese economy poses a formidable challenge for integrating the rural economy with the national economy. Lack of adequately developed infrastructure and inaccessibility also hinder implementation of development activities. Scattered settlements, especially in hilly areas, further complicate the delivery of public services. The 2004 Poverty Analysis Report calculated an income poverty line for Bhutan of Nu. 740 per capita per month. 31.7 per cent of the population live in income poverty, of which 97 per cent are in the rural areas. Poverty is prevalent among larger households: of single-parent households 4 per cent are poor, while among households with eight members more than half are living in poverty.<sup>90</sup>

442. An issue that particularly impacts women in agricultural is multiple responsibilities. Bhutanese rural women usually perform farm labour, are responsible for production of supplementary household food such as vegetables, livestock and brewing alcohol either for consumption or sale, and have primary responsibility for household welfare duties such as cooking and child rearing. Another issue is seasonality – the seasonal practices of planting and harvesting are the busiest times for rural women and men. Winter is usually less busy but access can become a problem in high mountainous areas due to snowfall.

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<sup>89</sup> Office of the Census Commissioner, Results of Population 2006 and Housing Census of Bhutan 2005

<sup>90</sup> NSB Poverty Analysis Report 2004

443. Currently, women only make up 35 per cent of borrowers from BDFC's group loan scheme, and NWAB no longer offers this service, so there is scope for improving the outreach of micro finance in Bhutan.

444. A major demographic issue is migration<sup>91</sup>. Gender composition of migrants from rural areas is 59 per cent for males and 41 per cent for females. While most of Bhutan's population still lives in rural areas, urban centres have emerged in recent decades in almost every *Dzongkhag* and have attracted numerous people from rural communities, seeking accesses to cash income, opportunities for education and work, and public services. Among those women who migrate to urban areas, many find employment as domestic help for the urban elite, particularly in childcare. (Refer to Para 1B in Article 11 for further details.

### **Future Action**

445. The Royal Government of Bhutan has been implementing the National Poverty Reduction Strategy (NPRS) in concurrence with the Ninth Plan to reduce poverty and improve living conditions for rural people. The PRS includes land policy, irrigation, transportation, education, health and credit.

446. Diversification of agriculture and improving alternative income generating opportunities in rural areas will be emphasized to have a positive impact on women in this sector since they are left behind when male family members migrate to urban centers. Alternative livelihoods for rural women will become increasingly important as other sectors of the economy begin to outpace agricultural sector growth.

447. Recognizing that poverty is largely a rural phenomenon, the Tenth Plan Guidelines include key strategies to address rural poverty through rural development: Ensuring food security; improving agricultural productivity by disseminating modern inputs and technology, Encouraging specialization according to comparative advantages in micro-climatic and ecological zones, Promoting employment and income generation opportunities in rural areas, Increasing accessibility to and improving quality of social infrastructure, Intensifying provision of rural infrastructure such as roads, bridges, irrigation schemes, electricity, ICT, Promoting skills development, Increasing access to rural credit, Promoting SMEs and cooperatives, especially cottage industries like textiles and handicrafts, Ensuring sustainable use of natural resources, and Implementing holistic and integrated area-based development planning.

448. Some of the targets set in the Tenth Plan Guidelines which will lead to improved living conditions among rural women include: (i) to reduce to 15 per cent the proportion of rural households living below the national poverty line; (ii) to increase the mean annual rural cash income from Nu 18,000 to Nu 35,000; (iii) to increase the proportion of farmers engaged in horticulture export from 10 per cent to 25 per cent; (iv) to decrease the proportion of farm households with less than 5 acres of arable land from 30 per cent to 10 per cent; (v) to increase access to improved water sources to 100 per cent and to improved sanitation facilities to 95 per cent; (vi) to increase coverage under the rural electrification project to 84 per cent; (vii) to decrease the proportion of the population living more than a 1 hour walk to the nearest motor road from 40 per cent to 20 per cent; and (viii) to

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91 Ministry of Agriculture 2005 Rural-Urban Migration in Bhutan, Thimphu, Royal Government of Bhutan

construct 245 km of feeder roads, to construct 60 suspension bridges and rehabilitate another 60 suspension bridges, to construct 585 km of mules tracks and rehabilitate 500 km of mule tracks.

## Part IV

### Article 15: Law

#### 1. Equality before law

449. The Royal Government of Bhutan has emphasised the principles of equality and the guarantee of equality before law by Article 7 on Fundamental Rights of the Draft Constitution, reinforced by Article 9 section 3, by *Provision OM Thrimzhung Chhen-po*, and section 3 Civil & Criminal Procedure Code 2001. When there exists a lacuna in the law or where there is ambiguity in the interpretation of laws the Judiciary may consider and decide a case in accordance with provisions of the *Thrimzhung Chhenmo* without regard to the rank or status of the parties before the Court.

450. Bhutanese customs normally favour women, thereby harmonizing traditional perceptions about women's rights and the Convention. Women in the *Nga-long*, *Shar-chhop* and other communities of northern and eastern Bhutan incorporate levels of social freedom, recognition of their economic contribution, and relative equality with men. Divorce is acceptable and there is no prohibition against it, nor is social stigma or taboo attached. Both women and men remarry without social prejudice, with or without children from previous marriages. Traditional practices of matriarchal inheritance system still apply in most Bhutanese families, and many women in western and central Bhutan inherit the land. In contrast, amongst the *Lho-tsham* communities of the south, patriarchal value system preclude women's social freedom and underrate their economic contributions. In such communities, a caste system still subsists alongside social traditions of male domination.<sup>92</sup>

#### 2. Equal right in civil affairs

451. Article 7 section 22 of the Draft Constitution prescribes that Bhutanese citizens “*shall have the right to initiate appropriate proceedings in the Supreme Court or High Court for the enforcement of the rights conferred*” and may censure, make complaints, or file claims against any breach of law by state and social organs or by members of such organs. Article 7 section 16 states that “*a person charged with a penal offence has the right to be presumed innocent until proven guilty in accordance with the law.*” To further ensure that every citizen shall enjoy the right to defence through judicial recourse, section 20 provides for “*the right to consult and be represented by a Bhutanese Jabmi of choice.*”

452. Women are equal with men in the court. Women have equal right to enter into contracts and take obligations, and equal right in filing complaints. In case of a married woman, she must have agreement from her spouse to enter contracts related to joint property. This applies to the husband as well to protect the rights of the wife.

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<sup>92</sup> Royal Government of Bhutan 2002 Bhutan's Combined Initial through Sixth Periodic Report



453. Both women and men are equally entitled to have ownership over property. Rights to ownership of property are guaranteed by the Draft Constitution under Article 7 section 9. Also, under Article 7 section 14, *“a person shall not be deprived of property by acquisition or requisition.”*

454. Both women and men enjoy the benefits of those laws on an equal basis. According to the Civil and Criminal Procedure Code, any male or female may institute a civil suit or make a criminal complaint. Under Chapter 18 on institution of a civil suit, A suit may be initiated by: (a) a litigant himself/herself; (b) a member of his/her joint family; or (c) a Jabmi of his/her choice. Under Chapter 28, Pre-Arrest, A person may make a Criminal Complaint to the police or in the absence of police, to any appropriate public authority, when he/she or a member of his/her family has been the victim of a crime, has witnessed a crime or has prior knowledge of a crime which may occur or the intention to commit a crime. Chapter 1 section 3 ensures non-discrimination of any defendant stating *“All persons are equal before the law and are entitled to equal and effective protection of the law without discrimination on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”*. Further, Article 9 section 6 provides that the *“state shall endeavour to provide legal aid to secure justice which shall not be denied to any persons by reason of economic or other disabilities.”*

### **3. Elimination of any laws including contracts restricting the enjoyment of women’s rights**

455. All laws and legal documents in Bhutan that safeguard State properties, rights, freedom and legal properties of individuals and in conformity with the national interests, shall continue to be effective until changed or abrogated by new texts, except those provisions that are contrary to the spirit of the Draft Constitution. The Parliament has the duty to nullify any laws or provisions, which are contrary to the spirit of the Draft Constitution. [Refer also Article 2.]

### **4. Freedom of Movement and to choose Domicile**

456. The Royal Government of Bhutan promotes equal rights of women and men to travel and chose their residence freely within the context of the law. Article 7 section 7 of the Draft Constitution states *“a Bhutanese citizen shall have the right to freedom of movement and residence within Bhutan.”* All citizens, whether women or men, of Bhutan are entitled to apply for passports, and extends this entitlement to any Bhutanese women and men living abroad. Bhutanese have always been free to travel within or outside the country. To facilitate the travels of Bhutanese abroad, the Royal Government of Bhutan has recently begun issuing new passports with modern security features and in conformity to international norms, and phasing out the old passports. For domicile purposes, all citizens may choose to live anywhere they so desire.

457. For construction of houses and buildings, approval from the competent authority is needed for any housing schemes in both urban and rural areas. The Royal Government of Bhutan subsidises most house construction in rural areas through special rural rates for construction materials such as timber, lower taxes, and lower minimum requirements.

## Issues of Concern

### Difficulties

458. Many people are ignorant of their rights given the recent rapid changes and additions with women being particularly vulnerable given higher levels of illiteracy.

### Future Action

459. Supporting campaigns for dissemination of information about women's legal rights

460. The Judiciary will continue its public awareness programme on laws and rights. This will include pamphlets, mass media, and judges visit schools to educate students on various laws as the Penal Code and the Civil and Criminal Procedure Code. The Judiciary will also continue its association with the BBS, to build upon the ongoing initiative to educate people and create awareness on the basic acts via broadcasts from BBS twice a week. Drangpons, rabjams and lawyes will continue to visit schools and institutions to lecture students on the penal codes and other acts.

461. Systematic review of existing laws with gender bias will be carried out through the NPAG.

## Article 16: Marriage and Family Life

### A. Equal Right to Enter Marriage

462. Marriages are conducted according to conditions determined by law based on the principle of mutual consent between a man and a woman, who are 18 years age and older, and secure a marriage certificate by registering with the court. By *Kha* 1-8 of the Marriage Act, a marriage is legally recognized only after obtaining a marriage certificate from a court of law and states that *"notwithstanding the number of years that have elapsed since a marriage has been contracted; a couple shall only be recognised as a legally married couple from the date of acquiring a Marriage Certificate from a Court of law."* (Amendment to section *Kha* 1-5 of *THRIMSHUNG* 1957) Until very recently, virtually all marriages were common-law even though certificates were required for official recognition.

### B. Right to Choose and Decide on the Marriage

463. Women have freedom in making decisions related to their marriage and family. These rights are guaranteed and protected by the Draft Constitution as well as by the law. Express consent of the parties involved to the marriage is required. 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."*

464. The law protects 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).

465. Child brides are potentially vulnerable as it is possible that some underage girls may be forced into the union by parents or other relatives.

### C. Equal Right in Divorce

466. Either the husband or wife may petition the court for divorce on various grounds, including adultery, abandonment, sterility and impotence, battery and assault, and wilful negligence by one of the spouses, and after either initiate the divorce, the party held responsible for compensating their partner depends on the circumstance of the separation, and not on their sex.

467. *Kha 6-1*. In any proceedings under the Marriage Act where dissolution of marriage is sought by a decree of divorce, the husband and wife shall have to exchange deeds of divorce (*YIKTHI*) in the form and manner “*Jhha*” set forth in the Schedule. (Refer section *Kha 3-1* of *THRIMSHUNG 1957*).

468. In cases of adultery, the person who commits adultery must pay compensation (*Gao*) to the aggrieved spouse as per section *Kha 3-1* of the Marriage Amendment Act of 1996.

469. If a couple divorces, personal property acquired before the marriage reverts to the original owners (section *Ga 6-3* of the Inheritance Act 1980), while property acquired during the marriage is divided equally between the husband, wife and children if any.

470. *Kha 6-5* of the Marriage Act states that “*subsequent to exchange of the deeds of divorce, the sharing of the properties shall be undertaken in accordance with the conditions laid down in the deed of divorce. And if any particulars of a property have been omitted at the time of sharing in this manner, then that property shall not be shared out but shall be retained by the party having its possession. And in such a case, no person shall be entitled to raise any objections*”. (Amendment to section *Kha 3-4* of *THRIMSHUNG 1957*).

471. There are restrictions to obtaining a legal marriage certificate in the following scenarios: (i) if either a man or a woman has divorced three times for misconduct, then that man or woman shall be restricted from obtaining a fourth marriage certificate from a court of law in the event that they wish to enter into a fourth marriage (*Kha 1-15*) and (ii) if a man or woman has paid damages (*Gao*) due to his or her repeated misconduct on three separate occasions, then that defaulting partner shall not be granted a Marriage Certificate when contracting a fourth marriage. Therefore, of a woman or man is marrying for the fourth time, the union will not be legalised, increasing the vulnerability of either spouse in the event of separation.

### D/E. Pro-woman Rights and Duties for Child Custody and Support

#### *Rights of Custody of Children on Divorce*

472. Under the Marriage Act *Kha 7-1*, “*where a couple having children have been granted a divorce, then whether or not they have looked after each other during their stay together, and irrespective of either of the parties to the marriage having committed a misdemeanour, their children aged nine years and upwards, subsequent to their divorce, shall have the rights to choose whether they wish to live with the father or the mother*.” (Amendment to section *Kha 5-12* of *THRIMSHUNHG 1957*).

473. The Marriage Act stipulates the father must support, take care of the upbringing, and provide financial support for the children. The amount of child-support shall be determined according to an agreement between the divorcing spouses. In a case where there is no agreement, the Court shall determine according to the capacity of each spouse. Child-support shall be given to the children until

they become an adult. The child support allowance is provided by the father according to the terms of the negotiated agreement, failing which, the father shall pay 20 per cent of the monthly income to each child, with the total child support allowance not exceeding 40 per cent, until the children reach age 18.

474. Refer to paragraphs under Article 12 with regard to access to the information, education and means to decide freely and responsibly on the number and spacing of their children.

#### *Rights of Mother Over Custody of Children below Nine Years*

475. With respect to the custody of children, the mother under *Section Kha 7-2* of the Marriage Act is awarded custody of children not attaining the age of nine years, regardless of who bears responsibility for the separation. Thereafter, the child could choose to live with either parent. Further, under *Section Kha 7-3 (1)* as amended in 1996, the custody of a child under age 9 shall be given to the mother. Where the children have chosen to live with the father, then they shall not be entitled to any allowances from the mother. (Amendment to *Section Kha 5-13* of *THRIMSHUNG 1957*).

### **F. Adoption**

476. Regarding adoption of a child, the Sixty Seventh Session of the National Assembly, 1988 had passed a resolution that adoption of any child, whether Bhutanese or non-national, should be permitted provided the cases are processed through the *Thrim-khang* (Courts) and appropriate agreements stating that the child would be entitled to full benefits under the Inheritance Act as applicable to natural born children are undertaken. The children so adopted through these procedures shall be recognized by the Ministry of Home Affairs and the *Thrim-khangs* as foster children and shall be permitted to be registered in the census as citizens. This resolution protects the paramount interest of the adopted child and it applies to both girls and boys and the law does not discriminate against each other.

### **G. Equal Rights to Choose a Family Name, a Profession and an Occupation**

477. While the system of family names does not exist in Bhutan some women choose to take their husband's name. This is an individual preference, and not a legal requirement.

478. Women can choose any employment according to their ability and the needs of society. The law also provides for the husband and wife to have the right to freely choose a job and participate in political, cultural and social activities. (refer to paragraphs under Article 11 for further details)

### **H. Rights in Property Management**

479. Both women and men are equally entitled to have ownership over property. Rights to ownership of property are guaranteed by the Draft Constitution under Article 7 section 9. Also, under Article 7 section 14, "*a person shall not be deprived of property by acquisition or requisition.*" Hence both men and women have equal rights to ownership, individually or collectively and if they are Bhutanese citizens and Bhutanese legal entities, they have rights to land ownership.

480. By law, both husband and wife have equal rights in the management of joint property. Women are entitled to enter contracts at any time without any limitation or restriction, although a married

woman must have spousal agreement to enter contracts related to joint property. This also applies to the husband as well to protect the rights of the wife.

481. Each spouse is entitled to use, obtain benefits and manage property. The spouses supervise joint property together. Any spouse may demand the other spouse to agree upon any necessary measure to take care of the joint property or keep the joint property safe. The joint property may be sold or given as donation only with the consent of both spouses. While both spouses may agree on paper, there are still some cases where only one of the spouses may be entitled to obtain ownership. Married women do not fail to claim their right to be a shareholder of joint property, and when a divorce occurs, women retain their rights to joint property, or ownership according to settlement.

## I. Age of Marriage

482. Under the Marriage Act the minimum age for marriage was earlier 18 for males and 16 for females respectively, but in keeping with the requirement of the various international conventions particularly the Convention on the Rights of the Child (CRC) and CEDAW, the 1996 Amendment to the *Marriage Act* has made the legal marriageable age 18 for both sexes. The Marriage Act prohibits marriages of minors and whoever performs such marriages is liable to fines under the Act. Only on verification from dependable source on the minimum age of couples in the absence of birth certificates, the court issues marriage certificates. Moreover, one person acting as legal representative from each party has to testify before the court that they were persons of legal age and would be responsible for the consequences thereof. Further, section *Kha* 1-11 of the Marriage Act prohibits the traditional performance of marriages between minors, and any person who performs such marriages is made liable under *Kha* 8-20 of the same Act.

483. Existing vital registration laws involving both birth and death have been amended to the effect that a birth certificate, which has been a great rarity, will be required to prove age for marriage and admission to school, appointment in Royal Government of Bhutan service, issuance of passport and so forth. A death certificate, also very uncommon, is now legally required to settle legal matters, particularly disputes over inheritance.

484. In addition, *Kha* 8-20 of the Marriage Act states “*where there have been exchanges of any lands, houses, properties, livestock etc.) in illegally performed underage marriages, “then the person who has given such properties shall have to take them back”.*

## Issues of Concern

### Difficulties

485. Due to limited information dissemination on the Marriage Act, women lack access to information to exercise their rights, and with limited knowledge and understanding of their rights provided under the law, women are often not empowered to exercise and enjoy their rights.

486. Despite prohibitions regarding marriage of children less than 18 years of age, including fines those performing such marriages are liable to pay, under-age marriages have continued to occur. According to the 2005 census, 15.4 per cent (9.8 per cent urban; 18.7 per cent rural) of girls aged 15 to 19 and 3.8 per cent (1.5 per cent urban; 5.2 per cent rural) of boys aged 15 to 19 were married (Table 16.1). The highest levels of marriage among 15 to 19 year old girls were found in the

*Dzongkhag* of Dagana (27.8 per cent), Gasa (26.8 per cent), Sarpang (25.7 per cent), Chukha (24.4 per cent), Samtse (23.9 per cent), (Table 16.2). In addition, there were 108 girls and 25 boys aged 10 to 14 that reported being married in 2005.<sup>93</sup>

### **Future Action**

487. In response to the recommendations made during the National Consultation on Women and Child Friendly Judicial Procedures, public awareness campaigns on the Marriage Act directed to both women and men to inform them of their rights and responsibilities, and women's rights nationwide through the NPAG, including the public awareness programmes of the Judiciary and the know the law series.

### **Data Collection and Gender Disaggregated Data**

488. The Central Statistical Organization, which in 2004 was restructured into an autonomous body, the National Statistical Bureau, had nearly doubled its trained staff in order to improve its work in all 20 *Dzongkhag*. The first ever national census was conducted in 2005, the outcome of which has largely been the source of data for this report. This exercise also helped in refining baseline indicators for Bhutan, both for the urban and rural areas.

489. Training and capacity building have been provided to various counterparts to improve data collection including the use of the DrukInfo, an information system for children and women being developed with assistance from UNICEF.

490. The Management Information Services Division of the Royal Civil Service Commission produces bi-annual statistical reports which include gender disaggregated data of the civil service through the Human Resource Information Management System, known as *Zhiyog*. Although much needs to be done to improve the analysis of the data available and also in improving the use of such data for policy analysis and decision-making, the system has been updated with the Position Classification System and is connected to all agencies, ministries and *dzongkhags*.

491. The Population and Housing Census 2005 (PHC 2005), shows that Bhutan's resident population in 2005 was 634,982, out of which 47.5 per cent were women. Refer Article 12 for health related indicators including fertility rates and infant mortality ratio.

492. A major demographic issue is migration. Traditionally, when searching for work, people migrated seasonally, but nowadays many people are heading for the cities and settling there permanently, seeking opportunities for education and work, as well as readier access to public services. According to the study Rural-Urban Migration in Bhutan 2005, done by the Ministry of Agriculture, gender composition of migrants from rural areas is 59 per cent for male and 41 per cent for female.

493. The Gender Pilot Study 2001 found that more women than men were involved in household activities, whether in urban or rural areas. In more than 80 per cent of the rural households, women cooked, washed clothes, worked in the kitchen garden, preserved food and collected manure. Among the rural men, almost 60 per cent were engaged in collecting firewood. Both men and women equally

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<sup>93</sup> Office of the Census Commissioner 2006 Results of Population and Housing Census of Bhutan 2005 Royal Government of Bhutan (Table 3.12)

shared in collection of fodder, buying food, clothes and other items. In more than 90 per cent of the households in urban areas, women cooked, purchased food, washed clothes and cleaned the house while between 60-80 per cent of women in urban areas took care of the sick and the children. In both rural and urban areas, more than two third of women engaged in primary reproductive tasks.

494. A SAARC Gender Database is being developed by the SAARC member countries. The database, envisioned as a unique G-Data Shop, will collate and generate data on violence against women, especially trafficking, feminization of poverty, and Health including HIV/AIDS. It will serve as a common pool to facilitate engendered planning, advocacy and the identification of gaps and challenges.

495. The Poverty Analysis Report 2004 shows the poverty rate in rural areas (38 per cent) is higher than the national average (31.7 per cent). The Report also indicates that the richest 20 per cent consume 8 times more than the poorest 20 per cent of the population. Despite efforts at promoting balanced development, the report indicated a growth of income inequalities in Bhutan and growing economic inequities. The report indicated that the Gini-coefficient, measuring concentration of income, was also high at 416 at the national level.

### **Difficulties**

496. There is still no comprehensive gender disaggregated data available, but the situation has improved with the 2005 Population and Housing Census. It is difficult to isolate gender gaps and make critical gender analyses without gender disaggregated data as in some cases, relevant data is available, but the necessary skills are deficient to compile, analyze, and use the data.

497. Insufficient poverty data in the past does not permit an accurate projection and the Royal Government of Bhutan acknowledges that despite strong pro-poor development policies and interventions, poverty continues to be a serious concern. The 2004 Bhutan Poverty Analysis Report revealed that 31.7 per cent of the total population fell below the national poverty line. Poverty reduction has been given the main development priority in the Tenth Plan (2008-2013) currently under preparation.

### **Future Action**

498. Given that gender disaggregated targets will be set within the NPAG, this initiative will help create demand for, and also help relevant agencies collect such data. Bhutan will build upon the gender disaggregated data by strengthening the skills and resources of concerned agencies in data collection and analyses. Once in place, data will be improved and more effective planning, monitoring and evaluation can take place, particularly in determining the gaps in reaching vulnerable groups. The responsibility and accountability for the collection and use of gender disaggregated data will be clarified and visibly established. Meanwhile, to support credible policy advocacy and effective project design, alternative information sources shall be explored.

499. Development partners are jointly working together to support the Royal Government of Bhutan in developing gender disaggregated data in all sectors. All sectors are improving information systems, and the Royal Government of Bhutan has begun to take steps to provide e-governance to ensure greater access to data. The findings of the Population and Housing Census, conducted in May

2005, have provided much needed official gender disaggregated baseline information that will enable the Royal Government of Bhutan to develop various frameworks for the sectors and programmes.

500. The new digitised data management system to be piloted within the RBP will improve access to gender disaggregated data as well as data on gender based violence.

### **Concluding Note**

501. The emphasis for the Tenth Plan shall be to reduce the proportion of population living below the poverty line from 31.7 per cent to approximately 20 per cent.

502. The Tenth Plan will coincide with momentous political change in Bhutan that will accompany the adoption of the Constitution and the introduction of parliamentary democracy in 2008. Against this backdrop, the Guidelines for the formulation of the Tenth Plan were prepared through consultations with and participation from relevant stakeholders in various discussion forums such as the brainstorming Session, the National Consultation Workshop and the Good Governance Task Force.

503. Maximizing Gross National Happiness and its four pillars will continue to form the core values for the Tenth Plan. In view of the significant proportion of people living below the national poverty line and the incompatibility of such a situation with the principles of Gross National Happiness, the Royal Government of Bhutan has decided that poverty reduction will be the main development goal for the Tenth Plan. Given this focus, all sectors should formulate programmes and projects that target the poor, the vulnerable and the un-reached.

504. The development planning approach during the Tenth Plan will be result-oriented with outcomes measured in terms of quantifiable goals and specific targets. While the five-year time frame will continue to provide a medium-term perspective for identifying priorities and thrusts, the actual plan will be operationalized through 3-year rolling plans.



## Annexes

### Annex 1: Background Information to 7<sup>th</sup> CEDAW Report

#### Preparation and Structure of the Report

The Royal Government of Bhutan through the NCWC has compiled this CEDAW Bhutan 7th Periodic Report, hereinafter referred to as the 7th Periodic Report, as an assessment of Bhutan's performance including policies, programmes, and activities with relevant highlights of a number of recent practices made during the review period from June 2004 to June 2006. The report will not repeat the background information previously provided in the Initial through Sixth Combined Report, but in keeping with the CEDAW Guidelines will focus on the "*principal areas of concern and recommendations*" of the Committee as outlined in its concluding comments on Bhutan's earlier report [see CEDAW/C/SR 636 and 642] and new developments relevant to the various Articles of the CEDAW.

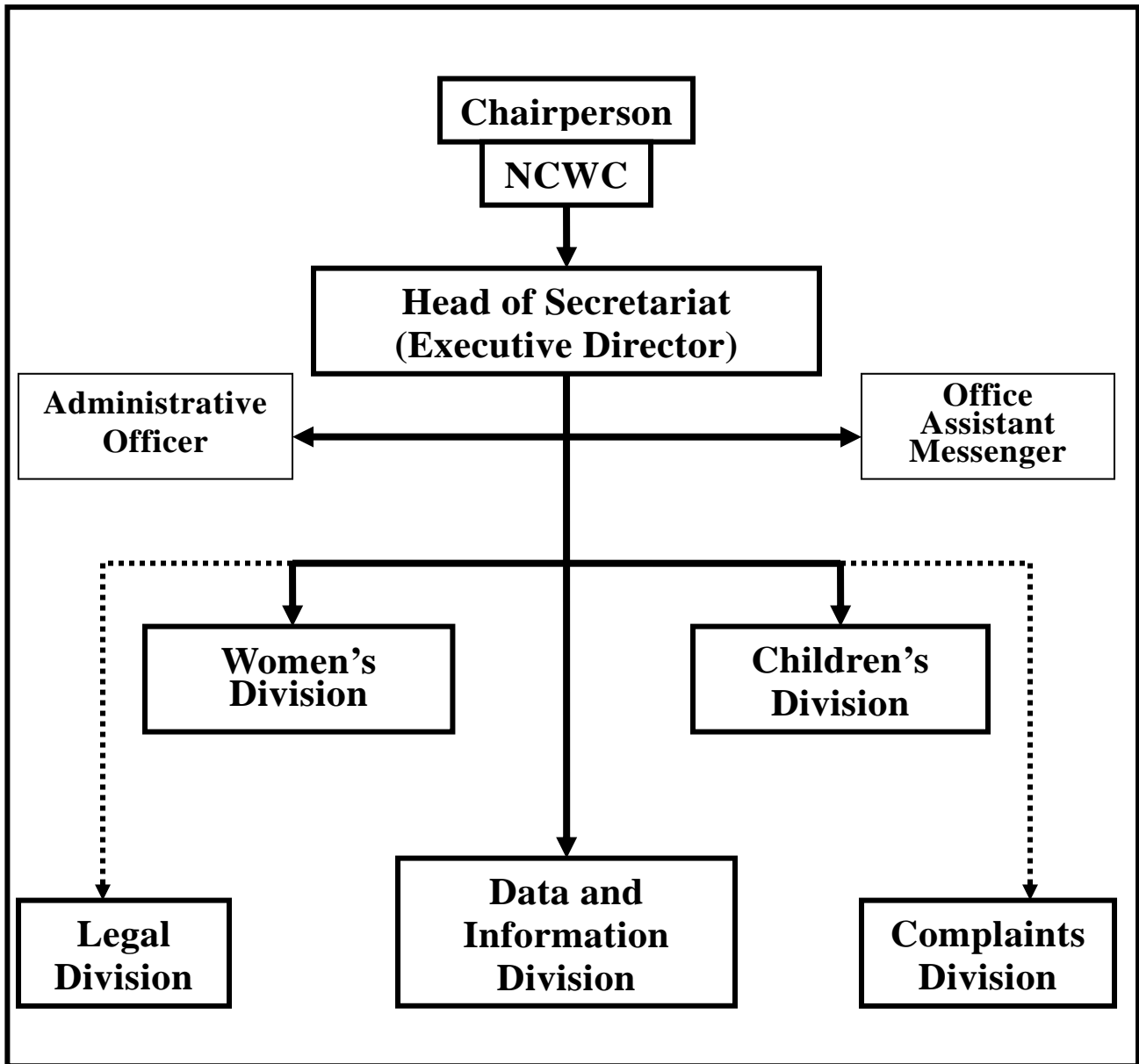
The National Commission for Women and Children with a local based gender consultancy firm conducted a range of meetings with key stakeholders from NGOs, state organizations, donors, women's organizations and a range of individuals representing different sectors of the economy. The 7th Periodic Report considers the findings of the Government's review of Bhutan's engagement in the international treaty committee system, and highlights important activities and key initiatives undertaken in Bhutan from June 2004 to June 2006 to further improve the status of women, as well as obstacles and future steps. The report makes references to and provides information on measures adopted by the Government in the field of women rights, the changes that have occurred in legislation and activities at the national, district and local levels; mechanisms and new structures to monitor efforts made to implement the Convention; overall progress achieved in the enjoyment of women rights; and difficulties encountered in the implementation of the rights set forth in the Convention and steps taken to overcome them.

Significant developments that have taken place during the recent years have been included in this report according to appropriate Article and Paragraph of the Convention. Using the observations of the Committee as a guideline, the report includes legislative and policy developments for the reporting period and does not essay update every aspect of previous reports. Sources of information used to prepare this report is included in the Annexure section, inclusive of original information such as the draft constitution, legal provisions related to women and children; primary information received in the form of sector specific reports from government and NGOs; secondary information from various consultative workshops conducted by the National Commission for Women and Children and other NGOs; primary information collected through stakeholder consultative workshops conducted by the National Commission for Women and Children; comments received from the various ministries concerned with women and children's issues; secondary information published in the form of reports and news stories, and Population and Housing Census of Bhutan 2005.

#### Consultation with Stakeholders

A collaborative stakeholder workshop was held on August 8th and 9th 2006 bringing together stakeholders and Gender Focal Points from several organizations to jointly identify trends, obstacles and successes in elimination of discrimination against women in Bhutan. All Ministries, autonomous agencies including the Royal Bhutan Police and the Office of Legal Affairs (now the Office of the Attorney General), and relevant NGOs were consulted in the preparation of this report.

Annex 2: Organogram of the NCWC



### Annex 3: Key Legal Instruments and List of Acts

Table 1: Key Relevant Legal Instruments

Draft Constitution	Thrim-zhung Chen-mo 1953	Ka-dyon Ka to Chha 1969 to 1972	Bhutan Citizenship Act 1977	Land Act 1979	Inheritance Act 1980
Marriage Act 1980	Police Act 1980	Prison Act 1982	Bhutan Citizenship Act 1985	Citizenship Act 1989 [1st amendment ]	Citizenship Act [2nd Amendment]
Rape Act 1993	Marriage Act Amendment 1996	Civil & Criminal Procedure Code of Bhutan 2001	GYT Cha-thrim 2002	DYT Cha-thrim 2002	Medical and Health Council Act 2002
Bhutan's Beijing Plus Five Action Plan 2000-2005;	Penal Code of Bhutan 2004	Bhutan Civil Service Rules and Regulations 2006	Draft Position Classification System Act	The Jab-mi Act of the Kingdom of Bhutan 2003	Labour and Employment Act of Bhutan 2007

Table 2: List of Acts Passed by National Assembly [1953 to 2005]

<i>Sl. No.</i>	<i>ACTS OF BHUTAN</i>	<i>Enacted In</i>	<i>Enacted During</i>
1	Thrim-zhung Chen-mo	1953	
2	Kadyon Ka	1969	
3	Kadyon Kha	1970	
4	Kadyon Ga	1971	
5	Kadyon Nga	1972	
6	Kadyon Cha	1972	
7	Kadyon Chha	1972	
8	The Bhutan Citizenship Act	1977	
9	Land Act	1979	
10	Inheritance Act	1980	52nd Session
11	Law of Taxation	1980	53rd Session
12	Marriage Act	1980	
13	Police Act	1980	
14	Loan Act	1981	
15	Prison Act	1982	
16	The Bhutan Citizenship Act	1985	63rd Session

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17	Citizenship Act (Amendment of 1985 Act)	1989	67th Session
18	Citizenship Act (Second Amendment)	1989	
19	Narcotic Drugs & Psychotropic Notification	1991	
20	Rape Act	1993	72nd Session
21	Amendment of Certain Section of the Marriage Act	1996	74th Session
22	The Civil & Criminal Procedure Code of Bhutan	2001	79th Session
23	Geog Yargay Tshogchung Chathrim	2002	80th Session
24	Dzongkhag Yargay Tshogdu Chathrim	2002	80th Session
25	Medical & Health Council Act	2002	80th Session
26	SAARC Convention on the Prevention and Combating Trafficking in Women and Children for Prostitution	2003	81st Session
27	SAARC Convention on Regional Arrangement for the Promotion of Child Welfare in South Asia	2003	81st Session
28	SAARC Code for the Protection of Breast Feeding and Young Child Nutrition	2003	81st Session
29	The Tenancy Act	2004	82nd Session
30	The Penal Code of Bhutan	2004	82nd Session
31	WHO Framework Convention on Tobacco Control	2004	82nd Session
32	The UN Single Convention of 1961 on Narcotic Drugs	2005	83rd Session
33	UN Convention of 1971 on Psychotropic Substance	2005	83rd Session
34	The Evidence Act, 2005	2005	84th Session
35	Narcotic Drugs and Psychotropic Substances and Substance Abuse Act 2005	2005	84th Session
36	Labour and Employment Act of Bhutan 2007	2007	86 <sup>th</sup> Session

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## **Annex 4: 16 Point and Gedu Recommendations [includes Parliamentarian briefing Report]**

### **Annex 4A: National Consultation on Women & Child Friendly Police Procedures**

#### ***16 Point Recommendations***

A national level consultation, organized by the National Commission for Women and Children (NCWC) in collaboration with the Royal Bhutan Police (RBP), and supported by the UNDP and UNICEF was held from the 18th to 21st of October 2005 to deliberate on Women and Child Friendly Police Procedures. The deliberations covered issues pertaining to the justice system of Bhutan particularly in relation to women and children in conflict with the law, with extensive briefings on the Penal Code of Bhutan, Draft Constitution, and the Civil and Criminal Procedure Code of Bhutan. Outcomes of this process are the 16 point recommendations:

- 1) The NCWC link with the Royal Court of Justice in generating a clearer understanding of the Penal Code of Bhutan and the Civil and Criminal Procedure Code and hold workshops to disseminate the provisions of these instruments particularly concerning women and children
- 2) The NCWC and the RBP hold further discussions with the Royal Court of Justice on legal provisions pertaining to pregnant and breast feeding women in conflict with the law
- 3) The NCWC and the RBP explore mechanisms to initiate reformatory measures for women while serving sentence and reintegration of women and children into mainstream after they serve their sentences.
- 4) The RBP seek necessary clearance from the government to establish a Women and Child Protection Unit in Thimphu and direct NCWC to explore necessary resources to facilitate its establishment.
- 5) The RBP to initiate processes to start Mobile Police Stations to enhance quick response.
- 6) The RBP to construct separate detention rooms for children and interview rooms.
- 7) The RBP to initiate placement of police personnel at JDWNRH on a trial basis to attend to MLC cases
- 8) The NCWC to initiate appropriate programs such as observation visits for RBP to study the Model Police Station, Women and Child Friendly Investigation and Public Service concepts.
- 9) The NCWC explore funding mechanisms for procuring equipments so that women and child friendly investigation methods such as on camera investigation can be initiated on a trial basis.
- 10) The NCWC and RBP develop a Plan of Action for Human Resource Development of police in women and child friendly approaches, strategies and investigative techniques including DNA/Forensic sciences
- 11) The NCWC to initiate discussions with the Royal Court of Justice on issues pertaining to Juvenile Justice System and Domestic Violence and provide necessary guidelines for intervention by the RBP

- 12) The NCWC to provide necessary support for incorporation of gender and child concerns in RBP Training curriculum and provide training opportunities for faculty development for imparting such trainings
- 13) The NCWC to initiate studies with support of the RBP and other stakeholders in the area of trafficking, missing persons domestic violence and, women and children in conflict with the law
- 14) The RBP ensure that gender review and mainstreaming be undertaken in its management culture
- 15) The complaints mechanism as proposed by this consultation is reviewed more comprehensively by bringing on board the judiciary and other stake holders before putting it into operation.
- 16) The RBP HQ and NCWC maintain close coordination in following up on all the recommendations made by this consultation and report follow-up actions taken to the next meeting.

#### **Annex 4B: National Consultation on Women and Child Friendly Judicial Procedures**

##### ***GEDU Recommendations***

The National Consultation on Women and Child Friendly Judicial Procedures in Gedu, organized by the National Commission for Women and Children (NCWC) and the Royal Court of Justice with support from UNDP, UNICEF and UNIFEM from the 28-31st of March 2006, was attended by 75 delegates consisting of Drang-pon, Rab-jam, Lawyers, Legal Officers, Police Officials, Gender Focal Points, Commission Members, NGOs, Media, and Health Officials. The Consultation was organized by the NCWC and the Royal Court of Justice with support from UNDP, UNICEF and UNIFEM. The Consultation after 3 days of extensive deliberations, adopted the GEDU Recommendations:

- 1) The consultation taking into consideration the need for a holistic juvenile justice system in line with the rights of the children recommends that the National Commission for Women and Children (NCWC) undertake a thorough review of the draft Juvenile Justice Act by bringing on board the necessary expertise and participation of stake holders and take up the matter with the Legislative Body.
- 2) The Consultation taking note of the fairly comprehensive existence of legal provisions to protect the rights of women and children but at the same time noting that there is a very low awareness of the existing legislation and legal instruments among the general public, recommends the NCWC collaborate with the Royal Court of Justice and other relevant partners to further expand the ongoing legal awareness program.
- 3) The Consultation noting gaps in terms of legal provisions and enforcement guidelines relating to women who are pregnant, breast feeding, mentally disabled or substance dependents and the pressing need to streamline the process of mediation system recommends the NCWC convene a meeting of a core group of officials from the Royal Court of Justice, the Royal Bhutan Police and other relevant stake holders to review and formulate suitable mechanisms that can be taken up with the Legislative Arm of the Government.

- 4) The Consultation after deliberating on the existing practices of both the judiciary and the police particularly in relation to international conventions recommends that the NCWC and the relevant partners initiate necessary skills development and exposures for the judiciary, law enforcement officials and health officials on handling cases pertaining to Violence Against Women, and Woman and Child Friendly Procedures.
- 5) The Consultation taking into consideration the enactment of the Evidence Act expressed serious concern with the limitations or absence of service facilities for DNA lab/Forensic sciences to enable effective and speedy judicial processes, recommends that Recommendation Number 10 of the National Consultation on Women and Child Friendly Police Procedures be followed up as a priority.
- 6) The Consultation after deliberating on the observations and recommendations of the group exercises (as enclosed) recommends that the NCWC undertake a thorough review of the group reports and ensure proper follow up through collaborative and bilateral processes.
- 7) The Consultation, taking cognizance of the challenges pertaining to instituting women and child friendly judicial and law enforcement procedures recommends that the NCWC and related sectors undertake vigorous resource mobilization both from the Royal Government of Bhutan and collaborating partners to undertake the activities.
- 8) The Consultation directs the NCWC to ensure that the observations and recommendations made during the consultation be followed up consciously and that a follow up meeting be convened at an appropriate time to review the status and emerging challenges and issues.

#### **Annex 4C: Report on Proceedings of the Briefing for Parliamentarians**

[on CRC and CEDAW from Haa and Paro]

On 23rd December 2005, the NCWC conducted a Briefing for Parliamentarians on the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination Against Women. The Briefing also saw representation by the Speaker of the National Assembly, and the Resident Representatives of the UNICEF and the UNDP. This is the first in a series of nationwide briefing on CRC and CEDAW, issues related to children and women's rights, and children's protection issues and gender concerns in the country. The Convention on the Rights of the Child was presented and explained to the participants. The status of the CRC implementation in Bhutan and Bhutan's obligations as a signatory to the Convention was highlighted. Questions from the participants focused on the following:

##### *CEDAW and Gender Concerns in Bhutan*

- 1) Bhutan's CEDAW Report, background to the Convention, and its implementation status in Bhutan. Presentations focused on the legal status of women, family life, and employment, education, health, and access to credit and violence against women. Meanings of such terms as "sex" and "gender" and gendered division of labour.

CRC and Children's Rights in Bhutan

- 2) Bhutan's CRC Report, background to the Convention, and its implementation status in Bhutan, and obligations as a signatory to the Convention. It was explained that the CRC as an international law has precedence over domestic law as far as it is consistent with the constitution.

Trafficking of Children

- 3) Briefings saw approval for the need to study details of the numbers of children lost and found, names of places where children are lost and found, and punishments or sentences passed on to apprehended kidnappers or traffickers. The NCWC Executive Director also informed the participants that this issue was discussed extensively in the Police Conference, and that the Conference had recommended a similar study.

Adoption

- 4) Concerns on the number of Bhutanese children being adopted outside the country. There is no system in place to monitor the situation of these children once they leave. It is not clear if the children are really being adopted or are being used as domestic help or made to work in undesirable work environments.

Employment

- 5) Concerns on unemployment among Bhutanese youth emphasised that the modern education system does not prepare the youth for rural life, and the same youth are unable to find employment in the formal sector and leaving the country in search of work. In addition, there are an increasing number of Bhutanese students who do not return to Bhutan, opting to work abroad. It is unclear what kind of work they are employed in and under what conditions they are working in. It was proposed that systems need to be established to study and monitor these situations.



## Annex 5: Tables Used in the 7<sup>th</sup> CEDAW Periodic Report

[Note: The first number in the table refers to the chapter and the second number is sequential...i.e. Table 7.1 means it is the first table from chapter 7]

Annex 5-1: Table 7.1 Members of the National Assembly by Gender from 2001-2005<sup>1</sup>

National Assembly Sessions	Government Representatives		Dra-tshang Representatives		Royal Advisory Councilors		Peoples' Representatives (Chi-mi) <sup>2</sup>		Female:Male Ratio of National Assembly Members	Proportion of National Assembly Members that are Female
	Male	Female	Male	Female	Male	Female	Male	Female		
79th Session	36	0	10	0	6	0	83	16	0.12	11%
80th Session	38	0	10	0	5	1	88	12	0.09	8%
81st Session	38	0	10	0	5	1	85	15	0.12	10%
82nd Session	34	0	10	0	5	1	87	13	0.10	9%
83rd Session	34	0	10	0	6	0	92	8	0.06	5%
84th Session	34	0	10	0	6	0	92	8	0.06	5%
85th Session	34	0	10	0	6	0	96	4	0.03	3%

<sup>1</sup> National Assembly Secretariat.

<sup>2</sup> 98 chi-mi from the DYT, and 2 chi-mi representing the business community, and Thimphu town (municipality).

Annex 5-2: Table 7.2 Female Elected Representatives in Local Governance by Gender in 2006<sup>1</sup>

Type of Representative	Female: Male Ratio	Proportion of Elected Representatives that are Female
Gup	0.01	1%
Chi-mi	0.04	4%
Mang-mi	0.03	2.5%
Tshogpas	0.04	4.2%

<sup>1</sup> National Commission for Women and Children (2006). Draft National Plan of Action for Gender (Status as of March-April 2006).

Annex 5-3: Table 7.3 Female Voting Members (Gup, Chi-mi, Mang-mi, Tshogpas) in DYT and GYT<sup>1</sup>

Dzong-khag	Proportion of Voting Members in DYT that are Female	Proportion of Voting Members in GYT that are Female
Bhumthang	0	21%
Chukha	8%	2%
Dagana	7%	1%

<i>Gasa</i>	10%	10%
<i>Haa</i>	8%	2%
<i>Lhuntse</i>	5%	0
<i>Mongar</i>	5%	2%
<i>Paro</i>	0	6%
<i>Pema Gatshel</i>	0	21%
<i>Punakha</i>	0	5%
<i>Samtse</i>	3%	2%
<i>Samdrupjongkhar</i>	0	1%
<i>Sarpang</i>	3%	5%
<i>Thimphu</i>	0	5%
<i>Tsirang</i>	0	3%
<i>Trashigang</i>	0	2%
<i>Trongsa</i>	0	6%
<i>Wangduephodrang</i>	0	5%
<i>Trashiyangtse</i>	0	5%
<i>Zhemgang</i>	0	1%
<b><i>All Dzong-khag</i></b>	<b>2%</b>	<b>3.8%</b>

<sup>1</sup> National Commission for Women and Children (2006). Draft National Plan of Action for Gender (Status as of March-April 2006).

Annex 5-4: Table 7.4 Females in the Civil Service by Grade in 2006<sup>1</sup>

<i>Grade</i>	<i>2002</i>				<i>2006</i>				<i>Change</i>			
	<i># male</i>	<i>#female</i>	<i>% female</i>	<i>F:M ratio</i>	<i># male</i>	<i>#female</i>	<i>% female</i>	<i>F:M ratio</i>	<i># male</i>	<i>#female</i>	<i>% female</i>	<i>F:M ratio</i>
1 to 3	91	3	3%	0.03	111	6	5%	0.05	20	3	2%	0.02
4 to 8	3 239	862	21%	0.27	4 648	1 589	25%	0.34	1 409	727	4%	0.07
9 to 13	4 694	1 876	29%	0.40	5 332	2 481	32%	0.47	638	605	3%	0.07
14 to 17	2 736	764	22%	0.28	2 608	963	27%	0.37	-128	199	5%	0.09
<b><i>All grades</i></b>	<b>10 760</b>	<b>3 505</b>	<b>25%</b>	<b>0.33</b>	<b>12 699</b>	<b>5 039</b>	<b>28%</b>	<b>0.40</b>	<b>1 939</b>	<b>1 534</b>	<b>3%</b>	<b>0.07</b>

<sup>1</sup> National Commission for Women and Children (2006) Draft National Plan of Action for Gender.

Annex 5-5: Table 7.5 Females in the Civil Service by Ministry in 2006<sup>1</sup>

<i>Ministry</i>	<i>Proportion of Female Civil Servants</i>	<i>Proportion of Female Civil Servants in Grades 1-9</i>
<i>Ministry of Information and Communications</i>	17%	9%
<i>Ministry of Labor and Human Resources</i>	26%	22%

<i>Ministry</i>	<i>Proportion of Female Civil Servants</i>	<i>Proportion of Female Civil Servants in Grades 1-9</i>
<i>Ministry of Finance</i>	26%	21%
<i>Ministry of Home and Cultural Affairs</i>	22%	12%
<i>Ministry of Agriculture</i>	16%	8%
<i>Ministry of Health</i>	38%	35%
<i>Ministry of Education</i>	40%	36%
<i>Ministry of Works and Human Settlement</i>	16%	9%
<i>Ministry of Trade and Industry</i>	24%	17%
<i>Ministry of Foreign Affairs</i>	27%	32%
<b><i>Total</i></b>	28%	41%

<sup>1</sup> National Commission for Women and Children (2006). Draft National Plan of Action for Gender (figures are as of March 2006).

Annex 5-6: Table 7.6 Female Representation in the Judiciary<sup>1</sup>

	<i>Female:Male Ratio</i>	<i>Proportion of Women</i>
<i>Drangpons</i>	0.02	2%
<i>Drangpon Rabjams</i>	0.07	6%
<i>Registrars (Registrar General and Deputy Registrar General)</i>	0.67	40%
<b><i>Total Representatives</i></b>	0.07	6.3%

<sup>1</sup> National Commission for Women and Children (2006). draft National Plan of Action for Gender (figures as of April 2006).

Annex 5-7: Table 7.7 Royal Bhutan Police Force as of June 2006

<i>Category</i>	<i>Number Female</i>	<i>Number Male</i>	<i>Female to Male Ratio</i>
<i>Officer</i>	9	134	0.07
<i>Constables and Non Commissioned Officers</i>	121	3 470	0.03
<i>Recruits in Training</i>	13	13	0.12
<i>Cadets in Training</i>	1	3	0.33
<b><i>Total Police Force</i></b>	144	3 716	0.04

Annex 5-8: Table 10.1 Number of Schools and Institutes between 2002 and 2006

School Type	2002					2006					Change (Total)
	Urban	Semi Urban	Rural	Remote	Total	Urban	Semi Urban	Rural	Remote	Total	
Community Primary Schools	2	16	78	86	182	4	29	66	146	245	63
Primary Schools	11	13	38	35	97	14	9	24	41	88	-9
Lower Secondary Schools	23	24	11	7	65	25	21	25	13	84	19
Middle Secondary Schools	16	11	0	0	27	17	11	0	0	28	1
Higher Secondary Schools	9	3	0	0	12	20	1	0	0	21	9
Private Schools	13	1	0	0	14					23	9
Tertiary Institutes					9					9	0
Vocational institutes					5					6	2
<b>Non Formal Education</b>					256					646	390

<sup>1</sup> In 2006, categories were broken down to remote (87), very remote (56) and difficult (3). All three were put under remote for this table.

<sup>2</sup> In 2002, 9 were Primary Schools and 5 Higher Secondary Schools and in 2006, 16 were Primary Schools and 7 Higher Secondary Schools.

<sup>3</sup> Ministry of Education (2002) General Statistics. Royal Government of Bhutan.

<sup>4</sup> Ministry of Education (2006) General Statistics. Royal Government of Bhutan.

Annex 5-9: Table 10.2 Primary Net Enrolment Ratio (NER)

	2003 <sup>1</sup>	2005 <sup>2</sup>	2006 <sup>2</sup>	South/West Asia <sup>3</sup>	World <sup>3</sup>
National	70.2	73	79	79.0	84.0
Girls	67.1	-	79	73.0	81.5
Boys	73.4	-	80	84.7	86.5
<b>Gender Gap</b>	6.3	-	1	11.7	5.0

<sup>1</sup> Bhutan Living Standard Survey 2003. National Statistical Bureau, Royal Government of Bhutan, 2004.

<sup>2</sup> Ministry of Education (2006) General Statistics. Royal Government of Bhutan.

<sup>3</sup> Education for All Global Monitoring Report, 2005. Accessed online on 08 July 2006, url [http://portal.unesco.org/education/en/ev.php-URL\\_ID=36027&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/education/en/ev.php-URL_ID=36027&URL_DO=DO_TOPIC&URL_SECTION=201.html).

Annex 5-10: Table 10.3 Numbers Enrolled and Girl to Boy Ratio between 2002 and 2006

Class	2002 <sup>1</sup>			2006 <sup>2</sup>			Change between 2002 and 2006		
	# Girls	# Boys	G:B ratio	# Girls	# Boys	G:B ratio	# Girls	# Boys	G:B ratio
PP	7 500	8 104	0.93	8 193	8 676	0.94	693	572	0.01
I	6 987	7 841	0.89	7 467	8 079	0.92	480	238	0.03
II	6 779	7 747	0.88	7 899	8 210	0.96	1 120	463	0.08
III	6 058	6 889	0.88	7 307	7 465	0.98	1 249	576	0.10
IV	5,935	6,659	0.89	7,157	7,434	0.96	1,222	775	0.07

Class	2002 <sup>1</sup>			2006 <sup>2</sup>			Change between 2002 and 2006		
	# Girls	# Boys	G:B ratio	# Girls	# Boys	G:B ratio	# Girls	# Boys	G:B ratio
V	5,150	5,804	0.89	6,220	6,398	0.97	1,070	594	0.08
VI	4,529	4,962	0.91	5,770	5,950	0.97	1,241	988	0.06
PP to VI	42,938	48,006	0.89	50,013	52,212	0.96	7,075	4,206	0.07
VII	4,313	4,546	0.95	5,600	5,614	1.00	1,287	1,068	0.05
VIII	3,368	3,761	0.90	4,651	4,617	1.01	1,283	856	0.11
IX	3,030	3,583	0.85	4,356	4,503	0.97	1,326	920	0.12
X	2,053	2,757	0.74	3,275	3,581	0.91	1,222	824	0.17
VII to X	12,764	14,647	0.87	17,882	18,315	0.98	5,118	3,668	0.11
XI	1,084	1,710	0.63	1,809	2,425	0.75	725	715	0.12
XII	616	1,067	0.58	1,559	2,309	0.68	943	1,242	0.10
XI to XII	1,700	2,777	0.61	3,368	4,734	0.71	1,668	1,957	0.10

<sup>1</sup> Ministry of Education (2002) General Statistics. Royal Government of Bhutan.

<sup>2</sup> Ministry of Education (2006) General Statistics. Royal Government of Bhutan.

Annex 5-11: Table 10.4 Primary Net Enrolment Ratio by District and Sex for 2006<sup>1</sup>

Dzong-khag	Primary NER			Girl:Boy Ratio	Gender Gap
	Girls	Boys	Both Sexes		
National	79%	80%	79%	0.99	-1%
Bumthang	95%	93%	94%	1.02	2%
Chukha	70%	71%	71%	0.99	-1%
Dagana	74%	76%	75%	0.97	-2%
Gasa	66%	69%	68%	0.96	-3%
Haa	88%	80%	84%	1.10	8%
Lhuentse	79%	83%	81%	0.95	-4%
Mongar	77%	78%	78%	0.99	-1%
Paro	88%	85%	86%	1.03	3%
Pemagatshel	89%	89%	89%	1.00	0%
Punakha	94%	83%	88%	1.13	11%
Samdrup Jongkhar	76%	81%	78%	0.94	-5%
Samtse	63%	67%	65%	0.95	-4%
Sarpang	71%	72%	72%	0.98	-1%
Thimphu	88%	86%	87%	1.03	2%
Trashigang	78%	87%	82%	0.90	-9%

<i>Trashiyangtse</i>	84%	89%	87%	0.95	-5%
<i>Trongsa</i>	94%	90%	92%	1.05	4%
<i>Tsirang</i>	67%	70%	68%	0.96	-3%
<i>Wangdue</i>	85%	81%	83%	1.05	4%
<i>Zhemgang</i>	90%	88%	89%	1.02	2%

<sup>1</sup> Ministry of Education (2006) General Statistics. Royal Government of Bhutan.

Annex 5-12: Table 10.5 Primary Net Enrolment Ratio across Urban and Rural Areas in 2003<sup>1</sup>

<i>Area</i>	<i>National</i>		<i>Poor</i>		<i>Non-Poor</i>	
	Girls	Boys	Girls	Boys	Girls	Boys
<i>Rural</i>	62	70	55	60	68	78
<i>Urban</i>	85	89	80	78	86	90

<sup>1</sup> National Statistical Bureau (2004). Poverty Analysis Report Bhutan. Royal Government of Bhutan.

Annex 5-13: Table 10.6 Ratio of Girls to Boys in Primary Education

<i>Dzong-khag</i>	2002 <sup>1</sup>	2005 <sup>2</sup>	2006 <sup>3</sup>	<i>Change between 2002, 2005 and 2006</i>
<i>National</i>	0.89	0.95	0.96	0.06
<i>Bumthang</i>	1.04	1.03		-0.01
<i>Chhukha</i>	0.87	0.93		0.06
<i>Dagana</i>	0.92	0.95		0.03
<i>Gasa</i>	0.89	0.87		-0.02
<i>Ha</i>	1.01	1.01		0.00
<i>Lhuentse</i>	0.88	0.98		0.10
<i>Mongar</i>	0.84	0.91		0.07
<i>Paro</i>	0.99	1.02		0.03
<i>Pemagatshel</i>	0.79	0.93		0.14
<i>Punakha</i>	1.03	1.05		0.02
<i>Samdrup Jongkhar</i>	0.78	0.93		0.15
<i>Samtse</i>	0.79	0.82		0.03
<i>Sarpang</i>	0.89	0.94		0.05
<i>Thimphu</i>	0.97	0.99		0.02
<i>Trashigang</i>	0.84	0.91		0.07

<i>Trashiyangtse</i>	0.91	0.96	0.05
<i>Trongsa</i>	0.97	1.01	0.04
<i>Tsirang</i>	0.83	0.91	0.08
<i>Wangdue</i>	0.97	1.05	0.08
<i>Zhemgang</i>	0.83	0.91	0.08

<sup>1</sup> Ministry of Education (2002) General Statistics. Royal Government of Bhutan. (Calculated with Annex: Enrolment Details and Staff by School).

<sup>2</sup> Ministry of Education (2005) General Statistics. Royal Government of Bhutan. (Calculated with Annex: Enrolment Details and Staff by School).

<sup>3</sup> Ministry of Education (2006) General Statistics. Royal Government of Bhutan. (Calculated with Table 2.13).

Annex 5-14: Table 10.7 2006 Efficiency Indicators for Selected Classes<sup>1</sup>

<i>Efficiency Indicator</i>	<i>Classes</i>						
	PP	V	VI	VII	VIII	IX	X
<i>Girls</i>							
<i>Promotion Rate</i>	92.6%	91.0%	94.3%	84.3%	93.0%	85.9%	90.6%
<i>Repetition Rate</i>	7.5%	5.5%	3.4%	8.9%	3.3%	7.3%	0.5%
<i>Drop Out Rate</i>	-0.1%	3.5%	2.3%	6.8%	3.6%	6.8%	8.9%
<i>Adjusted Promotion rate</i>	92.5%	91.0%	94.3%	84.3%	93.0%	85.9%	90.6%
<i>Survivors to the Grade (per 1000 entering PP)</i>	1000	911.3	877.4	856.6	792.5	762.6	706.7
<i>Boys</i>							
<i>Promotion Rate</i>	91.3%	88.5%	94.3%	84.1%	93.2%	90.6%	93.6%
<i>Repetition Rate</i>	8.6%	6.1%	3.4%	8.2%	2.8%	6.1%	0.4%
<i>Drop Out Rate</i>	0.1%	5.5%	2.3%	7.7%	4.0%	3.3%	6.0%
<i>Adjusted Promotion rate</i>	91.3%	88.5%	94.3%	84.1%	93.2%	90.6%	93.6%
<i>Survivors to the Grade (per 1000 entering PP)</i>	1000	861.5	811.4	775.3	710.1	680.9	657.0
<i>Difference between Girls and Boys</i>							
<i>Promotion Rate</i>	1.3%	2.5%	0.0%	0.2%	-0.2%	-4.7%	-3.0%
<i>Repetition Rate</i>	-1.1%	-0.6%	0.0%	0.7%	0.5%	1.2%	0.1%
<i>Drop Out Rate</i>	-0.2%	-2.0%	0.0%	-0.9%	-0.4%	3.5%	2.9%
<i>Adjusted Promotion rate</i>	1.2%	2.5%	0.0%	0.2%	-0.2%	-4.7%	-3.0%
<i>Survivors to the Grade (per 1000 entering PP)</i>	0.0	49.8	66.0	81.3	82.4	81.7	49.7

<sup>1</sup> Ministry of Education (2006) General Statistics. Royal Government of Bhutan.

Annex 5-15: Table 10.8 Secondary Gross Enrolment Ratio (GER) for 2006<sup>1</sup>

<i>Class</i>	<i>Total Girls enrolled</i> <sup>1</sup>	<i>Total Boys enrolled</i> <sup>1</sup>	<i>Total population Girls</i> <sup>2</sup>	<i>Total population Boys</i> <sup>2</sup>	<i>Secondary GER</i>	<i>Secondary GER Girls</i>	<i>Secondary GER Boys</i>	<i>Gender Gap</i>
<i>VII</i>	5,600	5,614	7,649	7,849	72%	73%	72%	1%
<i>VIII</i>	4,651	4,617	7,751	7,653	60%	60%	60%	0%
<i>VII to VIII</i>	10,251	10,231	15,400	15,502	66%	67%	66%	1%
<i>IX</i>	4,356	4,503	8,188	7,851	55%	53%	57%	-4%
<i>X</i>	3,275	3,581	7,992	7,543	44%	41%	47%	-6%
<i>IX to X</i>	7,631	8,084	16,180	15,394	50%	47%	53%	-6%
<i>VII to X</i>	17,882	18,315	31,580	30,896	58%	57%	59%	-2%
<i>XI</i>	1,809	2,425	7,412	7,251	29%	24%	33%	-9%
<i>XII</i>	1,559	2,309	7,580	7,831	25%	21%	29%	-8%
<i>XI to XII</i>	3,368	4,734	14,992	15,082	27%	22%	31%	-9%
<i>VII to XII</i>	21,250	23,049	46,572	45,978	48%	46%	50%	-4%

<sup>1</sup> Ministry of Education (2006) General Statistics. Royal Government of Bhutan.

<sup>2</sup> Office of the Census Commissioner (2006). Results of Population and Housing Census of Bhutan 2005. Royal Government of Bhutan (Table 3.5). Total Population given by age (i.e. 13 for class VII; 14 for class VIII, 15 for class IX, 16 for class X, 17 for class XI and 18 for class XII).

Annex 5-16: Table 10.9 Female to Male Ratio in Schools and Institutes

<i>School Type</i>	<i>2002</i> <sup>1</sup>			<i>2006</i> <sup>2</sup>			<i>Difference 2002 to 2006</i>		
	# Female	# Male	F:M ratio	# Female	# Male	F:M ratio	# Female	# Male	F:M ratio
<i>Community Primary</i>	109	420	0.26	187	665	0.28	78	245	0.02
<i>Primary</i>	277	478	0.58	475	479	0.99	198	1	0.41
<i>Lower Secondary</i>	540	613	0.88	786	857	0.92	246	244	0.04
<i>Middle Secondary</i>	251	419	0.60	308	440	0.70	57	21	0.10
<i>Higher Secondary</i> <sup>1</sup>	69	277	0.25	217	549	0.40	148	272	0.15
<i>Tertiary Institutes</i>	36	246	0.15	59	278	0.21	23	32	0.07
<i>Vocational Institutes</i>	6	77	0.08	14	96	0.15	8	5	0.09
<i>Non-Formal Education</i>	NA	NA	NA	323	346	0.93	NA	NA	NA

<sup>1</sup> For 2002, does not include the 215 teachers in the 9 Primary Schools (PS) and 4 Higher Secondary Schools (HSS), which had a F:M ratio of 0.64 given that disaggregated data between PS and HSS were not presented. For 2006, includes teachers in both public and private schools (private PS had 52 male and 112 female teachers (F:M ratio 2.15) and private HSS had 136 male and 34 female teachers (F:M ratio 0.25)). For 2006, corresponding figures for public schools if private teachers are not included for F:M ratio are 0.85 for PS and 0.44 for HSS.

<sup>2</sup> Data from personal communication with the Ministry of Labor and Human Resources.



Annex 5-17: Table 10.10 Students in Tertiary Institutes in Bhutan between 2002 and 2006

<i>Institute</i>	<i>2002</i> <sup>1</sup>			<i>2006</i> <sup>2</sup>			<i>Change 2002 to 2006</i>		
	# female	# male	F:M ratio	# female	# male	F:M ratio	# female	# male	F:M ratio
<i>Sherubtse College</i>	26	112	0.23	339	709	0.48	313	597	0.25
<i>National Institute of Education (X2)</i>	421	593	0.71	477	800	0.60	56	207	-0.11
<i>Institute of Language and Cultural Studies</i>	73	152	0.48	27	51	0.53	-46	-101	0.05
<i>National Institute of Traditional Medicine</i>	NA	NA	NA	1	28	0.04	NA	NA	NA
<i>Natural Resource Training Institute</i>	NA	NA	NA	14	126	0.11	NA	NA	NA
<i>Royal Bhutan Institute of Technology</i>	45	262	0.17	98	403	0.24	53	141	0.07
<i>Royal Institute of Health Sciences</i>	NA	NA	NA	90	105	0.86	NA	NA	NA
<i>Royal Institute of Management</i>	NA	NA	NA	89	168	0.53	NA	NA	NA
<b><i>Total Royal University of Bhutan</i></b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>1135</b>	<b>2390</b>	<b>0.47</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>

<sup>1</sup> Ministry of Education (2002) General Statistics. Royal Government of Bhutan.

<sup>2</sup> Royal University of Bhutan (2006) Staff and Student Statistics of May 2006 (Brochure). Royal Government of Bhutan.

Annex 5-18: Table 10.11 Bachelor Level Students in Tertiary Institutes Abroad [by Sex &amp; Field of Study, March 2006]

<i>Field of Study</i>	<i>Scholarship Students</i>			<i>Private Students</i>			<i>Total</i>		
	# female	# male	F:M ratio	# female	# male	F:M ratio	# female	# male	F:M ratio
<i>Medicine</i>	15	70	0.21	10	13	0.77	25	83	0.30
<i>Sciences</i>	17	59	0.29	94	111	0.85	111	170	0.65
<i>Engineering</i>	16	99	0.16	12	53	0.23	28	152	0.18
<i>Computer Science and IT</i>	6	22	0.27	7	32	0.22	13	54	0.24
<i>Total Science and Related</i>	54	250	0.22	123	209	0.59	177	459	0.39
<i>Arts (Social Science)</i>	17	47	0.36	368	340	1.08	385	387	0.99
<i>Commerce (Business, Accounting, etc.)</i>	7	9	0.78	387	591	0.65	394	600	0.66
<i>Total Arts and Business</i>	24	56	0.43	755	931	0.81	779	987	0.79
<b><i>Grand Total Students</i></b>	<b>78</b>	<b>306</b>	<b>0.25</b>	<b>878</b>	<b>1140</b>	<b>0.77</b>	<b>956</b>	<b>1446</b>	<b>0.66</b>

Annex 5-19: Table 10.12 New Scholarship Recipients by Sex and Field of Study<sup>1</sup>

<i>Field of Study</i>	<i>2002</i>			<i>2006</i>			<i>Change from 2002 to 2006</i>		
	# female	# male	F:M ratio	# female	# male	F:M ratio	# female	# male	F:M ratio
<i>Medicine</i>	2	12	0.17	0	21	0.00	-2	9	-0.17
<i>Sciences</i>	0	9	0.00	13	38	0.34	13	29	0.34
<i>Engineering and related</i>	3	9	0.33	5	27	0.19	2	18	-0.14
<i>Computer Science and IT</i>	0	3	0.00	0	4	0.00	0	1	0.00
<i>Total Science and Related</i>	5	33	0.15	18	90	0.20	13	57	0.05
<i>Arts (Social Science, Law, etc)</i>	5	2	2.50	8	22	0.36	3	20	-2.14
<i>Commerce (Business, Accounting, etc.)</i>	1	0	NA	0	0	NA	-1	0	NA
<i>Total Arts and Business</i>	6	2	3.00	8	22	0.36	2	20	-2.64
<b><i>Grand Total Scholarship Students</i></b>	<b>11</b>	<b>35</b>	<b>0.31</b>	<b>26</b>	<b>112</b>	<b>0.23</b>	<b>15</b>	<b>77</b>	<b>-0.08</b>

<sup>1</sup> Personal Communication with the Adult and Higher Education Division of the Ministry of Education. July 2006.

Annex 5-20: Table 10.13 Enrolment in Vocational Institutes between 2002 and 2006

Vocational Institute	2002 <sup>4</sup>			2006 <sup>4</sup>			Change 2002 to 2006		
	# female	# male	F:M ratio	# female	# male	F:M ratio	# female	# male	F:M ratio
National Zorig Chusum Institute,	24	100	0.24	84	186	0.45	60	86	0.21
Zorig Chusum Institute, Trashiyangtse	11	35	0.31	33	73	0.45	22	38	0.14
Construction Training Centre, Thimphu	61	65	0.94	166	233	0.71	105	168	-0.23
VTI Ranjung <sup>1</sup>	110	247	0.45	26	58	0.45	-84	-189	0.00
VTI Khurtang <sup>2</sup>	0	0	NA	62	68	0.91	62	68	NA
VTI Samthang <sup>3</sup>	1	81	0.01	10	70	0.14	9	-11	0.13
<b>All Vocational Institutes</b>	<b>207</b>	<b>528</b>	<b>0.39</b>	<b>381</b>	<b>688</b>	<b>0.55</b>	<b>174</b>	<b>160</b>	<b>0.16</b>

<sup>1</sup> Vocational Training Institute (VTI) Ranjung was known as the Royal Technical Institute in 2002.

<sup>2</sup> Vocational Training Institute (VTI) Khurtang was not opened in 2002.

<sup>3</sup> Vocational Training Institute (VTI) Samthang was known as the National Driving Training Institute in 2002.

<sup>4</sup> Data for 2002 and 2006 from personal communication with the Ministry of Labour and Human Resources (2006 data as of June 2006).

Annex 5-21: Table 10.14 Reported Literacy Rates

	2003 <sup>1</sup>		2005 <sup>2</sup>		South Asia <sup>3</sup>		World <sup>3</sup>	
	Adult 15+	15-24 years	Adult 15+	15-24 years	Adult	14-24 years	Adult	15-24 years
National	33.45%	57.84%	53%	74%	47.5%	61.5%	75.4%	84.3%
Urban	58.55%	79.61%	72%	84%				
Rural	22.02%	52.55%	44%	68%				
Female	14.34%	48.91%	39%	68%	34.3%	51.0%	69.1%	80.1%
Male	49.29%	68.26%	65%	80%	59.7%	71.1%	81.8%	88.2%
Females Rural			29%	61%				
Females Urban			60%	80%				
Males Rural			57%	75%				
Males Urban			80%	87%				
Ratio Of Literate Females To Males			0.51	0.74				
Ratio Of Literate Females To Males - Rural			0.46	0.71				
Ratio Of Literate Females To Males - Urban			0.60	0.78				

<sup>1</sup> United Nations (2006). Common Country Assessment for Bhutan. (CCA is the secondary source; primary source is the Bhutan Living Standard Survey 2003. 2. National Statistical Bureau, Royal Government of Bhutan, 2004).

<sup>2</sup> Office of Census Commissioner (2006) Results of Population and Housing Census of Bhutan 2005, Thimphu: Royal Government of Bhutan. (Calculated using Table 6.4)

<sup>3</sup> Education for All Global Monitoring Report, 2005. Accessed online on 08 July 2006, url

[http://portal.unesco.org/education/en/ev.php-URL\\_ID=36027&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/education/en/ev.php-URL_ID=36027&URL_DO=DO_TOPIC&URL_SECTION=201.html)

Annex 5-22: Table 11.1 Labour Force Participation Rate by Sex and Location in 2004<sup>1</sup>

<i>Sex</i>	<i>Urban</i>	<i>Rural</i>	<i>Bhutan</i>
<i>Female</i>	27.5%	47.6%	42.7%
<i>Male</i>	72.2%	65.8%	67.5%
<b><i>Total</i></b>	<b>49.7%</b>	<b>56.0%</b>	<b>54.4%</b>

<sup>1</sup> Ministry of Labour and Human Resource (MoLHR) (2004). National Labour Force Survey Report 2004 Royal Government of Bhutan.

Annex 5-23: Table 11.2: Per cent of Employed Population by Completed Level of Education & Sex [in 2004<sup>1</sup>]

<i>Sex</i>	<i>Level of Education</i>								
	No Education	Non-formal Education	Monastic Education	Primary (PP to VI)	Junior (VII to VIII)	High (IX and X)	Higher (XI and XII)	First Year Degree and Above	All Formal Education
<i>Female</i>	71.2%	8.3%	2.1%	8.9%	2.3%	5.2%	1.2%	0.9%	18.5%
<i>Male</i>	54.4%	2.3%	15.0%	10.1%	4.9%	6.7%	3.1%	3.5%	28.3%
<b><i>Total</i></b>	<b>61.3%</b>	<b>4.8%</b>	<b>9.7%</b>	<b>9.6%</b>	<b>3.8%</b>	<b>6.1%</b>	<b>2.3%</b>	<b>2.5%</b>	<b>24.3%</b>

<sup>1</sup> Ministry of Labour and Human Resource (MoLHR) (2004). National Labour Force Survey Report 2004 Royal Government of Bhutan.

Annex 5-24: Table 11.3 Per cent of Population Employed within each Level of Completed Education [by Sex in 2004<sup>1</sup>]

<i>Sex</i>	<i>All levels of Education</i>	<i>No Education</i>	<i>Non-formal Education</i>	<i>Monastic Education</i>	<i>Primary (PP to VI)</i>	<i>Junior (VII to VIII)</i>	<i>High (IX and X)</i>	<i>Higher (XI and XII)</i>	<i>First Year Degree and Above</i>
<i>Female</i>	44%	49%	57%	53%	40%	16%	30%	16%	33%
<i>Male</i>	70%	86%	78%	71%	63%	40%	48%	44%	73%
<b><i>Total</i></b>	<b>56%</b>	<b>63%</b>	<b>62%</b>	<b>68%</b>	<b>51%</b>	<b>29%</b>	<b>40%</b>	<b>32%</b>	<b>62%</b>

<sup>1</sup> Ministry of Labour and Human Resource (MoLHR) (2004). National Labour Force Survey Report 2004. Royal Government of Bhutan.

Annex 5-25: Table 11.4 Per cent of Employed Population by Type of Employment and Sex [in 2004<sup>1</sup>]

<i>Sex</i>	<i>Type of Employment</i>								
	Employer/owner/manager	Regular paid employee	Casual paid employee	Paid worker by piece rate	Paid non-family apprentice	Unpaid family worker	Own account worker in non-agriculture	Owner cultivator	Share cropper
<i>Female</i>	0.0	9.7	5.8	2.0	0.8	44.1	3.4	34.0	0.3
<i>Male</i>	0.3	25.6	9.8	3.0	0.4	31.2	3.5	25.8	0.4
<b><i>Total</i></b>	<b>0.2</b>	<b>19.1</b>	<b>8.2</b>	<b>2.6</b>	<b>0.6</b>	<b>36.5</b>	<b>3.4</b>	<b>29.1</b>	<b>0.4</b>

<sup>1</sup> Ministry of Labour and Human Resource (MoLHR) (2004). National Labour Force Survey Report 2004 Royal Government of Bhutan.

Annex 5-26: Table 11.5: Female to Male Ratio for Economic Activity [by Occupational Category in 2004<sup>1</sup>]

<i>Occupational Category</i>	<i>Female</i>	<i>Male</i>	<i>F:M Ratio</i>
1. Agriculture and forestry	62,300	70,500	0.88
2. Mining and quarrying	0	100	0.00
3. Manufacturing	6,800	5,800	1.17
4. Electricity, gas & water supply	100	900	0.11
5. Construction	900	6,000	0.15
6. Wholesale/ retail trade; motor vehicles repair & household goods	1,600	3,200	0.50
7. Hotels and restaurants	600	800	0.75
8. Transport, storage and communications	400	2,200	0.18
9. Financial intermediation	700	1,800	0.39
10. Real estate, renting & business activities	2,700	7,000	0.39
11. Public administration & defense; compulsory social security	700	9,300	0.08
12. Education	1,600	2,300	0.70
13. Health and social work	700	1,700	0.41
14. Other community, social & personal service activities	5,800	9,900	0.59
15. Private households with employed persons	200	400	0.50
16. Not classifiable by economic activity	900	2,200	0.41
<b>Total</b>	<b>86,000</b>	<b>124,100</b>	<b>0.69</b>

<sup>1</sup> Ministry of Labour and Human Resource (MoLHR) (2004). National Labour Force Survey Report 2004 Royal Government of Bhutan.

Annex 5-27: Table 11.6 Range of Weekly Earnings of Paid Employees by Sex in 2004<sup>1</sup>

<i>Sex</i>	<i>Weekly earnings (Nu)</i>							
	<500	500-999	1000-1999	2000-2999	3000-3999	4000-4999	5000-9999	10000+
<i>Female</i>	19.4%	23.9%	29.4%	12.4%	6.0%	1.5%	6.0%	1.5%
<i>Male</i>	10.4%	27.7%	32.3%	11.7%	5.8%	2.2%	6.4%	3.5%
<b>Total</b>	12.8%	26.7%	31.5%	11.9%	5.9%	2.0%	6.3%	2.9%

<sup>1</sup> Ministry of Labour and Human Resource (MoLHR) (2004). National Labour Force Survey Report 2004 Royal Government of Bhutan

Annex 5-28: Table 11.7 Unemployment Rate by Sex and Location  
[Between 2001 and 2004<sup>1</sup>]

<i>Sex</i>	<i>2001</i>		<i>2004</i>	
	Bhutan	Bhutan	Urban	Rural
<i>Female</i>	1.1%	4.3%	4.3%	3.2%
<i>Male</i>	0.8%	1.1%	1.1%	2.2%
<b><i>Total</i></b>	NA	2.5%	2.0%	2.6%

<sup>1</sup> Ministry of Labour and Human Resource (MoLHR) (2004). National Labour Force Survey Report 2004 Royal Government of Bhutan

Annex 5-29: Table 12.1 Proportion of Households Visiting Health Facility  
[in Year Prior to the 2005 Census<sup>1</sup>]

<i>Dzong-khag</i>	<i>Number Households that visited a Health Facility<sup>1</sup></i>	<i>Total Households<sup>1</sup></i>	<i>Per cent of Households that visited a Health Facility</i>
National	113,342	126,115	90%
Urban	34,912	38,311	91%
Rural	78,430	87,804	89%
Bumthang	2,585	2,870	90%
Chukha	12,691	14,482	88%
Dagana	3,256	3,485	93%
Gasa	649	727	89%
Ha	2,084	2,290	91%
Lhuentse	2,761	3,001	92%
Mongar	6,826	7,348	93%
Paro	6,029	7,118	85%
Pemagatshel	2,329	2,937	79%
Punakha	3,251	3,387	96%
Samdrup Jongkhar	7,419	8,363	89%
Samtse	10,049	11,634	86%
Sarpang	7,772	8,211	95%
Thimphu	17,660	19,689	90%
Trashigang	9,830	10,813	91%
Trashiyangtse	3,424	3,764	91%
Trongsa	2,468	2,739	90%

Tsirang	3,517	3,651	96%
Wangdue	5,668	6,227	91%
Zhemgang	3,074	3,379	91%

<sup>1</sup> Office of the Census Commissioner (2006). Results of Population and Housing Census of Bhutan 2005 Royal Government of Bhutan (Table 5.15).

Annex 5-30: Table 12.2 Change in Number of Health Staff and Health Facilities between 2002 and 2005

<i>Health Staff/ Health Facility</i>	<i>2002<sup>1</sup></i>	<i>2005<sup>2</sup></i>	<i>Change</i>
Medical Doctors	122	145	23
Assistant Clinical Officer	0	32	32
B.Sc. Nurses	5	14	9
General Nurse Midwives (GNM)	174	202	28
Health Assistant	173	210	37
Auxillary Nurse Midwives (ANM)	145	134	-11
Basic Health Worker	175	171	-4
Assistant Nurses	176	174	-2
Hospitals	29	29	0
Basic Health Units	166	176	10
Out Reach Clinics	455	485	30

<sup>1</sup> Ministry of Health (2002). Annual Health Bulletin Royal Government of Bhutan

<sup>2</sup> Ministry of Health (2006). Annual Health Bulletin 2005 Royal Government of Bhutan

Annex 5-31: Table 12.3 Age Specific Fertility Rates in 2000 and 2005

<i>Age group</i>	<i>2000<sup>1</sup></i>		<i>2005<sup>2</sup></i>		<i>Change National</i>
	<i>National</i>	<i>National</i>	<i>Urban</i>	<i>Rural</i>	
15 to 19	61.7	36.5	22.1	44.9	-25.2
20 to 24	245.4	138.9	115.3	154.4	-106.5
25 to 29	248.7	141.6	138.8	143.2	-107.1
30 to 34	162.2	89.4	78.1	95.3	-72.8
35 to 39	116.3	54.5	39.5	61.3	-61.8
40 to 44	79.7	31.3	18.8	35.3	-48.4
45 to 49	24.2	9.9	7.1	10.7	-14.3
Total Fertility Rate <sup>3</sup>	4.7	2.5	2.1	2.7	-2.2

<b>Gross Fertility Rate<sup>4</sup></b>	142.7	86.4	75.3	92.5	-56.3
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<sup>1</sup> Ministry of Health (2000) A Report National Health Survey 2000. Royal Government of Bhutan

<sup>2</sup> Office of the Census Commissioner (2006). Results of Population and Housing Census of Bhutan 2005 Royal Government of Bhutan (Calculated using the number of births in the last year for each age group (Table 5.2) divided by the total female population in each age group (Table 3.4)).

<sup>3</sup> for 2005, used the following formula [(sum of age specific fertility rates) x 5] / 1000

<sup>4</sup> for 2005, used the following formula [total number of births in year preceding the census] divided by [total female population aged 15 to 44]. These figures were from Table 5.2 and Table 3.4 respectively of the 2005 census referenced above.

Annex 5-32: Table 12.4 Fertility Rates, Crude Birth Rate, Crude Death Rate and Rate of Natural Increase  
[in 2005 by District]

Dzong-khag	Total Fertility Rate <sup>1</sup>	Gross Fertility Rate <sup>1</sup>	Crude Birth Rate <sup>2</sup>	Crude Death Rate <sup>3</sup>	Rate of Natural Increase <sup>4</sup>
National	2.5	86.4	20	7	1.30
Urban	2.1	75.3	20	5	1.50
Rural	2.7	92.5	20	8	1.20
Bumthang	2.5	84.9	18	7	1.07
Chhukha	2.1	74.2	17	7	0.98
Dagana	3.2	107.1	24	7	1.69
Gasa	3.1	114.1	23	12	1.11
Ha	2.5	79.5	18	7	1.06
Lhuentse	3.1	99.1	21	8	1.29
Mongar	3.0	99.5	22	8	1.44
Paro	2.1	71.0	17	7	0.98
Pemagatshel	3.1	93.8	19	8	1.15
Punakha	2.6	83.1	20	8	1.17
Samdrup Jongkhar	2.7	92.9	20	6	1.45
Samtse	2.3	84.1	20	8	1.17
Sarpang	3.0	95.8	20	6	1.40
Thimphu	2.1	75.1	19	6	1.29
Trashigang	2.9	95.3	21	9	1.22
Trashiyangtse	3.5	112.7	24	9	1.50
Trongsa	3.0	101.3	22	8	1.38
Tsirang	2.7	90.1	21	7	1.36
Wangdue	2.8	95.0	21	8	1.29

Zhemgang	3.0	96.1	20	6	1.43
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<sup>1</sup> As per description under Table 12.3

<sup>2</sup> Office of the Census Commissioner (2006). Results of Population and Housing Census of Bhutan 2005. Royal Government of Bhutan. (Calculated using the number of births in the last year (Table 5.2) divided by the total population (Table 3.4)).

<sup>3</sup> Office of the Census Commissioner (2006). Results of Population and Housing Census of Bhutan 2005. Royal Government of Bhutan. (Calculated using the number of deaths in the last year (Table 5.2) divided by the total population (Table 3.4)).

<sup>4</sup> Calculated using the following formula  $[\text{crude birth rate} - \text{crude death rate}] / 10$

Annex 5-33: Table 12.5 Change in Key Indicators between 2000 and 2005

<i>Indicator</i>	<i>2000<sup>1</sup></i>	<i>2005<sup>2</sup></i>	<i>Change</i>
Sex Ratio (males per 100 females)	94.7	111	16.3
Child Dependency Ratio	67.9	53.1	-14.8
Old Age Dependency Ratio	9.4	7.5	-1.9
Overall Dependency Ratio	77.4	60.6	-16.8
Sex Ratio at Birth (males per 100 females)	106.6	101.2	-5.4
Total Fertility Rate	4.7	2.5	-2.2
General Fertility Rate	142.7	86.4	-56.3
Crude Birth Rate	34.09	20	-14
Crude Death Rate	8.64	7	-1.6
<b>Rate of Natural Increase</b>	<b>2.55</b>	<b>1.30</b>	<b>-1.2</b>

<sup>1</sup> Ministry of Health (2000). A Report National Health Survey 2000. Royal Government of Bhutan.

<sup>2</sup> Office of the Census Commissioner (2006). Fact Sheet of Population and Housing Census of Bhutan 2005. Royal Government of Bhutan. For Sex Ratio at Birth calculated using Table 5.1 of the full census report. As per description under Table 12.3 for Total and General Fertility Rates.

Annex 5-34: Table 12.6 Per cent of 15 to 19 year olds with children

<i>Dzong-khag</i>	<i>Per cent with Child Ever Born</i>		<i>Per cent with Live Birth in Last Year</i>		<i>Per cent of all Live Births in the Last Year that were From 15-19 year olds</i>		
	<i>Both Areas</i>	<i>Both Areas</i>	<i>Urban</i>	<i>Rural</i>	<i>Both Areas</i>	<i>Urban</i>	<i>Rural</i>
BHUTAN	10.2%	3.6%	2.2%	4.5%	11.0%	8.0%	12.3%
Bumthang	5.7%	2.7%	2.0%	2.9%	8.1%	4.5%	9.7%
Chhukha	8.9%	3.3%	2.3%	4.4%	10.7%	9.0%	12.0%
Dagana	12.6%	5.6%	1.5%	7.3%	15.6%	12.8%	15.9%
Gasa	13.4%	3.7%	7.7%	2.8%	6.9%	20.0%	4.8%
Ha	6.0%	2.8%	0.9%	4.3%	10.2%	7.3%	11.0%



Lhuentse	10.1%	3.8%	0.0%	4.6%	10.9%	0.0%	11.6%
Mongar	9.9%	4.4%	1.7%	5.8%	12.7%	10.0%	13.3%
Paro	5.3%	2.2%	4.3%	2.0%	8.0%	11.7%	7.6%
Pemagatshel	7.2%	3.1%	1.8%	3.7%	10.4%	10.2%	10.4%
Punakha	5.2%	2.7%	0.5%	3.7%	10.3%	6.9%	10.6%
Samdrup Jongkhar	10.1%	4.0%	4.4%	3.8%	10.5%	7.3%	12.5%
Samtse	12.0%	5.1%	3.8%	5.4%	14.2%	11.2%	14.9%
Sarpang	11.5%	4.8%	3.5%	5.5%	14.1%	10.8%	15.6%
Thimphu	5.8%	2.3%	2.2%	3.2%	7.4%	7.2%	8.3%
Trashigang	7.0%	3.6%	0.7%	4.4%	10.8%	4.1%	11.7%
Trashiyangtse	6.6%	3.9%	1.5%	4.9%	9.9%	7.7%	10.2%
Trongsa	9.5%	5.5%	2.8%	6.4%	14.4%	9.6%	15.4%
Tsirang	10.9%	4.8%	2.9%	5.0%	14.1%	5.6%	15.5%
Wangdue	8.4%	3.5%	3.0%	3.7%	9.2%	8.0%	9.7%
Zhemgang	9.6%	3.9%	0.5%	5.6%	12.7%	4.0%	14.0%

Annex 5-35: Table 12.7 Antenatal Clinic Attendance in 2005

<i>Dzong-khag</i>	<i>Number that Attended at Least One ANC Clinic<sup>1</sup></i>	<i>Total Births<sup>2</sup></i>	<i>% that Attended at least one ANC clinic</i>
National	13,818	12,538	110%
Bumthang	289	285	101%
Chhukha	1,686	1,248	135%
Dagana	335	435	77%
Gasa	54	72	75%
Ha	164	205	80%
Lhuentse	356	321	111%
Mongar	760	832	91%
Paro	682	613	111%
Pemagatshel	288	270	107%
Punakha	475	349	136%
Samdrup Jongkhar	967	818	118%
Samtse	1,273	1,182	108%
Sarpang	1,125	830	136%
Thimphu	2,456	1,866	132%

<i>Dzong-khag</i>	<i>Number that Attended at Least One ANC Clinic<sup>1</sup></i>	<i>Total Births<sup>2</sup></i>	<i>% that Attended at least one ANC clinic</i>
Trashigang	958	1,082	89%
Trashiyangtse	344	426	81%
Trongsa	241	292	83%
Tsirang	374	384	97%
Wangdue	609	650	94%
Zhemgang	382	378	101%

<sup>1</sup> Ministry of Health (2006). Annual Health Bulletin 2005. Royal Government of Bhutan.

<sup>2</sup> Office of the Census Commissioner (2006). Results of Population and Housing Census of Bhutan 2005. Royal Government of Bhutan) (Table 5.1)

Annex 5-36: Table 12.8 Per cent of Attended Deliveries in 2005

<i>Dzong-khag</i>	<i>% Deliveries Attended by a Health Professional<sup>1</sup></i>	<i>Institutional Delivery Rate<sup>2</sup></i>	<i>% of Deliveries Attended at Home by Trained Health Staff<sup>3</sup></i>	<i>% of Deliveries Attended by Trained Health Staff (home and institutional)<sup>4</sup></i>
National	51%	42%	13%	55%
Urban	75%	NA	NA	NA
Rural	40%	NA	NA	NA
Bumthang	47%	33%	27%	59%
Chhukha	59%	32%	7%	38%
Dagana	30%	10%	9%	19%
Gasa	43%	0%	29%	29%
Ha	60%	23%	2%	25%
Lhuentse	28%	22%	21%	43%
Mongar	34%	38%	16%	54%
Paro	70%	61%	7%	68%
Pemagatshel	32%	2%	14%	16%
Punakha	61%	37%	15%	52%
Samdrup Jongkhar	42%	36%	20%	55%
Samtse	45%	55%	10%	65%
Sarpang	51%	72%	18%	90%
Thimphu	79%	84%	1%	85%
Trashigang	36%	25%	20%	45%
Trashiyangtse	26%	12%	13%	25%

Trongsa	47%	20%	28%	48%
Tsirang	50%	49%	28%	77%
Wangdue	54%	16%	8%	25%
Zhemgang	45%	19%	30%	48%

<sup>1</sup> Office of the Census Commissioner (2006). Results of Population and Housing Census of Bhutan 2005. Royal Government of Bhutan. (Calculated using number of births attended by a health professional (Table 5.6) divided by number of live births (Table 5.1).

<sup>2</sup> Ministry of Health (2006) Annual Health Bulletin (AHB). Royal Government of Bhutan. AND Office of the Census Commissioner (2006). Results of Population and Housing Census of Bhutan 2005. Royal Government of Bhutan. (Calculated using number of births attended in a health facility (Annex 3, AHB) divided by number of live births (Table 5.1, Census).

<sup>3</sup> Ministry of Health (2006) Annual Health Bulletin (AHB). Royal Government of Bhutan. AND Office of the Census Commissioner (2006). Results of Population and Housing Census of Bhutan 2005. Royal Government of Bhutan. (Calculated using number of births attended in at home by trained health personnel (Annex 3, AHB) divided by number of live births (Table 5.1, Census).

<sup>4</sup> Ministry of Health (2006) Annual Health Bulletin (AHB). Royal Government of Bhutan. AND Office of the Census Commissioner (2006). Results of Population and Housing Census of Bhutan 2005. Royal Government of Bhutan. (Calculated using total attended deliveries at home and health facility (Annex 3, AHB) divided by number of live births (Table 5.1, Census).

Annex 5-37: Table 12.9 Infant and Under-Five Mortality Rates in 2005

<i>Dzong-khag</i>	<i>Total U1 deaths<sup>1</sup></i>	<i>Total U5 deaths<sup>1</sup></i>	<i>Live Births<sup>2</sup></i>	<i>IMR<sup>3</sup></i>	<i>U5MR<sup>4</sup></i>
NATIONAL	503	772	12,538	40.1	61.6
Urban	126	203	3,845	32.8	52.8
Rural	377	569	8,693	43.4	65.5
Female	233	359	6,232	37.4	57.6
Male	270	413	6,306	42.8	65.5
Female-Rural	167	261	4,330	38.6	60.3
Female-Urban	66	98	1,902	34.7	51.5
Male-Rural	210	308	4,363	48.1	70.6
Male-Urban	60	105	1,943	30.9	54.0
Bumthang	8	11	285	28.1	38.6
Chhukha	38	111	1,248	30.4	88.9
Dagana	17	26	435	39.1	59.8
Gasa	0	1	72	0.0	13.9
Ha	3	11	205	14.6	53.7
Lhuentse	16	20	321	49.8	62.3
Mongar	42	59	832	50.5	70.9
Paro	13	17	613	21.2	27.7

<i>Dzong-khag</i>	<i>Total U1 deaths<sup>1</sup></i>	<i>Total U5 deaths<sup>1</sup></i>	<i>Live Births<sup>2</sup></i>	<i>IMR<sup>3</sup></i>	<i>U5MR<sup>4</sup></i>
Pemagatshel	13	17	270	48.1	63.0
Punakha	11	12	349	31.5	34.4
Samdrup Jongkhar	51	65	818	62.3	79.5
Samtse	40	67	1,182	33.8	56.7
Sarpang	45	66	830	54.2	79.5
Thimphu	56	82	1,866	30.0	43.9
Trashigang	68	93	1,082	62.8	86.0
Trashiyangtse	13	18	426	30.5	42.3
Trongsa	12	13	292	41.1	44.5
Tsirang	9	14	384	23.4	36.5
Wangdue	35	47	650	53.8	72.3
Zhemgang	13	22	378	34.4	58.2

<sup>1</sup> Office of the Census Commissioner (2006). Results of Population and Housing Census of Bhutan 2005. Royal Government of Bhutan) (Table 5.8).

<sup>2</sup> Office of the Census Commissioner (2006). Results of Population and Housing Census of Bhutan 2005. Royal Government of Bhutan) (Table 5.1)

<sup>3</sup> IMR Calculated as follows: [Total number of deaths among under 1 year olds] divided by [total number of live births] multiplied by [1000].

<sup>4</sup> U5MR Calculated as follows: [Total number of deaths among under 5 year olds] divided by [total number of live births] multiplied by [1000].

Annex 5-38: Table 12.10 Reported Cases of Assault against Women and Children and Rape of Minors  
[in Thimphu, 2000 and 2005<sup>1</sup>]

<i>Year</i>	<i>Reported Assault Cases against Women and Children</i>			<i>Reported Rape of Minors</i>
	<i>Total Cases</i>	<i>Urban Areas</i>	<i>Rural Areas</i>	<i>Total Cases</i>
2000	56	41	15	3
2001	87	53	34	3
2002	67	27	40	7
2003	101	33	68	4
2004	26	12	14	15
2005	45	20	25	2

<sup>1</sup> Captain Tashi Phuntho (2006). Presentation on the Status of Crime Related to Women and Children. Royal Bhutan Police, Thimphu.

Annex 5-39: Table 12.11 Domestic Violence in Thimphu in 2005<sup>1</sup>

	<i>Total Cases</i>	<i>Urban Areas</i>	<i>Rural Areas</i>
Cases Reported	71	62	9
Cases Registered	34	30	4
Cases Wthdrawn	37	32	5
Victime Wife	23	16	7
Victim Husband	15	15	0
Victim Children	20	20	0
Victime Parents	13	11	2
Adult Raped	0	0	0
Minor Raped	2	1	1

<sup>1</sup> Captain Tashi Phuntho (2006). Presentation on the Status of Crime Related to Women and Children. Royal Bhutan Police, Thimphu.

Annex 5-40: Table 14.1 Access to Improved Water and Sanitation Facilities in 2005

<i>Dzong-khag</i>	<i>Access to Improved Water Facilities<sup>1</sup></i>			<i>Access to Improved Sanitation Facilities<sup>2</sup></i>		
	<i>National</i>	<i>Urban</i>	<i>Rural</i>	<i>National</i>	<i>Urban</i>	<i>Rural</i>
Bhutan	84.3%	98.0%	78.2%	81.0%	79.1%	81.8%
Bumthang	92.1%	97.6%	90.1%	90.1%	87.2%	91.1%
Chhukha	83.2%	98.0%	70.1%	76.1%	85.1%	68.1%
Dagana	56.1%	85.0%	53.3%	83.5%	82.4%	83.6%
Gasa	47.7%	100.0%	40.9%	74.7%	86.9%	73.1%
Ha	87.7%	97.6%	85.5%	80.7%	83.3%	80.1%
Lhuentse	87.6%	98.3%	86.7%	83.2%	84.3%	83.1%
Mongar	82.0%	98.0%	78.8%	85.2%	87.1%	84.9%
Paro	87.5%	97.2%	86.7%	81.4%	74.6%	82.0%
Pemagatshel	87.0%	98.9%	85.3%	85.2%	74.9%	86.5%
Punakha	85.4%	100.0%	83.8%	81.0%	75.5%	81.6%
Samdrup Jongkhar	84.1%	96.1%	79.8%	83.5%	76.4%	86.1%
Samtse	75.8%	98.5%	70.5%	77.1%	58.2%	81.6%
Sarpang	86.4%	98.9%	80.9%	80.9%	74.2%	83.9%
Thimphu	96.3%	98.7%	86.6%	79.2%	79.8%	76.6%
Trashigang	83.1%	99.3%	81.2%	82.4%	83.8%	82.3%
Trashiyangtse	86.1%	95.2%	84.6%	87.4%	75.8%	89.4%

Trongsa	83.8%	93.4%	81.5%	78.3%	75.8%	79.0%
Tsirang	76.6%	97.3%	74.2%	85.5%	83.6%	85.7%
Wangdue	81.5%	96.3%	77.1%	81.1%	75.4%	82.9%
Zhemgang	77.8%	97.1%	74.0%	82.0%	80.6%	82.3%

<sup>1</sup> Office of the Census Commissioner (2006). Results of Population and Housing Census of Bhutan 2005, Thimphu: Royal Government of Bhutan. (Calculated from Table 5.18 (p 223) using the following as improved: (1) Piped water within house; (2) Piped water outside house; and (3) rainwater collection). Therefore, the actual coverage may be higher as some may be using protected springs or protected tube wells, but given that the categories were not distinct (e.g. category of spring/river/pond and artificial pond/tube well) could not include any other categories).

<sup>2</sup> Office of the Census Commissioner (2006). Results of Population and Housing Census of Bhutan 2005, Thimphu: Royal Government of Bhutan. (Calculated from Table 5.21 using the following categories as improved: (1) Independent Flush toilet inside house; (2) Independent Flush toilet outside house; (3) VIDP latrine outside house; and (4) Pit latrine).

Annex 5-41: Table 14.2 Sources of Lighting<sup>1</sup>

	<i>Electricity</i>	<i>Kerosene</i>	<i>Firewood</i>	<i>Solar</i>	<i>Other</i>
National	57.1%	36.5%	2.6%	2.5%	1.2%
Urban	96.4%	2.6%	0.2%	0.3%	0.5%
Rural	40.4%	51.3%	3.7%	3.5%	1.5%

<sup>1</sup> Office of the Census Commissioner (2006). Results of Population and Housing Census of Bhutan 2005. Royal Government of Bhutan).

Annex 5-42: Table 14.3 Cooking Fuel<sup>1</sup>

	<i>Electricity</i>	<i>Firewood</i>	<i>LPG</i>	<i>Kerosene/Other</i>
National	30.6%	37.3%	25.6%	6.4%
Urban	46.5%	0.0%	43.6%	9.9%
Rural	21.4%	56.4%	15.2%	7.0%

<sup>1</sup> Office of the Census Commissioner (2006). Results of Population and Housing Census of Bhutan 2005. Royal Government of Bhutan).

Annex 5-43: Table 14.4 Per cent of Households Owning Different Types of Communication Media<sup>1</sup>

	<i>Radio/Tape</i>	<i>TV/Video</i>	<i>Telephone</i>	<i>Mobile Phone</i>	<i>Computer</i>	<i>Internet</i>
National	66.0%	28.1%	17.1%	10.9%	2.6%	1.2%
Urban	45.5%	8.5%	4.9%	2.3%	0.3%	0.1%
Rural	20.5%	19.6%	12.2%	8.6%	2.3%	1.1%

<sup>1</sup> Office of the Census Commissioner (2006). Results of Population and Housing Census of Bhutan 2005. Royal Government of Bhutan).

Annex 5-44: Table 14.5 Per cent of Households by Walking Distance to the Nearest Motor Road<sup>1</sup>

	<30 min	30 min to 1 hour	1 to 2 hours	2 to 3 hours	3 to 4 hours	4 to 5 hours	5 to 6 hours	> 6 hours
National	63.0%	7.6%	5.7%	5.2%	3.9%	2.7%	2.1%	9.7%
Urban	99.5%	0.2%	0.0%	0.0%	0.0%	0.0%	0.0%	0.2%
Rural	47.1%	10.9%	8.1%	7.5%	5.6%	3.9%	3.0%	13.9%

<sup>1</sup>. Office of the Census Commissioner (2006). Results of Population and Housing Census of Bhutan 2005. Royal Government of Bhutan) (Table 8.10).

Annex 5-45: Table 14.6 Income poverty, 2003<sup>1</sup>

	Percentage of population who are poor	Percentage of the total population	Percentage of the poor population
Rural	38%	81%	97%
Urban	4%	19%	3%
Western region	19%	40%	24%
Central region	30%	26%	24%
Eastern region	49%	34%	52%
Bhutan	32%	100%	100%

<sup>1</sup> National Statistical Bureau (2004b). Poverty Assessment Report. Royal Government of Bhutan.

Annex 5-46: Table 16.1 Per cent of 10 to 14 and 15 to 19 year olds in marriage unions

Area/ Age Group	Per cent Currently Married <sup>1</sup>		Per cent Currently or Previously Married <sup>2</sup>		Per cent Living Together <sup>3</sup>	
	Girls	Boys	Girls	Boys	Girls	Boys
National						
10 to 14	0.3%	0.1%	0.3%	0.1%	0.01%	0.02%
15 to 19	15.4%	3.8%	16.1%	4.0%	0.21%	0.08%
Urban						
10 to 14	0.1%	0.1%	0.1%	0.1%	0.02%	0.03%
15 to 19	9.8%	1.5%	10.2%	1.6%	0.15%	0.07%
Rural						
10 to 14	0.3%	0.0%	0.4%	0.0%	0.01%	0.02%
15 to 19	18.7%	5.2%	19.5%	5.4%	0.25%	0.09%

Source: Office of the Census Commissioner (2006). Results of Population and Housing Census of Bhutan 2005 Royal Government of Bhutan

<sup>1</sup> (Calculated using the number of people married by sex and age group (Table 3.12) divided by the total population in that sex and age group (Table 3.4).

<sup>2</sup> (Calculated using the number of people married, widowed, divorced or separated by sex and age group (Table 3.12) divided by the total population in that sex and age group (Table 3.4).

<sup>3</sup> (Calculated using the number of people living together by sex and age group (Table 3.12) divided by the total population in that sex and age group (Table 3.4)

Annex 5-47: Table 16.2 District-Wise Percentages of Girls 10 to 14 and 15 to 19 Currently Married<sup>1</sup>

<i>Dzong-khag/ Age Group</i>	<i>Both Areas</i>	<i>Urban</i>	<i>Rural</i>
<b>Bumthang</b>			
10 to 14	0.11%	0.00%	0.14%
15 to 19	9.77%	8.59%	10.12%
<b>Chhukha</b>			
10 to 14	0.50%	0.37%	0.61%
15 to 19	16.51%	9.42%	24.40%
<b>Dagana</b>			
10 to 14	0.70%	0.00%	0.78%
15 to 19	20.84%	3.49%	27.75%
<b>Gasa</b>			
10 to 14	0.00%	0.00%	0.00%
15 to 19	23.13%	0.23%	26.85%
<b>Ha</b>			
10 to 14	0.28%	0.00%	0.36%
15 to 19	12.30%	4.49%	18.60%
<b>Lhuentse</b>			
10 to 14	0.51%	0.00%	0.55%
15 to 19	17.33%	4.55%	19.90%
<b>Mongar</b>			
10 to 14	0.22%	0.00%	0.26%
15 to 19	17.27%	5.82%	23.13%
<b>Paro</b>			
10 to 14	0.05%	0.00%	0.05%
15 to 19	8.92%	18.52%	8.16%
<b>Pemagatshel</b>			
10 to 14	0.23%	0.00%	0.27%
15 to 19	12.08%	5.88%	14.76%
<b>Punakha</b>			



10 to 14	0.19%	0.00%	0.22%
15 to 19	8.41%	2.77%	10.83%
Samdrup Jongkhar			
10 to 14	0.31%	0.34%	0.31%
15 to 19	21.14%	26.06%	19.60%
Samtse			
10 to 14	0.36%	0.00%	0.44%
15 to 19	22.02%	13.95%	23.94%
Sarpang			
10 to 14	0.69%	0.00%	0.99%
15 to 19	22.63%	16.42%	25.67%
Thimphu			
10 to 14	0.09%	0.09%	0.09%
15 to 19	10.28%	10.19%	10.77%
Trashigang			
10 to 14	0.25%	0.00%	0.28%
15 to 19	13.97%	3.29%	16.77%
Trashiyangtse			
10 to 14	0.18%	0.56%	0.10%
15 to 19	11.52%	3.27%	15.22%
Trongsa			
10 to 14	0.12%	0.00%	0.15%
15 to 19	13.47%	6.11%	15.77%
Tsirang			
10 to 14	0.24%	0.81%	0.18%
15 to 19	19.25%	14.56%	19.72%
Wangdue			
10 to 14	0.05%	0.00%	0.07%
15 to 19	14.89%	14.86%	14.90%
Zhemgang			
10 to 14	0.24%	0.00%	0.30%
15 to 19	16.65%	5.04%	22.22%

<sup>1</sup> Office of the Census Commissioner (2006). Results of Population and Housing Census of Bhutan 2005 Royal Government of Bhutan

<sup>1</sup> (Calculated using number of people married by sex and age group and district (Table 3.13) divided by total population in that sex and age group (Table 3.4)

*G l o s s a r y*

Glossary A

BHUTANESE TERMS

1. **Chathrim** Bhutanese word for Law/Rules/Act
2. **Chimi** – Bhutanese word for elected representative to the National Assembly
3. **Chipon** – Messenger
4. **Drangpon**- Judge
5. **Drangpon Rabjam** - Judge
6. **Dratshang** – Monastic Institution
7. **Driglam Namzhag**- Bhutanese etiquette
8. **Drungpa** – Sub-District Administrator
9. **Dzomdu** – Community meeting
10. **Dzongda** – District Administrator/equivalent to a Governor
11. **Dzongkhag**- Bhutanese word for district
12. **Dzongkhag Yargye Tshogdue (DYT)** - Bhutanese word for District Development Committee
13. **Gaydrung** – Geog Clerk
14. **Gelwa** – Charity
15. **Geog** -Bhutanese word for administrative block/county
16. **Geog Yargye Tshogdue (GYT)**-Bhutanese word for administrative block/County Development Committee
17. **Gup** -Bhutanese word for elected head representative to the GYT
18. **Jabmi** - Bhutanese word for legal counsel
19. **Kidu** - Benefits granted by the King or the government
20. **Kuensel** - Bhutan’s first national newspaper

21. **Mangmi**- Bhutanese word for elected representative to the GYT
22. **Nanggi Aum** - Mother of the household/ the anchor of the home
23. **Tarayana Foundation** – A national NGO
24. **Thrimzhung Chenmo** -Supreme laws of Bhutan
25. **Tshogpa** – Bhutanese word for village representative to the GYT
26. **Tshogpa** - Association
27. **Zorig Chusum, Institute of** - National Institute for the 13 Bhutanese art and crafts

### Glossary B

#### GENDER RELEVANT TERMS

28. **Culture** Distinctive patterns of ideas, beliefs, and norms which characterise the way of life and relations of a society or groups
29. **Gender:** A concept that refers to the social differences, as opposed to the biological ones, between women and men that have been learned, are changeable over time and have wide variations both within and between cultures
30. **Gender Analysis** The systematic gathering and examination of information on gender differences and social relations in order to identify, understand and redress inequities based on gender
31. **Gender Blind:** Ignoring or failing to address the gender equality dimension
32. **Gender Disaggregated Data:** The collection and separation of data by gender to allow comparative gender analysis
33. **Gender Discrimination** The systematic, unfavourable treatment of individuals on the basis of their gender, which denies them rights, opportunities or resources
34. **Gender Equality:** The concept that all human beings are free to develop personal abilities and make choices without limitations set by strict gender roles; that the different behaviour, aspirations and needs of women and men are considered, valued and favoured equally. [ Denotes women have same opportunities in life as men, including ability to participate in the public sphere]
35. **Gender Equity:** Denotes the equivalence in life outcomes for women and men, recognising their different needs and interests, and requiring a redistribution of power and resources

36. **Gender Mainstreaming:** An organisational strategy to bring a systematic integration of the respective situations, priorities and needs of women and men in all mainstream policies with a view to promoting equality between women and men
37. **Gender Neutral:** Having no differential impact, either positive or negative, for equality between women and men
38. **Gender Planning** The technical and political processes and procedures necessary to implement gender-sensitive policy
39. **Gender Relations** Hierarchical relations of power between women and men that tend to disadvantage women
40. **Gender Training** A facilitated process of developing awareness and capacity on gender issues, to bring about personal or organisational change for gender equality
41. **Gender Violence** Any act or threat by men or male-dominated institutions, that inflicts physical, sexual, or psychological harm on a woman or girl because of their gender

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