

**NATIONAL REPORT SUBMITTED IN ACCORDANCE WITH PARAGRAPH 15(A) OF  
THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1**

**BHUTAN**

**I. INTRODUCTION**

1. In 2008, after many centuries of theocratic rule and a century of Monarchy, Bhutan peacefully transitioned to a Parliamentary Democratic system of government. Parliamentary elections were held in 2007 and 2008, and an elected government was installed in April 2008. For the first time in its history, Bhutan adopted a written Constitution on 18 July 2009. Against the backdrop of these profound and historic political changes, it is befitting that a major theme of this Report is the country's transition to Democratic Constitutional Monarchy.
2. Being the newest democracy in the world, an important element of the Report is on the lessons learnt and the initiatives undertaken by Bhutan to further promote and entrench the values of democracy. The first democratically elected government has repeatedly declared that its primary task is to lay the firm foundations for a democracy that is vibrant, irreversible and best suited to the historical, cultural and socio-political ground realities of Bhutanese society.
3. Another important aspect of the Report is on the unique approach underpinning the development activities that have been pursued in Bhutan over the past four decades. The Report will show the influence the philosophy of Gross National Happiness has had on the overall development of the country. It will also highlight some of our achievements and best practices that have been adopted in areas such as health, education and poverty alleviation which have contributed significantly to the promotion and protection of human rights.
4. Bhutan has also had a good record of cooperation with the UN Human Rights mechanism and this is amply elaborated in the Report.
5. The Report will begin with a brief background on the country. The background is also intended to provide the reader with an understanding of the circumstances and challenges under which Bhutan, as a landlocked, least developed country, has had to pursue and undertake all of the above.

**II. METHODOLOGY AND CONSULTATION**

6. This Report was prepared with the full involvement of relevant stakeholders from government, Civil Society Organizations (CSOs) and the private sector in accordance with the General Guidelines for the preparation of the Universal Periodic Review (UPR) contained in document A/HRC/6/L.24. Under the coordination of the Ministry of Foreign Affairs (MFA), a Preparatory Committee (PC) was formed and a drafting group constituted from within the PC members. The MFA also conducted a comprehensive briefing on the UPR for PC members and concerned government officials. The briefing covered all aspects of the UPR process, including principles and objectives; outcome of review; adoption of outcome; follow-up process; and Bhutan's preparations.

7. To maximize public awareness, information on the UPR and the draft National Report were uploaded on the MFA website: [www.mfa.gov.bt](http://www.mfa.gov.bt), with hyperlinks to websites of the UPR, Human Rights Council and the Office of the High Commissioner for Human Rights. Information on the UPR was also disseminated through the print and broadcast media. A separate briefing was held for all stakeholders after which the report was once again circulated to all government, non-governmental and UN organizations in Bhutan for comments, which were incorporated in the report.

### **III. BACKGROUND INFORMATION ON BHUTAN**

#### **A. Overview**

8. Bhutan is a landlocked, least developed country situated in the eastern Himalayas. It is bordered on the east, south and west by India and on the north by China. Bhutan was unified under one rule in the 17<sup>th</sup> Century by Zhabdrung Ngawang Namgyel (first theocratic ruler of Bhutan), who promulgated the dual system of governance whereby authority was shared between a secular and a religious leader. In 1907, Bhutan became a monarchy with the election of Ugyen Wangchuck as the first hereditary King of Bhutan. Bhutan made a peaceful transition to a Democratic Constitutional Monarchy in 2008.

#### **B. Constitution**

9. The Constitution of Bhutan has 35 Articles with several unique features. These include the retirement age of the King (65 years) and requiring the government to maintain a minimum of 60 percent of total land area under forest cover at all times. Another notable feature is the elaboration of the fundamental rights and duties of citizens.

#### **C. Government**

10. The executive authority is vested in the Prime Minister and the Cabinet elected for a term of five years.

#### **D. Legal System**

11. The Constitution is the supreme law of the Kingdom. The Code of Zhabdrung Ngawang Namgyel, which is based on Buddhism, serves as the foundation of Bhutan's legal system. All people are treated equal before the law, which has safeguards to ensure that people are not deprived of their rights arbitrarily or unfairly. Procedural fairness and separation of powers are fundamental principles in the Bhutanese legal system. The judiciary is independent from other branches of government and its decision cannot be subordinated to any non-judicial authority.
12. The Judiciary comprises of the Supreme Court, the High Court, District and Sub-Divisional Courts and such other Courts and tribunals that may be established from time to time by His Majesty the King on the recommendation of the National Judicial Commission. The Supreme Court is in the process of being established. Each court has its own jurisdiction defined under the Civil and Criminal Procedure Code (CCPC) of Bhutan. As per Article 10, Section 25, of the Constitution, all international instruments acceded to by the government and ratified by Parliament are deemed to be the law of the Kingdom unless otherwise inconsistent with the Constitution. Section 29 of the CCPC also states that the Courts shall apply international conventions, covenants, treaties and protocols that are duly acceded by the government and ratified by Parliament.

13. The normative framework for the protection of human rights consists of the Constitution of Bhutan, Acts of Parliament, court decisions or jurisprudence and customs and traditional practices.

#### **E. Official Languages**

14. Dzongkha is the national language and English is the medium of instruction in schools and the language of communication in government offices.

#### **F. Land Area and Geography**

15. Bhutan has a total land area of 38,394 km<sup>2</sup> of which 72.5% of the total area is under forest cover. The terrain ranges from tropical foothills in the south to extremely rugged mountains in the north.

#### **G. Population**

16. The total population of Bhutan is 658,888 (projected 2008 figure from Population and Housing Census of Bhutan (PHCB) 2005) and the majority of the population inhabit the rural parts of the country. The population of Bhutan can be broadly categorized into two groups: people in northern, western and eastern Bhutan who speak one or the other form of Tibeto-Burman language and who are mainly Buddhists, and people in Southern Bhutan who speak Nepali and are mainly Hindus.

#### **H. Gross Domestic Product**

17. 2007: US\$ 1.3 billion (World Bank)

#### **I. Human Development Index**

18. Bhutan ranks 131 in the Human Development Index 2008, and falls in the category of Medium Human Development.

#### **J. Political Reforms and Constitutional Framework**

##### **a. Brief Overview of Political Institutions**

19. Major political reforms were undertaken by the Throne since the institution of monarchy in 1907. The most notable reforms were initiated by the Third King of Bhutan with the establishment of the National Assembly in 1953. It was composed of elected representatives, government officials and representatives from the clergy. This set in motion a gradual and steady process of decentralization and democratization that received added momentum after the enthronement of the Fourth King in 1972. The Fourth King devoted 34 years of his reign to set-up every political and public institution necessary for the introduction of parliamentary democracy in 2008.

##### **b. Devolution of Executive Powers**

20. In 1998, His Majesty devolved full executive powers to Ministers, who were elected by the peoples' representatives in the National Assembly for a period of five years. Under this system, the Prime Minister was the Head of Government and took office on rotational basis for a term of one year amongst the Cabinet Ministers according to the number of votes secured during the election.

##### **c. Drafting of the Constitution**

21. In September 2001, the Fourth King issued a Royal Decree to draft a written Constitution for Bhutan that would, *inter alia*, provide a basis for the creation of a democratic political system best suited to Bhutan. A 39-member, broad-based drafting committee, composed of government, judicial, religious and elected people's representative from every district, was formed. The committee released the first draft of the Constitution to the public in March 2005.
22. To ensure people's participation to the greatest extent possible, the draft Constitution was distributed to the people throughout the country well in advance of the initiation of the public consultations. The draft was also posted online; unfamiliar terms were explained and anyone from inside or outside the country could post comments directly to the drafting committee. In October 2005, the Fourth King opened the first public consultation on the draft constitution in Thimphu, the capital city. The public consultations were an open process where His Majesty, accompanied by the members of the drafting committee, held discussions on the draft Constitution article by article, soliciting views and comments on every aspect of the draft. The Fourth King travelled to 7 districts while His Majesty the King, the then Crown Prince, covered the remaining 13 districts to chair the consultations. The consultations were completed on 27 May 2006.

#### **d. Formation of Political Parties**

23. The encouraging start to the new political process, with the early formation of The Peoples Democratic Party, Bhutan's first political party, was followed by a worrisome lull and despite encouragement from the Throne and the Election Commission of Bhutan for the commencement of the electoral process, few people showed interest in forming political parties. By March 2007, four months prior to the closure of formal registration, only two political parties were reported to be active. The process received a boost when seven of the ten serving Cabinet Ministers resigned and joined politics. After much internal negotiations, two political parties – the Peoples Democratic Party (PDP) and Druk Phuensum Tshogpa (DPT) – emerged to contest the elections in 2008.
24. In preparation for parliamentary elections, two rounds of Mock Elections were held. The primary round of mock election, held on 21 April 2007, had a 50.9 percent and the general round, on 28 May 2007 recorded a 57.17 percent voter turn-out.

#### **e. Elections**

25. Elections of 20 members to the National Council, or the Upper House, from 20 Districts were held on 31 December 2007 and 29 January 2008. The average voter turnout was 48.5 percent. The 5 Eminent Persons for the National Council were nominated by His Majesty the King on 30 March 2009, thereby completing the formation of the National Council. The National Council is an apolitical house of review that has legislative and review functions.
26. Elections to the National Assembly in all 47 constituencies were held on 24 March 2008. The voter turn-out was 79.4 percent. Since there were only two parties contesting the election, only the general round of elections to the National Assembly were held. The primary round of elections, where all registered political parties can participate in, was dispensed with as there were only two parties contesting the elections. The elections were observed by 52 National Observers, 42 International Observers and 124 media personnel representing 74 international media agencies. Observers noted that the elections fulfilled

international standards and commended the government for the smooth conduct of the elections.

**f. Formation of first elected government**

27. The DPT won a landslide majority winning 45 of the 47 seats in the National Assembly. The PDP, with two seats became the opposition. The Cabinet was formed in April 2008. The DPT was elected on a platform of equity and justice.

**g. Adoption of Constitution**

28. The Constitution of the Kingdom of Bhutan was adopted by the first session of the first Parliament on 18 July 2008. With this, Bhutan formally became a Democratic Constitutional Monarchy.

**h. Experiences and Challenges with Parliamentary Democracy**

29. The new government is fully conscious of the historic responsibility which has come along with its victory to entrench the values and culture of democracy in order to make it irreversible. The government has made concerted efforts to promote awareness and activate these at all levels of decision making and has shown keen awareness, for instance, of the lack of a strong opposition in the National Assembly – with only two members from the opposition party. In this context, it has made a conscious decision to accommodate the views of the opposition party in all debates on the premise that the 2 MPs from the PDP are nevertheless representative of the 33% of the votes which the party won. The ruling party has also encouraged its own MPs to freely express views independent of the official party stand on any issue. Another note-worthy development has been the manner in which the National Council has, perhaps conscious of the modest opposition, acted as an alert and active house of review and has questioned the constitutionality of several decisions made by the National Assembly. The Government has also continuously engaged with the media with a view to encouraging and empowering them to fulfill their important role in the new democracy. The Prime Minister has gone on record time and again to pledge a transparent and open government which will not only respect the role of the media as a watchdog, but also give them enough room and time to mature.
30. As expected in any new system, many issues need to be ironed-out. The roles and responsibilities, between the two houses of the Parliament on certain matters need to be clearly spelt out. These include the authority of the Council in approving financial bills and on some of the Cabinet decisions. In the meantime, the firm support of Bhutan's development partners in strengthening democracy is noteworthy. Office bearers of the new Parliament and MPs have been able to undertake study tours to several other countries to interact with their counterparts and learn from their experiences. Even casual observers have appreciated the improvement in the quality of debates in the Parliament which requires MPs to hold a Bachelors degree as minimum qualification. All these augur well for the development of a vibrant and dynamic system of democracy in Bhutan.

**IV. INTERNATIONAL AND REGIONAL COMMITMENTS**

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

its seventh periodic report in September 2007 and the Committee considered the report at its 44<sup>th</sup> Session on 23 July 2009.

32. Bhutan ratified the Convention on the Rights of the Child (CRC) in 1990 and the two CRC Optional Protocols on the Sale of Children, Child Prostitution and Child Pornography; and on the Involvement of Children in Armed Conflict, in July 2009. Bhutan submitted its initial report to the CRC Committee in February 1999. At its 715<sup>th</sup> and 716<sup>th</sup> meetings, held on 5 June 2001, the Committee considered the initial report of Bhutan and adopted the concluding observations. Bhutan submitted its second report in March 2007 and the Committee considered this report at its 49<sup>th</sup> Session in September 2008.
33. Bhutan has also signed the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) in March 1973.
34. Bhutan is an active member of the South Asian Association for Regional Cooperation (SAARC) and will host the 16<sup>th</sup> SAARC Summit in 2010. Under SAARC, Bhutan has ratified the Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia; the Convention on Prevention and Combating Trafficking in Women and Children for Prostitution in September 2003; and SAARC Code for the Protection of Breastfeeding and Young Child Nutrition in August 2003. These reinforce Bhutan's international commitments made for the rights of children and women. Further, it has signed the SAARC Social Charter in January 2004, which among others, calls for the promotion of the status of women and promotion of the rights and well-being of children.
35. Bhutan is also a party to the Beijing Declaration and Platform For Action and the Yokohama Global Commitment made at the Second World Congress Against the Sexual Exploitation of Children in 2001

## **V. PROMOTION AND PROTECTION OF HUMAN RIGHTS**

### **A. The Constitution**

36. The Constitution of Bhutan guarantees and protects the human rights of every citizen and provides speedy and effective remedies if those rights are infringed upon or violated. Article 7 of the Constitution specifically guarantees and protects human rights including right to life, liberty and security of persons, right to freedom of speech, expression and opinion, and freedom of thought, conscience and religion, and such rights cannot be abridged except by the due process of law. Section 3, 5, and 6 of Article 9 of the Constitution obligates the state to create a civil society and to protect human rights and dignity, and to ensure fundamental rights and freedom of people; to provide justice through fair, transparent and an expeditious process; and, to provide legal aid to secure justice.

### **B. Gross National Happiness**

37. Gross National Happiness (GNH), the guiding principle of Bhutan's development philosophy that was enunciated by the Fourth King in 1974 lays the framework for the protection, promotion and integration of human rights into the fabric of Bhutanese society. The philosophy upholds strong principles of equality of all human beings, our interconnectedness with other living beings and the rights and responsibilities that must guide human conduct. It has received added value with its enshrinement in the Constitution

that mandates the state "...to strive to promote those conditions that will enable the pursuit of Gross National Happiness."

38. In essence, GNH seeks to maximize the happiness of individuals, by creating an enabling environment for them to achieve their full potential as human beings by forging an alternative path that goes beyond the conventional income-based measures of development. The GNH approach to development seeks to integrate the aspirations for happiness, which includes the spiritual and cultural needs of the people into the development equation.
39. The principles of human rights are embodied in the four pillars of GNH. On the economic front, the first pillar aspires towards sustainable and equitable socio-economic development and ensures that the present development does not compromise the right to development of future generations. Secondly, it ensures that socio-economic development is sustainable and that every person in the country benefits from development activities.
40. The second pillar is a commitment to the preservation and promotion of cultural and spiritual heritage of the people. This reflects the protection of cultural rights and the non-discriminatory approach of the country. The conservation of the environment as the third pillar reflects the state's commitment beyond the economic realm of development. Good Governance as the final pillar gives responsibility to the state in acting as an efficient, transparent and ethical dispenser of public services. This also requires accountability on the part of political leaders and demands transparency in all government and political institutions. The people, of course, now hold the power of the ballot to decide how each government is living-up to the high standards built into the GNH matrix.

### **C. Legislative Framework**

41. A number of important laws have been passed by the July 2009 session of the Parliament. These include the Royal Bhutan Police (RBP) Act and the Prison Act, which will further professionalize police service and prison management.
42. The two houses of Parliament constituted 21 committees. These include the legislative; human rights; cultural; labour and employment; women and children; poverty reduction; media and ICT; youth and sports; and, education development committees in the National Assembly. Committees in the National Council include the legislative; new economic and wellbeing; social and cultural affairs; environmental and natural resources; and, good governance committee.
43. In order for the legislature to have a prominent role in the promotion and protection of human rights, a Committee on Human Rights has been established in the National Assembly. Among others, its functions include to review and recommend amendments to the existing laws and policies relating to human rights and also propose new legislation; to visit prison cells and detention centres to investigate any incidences of human rights violations and gather information from victims when directed by the Speaker or the House; to review and report on the status of implementation of National Assembly resolutions related to human rights by the government and other agencies; and, to carry out responsibilities related to human rights referred to by the House and submit its findings, opinions and recommendations.

#### **D. The Judiciary and rights of fair trial**

44. Bhutan is committed to the rule of law and the right to a fair, impartial and independent trial is guaranteed by the Constitution. The Constitution also provides for equality before law and equal and effective protection by the law. Laws are applied equally to all citizens without exception and trials are conducted in public except for certain circumstances such as in cases involving juveniles. Anyone charged with a penal offence has the right to be presumed innocent until proven guilty. The defendant has the right to access government-held evidence and the state provides free legal service to an indigent accused where the interest of justice so requires and to ensure that justice is not denied to any person by reason of economic or other disabilities.
45. Besides the Constitution, the CCPC elaborately guarantees the right to fair trial in civil and criminal proceedings. The CCPC provides for unrestricted rights to appeal against the decision of a judge. The judiciary incorporates international standards in its decision making.
46. The current government has made concerted efforts to guarantee the independence of the judiciary, to dispense justice expeditiously, fairly and inexpensively, and to ensure due process. These have been done by guaranteeing judicial independence in its functions, finance and human resources; by prescribing a standing rule for all courts to clear all cases within a year; and by institutionalizing continuing legal education to the judicial staff to enhance their capacity in the new democratic set-up; and to contribute to the building of a reliable and efficient legal system.

#### **E. Specific Groups**

##### **i) Women**

47. Women in Bhutan enjoy equal status with men. Traditional Bhutanese society, which is largely grounded on Buddhist precepts, has provided a secure environment for women. Large parts of the country are matrilineal and women not only inherit property, but also have substantive decision-making power over property and family matters.
48. However, the first Gender Pilot Study in Bhutan, conducted jointly by the Royal Government and the UN agencies in Bhutan in 2001, noted that despite the absence of any overt gender discrimination in Bhutanese society, there are still fairly well ingrained traditional perceptions and stereotypes that accentuate male superiority.
49. Women also constitute most number of victims of domestic violence. In response to this, a Domestic Violence Bill is being drafted. Currently, domestic and gender-based violence are dealt by the sections on assault and battery under the Penal Code. A Women and Child Protection Unit (WCPU) in Thimphu under the RBP provides shelter and counseling to women and child victims of domestic violence.
50. The 10<sup>th</sup> Five Year Plan (2008 – 2013) of the country is also a landmark as it requires sectors to effectively mainstream gender issues into their policies and programs and to maintain gender disaggregated data. Another important step is the devotion of an entire chapter on ‘Women in Development’ in Bhutan’s 10<sup>th</sup> Five Year Plan for which a total outlay of Nu. 64 million has been allotted. The National Plan of Action for Gender, which tables seven key strategic areas for implementation in the 10<sup>th</sup> FYP, is expected to give greater focus to gender and women’s empowerment in all national plans and policies.



ii) Children

51. Bhutan's commitment to ensure the security and welfare of children was evident from being one of the first countries to ratify the Convention on the Rights of Child in 1990.
  52. In accordance with the CRC, a uniformed definition of the child has been incorporated in all legislation and policies, and child-specific sections are included in the Constitution, the Penal Code and CCPC to safeguard the welfare and interests of children.
  53. The Constitution guarantees the right to free education up to class 10 (11 years) for all children of school going age. Access to technical, professional and higher education for all is based on merit. Bhutan has also made impressive progress towards realizing the Millennium Development Goals (MDGs) related to achieving universal primary education and ensuring gender equality in education. These have been possible through the policy of establishing community primary schools and providing free text books, stationery, boarding facilities and school feeding programs, especially in rural and remote areas. Currently, the Net Primary Enrollment Ratio (NER) is 92%, an increase of 19% since 2005. Bhutan has also achieved gender parity in education with gender parity index at 1.01 for primary and 1.02 for basic level in 2009.
  54. The Penal Code and CCPC have explicit provisions for child-friendly procedures on cases involving children that require protection of privacy and adult accompaniment during trials. The provisions also outline sentencing of children and allows for the court to release a child on probation or for the child to return home while the presence is not required in the court. A number of police officers have been trained on women and child-friendly procedures and they provide counseling to children who are in conflict with the law. Child offenders are kept in separate detention centres with rehabilitation facilities.
  55. The issue of child labour is dealt with by the Labour and Employment Act and corporal punishment is banned in all schools.
- iii) People with disabilities
56. There are 21,894 persons (PHCB 2005), representing 3.4% of the population, with one or more disabilities in Bhutan. Among this, 6,476 persons had disability at birth and 15,867 persons developed disability later in life. Sex disaggregated data for types of disabilities (overall male proportion 54 percent, female 46 percent) does not reveal any wide gender disparity except with regard to sight and movement disabilities, the latter of which may be due to gender division of labour. More men are involved in driving and other hazardous occupations and are more susceptible to incapacitating injuries.
  57. Due to institutional capacity constraints, Bhutan has not yet signed the Convention on the Rights of Persons with Disabilities. It is, however, under review by the government. Meanwhile, the government has integrated disability related programs into its socio-economic development plans by streamlining proper budget allocation, overall planning and coordination.
  58. Currently, there are three schools that cater to children with special needs. Several projects have also been initiated in collaboration with the Youth Development Fund (YDF) to expand special education programs. One such project with YDF is enhancing education opportunities for children with special needs.

**F. The National Commission for Women and Children (NCWC)**

59. The NCWC is a fully autonomous agency entrusted with a mandate that encompasses functional responsibilities both within and outside the country. This includes addressing the concerns and well-being of children and women; receiving and investigating reports on violations of rights of children and women; coordinating submission of periodic country reports and activities related to international and regional treaty bodies; reviewing issues, policies and legislations pertaining to children and women and advising government; and acting as the 'Rights Watch' arm of the government.

**G. Civil Society Organizations**

60. According to the Civil Society Act of Bhutan 2007, the CSO Authority, which was formed in 2009, is responsible for implementing the provisions of the Act including overseeing the formation and functioning of CSOs to ensure the accountability and transparency in their operations. Currently, 33 organizations including the ones already functioning as CSOs, have applied for CSO status with the Authority. These organizations, most of which are working to help economically marginalized people, will have legal status once listed as CSOs with the Authority. Even before the enactment of the Act, CSOs made their presence felt by supporting key areas and needs of a changing society.

**H. Public Awareness of Human Rights**

61. The NCWC has organised a number of trainings on human rights such as on CRC, CEDAW, gender and development for law enforcement officials, judiciary, parliamentarians, local government officials, media and youth and children. In-country trainings on CRC have been conducted for the staff of the WCPU of the police. The NCWC also supported trainings outside Bhutan for different stakeholders on child rights sensitisation and on human trafficking. Study tours to Sri Lanka and Thailand were organized for the police and judiciary personnel to review women and child-friendly procedures, and assess how and to what extent they could be adopted in Bhutan.
62. The Royal Court of Justice conducted a campaign titled 'Know the Law to Protect Your Rights' to raise awareness of law in various schools and educational institutions, emphasising issues related to rights and duties of children for better protection of rights. The NCWC with UNICEF conducted a child rights and protection training for monks, principals and heads of monastic institutions, and there are plans for more such trainings in future.
63. Although CRC has not been integrated into the formal school curriculum, child rights and protection issues have been included in various activities targeting children including the scouts program, in youth leadership trainings, in school life skills program and in other extra-curricular activities.
64. A training of trainers' workshop was held in early 2009 for the judicial and law enforcement officials on Laws & Policies, Violence Against Women (VAW) and Rights. The workshop was attended by over 40 personnel from the judiciary and the police who in turn, sensitized employees of their respective agencies.

**I. Accountability and Oversight of the Royal Bhutan Police (RBP)**

65. As a trained uniform force, the RBP is primarily responsible for maintaining law and order, and preventing crime. They are also considered an important part of the nation's security force. The Royal Bhutan Police Act of 2009 reinforces the roles and responsibilities of police personnel in society. The Act also provides mechanisms to check any abuse of power by police personnel. The CCPC provides a safety valve for any abuse of power in criminal investigations by an investigating officer of RBP. The Police Service Board consisting of senior officers and a representative from the Ministry of Home & Cultural Affairs reviews and conducts inquiries and investigates cases involving abuse of powers by the police. The RBP Act also authorizes the Chief of Police to take appropriate action to give concurrence to the inquiry reports submitted by the Board and award punishment accordingly to police personnel. The RBP functions under civilian control.
66. The police in Bhutan are not immune from criminal prosecution for any violation of human rights. They are expected to function with greater efficiency and effectiveness in securing the rights of the accused during an investigation. The RBP Act embodies international standards and principles to handle the rights of an accused and best practices essential for effective, lawful and human conduct by police personnel.
67. The RBP is continually incorporating rights-based approach in its work. It is also trying to improve its public service image by undertaking institutional reviews and through various training courses on human rights to its personnel. The accountability mechanisms that are provided in the RBP Act helps to ensure police discipline, adherence to human rights and inculcating an institutional police culture to protect the rights of people.

**J. Past cooperation with UN human rights bodies**

68. Bhutan has taken active interest in UN human rights activities, particularly through the Commission on Human Rights (CHR) and the Human Rights Council (HRC). Bhutan served as an active member of the CHR for three terms from 1995-2000 and from 2004-2006. Although not a member, Bhutan actively participates in the work of HRC. Bhutan also participated actively at Ministerial level in the World Conference on Human Rights in Vienna and the World Conference on Racism in Durban and its Review Conference.
69. Bhutan was among the first group of countries that invited Mr. Jose Ayala Lasso, the first High Commissioner for Human Rights, to visit the country in August 1994 after assuming office in April 1994. During his visit, the High Commissioner had wide ranging discussions with all relevant government officials on the situation of human rights in Bhutan. The government requested the High Commissioner for assistance of the Centre for Human Rights (now the OHCHR) in advancing the national implementation of international human rights norms in Bhutan. As a result, Bhutan was the beneficiary of an OHCHR Technical Cooperation Project.
70. Following the High Commissioner's visit, there has been active interaction and cooperation between Bhutan and OHCHR, especially with the implementation of the Technical Cooperation Project. Visiting Bhutanese Ministers to Geneva have also continuously interacted with the OHCHR ever since. The Permanent of Mission of Bhutan in Geneva continues to interact regularly with the OHCHR.
71. The Technical Cooperation Project BHU/95/AH/20 – Strengthening National Human Rights, resulting from the High Commissioner's visit, was implemented by the OHCHR

from 1997 – 2001. The total project cost was US \$300,600 including the government's in-kind contribution of US \$10,000. Through this project, Bhutan was able to strengthen the administration of justice, train law enforcement officials on the theoretical aspects and practical implications of international human rights standards, and to support Bhutan's capacity to report under international human rights instruments and its understanding of international human rights norms and obligations. Under the Project, the following activities were undertaken:

- a) Seminar for High Court Judges on International Human Rights Standards;
- b) Training Course for paralegals in Bhutanese criminal procedure and international human rights standards on the administration of justice;
- c) Training course for police on human rights and law enforcement;
- d) Training course for district judges on judicial structures;
- e) Training of Judges on administration of justice and human rights through an OHCHR fellowship program in cooperation with the Human Rights Centre of Essex University;
- f) Training of policewomen on human rights of detainees through an OHCHR fellowship program in cooperation with the Human Rights Centre of Essex University; and
- g) Fellowships to relevant government officials on treaty accession and reporting obligations.

At the end of the Project, the OHCHR engaged an independent expert, to carry out a Project Evaluation Mission. The evaluation report stated that the government's engagement in the project was positive. In particular, highlighting cooperation extended in its overall implementation and administration, the selection of suitable participants for various activities under the project, and also taking special note of the follow-up by the government agencies that builds upon the benefits of the technical cooperation.

72. Bhutan was also the first country to invite the Working Group on Arbitrary Detention (WGAD) to visit the country in October 1994 undertaken by the Group's Chairman-Rapporteur, Mr. Louis Joinet, and by two of its members, Mr. L. Kama and Mr. K. Sibal. The WGAD was invited to visit Bhutan in connection with an alleged case of arbitrary detention being considered by them. The scope of the visit was not just confined to this particular case, but covered other areas of its mandate. In a spirit of openness and transparency, the government extended full cooperation in facilitating the visit.
73. The government invited the WGAD for a follow-up visit in April 1996 undertaken by Mr. Louis Joinet, Chairman-Rapporteur. The WGAD followed-up on the recommendations it had made on the administration of justice; visited courts, prisons and police stations in other provinces outside the capital; and re-evaluated the case that the WGAD had declared as non-arbitrary. The WGAD noted that its earlier recommendations were implemented and also noted the government's intention to deal effectively with issues brought to its notice. The WGAD once again declared the particular case submitted for review as non-arbitrary.
74. The government invited Mr. Miguel Alfonso Martinez, Special Rapporteur for Human Rights and Human Responsibilities, to Bhutan in September 2002. He interacted extensively with relevant officials of the government for the preparation of his final report E/CN.4/2003/105 dated 17 March 2003 on the study requested by the CHR in its resolution 2000/63, and submitted pursuant to ECOSOC decision 2002/277.
75. Cooperation between Bhutan and the International Committee of the Red Cross (ICRC) began with the signing of a five-year Memorandum of Understanding between the

government and ICRC in November 1993. This MoU, which has been renewed annually since its expiry in 1998, allows the ICRC to visit all persons arrested or detained for offences against national security. The ICRC is given access to all places where such prisoners are located to determine their treatment and the material and psychological conditions of detention. By June 2009, the ICRC had conducted 27 visits to Bhutan.

76. The ICRC has conducted approximately 14 seminars/workshops on implementation of international humanitarian law with specific focus on the 1949 Geneva Conventions and the 1997 Ottawa Convention for relevant law enforcement and government officials of Bhutan. In support of the work of ICRC, the government has been making voluntary contributions to the ICRC averaging annually at US \$16,000. Both the government and ICRC are satisfied with the present state of cooperation.

## **VI. IDENTIFICATION OF CHALLENGES, CONSTRAINTS, ACHIEVEMENTS AND BEST PRACTICES**

### **A. Challenges & Constraints**

#### **i) Poverty**

77. Despite significant progress in poverty reduction over the years, 23.2% of the population still lives below the poverty line. Hence, it is the overarching objective of the 10<sup>th</sup> FYP to reduce poverty to 15% by the end of the current plan. The government recognizes that poverty is not just about the lack of basic necessities and material needs, but is a debilitating condition that deeply affects the non-material well-being of people as well. The prevalence of poverty is the biggest obstacle to achieving Bhutan's vision of a GNH society. This is further exacerbated by the fact that 98% of the poverty-stricken population reside in rural areas. Lack of education and awareness entail significant constraints.

#### **ii) Problems of Access**

78. The rugged mountains and scattered rural settlements make delivery of social services such as health, education, electricity and safe drinking water extremely difficult and expensive.

#### **iii) Unemployment**

79. With an estimate of 10,600 young women and men unemployed, the need to create opportunities for youth employment is undeniable. The national unemployment rate has increased from 1.4% in 1998 to 3.7% in 2007. While the figure is not alarming compared with global trends, the situation is critical in Bhutan's context as more than 6,300 (60%) unemployed youth today are between the ages of 15 and 24, and youth comprise nearly 23% of the country's population.
80. It is expected that by 2013, the number of youth will increase to 194,417 (male – 102,530 & female – 91,888). According to the labor force surveys, youth unemployment is growing at the rate of 0.44% (male – 0.21% & female – 0.68%) annually. The PHCB 2005 shows youth unemployment at 6.19% (male – 5.53% & female – 7.19%). Further, the steady increase in rural-urban migration aggravates the existing youth unemployment problem. The PHCB 2005 also shows urban unemployment rate of 10.7% (male – 5% & female – 16.3%). Despite concerted efforts of the government to reduce youth unemployment, approximately 10,000 job seekers were still unemployed at the time of writing this report. Currently, the government is taking measures such as labor market information, employment services, entrepreneurship and self-employment through promotion of Small

and Medium Enterprises, and introduction of apprenticeship training programs and pre-employment engagement programs to curb youth unemployment.

iv) Climate change

81. As a small, landlocked, least developed country with a fragile and mountainous ecosystem, Bhutan faces serious threats from climate change despite being one of the lowest greenhouse gas emitters and committed to a development path that is clean and green in line with the development philosophy of GNH. With low emissions, 72.5% of the country forested, and a commitment to always maintain a minimum of 60% of our land under forests, Bhutan is already beyond being carbon neutral and has a net sequestration of greenhouse gases. Yet, Bhutan is one of the country's most vulnerable to the dangers posed by climate change. Specific dangers are Glacial Lake Outburst Floods (GLOFs), erratic weather patterns and rising cases of vector-borne diseases.
  82. Bhutan has 26 glacial lakes that are in danger of bursting as GLOFs as a direct result of global warming. This threat, if not addressed, will endanger the lives and livelihoods of countless people not only in Bhutan, but in the densely populated regions in the downstream countries as well. The recent flooding in May 2009 demonstrated the destruction such calamities can unleash. As a result of incessant rainfall from cyclone Aila in the Bay of Bengal, the whole river system in Bhutan flooded to levels not seen before. Apart from damages to properties worth Nu. 719 million, the calamity claimed twelve lives in Bhutan.
  83. 69% of Bhutanese depend on subsistence farming, but water shortage and erratic monsoons threaten their livelihoods. Hydropower, which is the highest revenue earner for Bhutan, will also be adversely impacted. Malaria and dengue are now spreading from lower to higher elevations where such diseases have never appeared before.
- v) Illegal immigration
84. Bhutan is located in a region marked by vast population movements due to compelling forces of extreme poverty, environmental degradation and political instability. Since 1960, when Bhutan began the process of planned socio-economic development, it has faced an influx of illegal immigrants who were actually economic migrants, attracted by better economic opportunities, favorable land-to-people ratio and the small population of the country.
  85. The illegal immigrants mingled easily with the local Lhotsampa population of southern Bhutan who are of ethnic Nepalese origin, registering themselves as Bhutanese citizens through fraudulent means. They escaped detection due to the weak administrative system in the south and because of their ethnic, cultural and linguistic affinities with the Lhotsampas, who had received Bhutanese citizenship in 1958.
  86. The first nationwide census of the country in 1988 revealed the presence of a large number of illegal immigrants and an unnatural population increase in southern Bhutan. The gravity of the situation led the government to implement the country's citizenship and immigration laws more strictly. Unfortunately, people with vested political interests misled the masses in the South to claim discrimination against southern Bhutanese, fomenting political turmoil in the country.

87. In 1991, the opening of the refugee camps in eastern Nepal without any screening procedures to verify their refugee status quickly led to the congregation of all kinds of people in the camps. The problem of the people in the refugee camps in eastern Nepal is not a typical refugee situation, but one of highly complex nature, with its genesis in illegal immigration. Bhutan remains committed to finding a lasting solution through the bilateral process, based on agreements already reached between the government of Bhutan and Nepal. With new governments in both countries, it is hopeful that the bilateral process will receive the necessary political support. The channels of communication have always remained open. The efforts of the Core Group in resettling people from the camps are appreciated as these initiatives will contribute towards resolving this humanitarian problem.
88. As a small country with an open and porous border, Bhutan is likely to continue to face the threat of illegal immigration. The modicum of success in its development efforts is likely to continue to provide an attractive destination for economic migrants. Illegal immigration, if not checked, will pose a serious threat to the country's security and its distinct political and cultural entity. Bhutan's only safeguards against such threats are its citizenship and immigration laws.
- vi) Terrorism
89. Bhutan has serious security concerns arising from increasing terrorist activities in Bhutan. These terrorist activities have been carried out by armed groups formed outside Bhutan that have declared their intention to enter the country to achieve their political aims through violent means, including an armed revolution to destabilize the democratic government in Bhutan. In the past two years, these groups have been responsible for 15 bomb blasts inside Bhutan, some of which were aimed at discouraging people from participating in Bhutan's first historic democratic elections. They have also attempted to establish terrorist camps inside Bhutan and instigate the people to start a people's war against the democratic government.
90. At a critical juncture, when Bhutan is in the process of consolidating democracy in the country, it cannot afford any disruptions from terrorist activities. These are a grave security threat to Bhutan and if unchecked, has the potential to destabilize the entire region. At such an important stage in its history, Bhutan needs the full cooperation and understanding of the international community to ensure that threats from terrorism do not undermine the success of democracy in Bhutan.

## **B. Achievements**

### i) Achievement of MDGs

91. By subscribing to the MDGs, Bhutan has decided to share in a global vision for the new century based on the fundamental values of freedom, equality, solidarity, tolerance and respect. Bhutan is on track to achieving most of the MDGs.
- a) Poverty alleviation and gainful employment
92. Poverty has been reduced by more than a third from 36.3 % in 2000 to 23.3% in 2007 and Bhutan is likely to outstrip the first goal of halving poverty by 2015. This creates a level platform that addresses the social and economic rights of the citizens. To address food insecurity in vulnerable areas, mostly rural, the government has initiated a number of targeted interventions including development of Bhutan National Food Security Strategy

and demarcation of fertile agriculture land under a protection scheme to enhance domestic food production.

93. Bhutan faces significant challenges in providing gainful employment to its disproportionate youth population. However, unemployment is mainly an urban phenomenon while rural areas continue to face severe labor shortage. In order to address these issues, the government continues to invest in creating large-scale job opportunities and developing skills by providing trainings, entrepreneurship courses and apprenticeship for job-seekers and promotion of farm mechanization in rural areas to counter labor shortage and make farm life more attractive.

b) Universal Primary Education and Gender Equality

94. Modern education was first introduced in the country in the early 1960s with the launch of the 1<sup>st</sup> FYP. Until then, only monastic education was available in the country. The government has consistently accorded high priority to education and in the 10<sup>th</sup> FYP, it has allocated Nu.9.5 billion to this sector. From just 11 schools with 400 students in 1960, the education system has now grown to over 564 schools and institutes with 175,061 students taught by 7662 teachers and lecturers in 2008.
95. There has been substantial progress in enhancing primary school enrollment and Bhutan is on track to achieving universal primary education. The Gross Primary Enrollment Ratio (GER) is currently 114% and NER is 92% with a target to achieve near 100% by the end of the 10<sup>th</sup> FYP. There is near gender equity at the primary and basic education level and the gap is narrowing at higher educational levels. Curriculum is being continually reviewed and revised to ensure relevance to the world of work and the emerging needs of the country.
96. Since 1973, Bhutan has made extra efforts to provide education to children with disabilities and learning difficulties by establishing institutes for such children in strategic locations around the country to enable easy access. During the 10<sup>th</sup> FYP, more such institutes and centers will be established.
97. Notwithstanding achievements, the education sector is faced with major constraints and challenges. These include, *inter alia*, teacher shortage; enormous pressure on limited facilities at secondary level; ensuring quality education while enhancing enrollment; and adopting an inclusive approach to education for children with physical disabilities and learning difficulties. The government is making every effort to address these challenges.

c) Health: Child and Maternal Health and HIV/AIDS

98. Starting with two hospitals and 11 dispensaries manned by a few health workers in 1961 when Bhutan began socio-economic development activities, the health sector has made tremendous achievements in healthcare delivery system. The table below is reflective of the significant improvements in health.

**Table 1: Selected Indicators**

Sl. No.	Indicators	Baseline	Current Statistics
1	Expectation of life at birth	45.6 years (1985)	66.9 years (2009)
2	Infant mortality rate per 1000 live births	102.8 (1985)	40.1 (2005)
3	Child – under 5 mortality rate per 1000 live	211 (1984)	61.5 (2005)



	births		
4	Maternal mortality rate per 100,000 live births	770 (1984)	255 (2000)
5	Access to safe drinking water	54% (1985)	82.5 % (2008)
6	Access to safe excreta disposal/sanitation	60% (1987)	90.8 % (2008)
7	Number of hospitals	27 (1986)	31 (2009)
8	Number of Basic Health Centres	67 (1986)	178 (2009)
9	Number of Outreach Clinics	46 (1986)	514 (2006)
10	Number of doctors including specialists and indigenous physicians	145 (1986)	174 (2009)
11	Number of nurses	252 (1986)	567 (2009)
12	Number of technicians	119 (1986)	420 (2006)

Source: Ministry of Health, Royal Government of Bhutan

99. Bhutan's healthcare system is based on the primary healthcare approach geared towards promotion of health and prevention of diseases and conditions of ill-health for which the country has received international acclaim. Universal child immunization was achieved in 1991, leprosy and iodine deficiency disorders were declared no longer a public health problem in 1997 and 2003 respectively. The other success story is the essential drugs program. The health sector is fully committed along with other stakeholders in spearheading the country's commitment on the sustenance of the ban on the sale of tobacco and tobacco products.

100. Despite being a very low prevalence country for HIV/AIDS, the disease has been identified as a potential major public health concern for more than a decade and the government continues to accord high priority to combat the spread of the disease. People with HIV/AIDS are provided free medical and counseling services and campaigns to prevent discrimination against people with HIV/AIDS are carried out regularly.

d) Environment Sustainability

101. Forests cover 72.5% of Bhutan's total area of which 30% is designated as protected. This has been possible due to strong political commitment, traditional values and a way of life that reveres nature and a relatively small population. Notwithstanding these, environmental conservation is becoming increasingly challenging due to pressures exerted by new demands of a growing population.

ii) Achievements in SAARC Development Goals

102. The SAARC Development Goals (SDGs) 2007 – 2012 is a reflection of the regional will to do better than the goals set by MDGs. The SDGs have identified 22 priority goals in the areas of poverty alleviation, education, health and environment of which eight SDGs pertain to livelihood, four to health, four to education and six to environment. Bhutan has made considerable strides in all of these areas.

iii) Growth of the media

103. The freedom of speech and the press is guaranteed by the Constitution, which states that "A Bhutanese citizen shall have the right to freedom of speech, opinion and expression" and "There shall be freedom of the press, radio and television and other forms of dissemination of information, including electronic media". The government strongly believes that a free and independent media is vital for a vibrant democracy.

104. In addition to *Kuensel*, which became a daily national newspaper in May 2009, two private independent newspapers started publication in mid-2006. This was followed by the

beginning of another daily which began publication in 2008. Besides the Bhutan Broadcasting Service, the national broadcasting agency which has a TV channel and a radio station, three FM radio stations began operating - one in 2006, one in 2007 and the other in 2008 – which cover Thimphu and a few other districts. A private television station is in an advanced stage of being established. Bhutan is witnessing an increasingly vibrant media that is indeed performing its functions as the fourth estate.

105. The internet and satellite TV have also been available since 1999. All types of other foreign media publications have always been freely available in Bhutan.

### **C. Best Practices**

#### **i) Free Healthcare Services**

106. Healthcare has always been provided free in Bhutan. This commitment has been reinforced with its inclusion in the Constitution. The government even bears the cost of medical treatment including travel and living expenses for patients, along with escorts, who are referred outside the country for specialized tertiary level care. The employees of the civil service are also given paid ‘medical leave’ for one month to enable them to escort their relatives who are referred outside the country for medical treatment. The medical personnel make periodic visits to religious institutions, schools and prisons to conduct medical check-ups and impart health education on various topics of interest to beneficiaries.

107. As a matter of health policy, the emphasis is given on institutional delivery of babies and exclusive breast feeding for four months. The other healthcare best practice is the institution of ‘village health workers’ (VHWs), which has taken the healthcare accessibility to the community level. The VHWs are volunteers from the villages who actively participate in tandem with the health workers on the promotion of community health, such as through sanitation, kitchen gardening, maternal and child health clinics for immunization, family planning and antenatal services.

108. To ensure long term sustenance of healthcare services in Bhutan, the Bhutan Health Trust Fund was established in 2004. With an envisioned target of achieving US \$ 24 million reserve through the contributions of the government matching contributions of donors on one to one basis, the fund will “ensure health and well-being of the Bhutanese people for generations to come.”

#### **ii) Free Education**

109. The government provides free education to all children from pre-primary to Class 10. Besides tuition, even stationery, textbooks, sports items, boarding facilities and meals are provided free based on needs. To ensure access to schools within one hour walking distance, the government has established community primary schools in remote areas with the help of communities using locally available materials. Government support is provided in terms of building materials not available locally. Where it is not feasible to build community primary schools due to lack of a critical mass of students, the government has introduced extended classrooms, which are a branch of a school located closer to communities. Given the mountainous terrain and dispersed settlements, providing schools within walking distance is not always possible. Therefore, provision of free hostel facilities and school feeding programs continues to be a key incentive to encourage enrollment and retention, especially of girls in remote and difficult locations.

iii) *Kidu* (welfare) System

110. The *Kidu* system is a social safety net instituted by the Monarchs to address the grievances and needs of the vulnerable people such as economically disadvantaged, destitute, aged and disabled people, landless farmers and students with a clear objective of improving the lives of the beneficiaries. His Majesty the King, recognizing the social and economic role of the system, has personally travelled throughout the country taking *Kidu* to the people, and has professionalized and regularized the system by appointing officials at block and village levels to identify vulnerable individuals. Three regional offices have been established to monitor the delivery and effectiveness of the system. As of 2008, more than 3000 households had benefited from the system.

iv) Non-Formal Education (NFE) and Continuing Education Program

111. The Non-Formal Education program was introduced in the early 1990s with the objective of eradicating illiteracy. Currently, there are 13,160 learners taught by 756 instructors in 688 NFE centers. This program has had a positive impact, especially on rural women, who constitute two-third of the beneficiaries, in enabling them to read, write and participate effectively in developmental activities and the democratization process. The national literacy rate is currently assessed at 59.5% and the target is to achieve 70% by the end of the 10<sup>th</sup> FYP.

112. The Continuing Education Program offers adults, who have had to leave school before completing their secondary education, the opportunity to upgrade their qualifications. The program is gaining popularity and there are plans to expand it during the 10<sup>th</sup> FYP due to increasing demand.

113. These two programs have been identified to receive the “Honourable Mention” of the UNESCO Confucius Prize for Literacy in September 2009 in Paris for their emphasis on literacy as well as for their focus on adults and out-of-school youth, particularly women and girls.

## VII. KEY NATIONAL PRIORITIES, COMMITMENTS AND INITIATIVES

### A. National Priorities

114. The current government, mindful of its responsibility to ensure a good beginning in order for a young democracy to succeed, has taken every measure to develop and sustain a democratic culture. The various institutions and mechanisms, necessary for the smooth functioning of democracy, such as the two other branches of the government, various constitutional bodies, and the media, have received unwavering support of the government with a single-minded focus to guaranteeing their independent functioning and sustainability. The media has received renewed assurances repeatedly from the government, including in the form of financial grants for them to grow and be able to nurture themselves independently. In addition, His Majesty the King has made it a personal commitment to oversee the strengthening of media agencies so that they can function without fear or favor.

115. To achieve equitable socio-economic development, the government has adopted poverty alleviation as its overarching objective for the 10<sup>th</sup> FYP. Thematically, five strategies constitute the core approach through which poverty reduction will be addressed. These strategies are vitalizing industry; national spatial planning; synergizing integrated rural-

urban development for poverty alleviation; expanding strategic infrastructure; and investing in human capital. While poverty is mainly in the rural areas, these strategies take into account the need for an integrated approach in both rural and urban areas for mutual benefit.

116. The 10<sup>th</sup> FYP has devoted about 25 percent of the total resource to social sectors. The key national priority in these sectors is to address the issues of poverty, illiteracy, school enrollment, maternal health and access to services, especially in rural areas. Bhutan has also accorded one of the highest priorities to providing universal access to safe drinking water.
117. The Anti-Corruption Commission and the Royal Audit Authority provide checks and balances in the overall governance and promote efficiency, transparency and accountability.
118. The other national priority is youth unemployment.

## **B. Commitments**

119. Bhutan is committed to continue participating actively in all UN human rights activities with the objective of drawing on international best practices that can be incorporated into relevant domestic policies and legislations.
120. Cognizant of the clear benefits of working in close collaboration with CSOs, the government is committed to fostering ever closer ties with CSOs to ensure that the programs achieve the set objectives.
121. The government is committed to addressing the issue of domestic violence.
122. Bhutan became an Observer to the International Labour Organization (ILO) in June this year with a view to becoming a member in the near future.
123. The government is currently studying and reviewing other human rights instruments. It has always been the view of the government to first build the necessary social and political institutions and develop the human resources of the country before it assumes any international treaty obligations. In the absence of strong institutions and adequately qualified personnel, the government is seriously constrained in fulfilling obligations as specified in many of the international treaties and conventions. As Bhutan's capacity is enhanced, it will in the near future look forward to ratifying the other international human rights instruments.

## **C. Initiatives**

- i) Women and Child Protection Unit (WCPU)
124. The first WCPU was established in the capital in May 2007 with a 20-member staff. Since its establishment, the Unit has seen an increasing number of cases. There are plans to establish four more WCPUs by 2013 at the other major towns. The WCPU has been effective in providing quick and sensitive response to children and women's rights violations, especially in dealing with domestic violence and abuse cases.

125. The WCPU is strengthening its efforts to make police procedures more child-friendly, and is focusing on being prompt and sensitive in responding to investigations and receipt of complaints. To this effect, three mobile police vans have been deployed in the capital city. Similar programmes will be established in other towns in future. With the absence of professional social workers, the police officers at the WCPU provide advice and counseling to children in conflict with the law. They focus on mediation in cases involving family issues or children. Together, the WCPU and the NCWC also conduct ‘family conferencing’ or ‘group conferencing’ where they bring together the victim, the perpetrator and the family of the minor and mediate the case in the best interests of children and women.

ii) Initiatives of CSOs

126. CSOs like YDF, the Tarayana Foundation, RENEW and the National Women’s Association of Bhutan have played a significant role in advancing the welfare of the disabled, juvenile delinquents and addicts, school leavers and economically disadvantaged individuals. They have been indispensable in raising awareness, developing capacity, promoting skills, empowerment and uplifting economically disadvantaged individuals through provision of economic assistance. The government has noted the indispensability of responsible CSOs in filling gaps not covered by government programs and is committed to working closely with the CSOs.

iii) Forensic Medicine Unit (FMU)

127. Realizing that scientific evidence is a vital tool in supporting justice and, therefore, the rule of law, the government has established a FMU at the Jigme Dorji Wangchuck National Referral Hospital in Thimphu in January 2005. The FMU is manned by specialists trained in international best practices including on investigation and documentation of torture, and other forms of cruel, inhuman or degrading treatment or punishment. The FMU also undertakes human rights advocacy and training of various stakeholders on the effective management of forensic cases with particular reference to preservation of forensic evidentiary integrity and documentation.

The government has plans to establish a full-fledged National Forensic Science Laboratory in the 10<sup>th</sup> FYP. Such a facility will provide forensic services, trainings and research to address contemporary forensic issues including human rights violations and facilitate fair and timely administration of justice

## **VIII. CAPACITY BUILDING AND TECHNICAL ASSISTANCE REQUESTS**

- Further technical assistance for capacity building to fulfill international treaty reporting obligations.
- Technical assistance and cooperation in order to strengthen individual and institutional capacities in international human rights.
- Technical assistance for capacity development for gender, women’s empowerment and child protection.

## **IX. CONCLUSION**

128. The Royal Government of Bhutan is deeply committed to ensuring the further promotion and protection of all human rights of its people. It is equally committed to ensuring the success of the democratic system of government. The Constitution is to be safeguarded at all cost. However, it is also fully aware of the challenges the country faces, being a land-

locked and least developed, small in size and in a rapidly changing world. It appreciates the continued support and cooperation from the international community in its efforts at the promotion and protection of human rights and stands ready to further cooperate and learn the best practices of others while at the same time making its contributions as far as possible. Ultimately the Royal Government believes that without the enjoyment of all human rights, Gross National Happiness, to which it is also deeply committed, cannot be achieved.

## Annex I

### Members of the Preparatory Committee

	<b>Name</b>	<b>Designation/Organization</b>
1.	Dasho Karma T. Namgyel	Director, Bureau of Law and Order, Ministry of Home and Cultural Affairs
2.	Dr. Rinchen Chopel	Executive Director, National Commission for Women and Children
3.	Dasho Jangchuk Norbu	Judge, Thimphu District Court, Royal Court of Justice
4.	Dasho Damcho Dorji	Chairman, Human Rights Committee, National Assembly of Bhutan
5.	Mr. Pema Wangda	Directory General, Ministry of Labor and Human Resources
6.	Dr. Pakila Dukpa	Forensic Specialist, Jigme Dorji Wangchuck National Referral Hospital
7.	Mr. Thinley Rinzin	Head, Policy and Planning Division, Ministry of Education
8.	Mr. Nyingtob Pema Norbu	Planning Officer, Gross National Happiness Commission
9.	Dr. Meenakshi Rai	RENEW
10.	Ms. Rosleen Gurung	Tarayana Foundation
11.	Ms. Gama Namgyel	Program Officer, Youth Development Fund
12.	Ms. Yangchen Peldon	National Women's Association of Bhutan
13.	Mr. Thinley Dorji	Director, Policy Planning Division, Ministry of Foreign Affairs
14.	Mr. Sonam Tobgay	Head, Policy Planning Division, Ministry of Foreign Affairs
15.	Mrs. Rinchen Dema	Legal Officer, Ministry of Foreign Affairs
16.	Mr. Kinzang Dorji C	Desk Officer, Policy Planning Division, Ministry of Foreign Affairs

## Annex II

### List of Acronyms

1.	BHTF	Bhutan Health Trust Fund
2.	CCPC	Civil and Criminal Procedure Code of Bhutan
3.	CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
4.	CHR	Commission on Human Rights
5.	CRC	Convention on the Rights of the Child
6.	CSO	Civil Society Organization
7.	DPT	Druk Phuensum Tshogpa
8.	FYP	Five Year Plan
9.	GER	Gross Enrollment Ratio
10.	GNH	Gross National Happiness
11.	HRC	Human Rights Council
12.	ICRC	International Committee of the Red Cross
13.	ICT	Information and Communications Technology
14.	ILO	International Labour Organization
15.	MDGs	Millennium Development Goals
16.	MFA	Ministry of Foreign Affairs
17.	NCWC	National Commission for Women and Children
18.	NER	Net Enrollment Ratio
19.	NFE	Non-Formal Education
20.	OHCHR	Office of the High Commissioner for Human Rights
21.	PC	Preparatory Committee
22.	PDP	Peoples Democratic Party
23.	PHCB	Population and Housing Census of Bhutan
24.	RBP	Royal Bhutan Police
25.	RENEW	Respect, Educate, Nurture and Empower Women
26.	SAARC	South Asian Association for Regional Cooperation
27.	SDG	SAARC Development Goals
28.	UNICEF	United Nations Children's Education Fund
29.	UPR	Universal Periodic Review
30.	VAW	Violence Against Women
31.	VHW	Village Health Worker
32.	WCPU	Women and Child Protection Unit
33.	WGAD	Working Group on Arbitrary Detention
34.	YDF	Youth Development Fund