



**Convention on the  
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COMMITTEE ON THE RIGHTS OF THE CHILD

Forty-ninth session

SUMMARY RECORD OF THE 1353rd MEETING

Held at the Palais Wilson, Geneva,  
on Monday, 22 September 2008, at 10 a.m.

Chairperson: Ms. LEE

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The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Second periodic report of Bhutan (CRC/C/BTN/2; CRC/C/BTN/Q/2 and Add.1; HRI/CORE/1/Add.105)

1. At the invitation of the Chairperson, the members of the delegation of Bhutan took places at the Committee table.
2. Mr. POWDYEL (Bhutan), introducing the report (CRC/C/BTN/2), said that, in addressing the needs and concerns of children in Bhutan, the Government was guided by the principle that children should be given every opportunity to develop their physical, mental and spiritual potential to the fullest extent in an environment free from want and fear. The Government was committed to creating and expanding opportunities for all the people of Bhutan as part of its development philosophy, which it referred to as “gross national happiness”. In 2001, following the submission of Bhutan’s initial report, the Government had used the Committee’s recommendations as a basis for structuring and initiating programmes for the promotion and protection of children’s rights. Such programmes had been carried out within the financial and human resource constraints of a small, landlocked and least developed country, in cooperation with relevant agencies - both governmental and non-governmental - and in cooperation with Bhutan’s development partners.
3. Since 2001, Bhutan had adopted significant measures in the field of children’s rights, particularly with regard to enacting legislation relating to children. Three of the 35 articles of its first Constitution, which had been adopted on 18 July 2008, related specifically to children. Moreover, the adoption of the Civil and Criminal Procedure Code in 2001 and the Penal Code in 2004 had brought Bhutan’s legislation into line with most provisions of the Convention and ensured the development of child-friendly procedures and attention to the best interests of the child. In addition, the draft Child Care and Protection Act had been prepared, and a legislative task force had been set up to review and draft legislation on adoption and domestic violence.
4. In 2004, the replacement of the CRC Task Force by the National Commission for Women and Children reflected the Government’s firm commitment to instituting appropriate mechanisms for implementing the Convention. In August 2008, the Cabinet had granted the Commission full autonomy. The Commission’s extensive advocacy and sensitization activities over the past four years had resulted in a greater focus on the rights of children and women.
5. The Government’s efforts to implement the Convention had been complemented by the activities of NGOs that had emerged in Bhutan over the past few years. Those activities had had a positive impact on the lives of children and youth. It was expected that the adoption of the Civil Society Organizations Act would encourage the growth of a vibrant civil society in Bhutan, which would help promote greater awareness of and give full effect to the Convention.
6. Given that 23 per cent of the Bhutanese population, including a large number of children, lived in poverty, the Government was taking measures to ensure the delivery of services to the most vulnerable groups. As in the past, the Government continued to allocate nearly a quarter of its annual budget to health and education. In education, the Government had focused on

expanding and upgrading existing educational facilities, and targeting an increasing number of children, especially vulnerable groups living in remote areas and children with special needs. In health, it had established a multisectoral task force in all 20 districts to raise awareness of the risks of emerging problems, such as HIV/AIDS and substance abuse, with particular focus on adolescents and children.

7. Bhutan was well on target to achieve the Millennium Development Goals before 2015. The decline in its under-5 and infant mortality rates, greater access to primary education, primary health care and other social services, as well as an improvement in girls' school enrolment, attested to its progress in that regard. The tenth five-year development plan, which had begun in July 2008, had for the first time included child protection issues in the activities of the National Commission for Women and Children. As a reaffirmation of its dedication to children's rights, the Government had signed the two Optional Protocols to the Convention on the Rights of the Child in September 2005.

8. As a small, landlocked and least developed country, Bhutan faced a range of difficulties in implementing the Convention. The lack of financial resources had resulted in an infrastructure that could not fully meet the needs of the country's children. Bhutan's harsh mountainous terrain and widely dispersed settlements tended to increase development costs and posed serious challenges to the delivery of social services. Limited human resources also hindered efforts to improve children's well-being: there was an acute shortage of qualified teachers and professionals needed to help children with special needs, children with substance abuse problems and children in conflict with the law. Moreover, limited resources for data collection and analysis, coupled with the fast-changing social and economic situation in Bhutan, posed a serious challenge to understanding children's needs. The Government was nevertheless determined to overcome such constraints in order to promote children's rights.

9. Profound political changes had taken place in Bhutan, beginning with the drafting of Bhutan's first Constitution and the convening of direct public consultations to review it. That had been followed by the participation of the vast majority of eligible voters in the country's first democratic elections to Parliament. In March 2008, Bhutan had become a democratic constitutional monarchy.

10. Since 1993, Bhutan had been engaged in bilateral talks with the Government of Nepal in order to find a durable and equitable solution to the problem of people, including children, in refugee camps in Nepal that were administered by the Office of the United Nations High Commissioner for Refugees. Although, Bhutan's efforts had yielded some positive results, serious threats to the integrity of the bilateral process, including the absence of a stable Government in Nepal in 2006, had precluded any meaningful dialogue. Bhutan remained hopeful that, with a new Government in Nepal, the process would receive the political support and determination needed to resolve the issue. Despite Bhutan's commitment to solving that humanitarian problem, it did not have the means to deal with the terrorist threats posed by militants, which had the potential to destabilize the region. Consequently, Bhutan needed the full understanding and cooperation of the international community in order to ensure that acts of terrorism did not undermine the success of democracy in Bhutan.

11. Mr. CITARELLA (Country Rapporteur) welcomed the fact that Bhutan's second periodic report had been prepared after consultation with relevant government institutions and the general public, and that it had clearly indicated the difficulties faced by the State party in implementing the Convention. He was concerned, however, at Bhutan's apparent reluctance to accede to or ratify a number of international human rights instruments. In particular, he wished to know why Bhutan had not acceded to the International Covenant on Civil and Political Rights or to the International Covenant on Economic, Social and Cultural Rights, and it had not ratified the two Optional Protocols to the Convention on the Rights of the Child. Moreover, Bhutan did not accord any legal status to the Convention in its legislation. He requested additional information concerning the effects of international treaties, including the Convention, on the State party's legal system, insofar as children's rights were concerned.

12. Although article 7 of the Constitution contained a nearly complete list of fundamental human rights, paragraph 22 of that article seemed to imply that it was possible to restrict those rights, and he requested additional information in that regard.

13. The delegation should provide further information on ethnic Bhutanese and Bhutanese nationals, including children, living in refugee camps in Nepal. It should also provide information on the rural exodus in Bhutan, which, in the past few years, had led to an increase in the number of the country's poor. With regard to public expenditure, he requested figures for Bhutan's total budget and the proportion of the budget allocated to children.

14. He requested information on the composition, mandate and functions of the National Commission for Women and Children and asked why it had replaced the CRC Task Force. He wished to know how the Commission dealt with individual complaints received from children or adults. He wondered how the Commission reconciled its responsibility to coordinate the Government's activities concerning women and children with that of monitoring their rights, which appeared to be a conflict of interest.

15. Bhutan's efforts to reform its legislation and adopt its Constitution had also slowed down the adoption of important legislative amendments. First of all, Bhutan had failed to provide a general definition of the child. Secondly, while the Government had apparently begun to consider the possibility of establishing a children's court, it had not yet done so. Thirdly, Bhutan's legislative reform had not provided for a national plan of action, and he wondered whether Bhutan still intended to formulate a plan in order to coordinate its approach to children's issues. The delegation should comment on reports that there was a high level of discrimination against rural children, and that, in remote regions, it was difficult to disseminate information about the Convention and the new Constitution.

16. Ms. HERCZOG (Alternate Country Rapporteur) requested additional information on the Labour and Employment Act of 2007. She commended Bhutan's continuing high levels of expenditure to ensure the basic rights and health of children, as well as the decrease in child mortality rates. However, poverty among children remained high. In view of discrepancies in available data on child poverty in Bhutan, she asked the State party to explain its data collection and disaggregation methods.

17. She welcomed the State party's incorporation of the Millennium Development Goals in its plans and programmes, and requested information on children with special needs and children in special situations. She commended the measures that the State party had taken to improve respect for children's views, establish child-friendly procedures and enable children to be heard in criminal and civil procedures, as well as its adoption of legislation to safeguard children in conflict, regulate child labour and control substance abuse among minors. However, she was concerned that traditions and cultural attitudes could limit the full implementation of article 12 of the Convention.

18. The State party had not yet established a complaints and response mechanism for women and child victims of abuse and violence nor had it reviewed its legislation on women's and children's rights. She asked where children could turn for advice and protection.

19. She was concerned that Bhutan's domestic legislation did not define acts of torture and ill-treatment of children. Corporal punishment, although not permitted under the Teacher and Student's Code of Conduct, was not explicitly prohibited by law and was widely accepted as a means of discipline. The Civil and Criminal Procedure Codes and the Penal Code provided only limited protection only for children. Moreover, according to some reports, children in penal institutions could be subjected to severe violence. She asked whether the State party was planning to take any measures to prohibit corporal punishment and whether it would be guided by the Secretary-General's Study on Violence against Children.

20. Mr. PARFITT commended the State party on its adoption of the Constitution in July 2008. He welcomed the establishment in 2004 of the National Commission for Women and Children. Although the Commission was autonomous, it was not independent: many of its members were government employees. He asked whether the Commission's monitoring functions would be assigned to a separate, independent and impartial agency that could report on the implementation of the Convention and receive complaints from children or persons acting on their behalf.

21. Mr. PURAS said that the transition to democracy required of mutual trust and solidarity between the Government and civil society. He asked what the State party was doing to promote a relationship with citizens, including children, that would enable them to express themselves freely. He requested concrete examples of how the State party planned to invest in a culture of democracy and independent thinking.

22. The pursuit of a "gross national happiness" as a guiding principle of the Constitution was a positive and ambitious development. He wished to know whether the State party would monitor the effectiveness of efforts and resources expended to achieve that end.

23. Ms. AIDOO commended the State party on its smooth transition to a democratic system in which children's rights could be further promoted and consolidated. Birth registration formed the basis of citizenship and was a fundamental right of children. She appreciated the Government's initiatives to ensure universal birth registration within one month of birth at local gup's offices. She wished to know which central authority was responsible for supervising, monitoring and coordinating birth registration information, and how the Government reached children born in remote areas. The delegation should explain what remedies were available to those who were not

registered at birth, as birth registration and health cards were essential for school registration and admission. While that requirement provided an incentive for parents to register births, it had a potentially negative impact on access to education.

24. Mr. ZERMATTEN requested further information on the national data compilation system, in view of discrepancies observed in the population figures provided. The State party should clarify the role of children in civil, criminal and administrative proceedings. He asked whether children had a legal right to express themselves and whether account was taken of their opinions in administrative decisions. With regard to the media and information, he wished to know the extent to which media programming was adapted to children and whether the media showed respect for children and their privacy. He also wished to know how the State party guaranteed religious freedom to children who professed a religion other than the State religion.

25. Mr. KRAPPMANN said that he had learned of a programme, initiated by the judiciary and available in schools since 2005, to disseminate knowledge of children's rights. He understood that the programme placed more emphasis on discouraging young people from breaking the law than on raising their awareness of the inalienable human rights of the child. The delegation should indicate how children were informed of their rights under the Convention, and whether the Convention was included in national teacher training programmes.

26. Ms. ORTIZ requested information on institutions and programmes to promote and protect children's rights at the local level. She wished to know who ensured that children's opinions were heard in schools, and who investigated cases of mistreatment and abuse. She wished to know whether there were programmes to uphold the rights of the child at the local level, and who provided the resources to implement them.

27. Mr. POLLAR said that there was a lack of information on the Government's cooperation with civil society, and he requested further information on the Civil Society Organizations Act of 2007. He asked how the Government planned to ensure that the Convention was integrated into the school curriculum. The delegation should comment on traditional cultural attitudes towards children's expression of their views. He wished to know what measures were in place to ensure that no child risked becoming stateless.

28. The CHAIRPERSON asked the State party whether it considered ethnic origin and disability as grounds for discrimination. She enquired whether the State party had ratified the South Asian Association for Regional Cooperation (SAARC) conventions.

29. She wished to know why a number of Bhutanese nationals had been stripped of their nationality when leaving the country. With respect to the preservation of identity, civil rights and freedoms, the Committee had received reports that citizens were required to wear Bhutanese national dress. That practice prevented children from other ethnic groups from expressing their identity. Lastly, she requested further information on poverty rates in southern Bhutan.

30. Mr. FILALI asked why the State party had not yet ratified most international human rights conventions. He wished to know the status of the Convention vis-à-vis the Bhutanese Constitution, and whether the provisions of the Convention required enabling legislation. In the event of a conflict between international law and Bhutan's domestic legislation, he wished to know which would prevail.

31. He expressed concern that ethnic Nepalese in Bhutan had no strong guarantees of citizenship. He wished to know why the Dzongkha language was given priority in schools, in health-care facilities and in cultural activities.

The meeting was suspended at 11.20 a.m. and resumed 11.45 a.m.

32. Mr. POWDYEL (Bhutan) said that Bhutan's goal of "gross national happiness" was based on the four pillars of socio-economic development, cultural preservation, environmental conservation, and good governance. The Centre for Bhutan Studies was currently establishing nine indicators of gross national happiness, which would be incorporated into all Bhutan's development plans.

33. Mr. RABGYE (Bhutan) said that Bhutan had ratified only the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. The delay in ratifying other human rights instruments did not reflect a lack of political will. The Government believed that it was necessary to build up the relevant institutions and staff before undertaking international treaty obligations.

34. The allegations concerning the forced expulsion of persons of Nepalese origin were unfounded. In the early 1990s, many persons of Nepalese origin who were illegal immigrants had left Bhutan; others had renounced their citizenship and had emigrated voluntarily. While the Government had never enacted discriminatory policies against such persons, under Bhutan's citizenship legislation, Nepalese who had arrived in Bhutan after 1958 were classified as foreigners unless they had been naturalized.

35. Under the Constitution, citizens of Nepalese origin enjoyed the same rights as other citizens. More than 20 per cent of the population was of Nepalese origin and was fully represented in all sectors of society, including the civil service, security forces and Parliament.

36. Mr. CITARELLA requested information on the status of the Convention vis-à-vis Bhutan's legislation.

37. The CHAIRPERSON said that the Committee wished to know what happened in the event of discrepancies between the Convention and national legislation.

38. Mr. RINZIN (Bhutan) said that, although Bhutan's current legislation did not contain a specific definition of the child that was in keeping with the Convention, all persons under the age of 18 were considered children and were provided certain guarantees by law, including under the Civil and Criminal Procedure Code. A bill on childcare and protection containing a specific definition of the child was in the final drafting stages.

39. On the subject of discrepancies between the Convention and Bhutan's legislation, he referred the Committee to article 1, paragraph 10, of the Constitution, according to which all laws in force at the time of adopting the Constitution were enforceable; and article 10, paragraph 25, according to which all international treaties that had been ratified by Parliament would remain in force.

40. With regard to possible restrictions of fundamental rights, he said that, under article 7, paragraph 22, of the Constitution, the State could impose reasonable restrictions by law, some of which were provided for in the Civil and Criminal Procedure Code.

41. On the subject of citizenship procedures, he said that there was nothing to prevent people who had voluntarily emigrated and were considered non-Bhutanese from reapplying for Bhutanese citizenship. People had been placed in different categories primarily to facilitate the census.

42. The CHAIRPERSON enquired whether both parents had to be Bhutanese citizens in order for a child to be eligible for citizenship.

43. Mr. RINZIN (Bhutan) said that there were three ways of obtaining citizenship: by birth, provided that both parents were citizens; by registration as a resident of Bhutan prior to 1958; and by naturalization, irrespective of the nationality of the parents and subject to certain requirements.

44. The CHAIRPERSON said that Bhutan's legislation governing citizenship was not in conformity with the Convention, which required only one parent to be a national of the country concerned in order to transfer citizenship. She asked whether a child born to a family identified by the Government as being anti-establishment would have difficulty acquiring citizenship and how long the procedure might take.

45. Mr. CITARELLA said that Bhutan's citizenship laws were too restrictive.

46. Mr. PARFITT said that his understanding of article 1, paragraph 10, of the Constitution was that treaties in force prior to the adoption of the Constitution did not require ratification by Parliament. He requested clarification of the phrase in article 10, paragraph 25, to the effect that any international treaty was deemed to be law only upon ratification by Parliament unless it was inconsistent with the Constitution. He enquired whether the Constitution made any reference to the best interests of the child.

47. Mr. KOTRANE asked whether the courts had ever directly invoked the Convention, since there were clear discrepancies between the Convention and the Constitution. He requested information on the situation of children whose families were of Nepalese origin but had been living in Bhutan for generations. In particular, he wished to know whether such children had equal access to education, health care and other services, and what steps the Government was taking to help them obtain Bhutanese citizenship.

48. Mr. FILALI asked whether the Supreme Court had ever been called upon to interpret the provisions of the Constitution.

49. Mr. RINZIN (Bhutan) said that, pursuant to article 10, paragraphs 25, of the Constitution, all treaties duly acceded to and ratified by the Government were recognized as law. In the absence of relevant legislation, the provisions of such treaties were applied directly; where parallel legislation in conformity with those treaties had been enacted, the provisions of that legislation were applied.

50. Persons registered as residents of Bhutan prior to the enactment of the Citizenship Act 1985 were automatically granted citizenship. Under the provisions of the Act, there was no gender bias or nationality requirement for spouses. Children with one parent of Bhutanese nationality were eligible for citizenship through naturalization from the age of 15. Similarly, children of parents born in Bhutan did not receive their identity documents until the age of 15.
51. Mr. CITARELLA asked whether children under 15 who fell into the first category were classified as aliens or stateless persons.
52. Mr. RINZIN (Bhutan) said that, for all intents and purposes, such children were considered Bhutanese citizens and enjoyed equal rights, provided that they had been registered by the civil registry. The issuing of an identity document to children who had reached the age of 15 was a mere formality.
53. The CHAIRPERSON asked how children under the age of 15 could travel abroad.
54. Mr. RINZIN (Bhutan) said that such children would travel under a Bhutanese passport.
55. Mr. CHOPHEL (Bhutan) said that, since the Committee's consideration of Bhutan's initial report in 2001, considerable progress had been made to ensure that the rights of the child were taken into account in society as a whole. In 2001, not one article of the Convention had been incorporated into Bhutan's legislation. Since then, the National Commission for Women and Children had played an important role in drafting the Penal Code of 2004 and the Constitution of 2008.
56. Although it was a government agency, the National Commission for Women and Children enjoyed relative autonomy and was free to invoke the provisions of the Convention in the absence of relevant national legislation. Since 2007, it had brought more than eight cases to court that concerned rights under the Convention; all eight cases had resulted in convictions. In at least four of those cases, the courts had referred to the best interests of the child. The Commission had been entrusted by the Government with the task of spearheading efforts to implement the Convention.
57. Ms. Yandey PENJORE (Bhutan) said that the scarcity of NGOs in Bhutan was not due to any legal impediments but rather to resource and capacity constraints. Civil society organizations had traditionally played a very important role in Bhutan, although they usually took the form of self-help groups rather than formal associations. The adoption of the Civil Society Organizations Act had given such associations greater legitimacy.
58. Mr. WANGDA (Bhutan) said that some provisions of the Labour and Employment Act had entered into force in October 2007, whereupon labour inspectors had begun visiting enterprises in order to ensure compliance and to educate workers and employers about the provisions of the Act. It was hoped that the corresponding regulations would be in place by the end of 2008. The State party was in the process of building up capacity for full implementation of the Act.
59. Mr. CITARELLA asked whether Bhutan had considered establishing a juvenile justice system and whether it planned to review the age of criminal responsibility. While there seemed

to be ample provisions for enabling child victims and witnesses to be heard by the courts, he was concerned at the lack of practical arrangements to implement those provisions. He asked whether judges received any training in the Convention or in domestic legislation on children. According to reports, children were not treated well while in police custody or in detention centres.

60. Ms. HERCZOG asked what framework existed to guarantee the rights of children deprived of a family life, particularly children who had been placed in monasteries. She wondered whether children growing up in refugee camps were able to exercise their right to peaceful family life, and whether they had access to facilities enjoyed by other children. She noted that children who had been denied citizenship or otherwise lacked the required certification were excluded from tertiary and, in some cases, secondary education.

61. She enquired whether the ban on corporal punishment in schools and similar institutions was actually implemented. Did the State party plan to enact legislation to prohibit corporal punishment in the home?

62. The Committee had very little information on discrimination against children with disabilities. She wondered whether their families received support of any kind.

63. Mr. PURAS said that the State party had clearly made appreciable efforts to develop health care, and particularly preventive care, at all levels. He requested information about the composition of the multisector task forces established in each district. He asked whether the State party was planning to establish its own medical training facilities. In the meantime, how did it resolve the problem of providing qualified health care?

64. While the community-based rehabilitation and mental health programmes of the Ministry of Health were based on modern principles for dealing with persons with disabilities, they made no specific mention of children. He wondered where children with disabilities, especially complex disabilities, were cared for. If they were cared for in the family, did the family receive support of any kind? If in institutions, what was the standard of care provided? He wished to know whether children with disabilities enjoyed basic rights, such as access to education.

65. He asked whether the State party had adopted any measures to reduce child malnutrition, especially in the context of the global food crisis.

66. He asked what the State party was doing to break the cycle of violence and prevent alcohol and drug abuse among young people.

67. Mr. KOTRANE wondered whether the State party could adopt a broader perspective in its approach to protecting women and children from violence. Women and child protection units were being set up by the police. Perhaps the police could cooperate with the courts and the education system to address that problem.

68. He wished to know if the State party had considered setting up a telephone hotline for children to report abuse, and whether specialists in relevant fields were obliged by law to report child abuse where they detected it. He wondered whether any measures had been taken to assist child victims and whether the State party had drawn up a plan of action in accordance with the recommendations of the Secretary-General's Study on Violence against Children.

69. He asked whether there were any plans for a policy that would enable children from the Lhotsampas community to acquire full citizenship and thereby gain access to all the services to which they were entitled.
70. He asked what plans the Government had for collecting data on domestic service and agricultural labour in order to begin addressing the problem of child labour in those sectors. In his view, Bhutan could benefit greatly from joining the International Labour Organization.
71. Lastly, he wondered if the State party intended to establish juvenile courts.
72. Mr. KRAPPMANN said that it was regrettable that primary education was not yet compulsory. He asked if the State party had a plan of action on compulsory education up to the tenth grade; its introduction would send a strong message to Bhutanese society that even older children needed to go to school and should not have to look for work. He wondered whether any steps had been taken to abolish or reduce fees for school uniforms and transport. He expressed concern at regional and gender disparities in education. He would welcome additional information on the extent and quality of early childhood care and preschool education.
73. He asked how the Child-Friendly Schools initiative had helped improve the quality of education and how far the State party's plans for prioritizing vocational training had progressed. He wished to know when all children living within Bhutan's borders would have access to school at all levels, specifically those in the south of the country who had been denied access to schools for various reasons.
74. The delegation should provide information on the results of the child-poverty studies that had been conducted. He enquired how child poverty would be addressed in the Tenth Five-Year Plan.
75. Mr. PARFITT said that the Committee had been informed that, aside from the police's women and child protection units, there were no services available for child victims of discrimination and exploitation. Although the State party had a constitutional obligation to provide such services, the Government's written replies seemed to imply that NGOs in Bhutan were expected to provide them. Was it the Government's intention to make civil society provide both social and financial support for children in need? The State also had a constitutional obligation to provide free education up to the tenth grade. It would require a constitutional amendment for the State party to extend education up to the twelfth grade, and he wondered whether that would present a problem.
76. He asked whether, in prisons other than youth detention facilities, adults and children were held separately.
77. Mr. POLLAR requested more information on the Government's breastfeeding policy and maternity leave.
78. Ms. ORTIZ asked whether the State party had considered abolishing the requirement for a birth certificate and health certificate for school registration.

79. She wished to know what support was provided to families. For example, when both parents of a child went to work, she wondered where the child could go and remain protected. Was there special support for single mothers? Were there programmes to promote responsible fatherhood?

80. She wondered whether girls aged under 18 could refuse to marry, and what measures the State party was taking to discourage early marriage.

81. She asked how many children might live in any given monastery and how many children lived in monasteries in the country as a whole. She wished to know whether placement in a monastery was voluntary and whether children were free to leave. How were monasteries regulated and by whom, and were children able to report ill-treatment? She wondered what protection existed for children who had problems with their families in regions where there were no monasteries.

82. She requested information on adoption and enquired whether it was regulated by law. Was the State party considering acceding to the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption?

83. Mr. ZERMATTEN requested information on the implementation of the Narcotic Drugs and Psychotropic Substance Act of 2005 and, in particular, on the impact of the rehabilitation programme and any prevention measures that had been put in place. It would be interesting to know how the State party related the problem of drug abuse among young people to the concept of “gross national happiness”.

84. While the amended Civil and Penal Codes apparently protected children involved in judicial proceedings, he wondered how children’s right to be heard was protected. He would welcome concrete information concerning children’s status in court proceedings, either as victims or as witnesses.

85. Ms. AIDOO said that, although the State party had made great strides in bringing the issue of sexual exploitation and abuse into the open, there was still no legal age of sexual consent. While the age of marriage had been raised to 18, sexual abuse usually occurred before that age, and she asked whether the State party had considered legislation establishing a formal age of consent. She wondered whether there were any plans to undertake a study of the issue in order to support the plan of action being prepared by the National Commission for Women and Children. In that connection, the State party should consider ratifying the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography, since that would give it the opportunity to develop a comprehensive strategy that included prevention and monitoring, as well as assistance to child victims.

The meeting rose at 1.05 p.m.