



# Convention on the Rights of the Child

Distr.: General  
2 May 2017

English only

---

## Committee on the Rights of the Child

Seventy-fifth session

15 May-2 June 2017

Item 4 of the provisional agenda

Consideration of reports of States parties

### List of issues in relation to the combined third to fifth periodic reports of Bhutan

Addendum

### Replies of Bhutan to the list of issues\*

[Date received: 24 April 2017]

---

\* The present document is being issued without formal editing.

GE.17-06963(E)



\* 1 7 0 6 9 6 3 \*

Please recycle The recycling symbol, consisting of three chasing arrows forming a triangle.



**List of acronyms and Dzongkha terms**

AES	Annual Education Statistics 2016
AHB	Annual Health Bulletin 2016
BNCA	Bhutan Narcotics Control Authority
CAA	Child Adoption Act of Bhutan 2012
CA R&R	Child Adoption Rules and Regulations 2015
CCPA	Child Care and Protection Act of Bhutan 2011
CCPC	Civil and Criminal Procedure Code of Bhutan 2001
CCP R&R	Child Care Protection Rules and Regulations 2015
CBSS	Community-Based Support System
Chiwog	Village
CICL	Children in Conflict with the Law
CLTF	Child Labour Taskforce
CRC	Convention on the Rights of the Child
CSO	Civil Society Organisation
C4CD	Adoption of Care for Child Development
DVPA	Domestic Violence Prevention Act 2013
DVP R&R	Domestic Violence Prevention Rules and Regulations 2015
Dzongkhag	District
ECCD	Early Childhood Care and Development Centre
ECR	Extended Classrooms
FYP	Five Year Plan
GER	Gross Enrolment Ratio
GPI	Gender Parity Index
KAP	Knowledge Attitude and Practice
LEA	Labour and Employment Act of Bhutan 2007
MFA	Ministry of Foreign Affairs
MoE	Ministry of Education
MoH	Ministry of Health
MoLHR	Ministry of Labour and Human Resources
NCWC	National Commission for Women and Children
NER	Net Enrolment Ratio
PCB	Penal Code of Bhutan 2004
RBP	Royal Bhutan Police
RCSC	Royal Civil Service Commission
RCJ	Royal Court of Justice
RENEW	Respect, Educate, Nurture and Empower Women
RGoB	Royal Government of Bhutan

RUB	Royal University of Bhutan
SEN	Special Education Needs
SoP	Standard Operating Procedures
Thromde	Municipalities
ToT	Training of Trainers
VAC	Violence against Children
WCWC	Women and Child Welfare Committee
WCPD	Women and Child Protection Desk
WCPU	Women and Child Protection Unit
YDF	Bhutan Youth Development Fund
YDRC	Youth Development and Rehabilitation Centre
Y-VIA	Young Volunteers in Action

## Part I

**1. Please inform the Committee about progress made concerning the child-related indicators in the national key result area on vulnerable groups and in the sector key result areas with regard to the National Plan of Action for Child Protection, which forms part of the eleventh five-year plan (2013-2018).**

1.1. Progress made with regard to National Plan of Action for Child Protection (2013-2018)

<i>Outcome</i>	<i>Indicator</i>	<i>Achievement</i>
All organizations adhere to Acts, policies and R&R & incorporate into plans and policies	Number of organizations that have child protection streamlined in their plans and policies	<ul style="list-style-type: none"> <li>• CCPR&amp;R, CAR&amp;R and DVPR&amp;R approved, printed and disseminated to all relevant agencies, schools and youth centres.</li> <li>• Child friendly version of CRC developed printed and disseminated to all schools and youth centres.</li> <li>• Disseminated the rules and regulations to all partners.</li> <li>• Labour inspectors, police, immigration inspectors, monks, nuns, counsellors from schools and CSOs RENEW, YDF, ABS trained on child protection and child rights.</li> </ul>
Child protection system strengthened to incorporate skills & knowledge into practice & adopt more dynamic strategies	Proportion of trained personnel who integrate knowledge and skills gained and implement plans	<ul style="list-style-type: none"> <li>• Officials from 6 agencies trained on quantitative and qualitative data analysis.</li> <li>• Conducted study on VAC.</li> <li>• Women and Child Protection Management Information System being developed and expected to be complete by the end of 2017.</li> <li>• Establishment of toll free helpline for children expected to be completed by 2019.</li> <li>• Curriculum for the police training institutes reviewed to incorporate women and child friendly police procedures.</li> <li>• Training of Trainers program for police officers and follow up to the training carried out.</li> <li>• Awareness on child protection legal framework carried out for judicial and local government officials.</li> </ul>

<i>Outcome</i>	<i>Indicator</i>	<i>Achievement</i>
Parents, families and communities adopt protective practices for children	Number of children with disabilities over 5 attending school	<ul style="list-style-type: none"> <li>• KAP study on children with disabilities ongoing.</li> <li>• National Disability Policy being drafted.</li> <li>• High level advocacy for members of parliament (National Assembly and National Council) conducted on gender equality and child rights.</li> <li>• Media Guidelines on Sensitive Reporting on Women and Children's Issues finalized, printed and disseminated.</li> <li>• Journalists trained on sensitive reporting on women and children's issues.</li> <li>• Development of the National Communications for Development Strategy on Child Protection ongoing.</li> <li>• Sensitization program carried out in 13 districts under the three regions for communities and local government officials.</li> </ul>
Child protection system strengthened to ensure increased and enhanced provision of services to children in need of care and protection	1. Number and type of appropriate child protection services in place	<ul style="list-style-type: none"> <li>• Counsellor appointed at the NCWC.</li> <li>• Protection Officer to be appointed.</li> <li>• Draft Guidelines for Management of Cases of Women and Children in Difficult Circumstances.</li> <li>• Drafting of Guideline for Alternative Care ongoing.</li> <li>• Code of Ethics for the Protection Officers approved.</li> <li>• SOP for Accreditation and Management of Shelter for Women and Children in Difficult Circumstances.</li> <li>• Family bench established in Thimphu to expedite cases related to women, children and other family related issues.</li> <li>• 3 Women and Child Protection Units (WCPU) (Thimphu, Paro &amp; Phuntsholing) and 8 Women and Child Protection Desks (WCPD) in 8 Dzongkhags established.</li> <li>• Police youth partnership program biannually conducted during school holidays.</li> <li>• Police out of school youth partnership program conducted biannually.</li> </ul>

<i>Outcome</i>	<i>Indicator</i>	<i>Achievement</i>
	2. Proportion of children who possess life skills and who know what to do in case of victimization at home	<ul style="list-style-type: none"> <li>• Child protection in monastic institutions and nunneries strengthened through advocacy and awareness programs for child monks and nuns as well as monastic officials.</li> <li>• Sensitization workshop carried out in the 13 Dzongkhags under the three regions on child rights and child protection including awareness on legal policy framework for children.</li> <li>• Bhutan Children’s Parliament formed and two sessions completed.</li> </ul>

**2. Please provide information on the extent to which the multi-sectoral Child Welfare Committees provide adequate coverage for all children throughout the territory of the State party and on how the Committees have strengthened coordination at the local level for the effective protection of children.**

2.1 The NCWC is working to establish two WCWCs in Thimphu Dzongkhag and the Thimphu Thromde on pilot basis by the end of 2017. This is based on the recommendation made by the Commission Members of the NCWC in 2016 to establish separate WCWCs in Dzongkhags and Thromdes, given that the Dzongkhag and Thromde have separate administrative jurisdictions which may present challenges for WCWCs to fulfil their mandates. An assessment on the WCWCs will be carried out a year after the WCWCs become fully functional. This will indicate the way forward on whether new committees should be formed in other districts or if the WCWC should be formed at the national level.

**3. Please provide information on the measures taken to enforce the prohibition of child marriage effectively, particularly with regard to girls.**

3.1 With the strict interpretation of laws, the court holds all persons (inclusive of parents/guardians) involved in child marriage accountable under the law. Further, persons failing to report the occurrence of child marriage to relevant authorities are also held accountable and liable to be penalized.

3.2 The courts in addition adjudicate cases concerning children with promptness and austerity. Not only do our laws prohibit child marriage, any sexual act with child below age of 18 years is characterized as rape calling for severe punishment against the perpetrator. Such strict interpretation of laws, viz. child related issues inclusive of child marriage, can to a great extent bolster efforts to prevent child marriage.

3.3 The Judiciary, in collaboration with the Bhutan National Legal Institute actively engages in sensitizing the general public, both in urban and rural areas, on the issues of child marriage and the laws protecting the rights of all children.

**4. Please provide detailed information on the activities and results of the Child Protection Programme of the Youth Development Fund in preventing and responding to violence against, and exploitation and abuse of, children. Please inform the Committee about the main findings of the Violence Against Children Study in its current phase and the follow-up measures.**

4.1 The Youth Participation & Child Protection Program of the YDF enhances youth participation by providing youth with opportunities and platforms to build leadership and life skills through capacity building program and volunteerism. Under this program, children are also provided with the necessary knowledge and capacity to uphold their individual and collective rights including right to protection. Children and youth under difficult circumstances are also provided referral services to relevant service providers.

4.2 The programme carried out the following activities since its establishment in 2013:

Capacity building:

- Training of Trainers module on child protection developed and ToT and follow trainings carried out for 30 government and non-government officials.
- Training on child rights and child protection for 125 YDF staff, Y-VIA, teachers, government officials and volunteers implemented.
- Leadership program for children in conflict with the law carried out.

Advocacy and awareness program:

- Production of 3 audio-visual materials to prevent the occurrence of child protection issues (disabilities, child protection information booklet, other child protection issues).
- Awareness programs on child rights and child protection carried out for 120 parents, 400 community members, 40 teachers and Y-VIA.

Research:

- Tracer study on female detainees released between 2008-2012.
- Tracer study on children in conflict with the law released from the Youth Development and Rehabilitation Centre between 2010-2012.
- Qualitative Assessment of Child Protection Related Issues Faced by Children with Disabilities and follow up Action Plan.
- A strategic plan for Child Protection & Care Services for Bhutan Youth Development Fund.
- Leadership & Resiliency Skills training curriculum for CICL.
- Seed fund for CICL set up to assist in their reintegration into society after their release.

4.3 The study on violence against children was completed on 2016 and the summary of key findings from the VAC study are follows:

Physical violence:

- 64.1 percent children have experienced some form of physical violence at least once in their lifetime with the most common forms are associated with corporal punishment used by parents, caretakers and other relatives (43.7 percent) and by teachers in day schools (54.5 percent).
- The types of physical violence experienced most at 50.5 percent is children being made to stand for a long time, carry stones and forced to do heavy work. Nearly one in four boys (24.2 percent) and young men (22.5 percent) have experienced physical violence at the hands of their peers.

Sexual violence:

- 12.8 percent have experienced sexual violence at least once in their lifetime with sexual touching being the most common form - around 10 percent for both age cohorts.
- Sexual violence takes place most frequently at school for boys but is also faced by girls and young women at home and in public places.
- 17.1 percent of young men have experienced sexual violence at least once.

Sexual Harassment:

- 48.4 percent have been exposed to sexual harassment (verbal sexual harassment and digital pornography) at least once in their lifetime.

- Verbal sexual harassment occurs most often in schools among peer groups although girls and young women also face verbal sexual harassment by male strangers in public places.
- Digital pornography among children and young people is an emerging cause for concern.
- Exposure to pornography is widespread particularly among boys (41.7 percent) and young men (66 percent) and is largely through peer groups.

Emotional violence:

- 47.4 percent children and young people 40.1 percent have experienced some form of emotional violence at least once in their lifetime.
- Girls (35.4 percent) and young women (29.2 percent) are more likely to have felt unloved.
- Young men are more likely to experience intimidation/threats and humiliation/public shaming.

Geographical and wealth disparities are generally insignificant:

- Disparities between urban and rural areas for all outcomes are not significant, except for slightly higher rates of physical violence in rural areas.
- Young people from the richest quintiles are more likely to be exposed to digital pornography.
- The gender of a child or young person is more likely to influence their experience of violence.

Very few children and young people disclose violence, seek help or receive services:

- Children and young people are more likely to disclose violence to and seek help from family and friends rather than welfare services.
- Children are more likely to disclose or report physical violence than sexual violence.
- Girls more likely to disclose violence experienced and boys are more likely to seek help.
- Cases of violence reported to child protection or health services are low and limited to physical violence.
- Reluctance to disclose violence or to seek help exists due to feelings of guilt, embarrassment or fear or because many do not perceive violence they face as a problem.

Recommendations to address VAC

- Develop a comprehensive, realistic strategy for child wellbeing and protection.
- Develop a realistic operational or implementation plan in conjunction with and based upon the new national strategy for child well-being and protection.
- Prioritize the establishment of a body with special responsibilities for the provision of services for children and their families.
- Design a paradigm of services for children and families which includes prevention and response services.
- Implement the ban on corporal punishment in educational establishments and institutions.
- Develop a national strategy to counter peer violence and bullying in all settings.



- Develop a strategy for understanding the impact and risks associated with exposure to pornography.
- Review the legal framework for the care and protection of children.

**5. Please provide information on the measures taken to provide the National Commission for Women and Children with the resources necessary to implement its child protection activities. Please also provide information on the procedures used by the Commission and by the civil society organization Respect, Educate, Nurture and Empower Women (RENEW) and its community-based network of volunteers, when receiving, processing and referring cases of violations of children's rights.**

5.1 The NCWC has been recognized as the Competent Authority as per Section 54 of the CCPA 2011, Section 9 of the CAA 2012 and Section 7 of the DVPA 2013 to implement the provisions of the three legislations, and is also mandated to fulfil provisions enshrined under Article 9(17), 9(18) and 10(25) of the Constitution of the Kingdom of Bhutan 2008. Nu. 0.135 Billion during the 10th FYP and Nu. 0.154 Billion in the 11th FYP was allocated to the NCWC. Between 2013 and 2016, two additional officers were appointed at the NCWC to implement child protection activities. In January 2017, a full time counsellor was appointed to provide assistance to women and child victims and to manage on the toll free helpline on its completion in 2019. A second counsellor will be appointed in January 2018 to provide additional assistance to the Legal Unit and provide services to women and children through the toll free helpline.

5.2 Cases reported managed by the Legal Unit of the Commission in accordance with provisions under the aforementioned legislations in addition to the PCB, CCPC and other legal provisions. The draft SoP for the Management of Cases of Women and Children in Difficult Circumstances once approved will provide clear procedures for all service providers to follow to protect children and respond to their needs.

**Receiving cases of violations of Children's Right**

- The Legal Unit under NCWC generally receives the cases through written application (walk in cases) filed by the complainant and also through referral from concerned agencies and individuals. However, reports may also be made verbally or through telephone services in order to ensure immediate and urgent needs of children are met but this is followed by a written application in accordance with the procedures.

**Processing cases of violations of Children's Right**

The Legal Unit currently processes the cases of violation of the rights of children and children in difficult circumstances based on the aforementioned Acts. After receiving the cases, the Legal Unit carries out a detailed assessment of the cases and accordingly makes a case plan, seeking the assistance of other service providers including CSOs when required. Mediation sessions are also carried out to fully understand the details of cases and to also offer the counselling services prior to and after the assessment of cases.

**Referring cases of violations of Children's Right**

On completion of the assessment, if so required, the cases are referred to relevant service providers and thereafter, the NCWC follows up to monitoring and evaluate the cases till closure.

On the approval of the draft SoP on the Management of Cases of Women and Children in Difficult Circumstances, all government and non-government agencies shall follow procedures outlined under this SoP. If so required, each individual agency may develop guidelines for internal use but in line with the aforementioned SoP.

The types of cases of children in need of care and protection that RENEW receives are those related to sexual abuse, negligence, orphans and children in need of scholarships to attend school. Cases reported to RENEW by relevant agencies, community members and CBSS volunteers and referrals are mainly for shelter and

psychosocial services. If a case is directly reported to RENEW, reports are made to the relevant stakeholders when required. RENEW also works closely with NCWC when it comes to cases, which requires legal consultation.

However, with the approval of the draft SoP, all stakeholders are required to report cases to the NCWC as the lead government agency in order to ensure transparency and accountability in the effective delivery of required services to children in need of care and protection.

**6. Please provide information on the measures taken to make primary education compulsory for all children under the jurisdiction of the State party. Please inform the Committee about the measures taken to promote girls' representation in the final years of secondary school and at tertiary level.**

6.1 The Adjusted Net Primary Enrolment Rate currently stands at 98.6 percent, and the RGoB remains committed to achieving universal primary enrolment through the initiation of various programs.

6.2 ECRs have been established to ensure access to education in rural and remote areas and ensure the safety of children, where children previously had to walk more than an hour to reach schools. ECRs are a multi-grade learning/teaching environment and receive support from a parent school nearby.

6.3 The Central Schools were started in 2015. This initiative is aimed to address these challenges and bring in the quality and efficiency of education services from Pre Primary to X or XII standard. The identified Central Schools provide children with adequate boarding and educational facilities and other support services necessary for the all-round development of children, which is not adequate in ECRs and small schools and remote areas. These include free uniforms and sportswear, mattress and beddings, food, In addition to existing free tuition, textbooks and teaching learning materials, and stationeries. The provision of such support and facilities is aimed to encourage parents to enrol their children in the formal education system. As of May 2016, 51 central schools have been established across the country which benefits more than 31,800 students of which 49.8 percent are girls.

6.4 Provision of free day meals to schools located in remote areas was introduced to provide assistance to students from financially insecure families and those who have to walk long distances to school. As of 2015, there are a total of 52,687 students benefitting from the school-feeding program of which 49.9 percent are girls.

6.5 The substantial number of women working in various areas serves as a role model and also creates a favourable environment for women to work in equal ratio with men. The RUB's annual intake capacity in the 10th FYP was 1500. With increased allocation of resources in the 11th FYP, intake has now increased to 3000 students per annum. This resulted in the increased number of female students from 38 percent in the 2012 to 44 percent in 2015. In addition, the College of Natural Resources introduced Bachelors in Agriculture Sciences and Masters in Development Practices and Masters in Natural Resource Management. Similarly, the RUB has introduced 13 new programs in the various tertiary institutes. The increase in in-country choices is believed to provide increased and equal access for female students.

6.6 In order to provide an opportunity for students from disadvantaged groups to continue their tertiary education, His Majesty's Scholarship Program supports a prestigious scholarship in Bhutan and His Majesty's scholars represent leaders amongst the youth of Bhutan. Scholarships have been awarded to 186 girls in total at the undergraduate, graduate and postgraduate levels who have demonstrated academic excellence and a strong commitment to public service and providing leadership in the fields of Education, Law, Journalism, Economics, Management, Public Policy, International Relations, Political Science, Engineering, Mathematics and Science, Environmental Studies, Public Health and Medicine etc.

6.7 The AES 2016 data on girls' enrolment are as follows:

- Adjusted Net Primary Enrolment Rate: 98.8 percent (97 percent Boys).

- GPI (Primary): 1.03.
- Survival rate at primary level: 94 percent (84.4 percent Boys).
- Girls Enrolment (PP-XII): 50.5 percent of the total school enrolment.
- GER (Higher Secondary): 70.9 percent (69.6 percent Boys).
- NER (Higher Secondary): 32.2 percent (26.7 percent Boys).
- GPI (Higher Secondary): 1.20 (this includes private schools).

**7. Please inform the Committee about the measures taken to regulate the emerging private education sector. Please clarify how the residential central schools, provided for in the draft education blueprint and which will require children as young as 6 to live in boarding schools, will respect the students' right not to be separated from their families.**

7.1 The private education sector in Bhutan is currently governed by the Guidelines for Private Schools in Bhutan 2012. These guidelines serve as a framework for the establishment of and effective functioning of private school. The following are the particulars covered in the 2012 Guidelines:

- Purpose.
- Definition.
- Level and Location of the School.
- Physical Infrastructure — specifies the minimum requirement for facilities and infrastructure.
- Procedure for the establishment of Private School.
- Staffing.
- Curriculum and Assessment.
- Admission.
- Fees & Taxes — fee structure and revision to be approved by the Ministry, same fee structured to be maintained for two years.
- Government Support — provision of free textbooks and sharing of materials developed by the Ministry.
- Monitoring & Support.
- School Management.
- Working Committee and In charges.
- General Terms and Conditions.
- Sanctions for Non-Compliance to the Guidelines.

7.2 The revised draft of the Guidelines was endorsed in principle at the 18th National Conference. The clauses on physical infrastructure, services rules and regulations, fees, staffing pattern and scholarships are to be revised based on the comments of the conference.

7.3 The MoE respects the rights of all children to live with their parents/families and moves forward in delivering access to quality education. The Ministry is committing to establish at least one ECCD in all the villages during the 12th FYP period. Existing extended classrooms and small primary schools likely to be closed due to declining enrolment with the establishment of Central Schools will be turned to ECCD centres. ECCD centres aspire to cater to children from 3 to 8 years. All these initiatives are in line with children's right to live with their parents especially at the early stages of their growth and development, while at the same time ensuring they are not deprived of early education intervention.

7.4 There are 292 ECCD centres with an enrolment of 7687 children aged between 3 to 5 years. The Ministry is also formulating guideline and programs for detection of disability at early age in ECCD centres, hence 30 ECCD Facilitators were trained during the winter of 2016.

7.5 The Parenting Education Programme initiated by the MoE is a component of an early childhood strategy to improve child wellbeing. The Parenting Education explores how parents with low level of education can gain skills to effectively support their child's development. It harnesses the existing best parenting practices and also build new effective practices. All children are born with enormous potential, however children born in difficult and challenging situation need extra support in the early year to prepare them for success in school and ultimately lead a productive and happy life. Families are the best avenues.

7.6 Therefore, through these initiatives, the RGoB is working to ensure the right of children to live with their parents while creating alternatives so that their right to education is also not deprived.

**8. Please inform the Committee how the National Education Plan promotes inclusive education for children with disabilities, including vocational training, and indicate what measures have been taken to adapt school infrastructure to the specific requirements of those children.**

8.1 The Standards for Inclusive Education was endorsed at the 18th National Education Conference, 9-12 January 2017. The Standards for Inclusive Education is a tool to support and provide guidance to school for reflection, planning and actions towards becoming more inclusive for all children. The Standards for Inclusive Education are divided into three very important dimensions — Inclusive Culture, Inclusive Policy and Inclusive Practice which combine interdependently to create inclusive schools. Each dimension is a list of broad standards for inclusive education. Each of these standards is broken down into a collection of indicators with rubrics to clarify progress.<sup>1</sup>

8.2 The pilot orientation on the Standards will be carried out in 3 schools with SEN program schools (Changangkha MSS, Drukgyel LSS and Wangsel Institute) and 1 general school (Yangchen Gatshel) to help schools implement the standards. Work is currently ongoing on the pilot program plans, which will help schools, become more inclusive and responsive to students with disabilities, in particular to learn and participate on an equal footing with others. Eventually, it will be rolled out to all 14 schools with the SEN program in the future, subject to availability of funds. The MoE will identify an additional SEN school program within the 12th FYP in order to ensure accessibility for children living with disabilities within their own communities.

8.3 The Ministry is also formulating a guideline and programme for detection of disability at early age in ECCD centres. Accordingly, 30 ECCD Facilitators were trained during the 2016 winter vacation.

8.4 The School Planning and Building Division under the Department of School Education responsible for the design of school infrastructure and supervision of execution of works of the MoE is carrying out an assessment on the possibility of building of ramps in old and existing buildings at schools for accessibility and has implemented these plans in schools where feasible. In the 12th FYP, the designs of school infrastructure that will cater to the specific requirements of children with disabilities shall be incorporated.

8.5 The ECCD & SEN Division under the Department of School Education is assessing the furniture requirements for SEN schools and exploring for procurement of the required items as there is a lack of availability of furniture specific to special needs in the local market.

8.6 The Gross National Happiness Secretariat is currently working on the draft National Disability Policy which will address the needs of people with disabilities including children with disabilities. It is expected that the draft Policy will be finalized by October 2017.

---

<sup>1</sup> The Standards of Inclusive Education in Bhutan, ECCD & SEN, DSE, MoE 2017.

**9. Please explain how the right to education, enshrined in the Constitution, is effectively ensured to all children of Nepalese ethnic origin (Lhotshampas).**

9.1 The Constitution of Bhutan states that the State shall provide free education up to the tenth standard to all children of school going age and ensure technical and professional education is made generally available and that higher education is equally accessible to all on the basis of merit. It has been the policy of the RGoB to provide free education since the inception of modern education as mainstream education in the 1960s. The ECRs and Central School Initiative are strategies implemented by the Ministry to enhance and ensure access to education to all children in Bhutan.

9.2 The rights of children to education are enshrined and effectively ensured by the Constitution of the Kingdom of Bhutan which states that all persons are equal before the law and are entitled to equal and effective protection of law and shall not be discriminated against on the ground of race, sex, language, religion, politics or other status. The Constitution also ensures that all persons in Bhutan have the right to initiate appropriate proceeding in the Supreme Court or High Court for the enforcement of the rights conferred.

**10. Please provide information on the activities of the multisectoral child labour task force to combat child labour (beyond training labour inspectors) and on the status of the system for receiving complaints concerning child labour. With reference to paragraphs 287 and 288 of the State party report (CRC/C/BTN/3-5), please explain how the minimum working age of 13 does not interfere with the minimum mandatory education period of 11 years.**

10.1 The draft Child Labour Task Force Action Plan was developed following the formation of the CLTF in 2011, which is an interagency body comprised of Government, Civil Society, Development Partner and Private sector representatives chaired by the Director, Department of Labour, MoLHR and co-chaired by Child Protection Specialist, UNICEF.

10.2 However, the action plan is not an exhaustive plan of action to combat child labour in Bhutan, rather it identifies the key actions that the MoLHR is in a position to take lead in according to its mandate and other actions that will be explored within the framework of the CCPA 2011.

10.3 A child labour handbook on SoP to address child labour issues was developed in consultation with the relevant stakeholders which provides procedures and mechanism for receiving and responding to complaints of child labour.

10.4 While the LEA permits certain forms of work for children between 13 to 17 years, in efforts to achieve universal primary enrolment and ensure access to quality education for all children, the MoE has established and continues to establish central schools, providing all children support through the provision of boarding facilities and free clothing and stationery. Efforts are also being made to support children from lower income families to access education through the provision of scholarships by the Kidu Foundation and CSOs. In order to ensure children who drop out are gainfully employed, free technical and vocational training is also provided through the 8 technical and vocational institutes located across the country and through private institutions.

**11. Please provide information on the measures taken to separate children from adults in all places of detention and on the activities undertaken to facilitate the reintegration into society of children in conflict with the law after their release.**

11.1 The WCPU have separate detention centres for children in conflict with law and where there are no separate detention centres, separate arrangements are made by the Police when required.

11.2 Children who are required to undergo rehabilitation do so at the YDRC. The YDRC established at Tsimasham, Chukha Dzongkhag in 1999 is currently under the purview of the RBP. The centre provides reformative and rehabilitation services for juveniles (children under 18 years of age at the time of committal) who have come in conflict with law so that they are able to successfully reintegrate into society.

11.3 The existing reformative programs at the YDRC are as follows:

- Vocational trainings like tailoring, embroidery, painting, plumbing, woodcraft and hair cutting are provided to the youths to prepare them for their eventual reintegration into society after their release, through gainful employment and involvement in productive activities. All vocational training instructors lack formal training. Training is imparted mostly through the knowledge acquired with personal experiences.
- Education programs, both formal and non-formal are made available and the youths are encouraged to participate. Some of the deserving students are enrolled in the local schools for continuing education.
- Counselling and consultative services are provided to the residents aimed at bringing positive change to their behaviour and provide guidance to prepare them for their eventual integration into mainstream society reducing the chances of recidivism. The counselling services are provided by staff, who has attended the in-country basic counselling course.

## Part II

### 12. The Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report with regard to:

(a) *New bills or laws, and their respective regulations;*

12.1 A first draft of the National Health Bill has been completed. Upon recommendation from the Parliament, the Teenage Pregnancy Guideline has been developed and was internally finalized in 2015. The drafting of the Newborn Action Plan is also under progress.

12.2 Child Friendly Prosecution Guidelines and Child Friendly Diversion Guidelines are being drafted as required by the CCPA and also taking into consideration the best interests of children. This Guideline will ensure that children in conflict with the law are dealt with in a child-friendly manner. The Child Friendly Guideline and the Diversion Guideline are the two guidelines that the OAG will use to streamline the prosecution process keeping in mind the unique and delicate nature of dealing with children in conflict with the law.

12.3 The RBP is drafting SoP for CICL to ensure systematic procedures to address the needs of children in conflict with the law.

12.4 The Royal Court of Justice is drafting the Child Court Procedure. While youth who commit offences are held accountable for their actions, the Child Court Procedure will provide guidance to make individualized assessments to rehabilitate and prevent further delinquent behaviour through the development of educational, vocational, social, emotional and basic life skills that will enable youth to grow and mature. It is also aimed at ensuring recognition and enforcement of legal rights and the provision fair hearings to youth and all other interested parties.

(b) *New institutions (and their mandates) or institutional reforms;*

12.5 Not available.

(c) *Recently introduced policies, programmes and action plans and their scope and financing;*

12.6 The Food and Nutrition Security Policy of Kingdom of Bhutan was endorsed in 2014 which stresses on the importance Infant and Young Child Feeding practices as means to improve the nutrition status of children under five years of age in Bhutan.

12.7 In March 2016, the RGoB introduced a guideline termed the “Rules of Procedures for Treaty Making” which govern the process of any treaty/agreement that it wishes to enter into. The Rules of Procedures establishes clear procedures and responsibilities incumbent on respective national agencies and also calls for stakeholder consultations. It also defines the actual process of parliamentary ratification of any treaty that it wishes to enter into.

(d) *Recent ratifications of human rights instruments.*

12.8 The RGoB is currently studying various human rights instruments to consider feasibility of their ratification. The RGoB formed a High Level Taskforce in 2015 to study the possibility of ratifying the Convention on the Rights of People with Disabilities. The Taskforce is headed by the Minister for Foreign Affairs.

### Part III

#### Data, statistics and other information, if available

**14. Please provide consolidated information for the last three years on budget lines regarding children and social and justice sectors by indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographic allocation of those resources.**

14.1 Social investments in the 11th FYP were Nu.19.8 billion, which is 9.25 percent of the 11th FYP budget. This allocation includes the health and education sectors in addition to the budget allocation to the NCWC, which amounts to Nu. 0.154 Billion in the 11th FYP. The budget allocation for the justice sector for the 11th FYP was Nu. 62.380 Billion amounting to 29 percent of the total budget outlay.

14.2 It may be noted that while this is the amount allocated during the start of the FYP, additional funds required are provided to meet any additional requirements.

**15. Please provide, if available, updated statistical data disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on:**

(a) *Cases of neglect and abuse, especially in institutions and alternative care settings;*

15.1 The Child Care and Protection Unit under the Dratshang Lhentshog has recorded only one case of physical abuse against a 15 year old monk by a teacher in 2015.

(b) *Parents, guardians or staff of care institutions accused, indicted or convicted of child abuse, including sexual abuse;*

15.2 The RCJ has recorded 49 cases under the heading of 'Family and Child Justice'. However, the central data system is not able to generate disaggregated information under the general heading of Family and Child issues. The newly upgraded case management system will henceforth ensure the availability of relevant segregated and specific data on different cases and issues.

(c) *Children of Nepalese ethnic origin in schools and classes;*

15.3 Education has been accessible to all since the initiation of the formal education system in Bhutan. Article 9(16) of the Constitution states that the State shall provide free education unto class 10 to all children.

(d) *Children working in the informal sector and children in street situations;*

15.4 The LEA 2007 does not cover the children working in informal sector. However, in view of statistics collected clearly indicate that there are a number of children working in informal sector. The MoLHR in collaboration with NCWC is in the process of developing National strategy on Communication for Development on Child Protection where child labour aspects will also be covered in order to reach out to informal sector.

15.5 The MoLHR also collaborate with other relevant agencies, CSOs on creating awareness to general public on the effects of child labour through trainings, workshops and observing World Day against Child Labour and other related programs.

15.6 The MoLHR ensures that children in/of the street are not engaged in any forms of work whether by an individual or enterprise. With the development of SoP for Management

of Cases of Women and Children in Difficult Circumstances will ensure that children in/of the street will be responded with proper care and support services.

(e) *Child victims of trafficking and abduction.*

15.7 There is no report of child trafficking and abduction case registered in any of the Police Stations in Bhutan within the last three years.

**16. Please provide data disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status regarding the situation of children deprived of a family environment, for the past three years, on the number of children:**

(a) *Separated from their parents;*

16.1 There are currently 20 children at the Gawailing Happy Home that is being run by the NGO RENEW. All the children are separated from parents and are placed in the Home. The disaggregated data is as below:

Category	2016
Sex	
Male	4
Female	16
Age	
<10	3
10-12	4
13-15	9
16-18	1
>18	3
Region of origin	
Western	7
Central	8
Eastern	5

16.2 As per the record of the NCWC, 49 children have been separated from their parents from between 2014 to 2016 (19 in 2014, 16 in 2015 and 14 in 2016). Out of which 34 children are adopted, 9 children are in an alternative care and 8 children are in the institution.

(b) *Placed in institutions;*

16.3 As per the records with the NCWC, the number of children who have been placed in institutions are as follows:

Sex/Age	2014	2015	2016	Total
Male	3	1	1	5
Female	1	1	1	3
0-5	-	-	-	-
6-10	1	-	1	2
11-15	3	2	-	5
16-17	-	-	1	1

16.4 All 20 children with RENEW have been placed in the Shelter Home. All of them are going to school and most of them are placed in boarding school owing to the location of the Home which is away from any school. Only the younger ones go to the community school



located in the vicinity of the Home and some are in ECCD which is at the Gawailing centre. During the school vacations, the children have full time programs which are implemented as per the curriculum of the Home developed with an objective for overall development of the children.

16.5 The children living in the RENEW Home have been placed in the following schools in the country.

<i>SL.</i>	<i>Sex</i>	<i>Age</i>	<i>Class</i>	<i>Location of School</i>
1	F	22	12	Paro
2	F	18	12	Punakha
3	F	19	10	Thimphu
4	F	19	7	Punakha
5	F	13	6	Genekha, Thimphu
6	F	14	6	Genekha, Thimphu
7	F	13	3	Genekha, Thimphu
8	F	14	6	Genekha, Thimphu
9	F	13	6	Genekha, Thimphu
10	F	9	3	Genekha, Thimphu
11	F	9	3	Sisina, Thimphu
12		11	3	Dechencholing, Thimphu
13	F	13	6	Khuruthang, Punakha
14	F	11	4	Khuruthang, Punakha
15	M	14	5	Genekha, Thimphu
16	M	12	5	Genekha, Thimphu
17	M	14	6	Punakha
18	M	6		Gawailing, ECCD
19	F	15	8	Changangkha, Thimphu
20	F	12	3	Paro

(c) *Adopted domestically or through inter-country adoptions.*

16.6 As per the record with the NCWC, 34 inter-country and domestic adoptions have taken place. (12 in 2014, 10 in 2015 and 10 in 2016). The details are as below:

<i>Sex/Age</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>Total</i>
Male	4	3	1	8
Female	8	7	9	24
0-5	1	6	5	12
6-10	4	3	1	8
11-15	5	0	3	8
16-17	2	1	1	4

**17. Please provide data disaggregated by age, sex, type of disability, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on the number of children with disabilities:**

(a) *Living with their families*

17.1 As per the records of the NGO Draktsho Vocational Training Centre, 15 children with disabilities are living with their parents.

<i>Particulars</i>	<i>Total</i>
Sex	
Male	9
Female	6
Age	
0-5	0
6-10	2
11-15	5
16-17	8
Types of disability	
Cerebral Palsy	3
Hearing and speaking	2
Intellectual Disability	10

17.2 NGO Ability Bhutan Society has registered 22 children with disabilities living with their families. Disaggregated data on these children are as follows:

<i>Particulars</i>	<i>Total</i>
Sex	
Male	15
Female	7
Age	
0-5	8
6-10	12
11-15	1
16-17	1
Types of disability	
Cerebral Palsy	5
Intellectual Disability	4
Multiple Disability	2
Autism	7
Developmental Delay	3
Dandy Walker Syndrome	1

(b) *Living in institutions;*

17.3 As per the record of Draktsho 33 children with disabilities are living in the Draktsho East, a vocational training centre for special children and youth.

<i>Particulars</i>	<i>Total</i>
Sex	
Male	18
Female	15
Age	
0-5	0
6-10	0
11-15	16
16-17	17

<i>Particulars</i>	<i>Total</i>
Types of disability	
Hearing and speaking	5
Intellectual Disability	27
Physical Disability	1

(c) *Attending regular primary schools;*

17.4 Please refer to the table provided under response to e.

(d) *Attending regular secondary schools;*

17.5 Please refer to the table provided under response to e.

(e) *Attending special schools;*

17.6 The MoE maintains data on the enrolment of students with special needs in schools and special education schools. As of 2014, there were six integrated schools and two special education centres with 255 teachers catering to 366 children with special needs. This includes 15 students with special needs who were then studying in Jigme Sherubling Higher Secondary School. As of 2015, there were 448 children with special needs, enrolled in SEN schools under Ministry of Education. Draktsho Vocational Training Centre provides basic education and vocational skill to about 116 children and youth with special needs. As of 2016, there were 611 children with special educational needs in 10 general schools with SEN programme, two special institutes with SEN programme catering to children who are deaf or blind, and two Draktsho Vocational Training Centres.

The details of the data are as below:

Dzongkhag	Institute/School	2014		2015		2016	
		Male	Female	Male	Female	Male	Female
Mongar	Mongar LSS	39	22	33	18	23	13
Paro	Drukgyel LSS	16	11	23	13	27	12
	Deaf Education Unit	49	30	49	34	59	37
Samtse	Tendruk HSS	29	18	31	19	47	31
Thimphu	Changangkha MSS	34	22	34	22	31	10
Trashigang	Khaling LSS	27	14	37	17	27	13
	Muenselling Institute	13	15	10	16	16	18
	Jigme Sherabling HSS	11	4	9	5	7	6
Zhemgang	Zhemgang HSS	10	2	0	0	15	10
Chukha	Kamji MSS	0	0	4	12	9	10
Sarpang	Gelephu LSS	0	0	24	16	19	6
Trongsa	Tshangkha Central School (MSS)	0	0	0	0	9	10
Pemagatshel	Gongpasingma LSS	0	0	0	0	6	7
<b>Total</b>		<b>228</b>	<b>138</b>	<b>333</b>	<b>231</b>	<b>368*</b>	<b>243*</b>

(\*) While students with disabilities in Jigme Sherubling Central School (HSS) are included in the total, the school is not considered as school with SEN programme since these students are supported through Muenselling Institute's SEN Programme.

(f) *Out of school;*

17.7 Not available, however once the Women and Child Protection Management Information System is fully functional, disaggregated data on children in need of care and protection will become available.

(g) *Abandoned by their families.*

17.8 Not available. However, once the SoP on Management of Cases of Women and Children in Difficult Circumstances is operational and the Women and Child Protection Management Information System is fully functional, disaggregated data on children in need of care and protection will become available.

**18. Please provide detailed, disaggregated information, for the past three years, on the number of child rights complaints received by the legal unit of the National Commission for Women and Children, including the number that led to investigations and prosecutions and the number and type of convictions applied to perpetrators.**

18.1 The Legal Unit of the NCWC received 64 cases of child rights complaint between 2014 and 2016. Majority of the cases were related to child neglect and abuse. All of these cases were assessed and rendered services as per Section 70 of the CCPA 2011.

18.2 The disaggregated details of the case are as follows:

Sex/Age of Victim	2014	2015	2016	Total
Male	10	10	5	25
Female	10	9	15	34

<i>Sex/Age of Victim</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>Total</i>
Gender not mentioned	-	1	4	5
0-5	10	4	4	18
6-10	5	9	3	17
11-15	4	5	8	17
16-17	-	1	7	8
Age not mentioned	1	1	2	4

18.3 Out of the 20 cases received in 2014, 9 cases were referred to the RBP for investigation and 5 cases were prosecuted by the RCJ. In 2015, 6 cases were referred to RBP and 1 case was prosecuted by the RCJ. In 2016 6 cases were forwarded to the RBP and none of the cases were prosecuted.

**19. Please provide disaggregated data, for the past three years, on children who have benefited from the Child Protection Programme of the Youth Development Fund, which is aimed at preventing and responding to violence, exploitation and abuse against children.**

19.1 Not available.

**20. Please provide detailed information on cases of trafficking in children, including the number of reported cases, investigations conducted and perpetrators convicted and the sentences issued.**

20.1 The RBP recorded two cases of child trafficking, one in 2007 and two in 2010, both involving girl child. In 2007, a case of trafficking involving a female child of 16 years was registered in the Thimphu Police Station. She was brought to Thimphu as domestic help where she was physically abused and not allowed to leave. The perpetrator was arrested and convicted for three years in 2007.

20.2 In 2010, a case of child trafficking was registered with the Thimphu Police Station. The victim, female child of 14 years, was lured by the perpetrator and taken to the border town of Phuntsholing. The perpetrator along with the victim was intercepted on the way and he was convicted for six years for trafficking and rape of minor in 2010.

20.3 In the same year, another case of child trafficking was registered with the WCPU, Thimphu involving a female child of 15 years age. The accused was convicted for 5 years and one month in 2010. The person was also additionally charged for reporting of false information.

20.4 No new cases of child trafficking have been reported for the last three years.

**21. Please provide disaggregated data on the number of children in conflict with the law who have benefited from legal aid and diversion programmes.**

21.1 The provision of legal aid is covered under Section 34 of the PCB which necessitates providing legal aid to the accused for one's defence. Section 80 of CCPA 2011 also states that if a child or the parents or guardian of the child is an indigent person, the state shall provide legal assistance to the child in all the proceedings of the case for one's defence where the interest of justice so required. No person has availed legal aid as of now.

21.2 The records with the OAG show that in 2014, one case of diversion involving a child in conflict with the law took place in Lhuentse and in 2015 four children in conflict with the law were diverted in Thimphu. The BNCA also recorded that 22 children involved in drugs cases were diverted by the RBP and referred to BNCA for counselling from August to December, 2016.

**22. Please provide the Committee with an update of any data in the report that may have been outdated by more recent data collected or other new developments.**

22.1 The following are some of the studies and assessment carried out by different sectors:

- AHB 201

<http://www.health.gov.bt/wp-content/uploads/ftp/annual-health-bulletins/Annual%20Health%20Bulletin-2016.pdf>

- AES 2016

<http://www.education.gov.bt/documents/10180/12664/Annual+Education+Statistics+2016.pdf/8dc6828d-4de3-4e57-bc8c-0f6e9930422e?version=1.0>

- Child Poverty study

<http://www.nsb.gov.bt/publication/files/pub6ys3223xd.pdf>

- Violence Against Children Study

- Health response to the Gender Base Violence

*Recent developments*

22.2 **Maternity Leave:** Upon the recommendation from the MoH and the NCWC, and with support from the Government, the RCSC has extended paid maternity leave for women working in the civil service to six months with additional flexible time thereafter. The new maternity benefits have been implemented with effect from 1st March, 2016. This change was introduced keeping in mind the National Policy on breastfeeding where exclusive breastfeeding for the first six months of life followed by continued breastfeeding until two years and beyond, has been recommended. Advocacy to replicate the RCSC's maternity benefit policy by informal and non-governmental sectors is ongoing. Also, in order to create an enabling environment and encourage working mothers to continue with optimal care and development for their children after six months, the RGoB has been establishing the workplace crèches.

22.3 **Birth Defect Surveillance:** The Disability Program under MoH is currently carrying out a Birth Defect Surveillance in the three Regional Referral Hospitals where the screening on newborns with birth defect is being done. The newborn detected with disability are thereafter treated /referred for treatment at Regional Referral Hospitals.

22.4 **Paediatric Disability:** With UNICEF support, the development of an integrated screening tool to screen children with disability is ongoing with C4CD/Integrated Management of Neonatal and Childhood Illnesses Program. The Rapid Neuro Development Assessment tools will assess the children with disability and refer them for management and rehabilitation program.

22.5 **Introduction of New Vaccine:** The Vaccine Preventable Disease Program, MoH has introduced the inactivated Polio Vaccine on 1st April, 2015 and the MMR Vaccine (Measles, MUMPs, and Rubella Vaccine) on 1st October, 2016 in order to reduce morbidity, disability and mortality from preventable diseases.

22.6 **C4CD:** C4CD is one of the strategies to stimulate the children's growth and the C4CD plus pilot project is carried out for four Dzongkhags namely (Haa, Tshirang, Zhemgang and Lhuntse). C4CD is implemented in all the BHU/CHU (s) through existing One Stop Child Health Services.

22.7 The Judiciary established five specialized benches at the Thimphu Dzongkhag Court on 21st December, 2016. One of the five specialized benches is expressly designated as Family and Child Bench. This Bench will be responsible for all family and child related cases including, matrimonial, child custody issues, child support, children in conflict with law and children in difficult circumstances. With the establishment of this Bench, The Judiciary strives to ensure swiftness and alacrity when handing child related issues- that these cases are tried quickly and taken seriously as well. This reform is also aimed at preventing children from being subjected to uncomfortable and abusive situations during

court proceedings. The Judiciary is also reviewing the feasibility of establishing specialized Benches in other parts of the country (Paro and Phuntsholing).

**23. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.**

23.1 While taking on a holistic approach to promote the welfare of all children, the RGoB considers the needs of child victims of all forms of violence, exploitation and neglect and ensuring access to quality education priority areas.

---