



**Convention on the
Rights of the Child**

Distr.
GENERAL

CRC/C/BTN/Q/2/Add.1
29 August 2008

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD
Forty-ninth session
15 September – 3 October 2008

**WRITTEN REPLIES BY THE GOVERNMENT OF BHUTAN
TO THE LIST OF ISSUES (CRC/C/BTN/Q/2) PREPARED
BY THE COMMITTEE ON THE RIGHTS OF THE CHILD IN
CONNECTION WITH THE CONSIDERATION OF THE SECOND
PERIODIC REPORT OF BHUTAN (CRC/C/BTN/2)***

[Received on 27 August 2008]

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not edited before being sent to the United Nations translation services.

**WRITTEN REPLIES OF THE ROYAL GOVERNMENT OF BHUTAN TO
THE LIST OF ISSUES, PARTS I, II, AND III, CONTAINED IN CRC/C/BTN/Q/2**

PART I

1. Please inform the Committee on developments towards the adoption of the draft Constitution and indicate the specific references to children's rights therein.

1. The process of drafting the Constitution of the Kingdom of Bhutan was initiated in 2001. The first draft of the Constitution was completed in March 2005 and copies were distributed to the people of all the 20 districts. From 2005 to 2006, the draft was discussed by His Majesty the Fourth King, Jigme Singye Wangchuck and then by his heir His Majesty the King, Jigme Khesar Namgyel Wangchuck with the people in all the 20 districts. The public discussions were attended by, among others, school children in every district. In their meetings with the public, both the Fourth and Fifth Kings reiterated the important role of the youth as future leaders of Bhutan.

2. The final discussions were held between May 9 and 29, 2008, by Bhutan's first democratically elected parliament and signed on 18th July 2008 by the King of Bhutan and 72 elected Members of Parliament in a special ceremony in Thimphu.

3. Copies of the Constitution were distributed to all the schools in the Kingdom. Teachers were encouraged to discuss the contents with their students to enhance students' knowledge of the provisions of the Constitution, including the fundamental rights and duties enshrined in the Constitution.

4. The issue of Children's rights is pervasive through the Constitution with many specific references and rights. In Article 6 children born to Bhutanese citizens are given natural rights to citizenship. While Article 7 guarantees all the fundamental rights to citizens, Article 9 specifies the right of children to free education. The issue of education was hotly debated by parliament which resolved that the state shall provide free education up to the 10th grade, make technical and professional education, and higher education based on merit.

5. It specifies that the State will endeavour to provide legal aid to all persons to secure justice.

6. Children are specifically protected against all forms of discrimination (Article 9:17) and exploitation including trafficking, prostitution, abuse, violence, degrading treatment and economic exploitation (Article 9:18). The right to work, trainings and fair remuneration and conditions are also mandated in the Constitution. The state is mandated to provide both traditional and modern health services and security in the event of disability. It specifies the need to promote conditions that will be conducive to co-operation in community life and the integrity of the extended family structure.

7. Bhutan's guiding principle of Gross National Happiness, enshrined in the Constitution, requires that children enjoy free health and education in a safe and secure environment. Social services are, therefore, prioritised in the overall government budget allocation.

2. Please indicate whether the Convention on the Rights of the Child has been invoked or referred to directly in domestic courts, and if so, please provide examples of such cases.

8. The CRC does not stand as an individual legal instrument in Bhutan although all attempts has been made to harmonize national legislation with the CRC. The "best interests of the child" is now enshrined and incorporated in most of Bhutan's legal instruments from the Penal Code (2004), to the Criminal and Civil procedure Code (2001), and more recently, the draft Child Care and Protection Act (CCPA).

9. The principles of the CRC are referred to whenever the National Commission for Women and Children (NCWC), the Royal Bhutan Police and the Judiciary deal with cases involving minors. Schools and civil society are also becoming increasingly aware of the provisions of the CRC as sensitisation and awareness activities continue.

10. **Child Justice Court:** The Child Care and Protection Act (draft) states that the National Judicial Commission may recommend to His Majesty the King the establishment of a Child Justice Court to be presided over by a judge with knowledge of child psychology, child welfare and laws relating to children.

11. The Cabinet of the newly elected government reviewed the activities of the NCWC and expressed support for integrating child protection issues and the CRC into all aspects of work involving children at a briefing with the NCWC in August 2008. Subsequently, the media have carried reports on the government's decision to strengthen the NCWC by making it an autonomous body and upgrading its status with a minister as a chairperson. NCWC is now detailing the costs of enacting additional legislation and policies that are child friendly.

12. All members of the judiciary have been trained in the CRC and the courts are well versed in the protection issues that have been integrated into existing law and policies.

13. An instance where the principles of the CRC have been specifically adhered to include the first in-camera trial conducted in the capital this year for a rape case involving a minor. All cases involving minors and women will henceforth be conducted in-camera in the move to make courts more child-friendly.

3. Please specify whether the State party intends to adopt a comprehensive Children's Code, as previously recommended by the Committee, which would incorporate the provisions of the Convention. Please indicate the consideration the government has given to this issue.

14. The provisions of the Convention have been integrated into the Penal Code and Criminal Procedure Code. Protection issues concerning children are elaborated in the draft Child Care and Protection Act that is currently being discussed and finalised for adoption. The draft Act covers a

comprehensive range of topics to provide and improve programmes and services for children in difficult circumstances and for children in conflict with the law (see answer to question 13).

15. Apart from the draft Child Care and Protection Act, several other acts have also been drafted to protect children. These include an Adoption Act and a Domestic Violence Act, both of which are being finalised through consultation with stakeholders. A Sexual Harassment at the Workplace Act is also being drafted and will have implications for protecting minors at the work place.

16. The draft Adoption Act ensures that the adoption law and practice is in the best interest of and the continued well-being of the child. Among the principles on which it was drafted include the consideration of the “need to protect the child from physical or psychological harm caused, or that may be caused by being subjected or exposed to abuse, ill-treatment, violence or other behaviour”. One of the policies of the draft Adoption Act is to safeguard and prevent the child from unnecessary separation from biological parents.

17. For the first time in the country’s development plan programming, protection of children issues have been integrated under the NCWC in the Tenth Five-Year Development Plan.

4. Please clarify which sections of the Penal Code have been amended to address children in conflict with the law, and which articles of the Civil and the Criminal Procedure Codes have been amended to include provisions for children (citing main relevant sections and articles).

18. There has been no amendment to the Penal Code (2004) and the Civil and Criminal Procedure Codes (2001) since they were enacted. The Penal Code has incorporated many provisions of the CRC and made a serious attempt to harmonise all issues affecting women and children. Any gaps not yet addressed are being addressed under the Child Care and Protection Act. Similarly, those aspects not included in terms of child’s protection in the Civil and Criminal Procedure code are being addressed in the drafting of a Police Act, especially in terms of provisions for dealing with children, minors and women.

5. Please clarify how existing laws cover domestic violence and child abuse, and whether the government has the intention of enacting laws to protect children from domestic violence and child abuse and what steps have been undertaken to do so. Please also inform the Committee of prevention measures taken and any relevant actions and policies in this regard.

19. Bhutan’s Penal Code covers domestic violence and child abuse. A Domestic Violence Act is being drawn up to address the issue of domestic violence that will also have implications for protecting children.

20. A draft Child Care and Protection Act has been drawn up that is expected to be tabled for discussion at the National Assembly within the year (see answer to question 14). The draft Act

specifies how the judiciary will uphold the rights of children, “keeping them safe and promoting their physical and mental well-being”.

21. The Royal Bhutan Police is beginning to register more cases of domestic violence at the Women and Child Protection Unit (WCPU) in Thimphu. Together with information from the Royal Court of Justice and the Jigme Dorji Wangchuck National Referral Hospital in Thimphu, most of the victims of domestic violence are women with implicit negative impact on children and the situation at home.

22. Cases of child abuse and neglect are few on record, both at the Police and in the Jigme Dorji Wangchuck National Referral hospital where the forensic unit is keeping track of all cases involving violence. Available police data showed that 12 child battery cases were reported to the police in 2005, 2006 and 2007 (CRC/CEDAW sensitisation tour report). In the same period, 276 wife battery and 24 husband battery cases were reported. These figures give an insight into the extent of domestic violence and its impact on children. Children in the family, clearly suffer more emotional and psychological abuse than physical abuse. The doctor from the forensic unit believes that the situation of child abuse and neglect is under-reported. Anecdotal evidence from the Police show some correlation between neglect of children in the family, and children who come into conflict with the law.

23. According to the Police, many of the domestic violence cases are alcohol related and while the number of reported incidences has gone up in recent months, the situation has probably existed previously but was not reported. People are becoming more aware of available support services and are beginning to file complaints.

24. There is little understanding of the extent of child abuse and neglect due largely to a lack of awareness of what this constitutes and to the few in-depth studies on the situation. Studies done by RENEW (Respect, Educate, Nurture and Empower Women) and data compiled by the forensic doctor show some correlation. The reasons most cited for causing domestic violence was infidelity (or suspicion of infidelity) and intoxication.

25. A recent study conducted by RENEW provide revealing information to the extent of domestic violence. The 2008 study on the effects and impact of domestic violence on children, the study sampled 670 high school students in the capital Thimphu. Preliminary findings show that about 40% of the students surveyed recall having witnessed/experienced some kind of domestic violence between their parents at home. Again, while this does not entail physical child abuse, it is an indication of the emotional stability in the home with consequent impacts on children.

26. Substance abuse and neglect: The Bhutan Narcotic Control Agency and the Royal Bhutan Police attribute many of the substance abuse cases involving minors to disruptive family conditions and negligence of minors. Substance abuse offences involving school-going children and youth have been increasing annually from 2005 with 104 cases, 110 and 114 cases reported in consecutive years till 2007. Substance abuse is concentrated in urban areas. Youth, including minors, have been identified as most vulnerable and susceptible to substance abuse.

27. The police have a procedure whereby first-time juvenile offenders are let off after counselling both the minor and their parents. The child's school is informed and included in the follow-up to monitor their behaviour. Only repeat offenders are charged in court.

28. Apart from drawing up rules and regulations for the Narcotic Drugs, Psychotropic Substances and Substances Abuse Act of 2005, there is now an implementation framework that provides guidelines and strategies for national drug control programmes and spells out specific responsibilities of all the stakeholders.

Prevention measures/actions

29. In compliance with the Civil and Criminal Procedure Code and the Penal Code, detention cells at the Thimphu central police station have been improved to provide adequate space for youths and minors with separate cells for boys and girls. There are plans to set up a small reading library and recreational room in the Thimphu detention cell.

30. The Youth Detention and Rehabilitation Centre in Chukha now houses 28 detainees in a facility made for 20. Plans to build a detention centre for girls have been delayed due to a shortage of resources.

31. **Substance abuse:** A peer counselling network has been established in Thimphu and Phuentsholing where the majority of substance abuse cases have been recorded. There are plans to initiate drug prevention activities in schools and to expand counselling through the Health Information Centres in these two urban. A rehabilitation facility is being established in Thimphu to cater initially to 20 patients.

32. The Ministry of Education, for example, has been mandated to appoint specialists trained in drug and substance abuse counselling in all schools and institutions of learning and to draw up a policy and programme on drug and substance abuse in schools. Outreach and educational programmes will also be integrated into non-formal education and parenting programming.

33. There are also plans to provide the youth with information and education on drug prevention.

34. **Women and Child Protection Unit (WCPU):** The Royal Bhutan Police set up the first Women and Child Protection Unit in the capital in May 2007 (recommended by the national consultation on child friendly police procedures in 2005). With a twenty member staff, the Unit has seen an increasing number of cases in the past one year. All staff members have been trained on the CRC and CEDAW and one officer has undergone counselling training.

35. There are plans to set up four more women and child protection units at the other towns of Phuentsholing, Samdrup Jongkhar, Gedu and Samtse to provide quick and sensitive response to children and women's rights violations, especially to deal with domestic violence and abuse cases. These four units will be set up by the end of Bhutan's 10th Five year plan period (2013).

36. The Unit is strengthening its efforts to make police procedures more child friendly, and are focusing on being prompt and sensitive in responding to investigations and the receiving of

complaints. With the absence of professional social workers, the police officers at the WCPU provide advice and counsel to children in conflict with the law. They try to focus on mediation in cases involving family issues or children. Together, the WCPU and the NCWC also conduct what they describe as “family conferencing” or “group conferencing” where they bring together the victim, the perpetrator and the family of the minor and try to mediate the case in the best interests of the child(ren).

37. The WCPU is initiating closer surveillance of cases involving minors. They have also introduced a standardised data collection format for protection issues. This is expected to generate improved analysis and provide a deeper understanding of the background of the minor that may lead to improved support and protection.

38. The WCPU is also issuing directives to concerned agencies and authorities to provide support to minors who have been in conflict with the law, or to minors who have suffered violence or abuse. Past cases have shown that the Police have directed and helped arrange schooling for children or youth who are in detention to enable them to complete school as an example.

39. The WCPU is working on strengthening ties with the local hospital and other agencies involved in supporting children and women, especially those in conflict with the law, or in difficult circumstances. There is a conscious move towards strengthening collaboration with NGOs and other agencies that work for the interest of children.

40. The sharing of data and information between agencies, and the need for social workers are two pressing issues being discussed among NCWC and its partners in order to step up and professionalise services to address the need for protection and safety for young offenders and those in difficult circumstances. One major constraint is the lack of resources to set up networks to improve and share data.

41. **Reaching out to the monastic institutions:** Efforts have been made, for the first time, to sensitise and address child protection issues in the clergy where children make up more than half the enrolment in monastic schools and institutions. Many of the monastic institutes lack adequate facilities and services for the large number of minors enrolled. The sensitisation and trainings were aimed at making members of the monastic community more aware of the need to safeguard and promote the rights of child monks and nuns while striking a balance with traditional practices and sentiments. This is an important development to enable an institution steeped in traditional ways to accommodate new concerns of the changing world in terms of discipline and the need for recreation for example.

42. **Complaint and Response Mechanism:** Three mobile police units have been deployed in August 2008 in the capital Thimphu to provide quicker response to crime, and other incidents reported by people. This is being piloted and will be tried in other districts if proven successful.

43. The limited number of women in the police and judiciary has been identified as a constraint to encouraging women who have been abused to file formal complaints or take action. As of June 2006, there were 144 women on the RBP force, with a female: male ratio of 0.04 (National Plan of

Action for Gender). Although more women are being inducted into the police, it likely will take time for the ratio to improve.

44. The CRM will also set up a complaints cell at the main monastic institute in the capital to provide monastic students with access to lodge complaints, provide feedback and seek assistance on any issue affecting them. The clergy has also introduced three regional committees (headed by three senior monks) to focus on child rights and protection issues. These committees will prepare annual reports on child protection issues to the Chief Abbott.

45. **One Stop Crisis Centres:** There are plans to set up such a crisis centre at the Jigme Dorji Wangchuck National Referral Hospital in Thimphu that will provide additional services like legal assistance, social support, and counselling. The first such centre is expected to be operational within the year. Equipment has been procured and training is being processed.

46. **Counselling:** The NCWC has appointed a trained counsellor to the WCPU to work with minors. There is a professional counsellor at RENEW who also provides counselling to girls and counselling services are being expanded at the Department of Youth and Sports. (Also see civil society. NGO section, question 8).

47. **Other measures:** A team of NCWC officials and a forensic specialist made a sensitization-and-fact finding visits to the various districts, police stations, monastic institutions and health centres between November 2007 and February 2008. The mission made several recommendations to improve the situation of children in terms of CRC. Recommendations include developing a standard protocol to manage child abuse and domestic violence in the clinics and hospitals. Another recommendation is to improve police documentation and sharing of data related to children.

6. Have there been steps taken to adopt a comprehensive National Plan of Action for Children which covers all areas of the Convention.

48. There is currently no National Plan of Action for Children. However, provisions of the Convention are being integrated into the National Plan of Action for Gender (2007-2013) and the NCWC Common Country annual Work Plan prepared in collaboration with UNICEF and other development partners.

49. Protection issues have also been integrated into all national legislation from the Penal Code, the Civil and Criminal Procedures Code, to the Narcotic Drugs and Psychotropic Substance Act. New legislation being drawn up that incorporate CRC principles include the Adoption Act, and the Sexual Harassment at the Workplace Act.

50. The National Commission for Women and Children also represent the national machinery for women and children in Bhutan in the absence of a ministry for women and children. The NCWC's role is strengthened with its autonomous status.

7. Please clarify whether the National Commission for Women and Children may receive individual complaints from, or on behalf of children, on human rights violations, if it carries out investigations. Please indicate the number of cases brought before it and the outcome regarding the complaints filed.

51. Both the Women and Child Protection Unit (WCPU) and the NCWC have been receiving complaints from, and on behalf of children. The most common cases concern abuse, and violence in the home.

52. The NCWC has been receiving complaints and acting on behalf of minors in investigations and court. When NCWC receives complaints, it informs the WCPU and accompanies the complainant to the police, as well as to court to represent the victims, if requested.

53. Out of the many calls received, NCWC has handled eight court cases in the past one year (from spring 2007 till now) of which four cases involved minors. The cases included a teenage pregnancy, a rape of a minor, a child abuse case and a case where a minor was trafficked to Bhutan involving a non-Bhutanese. The accused in all four cases have been convicted in court. The minors are provided counselling and some monitoring of their situation after the case is over. In the case of the pregnant teenager, the RBP and NCWC have arranged for her to return to school after the delivery of her child.

54. The staff of the NCWC have not had formal training in dealing with complaints and have been “learning on the job”. They follow the same procedures undertaken by the WCPU to handle complaints and cases. A complaints cell will soon be established within the NCWC. For the present, the NCWC works closely with the RBP in handling complaints.

8. Please indicate to which extent NGOs have been involved in carrying out, monitoring and evaluating child related programmes. Indicate to what extent NGOs are involved in the drafting of legislation, regulations and policies. Please inform the Committee which restrictions apply to NGOs.

55. Bhutan is a least developed country, whose institutions and organisations are in the process of growth and development. At present, there are fewer than ten NGOs or Civil Society Organisations (CSOs) in Bhutan. Most of them are involved in either social activities or environmental concerns. Civil society organisations, considered important stakeholders and partners in the government’s efforts to advance implementation of the provisions of the Convention, play a critical role in carrying out, monitoring and evaluating child related programmes. There remains much room for the expansion of this role to support targeted services for women and children, including the establishment and administration of shelters, counselling services and financial support.

Child related programmes

56. The **Tarayana Foundation and Youth Development Fund** (YDF) are both CSOs that have been providing support for programmes targeting children and youth. Both CSOs support scholarship funds for needy children.

57. Although Bhutan provides free education, there are families from rural areas that cannot afford the nominal cost of education incurred for school books, shoes and uniforms. The Youth Development Fund supports scholarships for basic education for the most needy children from low income families to enable them to complete their basic education up to grade ten. It also funds a number of activities, the most important being REWA, a rehabilitation centre for drug and alcohol addicts. YDF is supporting handicraft centres and an institute for the disabled.

58. A Youth Centre was opened in Thimphu in 2008, offering a range of facilities to provide healthy recreation for youth. This ranges from basketball, tennis, and squash courts to a gymnasium, a swimming pool and rooms for discussion and exchange. (The government has also built a hostel and facilities for youth in the capital to provide safe living and learning conditions for youth coming to the capital for various reasons).

59. Tarayana Foundation administers a Scholarship Endowment Fund which supported 787 children from disadvantaged and poor families during the 2007 academic year. An estimated 1,200 students will receive scholarships in 2008. The Scholarship Endowment Fund enables children to attend school by providing for the students' school fees, uniforms, supplementary meal contributions and other associated expenses.

Children with Special Needs

60. There are limited special education services for physically and mentally challenged children in Bhutan. Only three institutions in the country cater to children with special needs; one for the visually impaired, a school for the hearing impaired and a vocational center for children with disabilities. In 2007 the Youth Development Fund and the Department of Special Education of the Ministry of Education launched a project to enhance educational opportunities for children with special needs. This project aims to provide five pilot schools with facilities, equipment, books and professional expertise for children with special needs in Bhutan. A project is being drawn up to address the special needs of Bhutanese children for the next five years.

61. **REWA** is a drop-in centre for recovering alcoholics and drug addicts. The centre was closed temporarily in 2007 for police to investigate the death of a client undergoing rehabilitation in 2007. The case has been tried and persons responsible sentenced to imprisonment. The Youth Development Fund has re-opened REWA and recognised the need for increasing professional support. It is working towards strengthening the centre that has helped many young addicts recover.

62. **RENEW** (Respect, Educate, Nurture, Empower Women), another CSO, has established a shelter home that operates round the clock providing shelter for victims of family violence and their children. Apart from shelter, RENEW provides support, counselling, advocacy and community education to women and their children who want to get out of an abusive home

situation. Services provided include vocational training, medical care, legal assistance, a drop in centre and an Al-anon family programme for family members of alcoholics. Counselling services target adolescent girls, family council, and cover a range of needs from HIV/AIDS to domestic violence. Renew is also conducting a study on the effects and impact of domestic violence on children that will provide deeper insight into the situation of domestic violence in Bhutan.

63. YDF, RENEW and Tarayana Foundation have been involved in various consultations on children and have been working with government in drafting policies. They were consulted in the drafting of the Child Care and Protection Act (draft) and the Adoption Act and many other consultations on women and children issues.

64. A new non-profit organisation called the Loden Foundation started a child care centre in the remote village of Ura in Bumthang in 2008. New non-profits that are waiting formal registration include a Centre for Media and Democracy that aims to promote media literacy among children and youth.

65. A Bhutan Nuns' Foundation is being established under the patronage of Her Majesty the Queen Ashi Tshering Yangdon Wangchuck. Many girls and women in Bhutan enter nunneries for varying periods to gain an education and some, to escape poverty. These women are very involved in local communities, often helping needy families and serving as role models for other girls and women.

66. There are twenty-one nunneries in Bhutan, many of them have inadequate toilets and bathrooms, sleeping quarters, and makeshift kitchens. Trained teachers and learning materials are in short supply. The Bhutan Nuns' Foundation's stated aim is to provide better living conditions and education for all nunneries across Bhutan.

67. Civil Society Organisations are beginning to make their presence felt by supporting key areas and needs of a changing society. All Civil Society Organisations face financial constraints in a country with limited resources.

9. Please indicate what kind of human rights training have been organised and which professional groups have been targeted, and if these trainings are systematic and ongoing. Indicate if education on the Convention on the Rights of the Child has been integrated in the school system.

68. The NCWC has organised a number of trainings on CRC, CEDAW, gender and development for the Police and members of the Judiciary. It has conducted briefings on CRC, CEDAW, gender and development for parliamentarians and local government representatives. National policy requires the trained local government representatives to raise awareness on children and women's issues with their respective local government bodies – the Dzongkhag (District) Yargay Tshogchung and the Geog (Block) Yargay Tshogchung.

69. CRC trainings have been conducted for the staff of all the Women and Child Protection Units of the Police Force. This year, two officers from the WCPU and NCWC attended a

training on human trafficking. Study tours to Sri Lanka and Thailand were organised for the police and judiciary to review women and child-friendly procedures and assess how and to what extent they could be replicated in Bhutan. With the increasing evidence of violence against women and children, there is a need to continue strengthening the skills of police and judiciary officials in dealing with victims of violence and to expand and develop women and child-friendly procedures in the police and the judiciary.

70. A total of 16 members of the judiciary, police and other officials have attended a training of trainers' child sensitization course.

71. The Royal Court of Justice and the NCWC conducted a National Consultation on Women and Child Friendly Judicial procedures in 2006 that resulted in an eight point recommendation that identified gaps to be addressed. In 2005, a National Consultation on Violence Against Children was conducted resulting in numerous recommendations including the setting up of the WCPU that is now operational.

72. The Royal Court of Justice conducted a campaign to raise awareness of law "Know the law to protect your rights". The RCJ lectured various schools and institutions on legislation, emphasising issues related to rights and duties of children, and for better protection of rights.

73. In the coming months, the Royal Bhutan Police plans to begin a series of school visits to talk to children and youth on youth issues and key elements of the CRC and CEDAW as well as child protection issues. In the first round, visits will be made to schools in the capital. These sensitisation visits will contribute to an enhanced awareness of the CRC among teachers and youth.

74. Trainings on Child and Women friendly justice systems are being planned in the coming months. Several representatives from the Judiciary and police have been trained to conduct an in-country workshop to sensitise their colleagues on the topic.

75. Bhutan is also participating in the South Asia Forum on Violence Against Children and Women in Nepal that will be represented by participants from the NCWC and the Police. Youth representatives will be among the Bhutanese delegation attending the World Congress on Violence against Children to be held in Brazil in September 2008.

76. The NCWC with UNICEF conducted a child rights and protection training for monks, principals and heads of monastic institutions. There are 362 monastic institutes in Bhutan with an enrolment of about 10,000 according to the Education Ministry.

77. The clergy has introduced alternative disciplinary action that is more aligned to the principles of the CRC. Many heads and persons in charge of these institutions are reported to have become more aware of the rights of the children including the right to leisure, games and recreation. Later this year, the NCWC and eight members of the clergy will attend a sensitisation tour to Thailand to observe how monastic institutions can be made more child friendly.

78. The CRC has not been integrated into the formal school curriculum but child rights and protection issues have been included in various activities targeting minors including the Scout

programme, in youth leadership training, the school life skills programme and other extra-curricular activities.

10. Please indicate to the Committee the progress made with regards to the formulation and implementation of the comprehensive policy to address HIV/Aids, referred to in paragraph 256 of the State party report.

79. Bhutan's overall STI and HIV and AIDS prevention and control approach is to achieve the Millennium Development Goal of reversing and halting the spread of HIV and AIDS by 2015. Bhutan is a part of UNICEF's SAARC regional movement on children affected by HIV/AIDS and its participation in the regional movement provides impetus to the work being done at home to address the needs of minors and HIV/AIDS.

80. The National Plan of Action for Gender has identified HIV/AIDS as one of seven priority areas to be addressed.

81. The government has developed a HIV/AIDS National Strategic Plan to prevent and control STIs, HIV and AIDS that views HIV/AIDS not just as a health problem but a development crisis. The strategy is based on Bhutan's multi-sector approach to HIV/AIDS. A National HIV/AIDS Commission coordinates the response at the national level. At the dzongkhag (district) and geog (block) level, multi-sectoral taskforces facilitate the coordination of activities. The geog level MSTFs includes members of the community, non-formal education groups and village health workers.

82. The Strategic Plan (devised in April 2008) defines the roles and responsibilities of partners, NGOs and community-based organisations in addressing HIV/AIDS. Apart from preventive measures, the strategy emphasizes the importance of providing for the health care needs of people living with HIV and AIDS. The strategy states the government's commitment to providing antiretroviral treatment to people with HIV. It also points out the importance of involving individuals, families and communities in the care and support of people with HIV and identifies ways to create a more supportive environment including ensuring care and support to children infected or affected by HIV and AIDS.

83. Youth - both boys and girls - have been identified as one of the most-at-risk groups in Bhutan. Evidence shows that about 30 percent of detected cases are young Bhutanese less than 25 years, out of which girls are a majority. The strategic plan points out that since a large number from this age group are in schools, targeted behavioural change communication and integration of HIV and AIDS preventive issues in the school curriculum are seen as crucial to effectively control the spread of HIV among youth in the school community. Some of the interventions targeting the youths include:

- Behaviour change communication programmes
- Implement reproductive health and life skills education (including negotiation skills) in all schools and educational institutes
- Peer-based education programmes
- Availability of youth friendly reproductive health services at all levels -both health and social services, including appropriate counselling services

- Condom promotion

84. The strategic plan also aims to reduce mother to child transmission and has made the prevention of mother to child transmission an integral part of the country's HIV/AIDS programme. The government will provide HIV and AIDS training for health care workers responsible for family planning, antenatal care, birth delivery and newborn care. The health system will continue to offer HIV testing to pregnant mothers through an opt-out approach at all ANCs. Health service providers will provide follow-up action and support to HIV positive pregnant mothers in the community.

85. All pregnant mothers who are HIV positive should have access to ART. And to further reduce HIV infections in Bhutanese infants and young children, breastfeeding shall not be recommended to HIV infected mothers. The strategic plan states that the Government shall provide support for infant formula and ensure that alternative feeding is made safe, sustainable, and accessible for HIV positive mothers. The plan states that mothers who strongly intend to breastfeed their children shall be respected.

86. HIV testing and counseling will be stepped up at hospitals. A Health Information Service Centre has been set up in Thimphu and another one will be set up in the southern border town of Phuentsholing. The model of service delivery adopted by HISCs extends beyond the provision of counselling and testing. They will also identify risk areas within their geographic area, conduct outreach activities to population groups at risk and strengthen partnerships with local entertainment venues to create a supportive environment for the prevention of HIV transmission.

87. Another strategy is to develop the capacity of non-governmental organizations and community-based organizations in managing and increasing their involvement in HIV/AIDS programmes.

88. A current USD 5.7 million World Bank grant project, due to be completed by the end of 2009, has focussed on priority groups such as the young population, sex workers, truck drivers and migrant workers. Existing policies to address HIV/AIDS include providing 100 % condom access through a new social marketing approach.

89. Research capacity within the Health Ministry, academic institutes and other relevant stakeholders such as NGOs need to be developed to provide improved information and data to provide future direction.

90. With the World Bank support coming to an end, the sustainability of some of these plans and activities are in question.

11. Please inform the Committee whether surveys have been undertaken on the extent and root causes of child labour and whether the State party cooperates with the ILO in the area of prevention.

91. **Survey:** There has been no formal survey on child labour so far although several studies have attempted to analyse child labour. The government and NCWC are preparing to undertake

the first survey on child labour in the country. The study will analyse the child labour situation, and provide some indication of the trends in child employment. It will examine the incidences of worst forms of child labour, document the socio-economic, cultural and family backgrounds of child workers, and their experiences. While the government will focus on the prevalence of child labour, NCWC will use the study to provide a profile of the child labour in existence.

92. The study will cover the child labour situation both in the urban, peri-urban and rural settings with an aim to establish baseline information. The study is expected to provide the information needed to plan and implement advocacy for better protection for children.

93. **The Labour and Employment Act:** This Act was passed in February 2007 after numerous rounds of consultations with stakeholders. The Act incorporates many of the recommendations specified by the International Labour Organisation (ILO) regarding child labour. The Labour Act specifies the jobs that are not harmful for children and jobs that children are not permitted to undertake employment in. It states that the employment of children under 13 years “in an employer-employee relation is prohibited.”

94. Among its many protective principles, chapter 2 of the Labour and Employment Act prohibits the following:

1. the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
2. the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs; and
3. work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of a child, including work which exposes a child to physical, psychological or sexual abuse.

Violations of such prohibitions are considered an offence or felony of the third degree.

95. According to the Ministry of Labour and Human Resources (MoLHR), labour administration is a very new concept in Bhutan where employment has often been conducted on an informal or personal basis with few contractual obligations. The government is focusing on improving labour administration to improve the quality of life of workers and has been making progress. The lack of an adequate regulatory framework and minimum wage policy has also tended to discourage employment absorption due to a lack of confidence between both potential employers and employees.

96. In terms of child labour, MoLHR is drawing up rules and regulations to guide the employment of children between the ages of 13-17 years of age. This is covered under the Draft Rules and Regulations of the Labour and Employment Act, 2007. The draft, which is still undergoing discussion with stakeholders, outlines regulations for acceptable forms of child labour and prohibited forms of child labour. It outlines detailed working conditions and entitlements for children including the need to pay minors a minimum wage rate set by the Ministry. It sets out penalties for persons who employ children in any occupation or jobs outside of a list of acceptable jobs indicated in chapter three. Penalties include prison terms for a minimum of four years to a maximum of nine years.

97. The regulation sets out to “protect children as defined in the Labour and employment Act, 2007, from employment that is considered dangerous to their safety, health and moral well-being”. It indicates occupations and employment arrangements considered acceptable for children and indicates the working conditions that apply to acceptable occupations for children.

98. The draft rules and regulations explains that children may be permitted to undertake jobs in areas other than those indicated in the rules and regulations, but they will first need to obtain a written approval from the Chief Labour Administrator, MoLHR.

99. Conducive working conditions are outlined in the draft rules and regulations specifying permitted working hours, forbidding overtime work, and minimum wages as specified by MoLHR.

100. Labour inspectors will also be empowered, when the rules and regulations are adopted, to enter workplaces and inspect the working conditions of children to ensure compliance with the Labour and Employment Act and the rules and regulations.

101. In the meantime, the government is undergoing a process of discussion with the ILO to better understand the rules and responsibilities of becoming a member of the organisation.

12. Please indicate efforts undertaken to address the situation of Bhutanese refugee children, including family reunification.

102. With regard to the children in the refugee camps in Nepal, they are beyond the territorial jurisdiction of Bhutan and are currently under the care of the Nepalese government, UNHCR and other humanitarian agencies. The position of the Royal Government is that the purpose of the bilateral talks that Bhutan has held with Nepal since 1993 is to verify the bonafides of the people in the refugee camps in Nepal. The two governments have agreed that there are four categories of people in the camps including non-Bhutanese people. It is factually incorrect to term all the people in the camps as Bhutanese. Bhutan cannot accept a blanket reference to all the people in the camps as being “refugees” from Bhutan.

103. The Royal Government stands fully committed to the bilateral talks to finding a durable solution to the problem of the people in the refugee camps in Nepal in keeping with the agreements reached with the Government of Nepal. However, the political instability of Nepal lasting over many years has delayed progress on the issue. Therefore, it was neither practical nor feasible to engage in serious and meaningful dialogue given the unstable political situation in Nepal.

104. Following the elections in Bhutan in March 2008 and with the formation of a new democratically elected government, the Royal Government has indicated its willingness to resume the bilateral talks with Nepal. The Prime Minister of Bhutan conveyed this to his Nepalese counterpart when they met during the 15th SAARC Summit in Colombo, Sri Lanka, on 3rd August 2008. The Bhutanese Prime Minister told his Nepalese counterpart that the Royal Government was looking forward to continue the discussions with Nepal so that the problem

could be resolved as quickly as possible. He reminded his Nepalese counterpart that the talks could not take place due to a lack of a stable government in Nepal.

13. Please inform the Committee whether the draft national plan of action to address commercial sexual exploitation, referred to in paragraph 435 of the State party report, has been adopted and to what degree it has been implemented.

105. Many of the issues intended to be covered in a plan of action to address commercial sexual exploitation has now been incorporated into the joint workplan of the NCWC and UNICEF. Some of the plans identified include initiating the formulation of policy plans and sensitising members of the judiciary and police on how to handle commercial sexual exploitation issues.

106. Prostitution is a crime in Bhutan (Penal Code) and there is scant knowledge of the extent of commercial sexual exploitation. Police data show a total of 21 cases of prostitution recorded between 2005 to 2007. The Royal Bhutan Police has plans to conduct a small study to understand the scope of such activity in the capital. Anecdotal evidence so far show that sex workers in Bhutan do not work for any kind of an organised syndicate.

107. The health authorities point out some evidence of “increasing” sex work in towns like Phuentsholing. According to the 2006 Annual Health Bulletin, a focus group discussion of key informants with six sex workers found that there were about 50 sex workers including one Bhutanese, operating in Phuentsholing at that time. Most of the sex workers came from across the border.

108. With Bhutan becoming a member of Interpol, the RBP can now access better information on trafficking of women and children in the South Asian region.

14. With reference to its previous concluding observations (CRC/C/Add.157, paragraph 63, b), please inform the Committee whether a Juvenile Justice Act has been adopted.

109. The previous Juvenile Justice Act has evolved into a draft Child Care and Protection Act. The draft Act covers many of the issues raised in the earlier Juvenile Justice Act, and has been updated to include concerns and issues specified in the human rights instruments that Bhutan has signed in recent years. The Act aims to institute a child –friendly justice system.

110. The principles of the Act are summarised as follows:

- To prevent child delinquency
- To develop a child justice system that upholds the rights of the child, keeping them safe and promoting their physical and mental well-being
- To provide a child in conflict with the law the opportunity to be heard in any judicial and administrative proceeding either through a representative or an appropriate body

- To provide a child under confinement with conducive physical environment and accommodation. Due regard must be given to the special social, emotional, physical, spatial needs of the child
- To give children special protection during investigation or proceedings in relation to an offence allegedly committed by a child
- To divert a child who has committed offence from the criminal justice system, unless the nature of the child's criminal history shows the need for proceedings to take place
- To provide a child in detention with a safe, and stable living environment, and all the special social, emotional, physical and spatial needs of the child. Access to education and the right to being consulted and to maintaining relationships with the child's family and community are also included in the draft Act.

111. The draft Child Care and Protection Act specifies measures to be taken: from reintegration and rehabilitation of children in conflict with the law or children in difficult circumstances. It outlines procedures for trial proceedings, sentencing, legal advice, to post-conviction requirements such as counselling and treatment of a victimised child.

112. The draft Act also prescribes responsibilities that include the role of the community in preventing child delinquency, to the roles and duties of the police and the court and even the media.

113. The draft Act introduces several new initiatives that are expected to improve the current situation and provide increased support for children in conflict with the law, or in difficult circumstances. This includes the setting up of competent authorities and institutions for children such as child and special homes, the appointment of professional social workers, and the protection against legal consequences and social stigma. The Act also enables relevant authorities such as the police to issue directives to the various agencies to follow-up on the protection and rehabilitation of children.

114. There is also a proposal to establish a One Stop Crisis Centre in every major government hospital to facilitate expeditious processing of offences against and to safe guard the best interest of the child. Such a centre will be staffed by a police official, psychiatrist, social worker and a legal counsel.

115. The draft Act is being finalised through several rounds of consultations with various stakeholders and is expected to be tabled for discussion by the National Assembly at the end of 2008.

PART II.

Under this section, the State party is to briefly (3 pages maximum) update the information provided in its report with regard to:

- New Bills or Enacted Legislation:

116. Eighteen Acts were passed by the National Assembly in 2006 and 2007 and four in the first session of parliament in 2008. The following legislation, enacted between 2006 and 2008 have direct relevance to children and youth:

2006:

- **The Information, Communications and Media Act of Bhutan 2006.**

117. This Act was a response to recent development in the Bhutanese media industry, particularly the impact on youth and society. It establishes the groundwork for the media trends that stem from the signing of the Constitution. The government has followed up with a set of regulations and codes to direct growth trends in the media.

There has been active discussions on the content of media, including advertising, and their influence on society, particularly youth.

118. The establishment of the Bhutan Infocomm and Media Authority (BICMA) was an important step to regulate all media. With the 2003 Media Impact Study emphasizing the influence of the media on youth behavior and values BICMA has set in place several rules to regulate media content.

119. The government has commissioned a Media Impact Study in 2008 to take stock of the influence of the Bhutanese media in the period of political transition from Monarchy to democracy. Media trends are now critical because the commercial Bhutanese media – print and broadcast – are aiming at the young audience.

2007:

- **The Labour and Employment Act 2007**

120. In recent years, unemployment, which reached three percent, has become a serious concern for the government. The problem is a mismatch between youth who are graduating from Classes X and XII and universities and the available jobs that are mostly unskilled.

121. The Labour and Employment Act, the first legislation that covers private sector employment, ensures that children are not exploited and that minimum wages are paid in the private sector, including overtime rates.

- **The Civil Society Organisations Act of Bhutan 2007**

122. The much-awaited Civil Society Organisations Act was passed in 2007, legitimizing existing CSOs and making way for new nonprofit organisations that are in increasing demand in the new democratic environment. Although the Authority is yet to be established, the existing CSOs are geared towards improving the state of women and children in both rural and urban areas.

New Institutions:

- **Election Commission**

123. The Election Commission is responsible for the preparation, maintenance, and periodical updating of electoral rolls, the election schedule, and the supervision, direction, control and conduct of elections to the Parliament and local governments. It is also responsible for holding national referendums in a “free and fair manner”. The Election Commission has also been conducting voter education programmes.

- **GNH Commission**

124. The Planning Commission was renamed the Gross National Happiness Commission (GNHC) in 2007 to maintain the traditional emphasis on GNH priorities. This includes the allocation of about 30 percent of the annual budget on health and education that have a direct impact on children, from birth to adulthood. Under the new democratic system, the GNHC has been mandated to focus on reducing poverty and among the priorities are youth issues including the quality of education and vocational training and employment.

- **Anti-Corruption Commission**

125. The Anti-Corruption Commission was set up by Royal Decree in December 2005 to investigate corruption and to check on what is describes as “the private utilization of public funds and persons engaged in unauthorized use of public resources”. The ACC is an independent authority whose mandate is to prevent and combat corruption in Bhutan.

- **Royal Education Council**

126. An Education Council was established in 2007, on the command of His Majesty the King, to conduct an analytical study of the Bhutanese education system. The Council has been mandated to conduct analyses of the education system, looking at policy direction and quality of education, to advise the Ministry of Education. The Council is currently looking at education policies and systems in Bhutan, the immediate region, and overseas. It is looking at the range of classes from primary school to university to help develop a progressive education policy for Bhutan.

- **Narcotics Control Agency**

127. The Bhutan Narcotics Control Agency was set up to advise the Narcotics Control Board on national drug control strategies, and to carry out periodical studies/surveys to determine the extent and nature of drug trafficking and abuse. The Agency also monitors the implementation of the Narcotic Drugs, Psychotropic Substances and Substance Abuse Act and its rules and regulations. It is responsible for compiling data relating to substance abuse, and to report on the situation to all international agencies and international treaties that Bhutan is party to.

- **Supreme Court:**

128. With the adoption of the Constitution, a Supreme Court will be set up comprising the Chief Justice and four judges. The Supreme Court will be the highest appellate authority and the final authority on disputes related to the Constitution. The Supreme Court will symbolize the rule of law that is critical to the smooth functioning of a democracy.

Newly Implemented Policies:

129. The Tenth Five Year Plan period, which began from July 2008, places emphasis on poverty reduction. The target is to bring down the number of people living under the poverty line to 15 percent by the end of the Plan period. This will require rural poverty to be effectively brought down to below 20 percent. The other important social targets set in the plan are to boost the national literacy rates to 80%, lower the infant mortality rate to 20 per thousand, increase life expectancy to greater than 70, achieve a 95 and 96% access for safe drinking water and sanitation respectively, electricity service to 84% of the rural population and rural telecommunication expanded to cover all 205 Geogs with a penetration rate of 15%. Improvements on all these social indicators along with projected income growth are likely to push up Bhutan's Human Development Index value close to 0.700 by 2013.

130. Bhutan is a party to the SAARC Social Charter 2004, which under Article III, has affirmed the highest priority to poverty alleviation with the aim to triple rural per capita income by 2012, and the SAARC Plan of Action on Poverty Alleviation adopted in 2004. Bhutan also recently launched the SAARC Development Goals which comprise of 22 goals for the period of 2007-2012 in the areas of poverty alleviation, health, education and environment. The Royal Government continues to ensure the provision of quality education and health services, while expanding infrastructure of telecommunications, electricity, and housing and other urban facilities.

- **Schools:**

131. Article 9(15) of the Constitution of Bhutan states that education will be "directed towards the full development of the human personality." Section 16 of the same Article directs the state to provide "free education to all children of school going age up to tenth standard and ensure the technical and professional education is made generally available, and that higher education is equally accessible to all on the basis of merit."

132. A major policy of the Education Sector for the Tenth Plan is to enhance education quality

at all levels. Various programmes and activities are to be initiated towards improving curricula and teaching methodologies, enhancing teaching/learning resources including the use of appropriate class-room technology, strengthening education management systems, promoting literary, art and cultural learning, reducing class size to an optimum teacher pupil ratio, providing relevant life skills and vocational training, encouraging physical education, games and sports and promoting an interest for reading. Measures will be taken to strengthen teacher workforce, improve their professional qualifications and teaching competence and to provide appropriate incentives.

133. **Vocational Educational Training Policy** – The government is also focusing on increasing vocational education. During the Tenth Five Year Plan period, the government will open more Vocational Training Institutes across the country to provide youth with the relevant technical training to find employment.

134. **Child Friendly School Policy 2006** is being piloted in seven schools in seven districts. By the end of the Tenth FYP period (2013), it is envisaged that all schools in Bhutan will have adopted the Child-Friendly School policy.

135. CFS is inseparable from implementation of CRC and ultimately the so-called quality of primary and basic education will be determined to a large extent, by the degree to which, schools can adapt to and adopt the CFS concept.

136. With the adoption of the Constitution of Bhutan, basic education has been upgraded from the eighth to tenth grade.

137. **Gender Focal Points** were appointed in Government Ministries, autonomous agencies, CSOs, and the private sector in 2005. These focal points are the vehicle through which the RGoB is mainstreaming gender in compliance with CEDAW. The Gender Focal Point is responsible for mainstreaming gender in her/his workplace, and works to make policies and programmes gender-sensitive, thus enhancing the benefits of the policies and programmes for women, men and children.

- The Constitution of Bhutan states that “the State shall provide free access to basic public health services in both modern and traditional medicine.”

- The government is working towards achieving 100% institutional delivery as a strategy to decrease maternal mortality rate. The promotion of institutional delivery is regarded as the most effective strategic measure to raise the proportion of attended births and, thereby, improve the survival of mothers and infants. Health centres are being better equipped and delivery rooms are being made more women friendly and comfortable. To further improve child survival rate and given the central role of Auxiliary Nurse Midwives (ANM) in delivery at the Basic Health Unit level, an attachment programme for in service ANM was initiated in 2005. ANMs undergo an attachment at the National Referral Hospital where they gain hands on experience on birth complications. The programme will continue and expand to include other health care providers who perform deliveries such as Health Assistants and Basic Health Workers, with a focus on female staff.

- The National HIV/AIDS Commission approved the provision of free Anti-Retroviral Therapy for people living with HIV/AIDS, including pregnant women, and has also approved voluntary testing for pregnant women who are encouraged through counselling to undertake the tests. Guidelines were also developed for counselling and health service delivery for HIV infected mothers.

PART III. Data and statistics, if available

1. Please provide disaggregated statistical data (by sex, age groups, ethnic minority groups, urban and rural areas) covering the years 2005, 2006 and 2007 on the number and percentage of children under 18 living in Bhutan.

1. Projected population by age group and sex 2005, 2006, 2007

Age group	2005			2006			2007		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
0-4	62,553	31,489	31,064	65,100	32,702	32,398	68,180	34,183	33,997
5-9	70,339	35,547	34,852	68,780	34,808	33,972	67,205	32,102	33,103
10-14	77,007	38,728	38,279	76,190	38,420	37,770	74,948	37,823	37,125
15-19	75,236	37,504	37,732	75,810	37,404	38,406	76,381	37,672	38,709
Sub-total	285,135			285,880			286,714		
Total population	634,982			646,851			658,888		
% youth under 19 years of age	44.9%			44.1%			43.5%		

Source: National Statistical Bureau, July 2007

2. Projected population (numbers) by sex and single years of age, 2007, 2008

Age	2007			2008		
	Male	Female	Both sex	Male	Female	Both sex
0	6,894	7,275	14,169	7,699	7,998	15,697
1	6,901	6,960	13,861	7,426	7,488	14,914
2	6,860	6,725	13,585	7,167	7,076	14,243
3	6,797	6,546	13,361	6,940	6,757	13,697
4	6,731	6,473	13,204	6,753	6,529	13,282
5	6,688	6,448	13,136	6,624	6,392	13,016
6	6,689	6,483	13,172	6,566	6,342	12,908
7	6,752	6,573	13,325	6,588	6,377	12,965
8	6,887	6,712	13,599	6,694	6,489	13,183
9	7,086	6,887	13,973	6,874	6,664	13,538
10	7,317	7,083	14,400	7,097	6,881	13,978
11	7,530	7,280	14,810	7,317	7,108	14,425
12	7,665	7,459	15,124	7,483	7,316	14,799
13	7,685	7,600	15,285	7,563	7,476	15,039

14	7,626	7,703	15,329	7,577	7,594	15,171
15	7,524	7,804	15,328	7,574	7,707	15,281
16	7,450	7,878	15,328	7,590	7,803	15,393
17	7,444	7,855	15,299	7,611	7,826	15,437
18	7,544	7,707	15,251	7,651	7,755	15,406
	Total of persons aged 0-18		271,539			272,372
	% of population 18 and under		41.2%			40.5%
	Total population		658,888			671,083

Source: NSB, Population projections 2007

138. The National Statistical Bureau reports state that with declining fertility, the proportion of population aged 15 and less is projected to decline from 33.1 to 22.8 percent. The share of the population aged 5-14 years to total population of all ages is expected to decrease from 23.2 percent in 2005 to 15.8 percent in the year 2030. The population is expected to grow at an estimated average annual increase of 1.4 percent.

2. In the light of article 4 of the Convention, please provide data on budget allocations and trends (in absolute figures and percentages of the national and regional budgets) for the years 2006, 2007 and 2008 regarding the implementation of the Convention in the areas of education and health.

139. Bhutan's Ninth Five-Year Plan, which ended in June 2008, emphasised the improvement of the social conditions of people by enhancing access to, and improving the efficiency and quality of social services. This priority was reflected in the significant scaling up of resources allocated for the social sector which received more than a quarter of the Ninth Plan's total development outlay, which includes social sector expenditures at both the central and the Dzongkhag and Geog levels. The social sector received the largest share of the Ninth Plan budget of about Nu.70 billion.

140. The allocation for the education, health and human resource development sectors under the Tenth Plan comprises more than a quarter of the total plan budget. The budget for social services (health and education) is an estimated 23.61 percent of the total budget

Education:

141. Forty new schools and institutes were built over the first four years of the Ninth Five Year Plan period (2003-2007) and existing educational institutions were expanded or upgraded. Five schools were re-opened in the Southern Bhutan that were closed due to security reasons were reopened in the summer 2008. The Education Minister announced that close to thirty schools will be re-opened in the southern region soon.

142. Enrolment growth at the higher secondary level has risen the fastest, averaging close to 25%-29% a year between 2002 and 2006. At the middle/lower secondary and primary levels, enrolment growths have been more modest at 7% and 4% respectively over the plan period.

143. With a faster enrolment rate for girls at both primary and secondary levels, the country has also moved much closer to achieving gender parity in primary and secondary school education with 93 and 98 girls for every 100 boys respectively in 2006. The Population and Housing Census of Bhutan 2005 though revealed that the net enrolment rate for primary education was 79.4%. (10 FYP report)

Budget allocation:

144. The total budget provision for the financial year 2006-2007 amounts to more than Nu.3, 500 million and Nu.2, 658 million for the financial year 2005-2006.

1. Annual budgets for the education sector (Nu. in million)

	2005-2006		Total	2006-2007		Total
	Current	Capital		Current	Capital	
	Schools	Institutes/colleges		Schools	Institutes/colleges	
schools	1,324.753	1,043.223	2,367.976	1,651.51	1,421.34	3,072.85
Institutes/ s/ colleges	1,96,834	94,106	290.94	292.55	167.70	460.24
			2,658.916			3,533.09

Source: Education Ministry

145. **Health:** In the Ninth Five Year Plan, a total outlay of Nu. 6536 million (10% of the total 9 FYP budget) was allocated to the health sector out of which an approximate amount of Nu. 1000 million was budgeted for purchase of essential drugs, vaccines and equipments. Details for the last three years' budget are as follows:

Budget allocations

Year	Amount in Nu.
2005-2006	1,409.271 million
2006-2007	1,732,820 million
2007-2008	1,366.269 million

Source: Information services, Ministry of Health

The proposed budget for 10th FYP: Nu. 10,754.165 M

Health infrastructure and resources

Human resources	2002	2006
Doctors	122	145
Dungtshos and Menpas	55	66
Doctors per 10,000 population	1.7	2.3

Nurses	495	529
Nurses per 10,000 population	6.9	8.3
Other health staff (technicians, assistants, health workers)		
Total workers	1,356	1,641
Health infrastructure		
hospitals	29	29
Indigenous hospitals	1	
Basic health units	166	176
Out-reach clinics	455	485
Indigenous hospital units	19	21
Total hospital beds	1,023	1,400
Hospital beds per 10,000 population		
Total health facilities	670	711

Source: Annual health bulletins 2002,2006,

3. Please provide disaggregated statistical data (by sex, age groups, ethnic minority groups, urban and rural areas) covering the years 2005, 2006 and 2007:

- (a) Rates of infant and child mortality;
- (b) Rates of immunization;
- (c) Rates of malnutrition;
- (d) Children infected with and/or affected by HIV/AIDS.

(a) Rates of infant and child mortality

1. Infant and under-5 mortality rates, 2005

	2005	2005
<i>Dzongkhag</i>	IMR*	U5MR**
NATIONAL	40.1	61.6
Urban	32.8	52.8
Rural	43.4	65.5
Female	37.4	57.6
Male	42.8	65.5
Female-Rural	38.6	60.3
Female-Urban	34.7	51.5
Male-Rural	48.1	70.6
Male-Urban	30.9	54.0

* IMR calculated as follows: [Total number of deaths among under-1-year-olds] / by [total number of live births] by [1000].

** U5MR calculated as follows: [Total number of deaths among under-5-year-olds] / by [total number of live births] by [1000]. Source: National Plan of Action for Gender, 2005

146. There have been considerable achievements in reducing child mortality over the Ninth Five-Year plan period (2003-2008). Under-five mortality rates have been brought down by around 29% from 84 per thousand live births to 60 per thousand live births over the plan period. Bhutan remains comfortably on track to achieve the MDG target of reducing U5MR by two-thirds. There has been an even faster rate of progress in reducing infant mortality rates with IMR levels being successfully scaled down by around one third from 60.5 per thousand live births to 40.1 in a little over five years. At this rate of progress, it is highly probable that the country will achieve the MDG target of reducing IMR by two thirds well ahead of time. (10 FYP)

(b) Rates of immunization

1. EPI coverage in percentage nationwide 2006

	2005	2006	2007
BCG	13,484	13,484	12,525
Measles	12,777	12,777	14,726
DPT3/HEP3	13,400	13,400	12,693
OPV3	13,531	13,531	12,361
OPV0		10,906	10,469

Source: Information section, Ministry of Health

Immunisation rate for 2007 = 90%

Immunisation rate for 2006 =90% (estimated)

Immunisation rate for 2005 =90% (estimated)

(c) Rates of malnutrition**1. Malnutrition**

year	Underweight	Overweight	Attendance for under 5
2007	9.8%	23.3%	172,955
2006	9%	18.1%	171,135

Source: Information Services, Ministry of Health

2. Nutritional status of children attending clinics

Cases of children attending clinics									
	Infants	1-4 year old	Total cases	Total cases with overweight	Total cases with normal weight	Total cases with underweight	% of normal weight	% of over weight	% of under weight
2007	99,883	73,072	172,955	38,032	117,905	17,018	68.2	22.0	9.8
2006	103,012	68,123	171,135	39,926	117,435	16,788	66.9	23.3	9.8

(d) Children infected with and/or affected by HIV/AIDS.

1. Percentage of people detected with HIV/AIDS by Age and sex, September 2006

Distribution	Age Group (Years)							Total
	<5 years	5-14	15-19	20-24	25-29	30-39	40-49	
Male	1.98%	0.99%	0	2.9%	20.7%	19.8%	7.9%	54.27%
Female	6.9%	0.99%	4.9%	11.8%	8.9%	6.9%	4.9%	45.29%

Source: STI and HIV/AIDS Programme, Ministry of Health, 2006.

4. With reference to child abuse and neglect, please provide data and the types of child abuse reported covering the years 2005, 2006 and 2007.

147. Police reports show that between 2001 and 2004, there were 34 cases of rape of minors. Other cases are believed to have gone unreported. In the same period, a few cases of new born babies being abandoned were reported along with two cases of infanticide. (Royal Bhutan Police records).

1. Women and children abuse cases reported 2005, 2006, 2007

Year	Nature of Crime	No of cases
2005	Statutory rape	1
2006	Abandonment of an infant	1
2007	Trafficking of a child into Bhutan	1
	Statutory rape	1
	Battery	2
	Criminal attempt (statutory rape)	1
	Rape of a child above 12 years	1
	Rape	3
	Gang rape of a minor	1
	Total no of cases	12

Source: Royal Bhutan Police

148. As explained in the main report, incidences of child neglect can also be inferred from information on extent of domestic violence and substance abuse (which police attribute to a lack of guidance and neglect of children at home).

2. Violent cases reported

Police Cases	2005	2006	2007	total
2. wife battery	89	81	106	276
3. husband battery	6	10	8	24
4. child battery	7	2	3	12
5. parent battery	12	10	14	36
6. rape	22	24	28	74

Source: NCWC sensitization tour report 2007-2008

3. Age profile of Drug Abusers from 1989-2005

Age range	Numbers	Percentage
8-18	319	61
18-24	156	30
25-48	49	9

Source: Royal Bhutan Police/ BNCA (Bhutan Narcotics Control Agency)

4. Student Drug offenders arrested

Year	Total	Students	Percentage of total
2005	181	104	57%
2006	192	110	57%
2007	286	114	40%

Source: Royal Bhutan Police/ BNCA (Bhutan Narcotics Control Agency)

5. With reference to the right to education, please provide disaggregated statistical data (by sex, age groups, ethnic minority groups, urban and rural areas) covering the years 2005, 2006 and 2007 in percentage of the relevant age group on the:

- (a) Rate of literacy, below and over 18 years;
- (b) Rate of enrolment in pre-primary schools, primary schools and secondary schools and in vocational training;
- (c) Percentage of children completing primary and secondary education;
- (d) Ratio teacher per children and number of children per class.

a) Literacy rate for persons below and over 18 years

	Baseline						Year		
	Total	Male	Female	Urban	Rural				
Literacy rate (15- 24 year olds)	57.84	68.26	48.91	79.61	52.55		2003		
Literacy rate (15 +)	33.45	49.29	14.34	58.55	22.02		2003		
Literacy rate (15- 24 year olds)	74	80	68	84	68		2005		
Literacy rate (15 +)	53	65	39	72	44		2005		

Source: World Fit for Children Report

National literacy rate = 59.5%

Adult literacy rate = 53%

b) Rate of enrolment

1. Enrolment rate 2005, 2006, 2007

Enrolment	2005	% growth	2006	% growth	2007	% growth
pre-primary	14,011	-5.8%	15,585	11.2%	15,265	-2.1%
primary	99,874	2.1%	102,192	2.3%	104,467	2.2%
secondary	33,830	8%	36,197	7%	38,911	7%
Public/private higher sec.schools	7,684	15%	8,102	5%	8,816	8%
vocational training	Not available		Not available		810	

Source: Ministry of Education

2. Gross Primary Enrolment and Net Primary enrolment 2005-2007

	Gross primary enrolment	Net primary enrolment
2005	96.9%	73%
2006	102.1%	79.4%
2007	105.7%	83.7%

Source: Ministry of Education

3. Girls enrolment in by level of schools 2007, 2006, 2005

Class	2007		2006		2005	
	Girls	Total enrolment	Girls	Total enrolment	Girls	Total enrolment
Pre-primary-class 6	51,207	104,467	50,017	102,225	48,656	99,874
Class 7-8	11,007	22,104	10,251	20,482	9,734	19,647
Class 9-10	8,240	16,807	7,631	15,715	6,838	14,183
Class 11-12	3,829	8,816	3,368	8,102	3,086	7,684
Total	74,283	152,194	71,267	146,524	68,314	141,388
% girls	48.8%		48.5%		48.3%	

Source: Ministry of Education

c) Percentage of children completing primary and secondary education

Class	Enrolment		Repeaters	Promoted	Drop-outs	% promoted
	2006	2007				
			2007	imputed	imputed	
pp-6	102,192	104,467	6,889	93,327	1,976	91.3%
7-8	20,482	22,104	1,330	18,334	818	89.5%
9-10	15,715	16,807	614	0	257	0%
Total	138,389	143,378	8,833	134,545	4,989	97.2%

Note: Students who leave school after class 10 are school leavers (graduates) and not drop-outs

Source: Ministry of Education

d) Ratio teacher per children and number of children per class.

1. Teacher-pupil ratio 2005, 2006, 2007

	2005	2006	2007
Bhutan all schools	27	29.5	28.3

Source: Ministry of Education

Note: In general, the teacher pupil ratio are lower in private schools and in the middle secondary and higher secondary levels.

2. Male/female teacher numbers, 2007

Male teachers	Female teachers	Total no of teachers
3,980	2,630	6,610

3. Average class size 2005, 2006, 2007

	2005	2006	2007
Bhutan all schools	Not available	31.2	30.4

Source: Ministry of Education

Note: Community schools have, on average, the smallest class size. In some districts, the class size goes up to more than 40 students per class. The largest class sizes are also found in urban schools.

References

Adoption Act (draft)

Domestic Violence Act (draft)

Bhutan Narcotics Control Agency, Status Report on Illicit Drug trafficking and Substance Abuse Scenario in Bhutan, June 2008

Bhutan Narcotic Control Agency, Rules and regulations for Narcotic Drugs, Psychotropic Substances and Substance Abuse Act, 2005, Kingdom of Bhutan

Bhutan Narcotic Control Agency, Implementation Framework for the Narcotic Drugs, Psychotropic Substances and Substance Abuse Act, 2005, Kingdom of Bhutan

Education Ministry, General Statistics, 2005, 2006, 2007, Royal government of Bhutan

Gross National Commission, the Tenth Five Year Plan, February 2008, Royal Government of Bhutan

Health Ministry, Annual Health Bulletins, 2006, 2007, Royal Government of Bhutan

Highlights from the Consultation on Violence against Children in Bhutan, April 2005

National consultation on Women and Child Friendly Judicial Procedures, March 2006, Gedu, Chukha

National Statistics Bureau, Statistical Yearbook of Bhutan 2007, Royal Government of Bhutan

National Statistics Bureau, Poverty Analysis Report, 2007, Royal Government of Bhutan

National Statistics Bureau, Population Projections Bhutan 2005-2030, 2007 Royal Government of Bhutan

RGoB, and UN, Common Country Programme Action Plan 2008-2012, Thimphu, 2007

RGoB, The Tenth Round Table meeting Report,

RGoB, National Strategic Plan for the Prevention and Control of Sexually Transmitted Infections, HIV and AIDS, 2008

RGoB, draft Adoption Act

Planning Commission and National Commission for Women and Children, National Plan of Action for Gender, May, 2007

RGoB, Draft Rules and Regulations under the Labour and Employment Act, 2007, Ministry of Labour and Human Resources

Second periodic report of the Kingdom of Bhutan to the Committee on the Rights of the Child, 2007

The Constitution of the Kingdom of Bhutan

The Child Care and Protection Act of the Kingdom of Bhutan (draft)

UNICEF, A Situation Analysis of Children and women in Bhutan, 2006

UNICEF, Plus 5, World Fit for Children, Review for the Kingdom of Bhutan, 2006

UNICEF, Juvenile Justice in South Asia: Improving Protection for Children in Conflict with the Law,

Websites:

Renew	www.Renew.org.bt
<u>Youth Development Fund.</u>	www.youthdevfund.gov.bt
Tarayana Foundation	www.tarayanafoundation.org
Education Ministry	www.education.gov.bt/
Health Ministry	www.health.gov.bt
<u>Ministry of Labour and Human Resources</u>	www.employment.gov.bt
