



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

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## Committee on the Elimination of Discrimination against Women Eighty-sixth session

### Summary record of the 2001st meeting

Held at the Palais des Nations, Geneva, on Tuesday, 10 October 2023, at 10 a.m.

*Chair:* Ms. Peláez Narváez

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*The meeting was called to order at 10 a.m.*

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

*Tenth periodic report of Bhutan* ([CEDAW/C/BTN/10](#); [CEDAW/C/BTN/QPR/10](#))

1. *At the invitation of the Chair, the delegation of Bhutan joined the meeting.*
2. **Ms. Deki** (Bhutan), introducing her country's tenth periodic report ([CEDAW/C/BTN/10](#)), said that, in line with its national development philosophy of gross national happiness, Bhutan remained committed to promoting the overall well-being of all persons, including women, children, older persons and persons with disabilities.
3. In 2015, the national law review task force had been constituted to harmonize and consolidate the domestic law. In 2018, the task force had submitted its recommendations, on the basis of which amendments had been made to a wide range of laws. Of particular relevance was the amendment made to section 213 of the Penal Code, decriminalizing homosexuality.
4. In 2017, a specialized family and child bench had been established to deal with matters relating to families and children. The bench had since ruled on over 3,000 cases. In 2022, a legal aid centre had been set up within the Bhutan National Legal Institute. Since its establishment, the centre had provided legal aid to 54 applicants, the majority of whom had been women. The Royal Bhutan Police had significantly expanded its women and child protection services. Plans were in place to extend such services to all the country's 20 districts by 2024.
5. The National Commission for Women and Children had been restructured and given a new mandate that focused on policy, regulations and reporting. A new institution, known as the Pema Centre, had been established to serve as the nodal agency for mental health. The service components of the National Commission for Women and Children and the agency formerly known as the Bhutan Narcotic Control Agency had been transferred to the Pema Centre.
6. The Government was formulating the country's thirteenth five-year plan, which would cover the period from 2024 to 2029. The long-term goal of the plan was to transform Bhutan into a high-income country, underpinned by three principles: people, progress and prosperity. The plan would provide for the strengthening of social protection. The National Gender Equality Policy 2020, the National Child Policy and the Sexual Violence Policy were currently being reviewed. The Policy to Accelerate Mother and Child Health Outcomes was due to be launched on 14 October 2023, with a view to improving the availability, accessibility and quality of the relevant services through a conditional cash transfer mechanism.
7. With regard to international instruments, Bhutan had ratified the United Nations Convention against Transnational Organized Crime in December 2022, and in 2020, the Convention on Cooperation in Combating International Terrorism, Transnational Organized Crime and Illicit Drug Trafficking, of the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation. It had also adopted the Convention on the Rights of Persons with Disabilities and was in the final stages of ratifying it.
8. Bhutan had moved from 126th position in the Global Gender Gap Index in 2022 to 103rd place in 2023. Bhutanese women continued to participate and take leadership roles in international forums on issues related to women. In that connection, the Executive Director of the United Nations Population Fund had presented the Queen Mother, Her Majesty Gyalum Sangay Choden Wangchuck, with an award for her outstanding contribution to raising awareness of reproductive health issues.
9. The Minister of Health, Ms. Dechen Wangmo, had served as the President of the seventy-fourth World Health Assembly in 2021 and the Vice-President of the seventy-sixth World Health Assembly in 2023. Bhutanese women played an active role in several United Nations peacekeeping missions around the world. Of the Bhutanese diplomats posted abroad, 26 per cent were women. A woman officer of the Royal Bhutan Police had been named one

of the 10 Trafficking in Persons Report Heroes for 2020 by the Department of State of the United States of America.

10. Women's participation in both the National Council and the National Assembly had remained relatively consistent over the years. In September 2023, over 15 per cent of parliamentary seats had been held by women, which was significantly higher than the figure for 2008. Over the previous six years, women's representation in the civil service has increased from 36 per cent in 2016 to 44 per cent in 2022 for professional and management positions, and from 10 per cent in 2016 to 23 per cent as at 1 October 2023 for executive and specialist posts. As at 1 October 2023, women had held 16 per cent of executive positions, surpassing the target of 15 per cent for 2023 that had been set in the Gender Equality Strategy (2018–2023). Of the 10 government secretaries, 4 were women.

11. About 50 per cent of the members of the judiciary were women, and 27 per cent of district level judges and 59 per cent of bench clerks were female. Women's representation on the boards of companies forming part of Druk Holding and Investments Limited – the commercial arm of the Government – had increased from 25 per cent in 2022 to 37 per cent in 2023. The representation of women on the boards of State-owned companies had increased from 9 per cent in 2018 to 11 per cent in 2022.

12. Thanks to the selfless leadership of the King and the country's strong primary health-care system, Bhutan had successfully navigated the coronavirus disease (COVID-19) pandemic with minimal loss of life. Almost 30,000 *De-suups* (guardians of the peace/volunteers) had been trained to address gender-based violence and oversee the implementation of the COVID-19 protocols to ensure the ongoing provision of services. To ensure uninterrupted access to maternal health care, a mobile cardiotocography service had been introduced in November 2020. By August 2023, over 9,600 pregnant women had made use of the service.

13. In order to address the rise in the number of persons with mental health problems, the Government had begun building a 60-bed mental health hospital in July 2023, which was expected to be completed by the end of 2025. It had also launched a remote counselling service in June 2023 and in 2022 had set up a helpline to support persons with mental health problems. Training had been provided to education professionals to enhance counselling services in schools.

14. By 2023 gender parity had been achieved in primary and secondary education, and there had been an increase of three percentage points in the enrolment rate for women in tertiary education between 2019 and 2022. In the first three cohorts of students at the Jigme Singye Wangchuck School of Law, 65 per cent were women. The average dropout rate for girls moving from primary to secondary school was 2.3 per cent between 2020 and 2022. The dropout rate was low in part thanks to a school nutrition programme which covered over 63 per cent of the student population. That programme would be further expanded to cover an additional 21 per cent of students by 2024. The merit-based King's scholarships had been established in June 2022 to help promising young students to prepare to enter the civil service. In the past two academic years, respectively 78 per cent and 86 per cent of the scholarship recipients had been girls. Among students awarded an undergraduate scholarship to study abroad, the proportion of women had increased from 56.1 per cent in 2021 to 60.75 per cent in 2022.

15. Over the previous five years, the proportion of children enrolled in early childhood care and development programmes had increased from 21 per cent in 2019 to 37.6 per cent in 2023. Plans were in place to ensure that all children would be enrolled in such programmes within 10 years. Content on gender had been included in the curricula for languages, social studies and science subjects. All the curricula and instructional guides for 75 subjects had been reviewed and revised in 2022 and the teaching of comprehensive sex education had been piloted in some 170 schools in 2023.

16. On the basis of recommendations issued under the Gender-Based Violence Project, the Parenting without Violence Programme was currently being implemented in three districts. The gender perspective was being incorporated into mainstream education programmes, including those relating to counselling and scouting. The findings of a study on intimate partner violence, conducted in 2022, would be used to plan targeted measures to

combat such violence. There were now seven community service centres organizing employment and reintegration programmes, conducting awareness-raising campaigns and promoting community engagement to address key social and health issues.

17. In order to address the effects of climate change, the National Adaptation Plan, which took account of the gender perspective, had been launched in September 2023. The National Commission for Women and Children participated in the drafting of all national plans on climate change adaptation and disaster management, thereby ensuring that the plans took account of the gender perspective and the differentiated impact of climate change and disasters.

18. Under the National Health Flagship Programme, over 90 per cent of women aged between 30 and 65 had been screened for high-risk human papillomaviruses and for breast cancer. A total of 154 cases of cervical cancer and 74 cases of breast cancer had been detected. Family planning services were available in every health facility in the country, and outreach clinics and village health workers provided such services in remote communities. Trained health workers in all the country's 53 hospitals provided health services tailored to adolescents. In 2022, almost 7,500 adolescents had made use of such services. A draft training module was being used to train school health coordinators in matters relating to adolescent health. The module would be finalized by mid-2024.

19. In May 2023, the Pema Centre and the Department of Education had rolled out the Health and Well-Being Pilot Programme, in Thimphu. Education officers, principals, school guidance counsellors and teachers acting as well-being focal points in higher secondary schools had been trained to implement the Nationwide Comprehensive Health and Well-Being Screening Programme. Substance use disorder treatment and care services were operational in four hospitals. All of the country's hospitals provided services, including detoxification services, for persons living with substance use disorder. A 100-bed national drug treatment and rehabilitation centre was being established.

20. A number of factors posed a threat to macroeconomic stability in Bhutan. In the previous two years, the overall labour force participation rate had fallen from 69 per cent in 2021 to 63.1 per cent in 2022, and the rate for women had fallen from 65.3 per cent to 53.5 per cent in the same period. The attrition rate in the civil service had tripled from 4.82 per cent in 2021 to 12.22 per cent in August 2023, severely impacting the capacity of government agencies to deliver services effectively. Another major challenge was posed by global warming, which was affecting the two main drivers of the economy: agriculture and hydroelectric power. International assistance to help countries like Bhutan to deal with climate change had thus far been inadequate.

#### *Articles 1–6*

21. **Ms. de Silva de Alwis**, noting that article 7 of the Constitution provided for de jure equality, said that she wished to know what measures were being taken to ensure de facto equality in Bhutan. She wondered whether the State party would consider implementing a law on gender equality that would provide for formal, substantive equality, equality of opportunity and equality of outcome. In view of the relatively limited participation of Bhutanese women in political life, the State party might consider adopting a law along the lines of the Women's Reservation Bill that had recently been adopted by the lower house of the Indian Parliament.

22. Following a landmark legal case in 2019, the Bhutan Supreme Court had assumed the power to strike down laws and statutes that violated the Constitution. Given that development, she would be interested to learn whether its power could be used to review national laws with a view to bringing them into compliance with the Convention and other international treaties. The Committee would like to find out whether courts were empowered to apply the Convention and whether the Convention could be used as a guide to reforming the law, for example to repeal discriminatory provisions that were still in force. She would be interested to learn whether the State party would consider adopting a law prohibiting statutory rape and whether it would eliminate all legislative references to consensual sexual acts with children.

23. Given that the first cohort of graduates of the Jigme Singye Wangchuck School of Law had included so many women, it would be interesting to know whether the State party would establish a pathway for women to become judges or associate justices in the country's highest court. The Committee wished to know whether any plans were in place to train lawyers and judges to consult the Convention when preparing cases and to use the Convention to develop new jurisprudence on women's rights. The delegation might indicate whether any legal remedies were available to victims of discrimination and, if so, whether they provided for compensation, restitution and rehabilitation. She would be interested to hear about any steps taken to address systemic and structural discrimination.

24. The Committee would be grateful to learn about any measures to protect and promote the rights of women of Nepalese origin, including by ensuring their right to register land and own businesses. It would also like to know whether the rights of women of diverse religious backgrounds were fully protected under the Constitution.

25. She wondered when the State party would draft a national action plan on women and peace and security and whether it would promote women's leadership in the area of peace and security at the national, regional and international levels. The delegation might state the number of women leaders who participated in the implementation of the Bhutan for Life project. She would welcome information on the targets used to track the gross national happiness indicators. She also wished to know whether any timeline had been established for the ratification of the Optional Protocol to the Convention.

26. **A representative of Bhutan** said that the Constitution established that all persons were equal before the law, and that the State was thus required to prohibit and eliminate all forms of discrimination against women. Any laws or policies formulated by the State must be based on the principle of non-discrimination. In that connection, all draft policies and laws were assessed to ensure that they did not contain any gender-discriminatory provisions. Article 10 (25) of the Constitution, read in conjunction with article 29 of the Civil and Criminal Procedure Code, established that the Convention was enforceable by the courts.

27. **A representative of Bhutan** said that the feasibility of ratifying international instruments, including the Optional Protocol, was evaluated on a continuous basis according to the country's needs, priorities, resource availability and institutional readiness.

28. **A representative of Bhutan** said that judges had received training from the Bhutan National Legal Institute. The programme had included training on child psychology, which had been delivered to 57 judges; awareness-raising sessions on trafficking in persons, in which 71 judges had participated; sessions devoted to gender justice; and visits by judges to law schools. The majority of the first three cohorts of students at the Jigme Singye Wangchuck School of Law had been women, and the number of women judges was therefore expected to rise in the coming decades. Women and men had equal property rights under the law, and in practice women often enjoyed greater rights to property. The Convention had been incorporated into national law and had been cited in judgments of the High and Supreme Courts, and its provisions were contained in other legislation, such as the Domestic Violence Prevention Act, which could be invoked by the lower courts.

29. **A representative of Bhutan** said that under the National Gender Equality Policy, measures aimed at bringing about long-term de facto equality had been adopted in schools and higher education institutions. Democracy and law clubs had been set up to encourage equal participation by girls and boys, and infrastructure had been improved, particularly in the area of water, sanitation and hygiene, to benefit female students. As a result, girls' enrolment had increased – they made up more than half of students – and they achieved better examination results than boys and received a greater proportion of top scholarships. In the previous three years, more girls than boys had opted for the science stream at secondary school, thus paving the way for an increase in the number of women in science-related professions. The National Gender Equality Policy had been revised to include provisions relating to lesbian, gay, bisexual, transgender and intersex persons.

30. **A representative of Bhutan** said that discussions of temporary special measures benefiting women, in particular quotas, had taken place and been covered in the media. Prior to the local elections in 2021, around 2,500 women, including 380 potential candidates, had participated in capacity-building, advocacy and mobilization activities, inter alia with the use

of media outlets and social media. Elected women had also benefited from capacity-building in 2021 and 2022. Women's representation in local government had increased following the 2021 elections; there had been a significant increase in the number of women who were heads of *gewogs* (blocks). Their participation in the National Council and National Assembly had also risen. Measures to enhance women's leadership included the establishment of childcare facilities and the introduction of measures to facilitate working from home, as well as a project to promote gender equality in public administration. The Government granted financial support to civil society organizations that provided capacity-building for women.

31. **A representative of Bhutan** said that gender was an integral part of the National Adaptation Plan on climate change, which had been informed by two nationally determined contribution studies that had examined gender issues in depth, including the impact of climate change on women.

32. **Ms. de Silva de Alwis** said that the Committee would like to know whether the State party planned to introduce quotas for women's participation in political life.

33. **Ms. Deki** (Bhutan) said that work was under way to devise initiatives to increase women's political participation. Women were already well represented in local politics.

34. **A representative of Bhutan** said that the implementation of the National Gender Equality Policy would be evaluated to inform future action to promote women's political participation.

35. **Ms. Morsy**, noting that the restructuring of the National Commission for Women and Children, which was now under the aegis of the Ministry of Education, might have hindered its visibility and ability to discharge its functions independently, said that she would welcome information on how the State party's gender architecture advised the Government on its policies' impact on women; how the Commission monitored the situation of women, including the impact of policies and services on them; and how civil society contributed to that work. It would be useful to have examples of major policies that had been influenced by the gender architecture, as well as the steps taken to strengthen the Commission's financial and human resources and the State party's network of gender focal persons. She would also like to know whether the State budget provided sufficient resources for the national gender machinery and how the budget kept pace with increasing targets. Lastly, she wished to hear how, in the absence of a national human rights institution, the rights of minorities and girls and women with disabilities were guaranteed and how the national gender machinery's compliance with other intersecting treaties and treaty body recommendations was ensured, and also how individual complaints were addressed at the national level.

36. **Mr. Safarov** said that he would like to know how the State party planned to guarantee equality in development for women, particularly in terms of their representation in decision-making processes, and whether the Government would adopt temporary special measures, such as quotas, to increase their participation in public and political life. The Committee wished to know what obstacles hindered the introduction of quotas and the implementation of positive discrimination provisions. He would like to find out whether temporary special measures had been introduced to combat child marriage and to promote women's participation in such sectors as sports, technology and the media. He would also like to hear what temporary special measures had been introduced to accelerate improvements to the position of women and their substantive equality, to bring about the structural, social and cultural change required to address past and current discrimination against them and to afford them compensation.

37. **A representative of Bhutan** said that the National Commission for Women and Children had been strengthened by its restructuring. It now benefited from the extensive resources and reach of the Ministry of Education, while its mandate, autonomy and authority remained unchanged, thus rendering its services more effective and efficient. The Commission participated in a committee that screened all government policies using the parameters of gross national happiness, including gender equality and responsiveness. It also provided technical assistance on those parameters during policy development. More than 30 new gender focal persons, including from central government agencies, had been trained in recent months, thereby strengthening the delivery of the Commission's services.

38. **A representative of Bhutan** said that a study had been conducted of the problems of the Government's public finance management system, and that the Government was devising strategies to implement its recommendations, including through the development of budget documentation guidelines.

39. **A representative of Bhutan**, addressing the question about the establishment of a national human rights institution, said that work was being done to create a mechanism for implementing, following up and reporting on measures to fulfil the Government's human rights obligations, with broad stakeholder participation. The Government supported civil society's efforts to promote women's development and advancement.

40. **A representative of Bhutan** said that there was not very much demand among women for the establishment of quotas. However, efforts were being made to address that question. Even in the absence of temporary special measures, women's representation in the executive and judicial branches, as well as in senior positions in the civil service, had increased.

41. **A representative of Bhutan** said that each of the Government's five-year plans was informed by a review of the implementation of the National Plan of Action for Gender Equality, including its provisions relating to women's participation.

42. **Ms. Deki** (Bhutan) said that the women of Bhutan did not necessarily see the need for temporary special measures. Change would take time, even among the most educated, and her Government considered it best to proceed cautiously.

43. **A representative of Bhutan** said that responsibility for individual complaints relating to the circumstances of women and children had been transferred from the Secretariat of the National Commission for Women and Children to the Pema Centre, which operated two telephone helplines that could receive complaints. Under the Constitution, women and children were also able to file complaints of the infringement of rights with the High Court and the Supreme Court, and with Respect, Educate, Nurture and Empower Women, a civil society organization.

44. **Mr. Safarov** said that it would be useful in future State party reports to include more detailed information on temporary special measures. The Committee had previously raised the issue with the State party, and such measures were intended to achieve change fast.

45. **Ms. Rana** said that, despite efforts to tackle harmful gender stereotypes and the traditional importance given to women in their role as decision makers in the home, much remained to be done to improve women's participation in the public arena. According to the State party report, over half of the women and girls questioned in 2017 in a nationwide study on the prevalence of violence against women and girls had agreed that a man was justified in hitting his partner under certain circumstances. She wished to know what mechanisms were in place to monitor the impact of efforts to address harmful stereotypes and whether there was a long-term strategy in place to address such stereotypes. She would also like to find out whether the recommendations of the National Commission for Women and Children for a consultation with the media on the portrayal of women and children in the media had been implemented, and she would appreciate information on the composition of the Bhutan Media Council and whether it had a code of ethics to address gender stereotypes in the media, and on how men and boys were engaged in the prevention of gender-based violence against women and girls.

46. The Domestic Violence and Prevention Act of 2013 did not address gender-based violence in emergencies or violence against persons with diverse sexual orientations or gender identities, and interim protection orders were reportedly difficult to obtain. She wished to know whether the State party intended to review that Act in order to cover all forms of gender-based violence, including harmful social and cultural practices; whether measures had been taken to ensure access to interim protection orders, including through access to legal aid; and what measures had been taken to discourage the use of mediation to settle cases of sexual violence. She would be interested to learn about plans to establish fully-fledged shelters for victims of gender-based violence, including the proposed time frame for their establishment, and how the State party would support civil society organizations to operate the shelters and provide services at the community level. Details of the timeline for the

adoption of a national policy on the prevention of sexual violence would be appreciated, together with information on the resources that would be provided for the policy's implementation.

47. **Ms. Leinarte** said that, despite the efforts made by the State party to address trafficking in persons and arrangements for mutual legal assistance with neighbouring countries, the Committee had received reports that women continued to be trafficked to the Middle East and that a lack of understanding of human trafficking persisted among law enforcement officers and the judiciary. In the light of the introduction of the Standard Operating Procedure on Multisectoral Response to Trafficking in Persons, she would be interested to learn how many female victims of trafficking in persons had been identified in recent years and how they were protected. Was the protection of victims of trafficking in persons contingent on their cooperation with law enforcement investigations? Noting that the Child Care and Protection Act of 2011 had a restrictive provision that required the demonstration of force, fraud or coercion for an act to constitute an offence of trafficking in children for sex, she said that the Committee would appreciate an explanation as to why all forms of trafficking in children for the purposes of sexual exploitation were not criminalized. While she welcomed the closure of *drayangs* (entertainment centres) in 2022, she would appreciate information on how the women formerly employed by them had benefited from retraining and reintegration measures. The Committee would also appreciate information on training for labour inspectors to identify cases of forced labour and refer them to the police for investigation; on measures to raise awareness of forced labour as a form of trafficking in persons; and on efforts to end child labour. It would be useful for the Committee to learn the State party's view on reports of the prevalence of child labour.

48. In the light of reports that there were de facto brothels operating along the borders of the State party, she wished to know what measures were being taken to provide women engaged in prostitution with other means of livelihood; to reduce client demand for sexual services among local residents and tourists; and to raise awareness of the fact that sexual exploitation was a form of gender-based violence against women.

49. **A representative of Bhutan** said that violence of any kind, including sexual violence, was considered unacceptable. A policy-based approach was taken to combating violence. The relevant policy would be updated following the results of a review of national policy in a number of areas conducted by the Royal Institute for Governance and Strategic Studies. The punishment for statutory rape was of the highest order and the Penal Code (Amendment) Act of 2011 had increased the penalties for acts of sexual violence.

50. **A representative of Bhutan** said that the legal definition of trafficking in persons in the Penal Code had been amended in 2022 to include exploitation. Interpretation of the law by judicial experts would ensure that the definition of trafficking in children was harmonized with that definition.

51. **A representative of Bhutan** said that the Government worked with the press and the main news agencies on the reporting of news relating to gender and had issued guidelines for the media on sensitive reporting. Any failure to follow those guidelines was reported to the Bhutan Media Council, which was able to impose sanctions. Although a high percentage of women and girls considered that it was justified for a man to hit his partner, that figure had declined over the previous decade. The improvement in attitudes was credited to changes in the school curriculum and programmes at every level of the education system, and efforts at the local level, including the introduction of gender focal persons. The Standard Operating Procedure on Gender-Based Violence Prevention and Response contained a number of chapters on the management of cases of gender-based violence, including cases that related to diverse gender identity or sexual orientation, and was followed by all stakeholders, including the police and the judiciary.

52. **A representative of Bhutan** said that the legal aid centre had been established in October 2022. It was a misconception that it was difficult for victims of gender-based violence to obtain interim protection orders; once court proceedings had begun, it was simple to request the court to issue an order. As a judge of a district court, she could confirm that her own court had issued 42 interim protection orders in 2023 alone.



53. **A representative of Bhutan** said that not all former workers at *drayang*s had moved into other employment following retraining. It was difficult in some cases to keep track of their current workplaces, and their type of employment depended on the interests of each individual. A framework to resolve workplace issues, including sexual harassment, had been introduced, and mechanisms for reporting sexual harassment were in place at the central and local levels. Those changes had led to an increase in reports of sexual harassment.

54. **Ms. Deki** (Bhutan) said that it should be borne in mind that the prioritization of activities by the Government was affected by the country's lack of resources. Accommodation at shelters was currently provided in premises or locations made available by the local authorities. The continued support of development partners would be needed to reach the desired standards in that regard.

55. **A representative of Bhutan** said that, although the law provided for the use of mediation in some cases, the Royal Bhutan Police Act 2009 stated that no police officer could make decisions or compromises regarding a case, while the Alternative Dispute Resolution Act 2013 established that mediation could not be used for criminal offences. The regulations on working conditions established the accountability of the employer in the event of failure to take action against sexual harassment.

56. **A representative of Bhutan** said that, in accordance with the Constitution, access to health care was provided free of charge to all citizens. The updated National Family Planning Standards 2018 established the entitlement to receive family planning services irrespective of social status, economic situation, ethnic origin, geographical location or other characteristics. People living with HIV, the LGBTQ+ community and drug and alcohol users had been identified as key populations and could access specialist health-care services. Outreach campaigns were conducted for them and access was provided to contraception, peer counselling and education on sexually transmitted infections. A report issued in 2022 had indicated broad satisfaction with health services among those key populations.

57. **Ms. de Silva de Alwis** said that she wished to know more about how the State party was tackling the vestiges of harmful traditional practices in law and in practice. A legal provision had reportedly been retained allowing the husband of a married woman whom he had raped to pay her compensation. The tradition of "night hunting" persisted, involving a courtship practice where a boy entered a girl's house at night.

58. **Ms. Leinarte** said that, while the level of access to health care in the State party was commendable, she wished to know what steps the Government was taking to prevent the infection of women with HIV through prostitution and to close down de facto brothels.

59. **Ms. Deki** (Bhutan) said that work to tackle residual harmful traditional and cultural practices continued. It was difficult to change mindsets, but efforts were being made. Women were now encouraged to challenge men if they made unacceptable jokes.

60. **A representative of Bhutan** said that corporal punishment had been banned, including in schools, and the school system was playing a critical role in its elimination by educating parents on its harmful effects. The response to reports of commercial sexual activity in some areas was addressed through awareness-raising and education programmes. The police were planning a study to assess the problem of prostitution, particularly in border towns, and to consider the best way forward in terms of protection and health services.

61. **Ms. Deki** (Bhutan) said that the experience of her Government had shown that policy could prove more effective than legislative change, which could lead to misunderstandings if done too hastily. The Government's approach was to focus initially on policy before engaging in time-consuming legislative changes.

62. **A representative of Bhutan** said that the ambiguity around corporal punishment stemmed from a legislative anomaly, specifically within the Penal Code, but that the Child Care and Protection Act 2011, which banned corporal punishment, took precedence over the Code.

63. *Gao* (compensation) payments did not have a gender-specific role and were never intended to treat women as the property of their husbands. Historically, the payments were intended to serve as civil compensation in cases of adulterous relationships. The Penal Code

and the Marriage Act had to be read together to ensure application of the legislation's original intent.

64. "Night hunting" was an antiquated custom that no longer existed, and any perpetrator could face criminal sanctions, including those relating to trespass and sexual violence.

65. **A representative of Bhutan** said that the country had adopted the Standard Operating Procedure on Multisectoral Response to Trafficking in Persons. Thirty-five officers from relevant implementing agencies had been trained to implement that procedure, so that victims could be identified and provided with adequate services for reintegration into their families. Twenty-five cases of trafficking in persons had been registered, involving 30 suspects and 135 victims. The suspects had been prosecuted, and six had subsequently been given prison sentences ranging from 2 to 7 years. Awareness-raising initiatives were regularly undertaken via various channels, particularly in the border regions of the country where trafficking activity was concentrated.

#### *Articles 7–9*

66. **Ms. Mikko** said that the Committee had received reports that Bhutan had greatly reduced gaps in gender equality, increased women's representation in local government and moved ahead in various ways in empowering women. However, only one woman had been elected out of 20 successful candidates for seats in the recent election of the National Council and only 8 of the 46 members of the National Assembly were female.

67. She wished to know whether the Minister of Health was the only female government minister at present. It would be of interest to hear how and when Bhutan planned to achieve the target of 33 per cent female representation in the National Assembly and how it subsequently would ensure gender parity. The Committee would like to know how the Bhutanese Parliament's efforts to introduce gender balance in its standing committees were progressing, as women represented less than a fifth of parliamentarians. It would also be useful to know whether there was any plan to introduce a temporary political quota system to improve political representation of women and how the authorities planned to make it clear that such a system was in society's interest. Lastly, she wished to learn how many women had been elected in recent local elections.

68. **Ms. Manalo**, congratulating the State party on its efforts to harmonize laws, said that she would like to hear a description of a constructive policy to improve women's participation in political and public life. In what areas of the civil service was the participation of women high? It would be of interest to the Committee to find out what was being done to address the requirement for voting in person from one's hometown, given that it deterred women, especially poor women, from voting. The Committee would also like to find out at what levels women held positions in the diplomatic service and whether the State party would envision naming a woman to head the Ministry of Foreign Affairs.

69. **Ms. Bethel** said that provisions of the 2008 Constitution requiring both parents to be Bhutanese for a child to acquire Bhutanese citizenship presented challenges. Thousands of Nepali Bhutanese had previously had the status of citizens, but they now evidently required 50-year-old documentation for registration. Ethnic Nepalis who had reportedly been forced to leave Bhutan in the early 1990s were now ineligible for Bhutanese citizenship. She wished to know what steps the State party was taking to remedy the severe disadvantage faced by ethnic Nepali women and children, both within and outside Bhutan, by reinstating their right to Bhutanese citizenship. The Committee would also like to receive information about the requirement of a month-long period of service as a condition to acquire citizenship.

70. Bhutanese single mothers who could not establish that their children's fathers were Bhutanese reportedly faced challenges in acquiring citizenship and official travel documents for their children. The Committee would like to find out whether the Government would consider amending the law so that such children would not become stateless and whether, pending such a decision, the authorities would issue travel documents for them. She also wished to know whether stateless persons, including children, were entitled to basic services such as education at all levels and health-care services, and whether stateless persons could engage in employment. She wondered whether the Government would consider reviewing

the Citizenship Act of 1985 to dissociate birth registration from citizenship and to ensure that Bhutanese single mothers could register the birth of their children in a timely manner.

71. In light of the internal travel restrictions placed on resident foreigners and the children of foreigners married to Bhutanese citizens, would the Government consider amending the law that established residency categories and established groups requiring special permits for internal travel? Would the Government consider ratifying the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness?

72. **Ms. Deki** (Bhutan) said that the Government was looking at all possible means to improve political participation. There was only one female minister in the Cabinet, but the Secretary of the Ministry of Foreign Affairs was a woman. Bhutan was reliant on a pool of candidates for such roles and currently applied a merit-based recruitment system.

73. **A representative of Bhutan** said, in relation to quota systems, that the country was beginning to try different measures and was already seeing significant progress in the representation of women working in various spheres. The authorities wished to review the current level of progress and existing policies in order to identify relevant interventions and inform their future course of action.

74. The restructuring of the civil service had involved establishing a committee of coordinating secretaries for the various ministries. The nine ministries and other agencies had been grouped into four clusters, each headed by cluster secretaries, two of whom were women. That demonstrated huge progress in women's leadership and its acceptance in Bhutan. The Government hoped to build on that achievement to create enabling conditions for women to take up influential leadership positions. There were good prospects that a woman would be named Minister for Foreign Affairs in the near future, as the number of women candidates had recently more than doubled.

75. **Ms. Deki** (Bhutan) said that postal absentee ballots were being offered to all voters who could not be present at polling sites during elections, including those outside the country. Polling booths were located close to places of residence to ensure accessibility, including for persons with disabilities.

76. **A representative of Bhutan** said that the highest civil service position within the Ministry of Foreign Affairs was held by a woman and that three of the four departments within the Ministry were headed by women. Among foreign service officers, including those serving in missions and embassies abroad, as well as at the Ministry, 40 per cent were women.

77. As in any country, there were clear legal procedures for obtaining citizenship, irrespective of ethnicity, gender or religion. Opportunities for naturalization were provided uniformly to both male and female children. When one parent was a foreign national, children were granted a residency permit and were eligible to apply for citizenship after living in the country for 15 years. The Government considered the current form of the Citizenship Act to be in the best interests of the country and its people.

78. Birth registration and civil registration were carried out for everyone born in the country, irrespective of nationality. By 2022, Bhutan had achieved total geographical coverage in birth registration and a registration rate of 87.5 per cent, with no significant difference between males and females. Birth registration services were available at the 200 community centres, all 20 district civil registration offices, 4 municipality offices and the head office of the Department of Civil Registration and Census. Efforts to further simplify the process of birth registration were ongoing. The registration procedure had been revised, enabling birth registration at the current place of residence or at the designated permanent address. The Government had established an integrated citizen services system to simplify and expedite birth and death registration processes.

79. The ratification of additional human rights instruments would be taken up as part of the ongoing review of all international human rights instruments.

80. **Ms. Deki** (Bhutan) said that education and health care were provided free of charge to all children born in Bhutan following birth registration, regardless of their citizenship status, provided that one parent was in Bhutan.

81. **Ms. Mikko** said that she wished to understand the Government's ideas to increase the number of female politicians and strong female candidates on election lists. Perhaps the best way would be to amend the electoral law.

82. **Ms. Bethel** said that she had hoped to hear about the rights of the ethnic Nepali women and children who had been denied citizenship under the current legislation. She would like to find out why access to public services was contingent upon birth registration, as opposed to citizenship. The Committee would appreciate clarification as to whether birth registration must be carried out within a 12-month period following the birth of the child.

83. **Ms. Deki** (Bhutan) said that the lack of demand for an increase in female representation among politicians made it challenging to impose quotas on political parties. Further study was required to ensure that any law adopted to address the question could be effectively implemented.

84. **A representative of Bhutan** said that the main outline for government efforts to improve women's participation was the National Gender Equality Policy. It focused on providing an enabling environment for women's participation in decision-making and the workforce; building a network of women leaders; promoting women's participation in political life and public office; exploring and adopting affirmative action to improve representation of women, including women with disabilities; showcasing role models; and researching gender equality issues in the political and public spheres. Evidence showed that the policy was having an effect.

85. **The Chair** said that, as the question of statelessness had not been addressed, the Committee would be grateful if the delegation could respond to its questions on that issue in writing.

*The meeting rose at 1 p.m.*