

Bhutan: Pre-UPR Statement
Pre-UPR Session
April 2019

1. The human rights conditions in Bhutan continue to improve and make good progress in keeping with the written Constitution of the Kingdom of Bhutan (2008). Article 7 guarantees all fundamental rights and also provides effective measures in the event of violation of those rights. Article 9 covers the principles of state policy to ensure a good quality of life for the Bhutanese people, through good, equitable, just and transparent governance.
2. The country transitioned to a constitutional monarchy with the first parliament elected in 2008. This political transition was smooth and peaceful under the able stewardship of His Majesty King Jigme Khesar Namgyel Wangchuck, lovingly known as the People's King.
3. Pursuing its development philosophy of Gross National Happiness, wherein economic development is not at the cost of environmental degradation or the loss of our cultural heritage and spiritual well being. The fourth pillar of good governance provides the basic framework for transparency, integrity and accountability in working toward sustainable development.
4. While Bhutan has made tremendous progress in the social development sector and is poised to graduate from the LCD category within the next couple of years, the economic development front has not kept up to speed.
5. The success of Bhutan's education sector has not been matched with employment generation and youth unemployment is an emerging new challenge for the country.
6. While several employment schemes have been rolled out, along with priority sector lending schemes, youth unemployment continues to affect the growing population of graduate job seekers.
7. Private sector development has been slow and there is hardly any manufacturing sector to speak of. The small and medium enterprises that are coming up are not sufficient in creating jobs for all school and college leavers. Most of the enterprises are either cottage or micro in scale.
8. Bhutan signed the UN Convention on the Rights of Persons with Disabilities (CRPD) it is still to be ratified – this continues to be the classic case of chicken or egg first scenario. Training facilities as well as work placement for persons with disabilities is still very low.
9. The Ministerial Declaration on the Asia – Pacific Decade of Persons with Disabilities 2013-2022, and the Incheon Strategy to “Make the Right Real” for Persons with Disabilities in Asia and the Pacific were endorsed by the Govt. of Bhutan in 2013. Bhutan also subscribed to WHO SEARO Community Based

Rehabilitation Strategic Framework 2012-2017 and WHO Global Disability Action Plan. However, in the absence of a comprehensive policy framework for persons with disabilities the aforementioned activities became project tied.

10. A draft national policy paper was prepared by GNHC and is ready to be tabled to the Cabinet soon, this is a big step forward and it is hoped that the Parliament will ratify the convention in its summer session. This will benefit all people living with disabilities and help work towards providing the holistic support and care needed.
11. While women enjoy all human rights and equal opportunities, the unacknowledged burdens of care work continue to disadvantage women and girls. There is discernable disparity in gender representation in various areas like the Executive positions; the Parliament; and girls in general are lagging behind in STEM subjects, even as individual girls excel in these subjects.
12. There is an acute need for work better engendered policy support so that more women and girls “step up” “lean in” and stand for elected offices. Strategies are also necessary so that more care work can be shed to functioning crèches, early childcare and development centres, and play schools so more women can join paid workforce.
13. Although Bhutan has ratified the Regional Convention on Prevention and Combating Trafficking in Women and Children for Prostitution in September 2003 and several other SAARC instruments for the wellbeing of women and children, monitoring and reporting on progress made is sketchy. This could be attributed to the fact that there are no institutions charged with these mandates. Thus when it is everyone’s responsibility, not much work gets done.
14. The National Commission for Women and Children (NCWC) has developed several policy instruments and protocols that have been adopted by the Government. However, in the absence of designated agencies/institutions mandated with rolling out the implementation of these action plans, NCWC is hard pressed to take on programme implementation roles as well.
15. The establishment of autonomous agencies for the provision of special services like shelters, halfway homes, legal aid provision etc. needs to be given priority. Resources, data and responsibility sharing mechanisms have to be established between CSOs working in this field, NCWC, concerned units in the Royal Bhutan Police and other relevant government agencies.
16. At the moment only Gawaling Happy Home, a centre run by RENEW with some operational support from NCWC, provides temporary shelter for women in difficult circumstances especially for survivors of domestic violence.

17. There is clearly more that needs to be done to integrate all the multi-pronged services required in helping women and girls in difficult circumstances.
18. The Bhutanese Civil Society sector take this opportunity to thank the countries who have, on humanitarian grounds collaborated with UNHCR to bring about third party repatriation of the people living in the camps in eastern Nepal. We acknowledge their contribution in making this resettlement programme one of the most successful one implemented to date with more than 90% successfully resettled.
19. The poverty rate reduced from 12% in 2012 to 8.2% in 2017 according to the Bhutan Poverty Assessment report 2017, however, the inequality measured by GINI coefficient increased from 0.36 in 2012 to 0.38 in 2017. While poverty was effectively lowered, the slow rate of economic development is a cause for concern. Poverty continues to linger as a rural phenomenon with 11.9% when compared to the national average of 8.2%.
20. Poverty amongst senior citizens is a new category that warrants special attention. Insufficient programmes and strategic interventions to address the needs of our senior citizens could result in diminishing quality of life for them. Proactive attention in geriatric care, including hospices and palliative care is urgently required.
21. The cultural hesitancy in establishing old age homes needs an open debate, where the pros and cons can be vetted out. The only old age retreat was established under the aegis of His Majesty the King.
22. Youth unemployment is on the rise and improved programmes for mentoring, counseling, capacity development are still not adequate, especially in the rural areas.
23. There is a growing digital divide that needs to be bridged between the urban and rural communities. Equal opportunities for the rural children might be compromised should the digital divide continue as careers are highly linked with the information superhighway as never before.
24. Affordable and safe housing for young job seekers, especially for single women, in the urban areas would help more women to join the paid workforce.
25. Decent living wages would help build resilience amongst vulnerable communities, as they would be able to absorb more shocks caused by both economic as well as natural disasters.
26. Human-wildlife conflicts still dominate the problems faced by rural farmers. It is important to acknowledge that this conflict in Bhutan is due to the expansion of the natural forest cover, wherein forests have encroached on the open spaces and pastures in the countryside.

27. This must be addressed through holistic studies, traditional as well as scientific knowledge reviewed, research, innovation and technology generated so that evidence based appropriate measures are put in place to address the root causes.
28. The 'red tax' has to be removed. Menstrual hygiene education and the provision of toilets with running water are the needs of the day to help prevent absenteeism from school. One of the leading causes of adolescent girls lagging behind in class was reported to be monthly absenteeism.
29. Education facilities for children with disabilities are limited and the resources available for progressive teaching and learning outcomes is small. More holistic strategies in improving both the emotional well-being as well as economic prosperity are needed.
30. The education system should be able to prepare young minds to be capable of handling the challenges of the future. An independent review of the entire education system might be warranted in the face of the fast evolving teaching-learning scenarios across the globe in general. There is much to be learnt from the progressive education systems of the Scandinavian countries.
31. Bhutan also has much to offer especially in the efforts to balance the head and the heart, of our reverence for our teachers and respect for our natural environment.
32. Girls are more sensitive to nutrient deficiencies and as potential future mothers they require more nutritive food, especially in terms of vitamins and iron. The schools and institutions with boarding facilities must ensure that the food provides the required nutrients for all children in the school.
33. Significant progress continues to be made on all health indicators and according to the 2017 Population and Housing Census report, 98% of the households have access to safe drinking water.
34. Human resource shortages in critical sections like nutritionists make it difficult to ensure balanced diets to be served in all hospitals as well as in boarding schools. Critical numbers of professionals are required to run national programmes successfully.
35. Non-communicable diseases are on the rise as more Bhutanese suffer from poor eating habits. In addition, climate-change induced vector borne diseases like malaria, dengue, and the reemergence of certain strains of tuberculosis, asthma and varying strains of the flu also negatively affective the health of the vulnerable population whose immune may already be weakened by NCDs.
36. People living with HIV and AIDS need rehabilitation schemes that will allow for a life of dignity.

37. Section 213 of the Penal Code of Bhutan criminalizes sodomy thus preventing the LGBTI community from accessing justice to counter the injustices they suffer due to the lack of understanding and knowledge about LGBTI thereby indirectly forcing the community underground.
38. Although no member of the LGBTI community has been prosecuted under section 213, the community would like to see the section disappear.
39. The creation of a National Centre for Disabilities would be necessary so that the population can be serviced more efficiently. With the imminent ratification of CRPD, the development of an Act and implementation mandates will have to be tasked to an institute/organization.
40. Service provision to persons with disabilities by the State is currently selective due to the lack of a holistic strategy on what services may be required. Much work still need to be done in building consensus on the sort of services to be provided by the State and Non State parties.
41. The National Commission for Women and Children (NCWC) should remain as the policy maker, regulator and vision setter for Women and Children's wellbeing and progress towards to substantive equality on all fronts.
42. Gender based budgeting was introduced more than a decade ago yet, not all functionaries are familiar with how this functions. More advocacies are needed.
43. This necessitates the separation of implementation function to an autonomously run organization that needs to be created and tasked with being mandated to take action on the three Acts that are currently being implemented by NCWC.
44. His Majesty the King ensures that all nominations and appointment to the constitutional bodies under the aegis of the King are made in a gender sensitive manner. However, representation in the Executive as well as in Parliament is still far from ideal. Much work to be done in building capacities of potential candidates, so that more women will stand for elected office.
45. Implementation strategies are needed for keeping Bhutan Carbon Neutral and to ensure 60% forest cover for all time to come. The ban on the use of plastic carry bags and efforts to reduce the usage of plastic in general is a good start. However, concrete programmes need to be put in place and sufficient resources (both human as well as financial) made available to run them.
46. There is an acute need to expand civic space, dialogue platforms and for theatre and the creative arts. Bhutanese youth are talented and the expansion of the avenues to realize their full potential would add the needed encouragement in rounding their growth and development.

Cooperation with Human Rights Mechanisms:

- i) CEDAW – signed in 1980 and ratified in 1981; A combined 8th & 9th periodic report was submitted at the 65th Session in 2016
- ii) CRC – Ratified in 1990; CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography and the CRC Optional Protocol on the Involvement of Children in Armed Conflict were ratified in July 2009. Combined 3rd to 5th periodic reports were submitted at the 2198th and 2199th meetings on 17th May 2017
- iii) ICERD - signed in March 1973; not ratified yet
- iv) Regional Conventions ratified: -a) Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia; b) Convention on Prevention and Combating Trafficking in Women and Children for Prostitution (Sept 2003); c) SAARC Code for Breastfeeding and Young Child Nutrition (Aug 2003); SAARC Social Charter (Jan2004) that calls for the promotion of the status of women and promotion of the rights and well being of children.
- v) Beijing Declaration and Platform for Action; Yokohama Global Commitment made at the Second World Congress Against Sexual Exploitation of Children (2001)
- vi) CRDP – signed in Sept. 2010; not ratified yet
- vii) UNCAC – ratified in 2016, Anti-Corruption Commission, an autonomous organization that is both robust and proactive keeps a watch out to nip corruption in the bud. Transparency International Corruption Perception Index 2017, ranked Bhutan 26th cleanest country out of 180 countries/territories and 6th in the Asia-Pacific region.