



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

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**Committee on the Elimination of Discrimination
against Women
Sixty-fifth session**

Summary record of the 1438th meeting

Held at the Palais des Nations, Geneva, on Thursday, 27 October 2016, at 3 p.m.

Chair: Ms. Hayashi

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The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined eighth and ninth periodic reports of Bhutan (continued)
(CEDAW/C/BTN/8-9; CEDAW/C/BTN/Q/8-9 and Add.1)

1. *At the invitation of the Chair, the delegation of Bhutan took places at the Committee table.*

Articles 10 to 14 (continued)

2. **Ms. Pomeranzi** said that she would be interested to hear more about the State party's anti-poverty policies and social protection for vulnerable groups, including women. She invited the delegation to comment on the fact that the country's modernization process seemed to be accompanied by new inequalities between men and women. In her view, the reason women scored lower than men on the gross national happiness index could lie in their approach to the process of modernization. In rural and remote communities in particular, modernization could come as a shock to women, as they moved from a matriarchal society to a system that did not recognize their role in society and the economy. She wondered whether the State party had taken any specific temporary special measures to address the situation of rural and indigenous women, and whether the intended beneficiaries participated in the design of such programmes. Women should not be regarded as inherently vulnerable, but rather as living in a vulnerable situation. She would be interested to hear about the State party's plans for dealing with climate change, and about the participation of women in disaster risk reduction, preparedness and mitigation activities. She would also welcome information on general policies for vulnerable and disadvantaged groups such as women, persons with disabilities, and older persons.

2. **Ms. Lhamu** (Bhutan) said that the country's draft social protection policy targeted workers in the formal sector; workers in the agricultural and informal sectors were not therefore covered. Poverty reduction was a key cross-cutting issue that was mainstreamed into the plans of all ministries, and a number of specific programmes and strategies had been developed to eradicate poverty in rural areas. The first phase of the Rural Economic Advancement Programme, for instance, had benefited 17 villages, and the communities involved had been engaged in identifying needs and priorities and planning interventions. The Programme had been adapted based on the results of the evaluation of the first phase, and the second phase, which incorporated a new gender-sensitive approach, was now being implemented in cooperation with grass-roots civil society organizations. The Targeted Household Poverty Programme would benefit 3,154 households nationwide, 53 per cent of which were headed by women and, now that the eligible households had been identified and their situations and needs assessed, work was under way to develop suitable interventions. One of the challenges involved in targeting individual households was that they were very spread out across the country and some were difficult to access. The advantage, however, was that the programme was genuinely targeting those most in need. The Rehabilitation Programme, led by the National Land Commission, was designed to bring communities in socioeconomically disadvantaged or environmentally hazardous areas closer to mainstream development and, to date, had benefited five districts. The policy protocol, which had been introduced in 2010 to allow for the incorporation of a gender perspective in policy formulation processes, had helped a great deal in terms of involving women in policy design and implementation. For example, the 2010 Economic Development Policy, which was currently being reviewed, specifically provided for the promotion of small-scale women entrepreneurs.

3. **Ms. Yangzom** (Bhutan) said that the State party's climate change activities were focused on adaptation rather than preparedness and mitigation. Efforts were being made to build capacity in terms of climate-resilient agricultural development and livestock systems in rural communities. The Government was increasingly paying attention to the research and development of stress-tolerant and drought-resistant crop varieties. Community seed management groups were also being strengthened with a view to conserving traditional seed varieties. The National Adaptation Programme of Action clearly highlighted the impacts of climate change on people, and particularly on vulnerable groups such as women. The Ministry of Agriculture and Forests had adopted a sectoral adaptation plan of action and had identified priority areas of action for the rural farming community, which included the development of social safety nets. The Ministry was engaged in preliminary discussions with the Royal Insurance Corporation of Bhutan concerning the possibility of introducing a crop insurance scheme for farmers.
4. **Ms. Lhamo** (Bhutan) said that women participated equally in interventions carried out under the community-based disaster risk management programme. Vulnerability and capacity assessments were conducted to identify the requirements of different groups, while the post-disaster assessment tool paid attention to the needs of different groups including pregnant and breastfeeding women, persons with disabilities and older persons. The Gross National Happiness Commission, in cooperation with the United Nations Development Programme, had conducted a rapid assessment of all Sustainable Development Goals relevant to Bhutan against the State party's current five-year plan, which was its eleventh, in order to identify any indicators not covered therein. The Government was now conducting consultations with a range of stakeholders with a view to aligning its twelfth five-year plan with those indicators. Some of the gender-specific indicators had already been aligned; indicators related to discrimination, violence against women and girls and unpaid work, inter alia, would be incorporated through the sectoral indicators of National Commission for Women and Children.
5. **Ms. Lhamu** (Bhutan) said that, although Ms. Pomeranzi's comments about the modernization process and the new inequalities it brought for women rang true, according to the results of the gross national happiness survey, education and governance factors were among the main underlying causes of unhappiness. Other causes might include rural-urban migration and the drudgery of life in rural areas. There were no temporary special measures targeted specifically at rural women, but attention could be paid to making their lives easier through labour-saving equipment and farm machinery and the promotion of high-value cottage and small-scale industries. A Cabinet note was currently being drafted on the need for a dedicated Government agency to ensure social protection for vulnerable groups such as older persons and persons with disabilities. Although civil society organizations were active in that area, a coordinating agency that would give strategic direction to those efforts was lacking. The Gross National Happiness Commission had carried out a vulnerability assessment of all groups in society, and had subsequently also conducted a disability assessment, which it would use to formulate its disability policy.
6. **Ms. Pomeranzi** asked whether the Government had given consideration to the possibility of finding partners to support activities undertaken as part of efforts to achieve the Sustainable Development Goals; and whether civil society and community organizations would have the opportunity to participate in the review of the Economic Development Policy.
7. **Ms. Haidar** said that Bhutan could serve as a model for climate change adaptation. Although the State party did not emit significant greenhouse gases, it suffered from the effects of climate change and needed to maximize its capacity to withstand natural disasters. The Government of Bhutan had demonstrated its commitment to taking a participatory approach to such problems. However, she believed that the State party might improve its

resilience capacity by working more closely with NGOs in order to better assess the needs of the population, and involving NGOs in the implementation of its climate change-related strategies.

8. **Ms. Lhamu** (Bhutan) said that the Government of Bhutan had many opportunities to work with NGOs in the interests of sustainable development. A number of civil society organizations in Bhutan also worked to protect the rights of women and children. Bhutan was able to compensate for its lack of resources by receiving support from such organizations. The Government was also cooperating with NGOs in the area of climate change adaptation. Preparations for the drafting of its twelfth five-year plan, which would cover the period 2018-2023, had now begun. A key strategy of the upcoming five-year plan would be to strengthen cooperation with NGOs and the private sector. Plans to enhance such cooperation had also been discussed in recent consultations with the Gross National Happiness Commission.

Articles 15 and 16

9. **Ms. Patten** said that she would appreciate more information about traditional systems of inheritance and the application of inheritance laws in the State party. She would like to know how the Government ensured that inheritance laws did not discriminate against women, either formally and informally; whether it intended to implement legislation that would prohibit the practice of polygamy, in accordance with the Committee's general recommendation No. 21 on equality in marriage and family relations; and whether research had been carried out to assess the prevalence of polygamy.

10. She noted that, in the event of divorce, the State party automatically granted custody of children under the age of 9 to their mothers, subject to certain exceptions. That practice reinforced gender stereotypes and she wondered whether the Government would consider amending its child custody laws to bring them into line with article 16 (d) of the Convention. Noting also that family courts did not exist in Bhutan, although research indicated that such courts had an important role in national legal systems and helped to protect the rights of vulnerable populations, including children, she asked what impediments to the establishment of family courts the Government had encountered and whether it had sought technical assistance to reform the family justice system.

11. According to recent data, 26 per cent of girls in Bhutan were married before reaching the age of 18 years and 6 per cent before reaching the age of 15. Child marriages occurred in all regions of the country, but were particularly frequent in western and central areas. The problem was linked to birth registration in that, were an effective birth registration system in place and accurate records of the age of individuals thus available, such marriages would not take place. Although the registration of both civil and religious marriages was mandatory, enforcement of the law was weak. She therefore asked whether the Government was taking steps to strengthen its birth registration system and whether it intended to establish a monitoring system to prevent early marriage, particularly in rural areas where the problem was most prevalent. Under the Marriage Act, child marriage was punishable by an administrative fine and the return of any property received in exchange for the marriage. She would welcome information on any other penalties applicable in cases of child marriage, and any statistics on the prosecution of violations of the Marriage Act.

12. **Mr. Tashi** (Bhutan) said that, under the Marriage Act, marriage certificates could not be issued to children under the age of 18. A number of cases of child marriage had been brought before the courts and, in those cases, the penalties applicable in cases of statutory rape, which was a second-degree felony, had been administered because children under the age of 18 were not deemed to be able to consent to marriage.

13. After receiving technical assistance from Save the Children, the Government was intending to establish a family court. The 2009 amendment of the Marriage Act had incorporated the principle of the best interests of the child into the revised law. In cases of divorce, the court was entitled to use its discretion in deciding whether the mother was fit to look after her child and, in cases of neglect, insanity and communicable illness, among others, could rule that the child should be placed in the father's custody.

14. Informal inheritance practices varied according to the region of the country. For example, in the west of Bhutan, daughters were more likely to inherit property whereas, in eastern and southern regions, inheritances would be passed down to male family members. Under the Inheritance Act, however, the ultimate decision concerning the bequest of assets was made by the parents.

15. **Ms. Lhamu** (Bhutan) said that efforts to eliminate the practice of child marriage were being made under the action plan of the South Asia Initiative to End Violence against Children, which had been approved by member States of the South Asian Association for Regional Cooperation and endorsed at a recent ministerial meeting. No research had been conducted on polygamy as yet, but the Government would assess whether such research was necessary. Efforts to raise awareness of the harmful consequences of polygamy had, however, been made.

16. **Ms. Lhamo** (Bhutan) said that, according to the findings of the Bhutan Multiple Indicator Survey of 2010, birth registration coverage stood at 99 per cent. The Government had launched an initiative that would allow for birth registration to be carried out at the local level.

17. **Mr. Singye** (Bhutan) said that he would like to thank the Committee for its frank assessment of the State party report and assured members that his Government would try its utmost to take into consideration the comments and recommendations made by the Committee. Despite the numerous challenges, the Government was unwaveringly committed to improving the rights of women in Bhutan.

The meeting rose at 4 p.m.