



COUNTRY OF ORIGIN INFORMATION REPORT

# BHUTAN

---

6 AUGUST 2010



# Contents

---

## Preface

Paragraphs

## Background Information

1. <b>GEOGRAPHY</b> .....	1.01
<b>Map</b> .....	
2. <b>ECONOMY</b> .....	2.01
3. <b>HISTORY</b> .....	3.01
4. <b>RECENT DEVELOPMENTS</b> .....	4.01
<b>Useful sources for further information</b> .....	4.02
5. <b>CONSTITUTION</b> .....	5.01
6. <b>POLITICAL SYSTEM</b> .....	6.01

## Human Rights

7. <b>INTRODUCTION</b> .....	7.01
8. <b>SECURITY FORCES</b> .....	8.01
9. <b>MILITARY SERVICE</b> .....	9.01
10. <b>JUDICIARY</b> .....	10.01
<b>Organisation</b> .....	10.01
<b>Independence</b> .....	10.02
<b>Fair trial</b> .....	10.03
11. <b>ARREST AND DETENTION – LEGAL RIGHTS</b> .....	11.01
12. <b>PRISON CONDITIONS</b> .....	12.01
13. <b>DEATH PENALTY</b> .....	13.01
14. <b>POLITICAL AFFILIATION</b> .....	14.01
<b>Freedom of political expression</b> .....	14.01
<b>Freedom of assembly and association</b> .....	14.05
<b>Opposition groups and political activists</b> .....	14.06
15. <b>FREEDOM OF SPEECH AND MEDIA</b> .....	15.01
16. <b>CORRUPTION</b> .....	16.01
17. <b>FREEDOM OF RELIGION</b> .....	17.01
18. <b>ETHNIC GROUPS</b> .....	18.01
<b>Nepalese</b> .....	18.04
19. <b>LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS</b> .....	19.01
20. <b>DISABILITY</b> .....	20.01
21. <b>WOMEN</b> .....	21.01
<b>Legal rights</b> .....	21.01
<b>Political rights</b> .....	21.03
<b>Social and economic rights</b> .....	21.04
<b>Violence against women</b> .....	21.08
Assistance available.....	21.09
22. <b>CHILDREN</b> .....	22.01
<b>General information</b> .....	22.01
<b>Education</b> .....	22.05
<b>Child care / labour</b> .....	22.07
<b>Health issues</b> .....	22.11
23. <b>TRAFFICKING</b> .....	23.01
24. <b>MEDICAL ISSUES</b> .....	24.01
<b>Overview of availability of medical treatment and drugs</b> .....	24.01

<a href="#">HIV/AIDS</a> .....	24.02
<a href="#">Mental health</a> .....	24.03
25. <a href="#">FREEDOM OF MOVEMENT</a> .....	25.01
<a href="#">Exit and return</a> .....	25.02
26. <a href="#">FOREIGN REFUGEES</a> .....	26.01
27. <a href="#">CITIZENSHIP AND NATIONALITY</a> .....	27.01
28. <a href="#">EMPLOYMENT RIGHTS</a> .....	28.01

## [Annexes](#)

[Annex A: Chronology of major events](#)

[Annex B: Guide to acronyms](#)

[Annex C: References to source material](#)

## Preface

---

- i This Country of Origin Information (COI) Report has been produced by the COI Service, United Kingdom Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. The Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The main body of the report includes information available up to 6 August 2010. The report was issued on 6 August 2010.
- ii The Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any UKBA opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.
- iii The Report aims to provide a compilation of extracts from the source material identified, focusing on the main issues raised in asylum and human rights applications. In some sections where the topics covered arise infrequently in asylum/human rights claims only web links are provided. The Report is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.
- iv The structure and format of the COI Report reflects the way it is used by UKBA decision makers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.
- v The information included in this COI Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated. Similarly, the absence of information does not necessarily mean that, for example, a particular event or action did not occur.
- vi As noted above, the Report is a compilation of extracts produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents though COIS will bring the discrepancies together and aim to provide a range of sources, where available, to ensure that a balanced picture is presented. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties, etc. COI Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted

text; its use is not intended to imply any comment on the content of the material.

- vii The Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this Report was issued.
- viii This COI Report and the accompanying source material are public documents. All COI Reports are published on the RDS section of the Home Office website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the COI Service upon request.
- ix COI Reports are published regularly on the top 30 asylum intake countries. Reports on countries outside the top 30 countries may also be published if there is a particular operational need. UKBA officials also have constant access to an information request service for specific enquiries.
- x In producing this COI Report, COI Service has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to UKBA as below.

#### **Country of Origin Information Service**

UK Border Agency  
St Anne House  
20-26 Wellesley Road  
Croydon  
CR0 9XB  
United Kingdom

**Email:** [cois@homeoffice.gsi.gov.uk](mailto:cois@homeoffice.gsi.gov.uk)

**Website:** [http://www.homeoffice.gov.uk/rds/country\\_reports.html](http://www.homeoffice.gov.uk/rds/country_reports.html)

### **INDEPENDENT ADVISORY GROUP ON COUNTRY INFORMATION**

- xi The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Chief Inspector of the UK Border Agency to make recommendations to him about the content of the UKBA's country of origin information material. The IAGCI welcomes feedback on UKBA's COI Reports, COI Key Documents and other country of origin information material. Information about the IAGCI's work can be found on the Chief Inspector's website at <http://www.ociukba.homeoffice.gov.uk>
- xii In the course of its work, the IAGCI reviews the content of selected UKBA COI documents and makes recommendations specific to those documents and of a more general nature. A list of the COI Reports and other documents which have been reviewed by the IAGCI or the Advisory Panel on Country Information (the independent organisation which monitored UKBA's COI

material from September 2003 to October 2008) is available at <http://www.ociukba.homeoffice.gov.uk/>

- xiii Please note: it is not the function of the IAGCI to endorse any UKBA material or procedures. Some of the material examined by the Group relates to countries designated or proposed for designation to the Non-Suspensive Appeals (NSA) list. In such cases, the Group's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

**Independent Advisory Group on Country Information contact details:**

Independent Chief Inspector of the UK Border Agency

5th Floor, Globe House

89 Eccleston Square

London, SW1V 1PN

**Email:** [chiefinspectorukba@icinspector.gsi.gov.uk](mailto:chiefinspectorukba@icinspector.gsi.gov.uk)

**Website:** <http://www.ociukba.homeoffice.gov.uk/>

[Return to contents](#)

## Background information

---

### 1. GEOGRAPHY

- 1.01 The BBC's *Bhutan Country Profile*, dated 5 May 2010, recorded, "Bhutan is a tiny, remote and impoverished kingdom nestling in the Himalayas between its powerful neighbours, India and China. Almost completely cut off for centuries, it has tried to let in some aspects of the outside world while fiercely guarding its ancient traditions." [14a]
- 1.02 Bhutan covers an area of 38,364 sq km (14,812 sq miles). A United Nations (UN) estimate in 2009 put the total population of Bhutan at 697,000, with life expectancy of 64 years for men and 68 years for women. (BBC News, *Bhutan Country Profile*, 5 May 2010) [14a]
- 1.03 The official language of the country is Dzongkha, and the official religion Buddhism. Hinduism is also a major religion in Bhutan. (BBC News, *Bhutan Country Profile*, 5 May 2010) [14a] The majority of the population inhabit the rural parts of the country. The population of Bhutan can be broadly categorized into two groups: people in northern, western and eastern Bhutan who speak one of the forms of the Tibeto-Burman language and who are mainly Buddhists, and people in southern Bhutan who speak Nepali and are mainly Hindus. (UN Human Rights Council, *National report submitted in accordance with paragraph 15(a) of the annex to Human Rights Council resolution 5/1 - Bhutan*, 3 September 2009) [5d] (Paragraph 16)

[See also Section 17: Freedom of religion](#)

[See also Section 18: Ethnic groups](#)



## MAP



For further maps of Bhutan, see [Relief Web's Map Centre](#)

[Back to contents](#)  
[Go to list of sources](#)

## 2. ECONOMY

2.01 The CIA *World Factbook*, updated on 24 June 2010, recorded:

“The economy, one of the world's smallest and least developed, is based on agriculture and forestry, which provide the main livelihood for more than 60% of the population. Agriculture consists largely of subsistence farming and animal husbandry. Rugged mountains dominate the terrain and make the building of roads and other infrastructure difficult and expensive. The economy is closely aligned with India's through strong trade and monetary links and dependence on India's financial assistance. The industrial sector is technologically backward, with most production of the cottage industry type. Most development projects, such as road construction, rely on Indian migrant labor. Model education, social, and environment programs are underway with support from multilateral development organizations. Each economic program takes into account the government's desire to protect the country's environment and cultural traditions. For example, the government, in its cautious expansion of the tourist sector, encourages visits by upscale, environmentally conscientious tourists. Detailed controls and uncertain policies in areas such as industrial licensing, trade, labor, and finance continue to hamper foreign investment. Hydropower exports to India have boosted Bhutan's overall growth. New hydropower projects will be the driving force behind Bhutan's ability to create employment and sustain growth in the

coming years.” [4]

- 2.02 In its Country Profile on Bhutan, updated on 28 April 2010, the Foreign & Commonwealth Office (FCO) noted:

“Bhutan has pursued a cautious policy of modernisation while retaining a significant agriculture-based economy. Agriculture employs about 64.2% of the workforce (2006) and accounted for 21.4% of GDP in 2006. Tourism is Bhutan largest hard-currency earner, providing USD29 Million in 2007. Bhutan’s per capita GDP is USD1414 (Jan 2009), the highest in South Asia. There is little heavy industry, apart from a cement plant, a chemical plant and a timber factory; most manufacturing is via small-scale local industries. The export of hydro-electric power to India is a growing industry and is the single most important source of revenue. Bhutan has an estimated hydropower potential of around 30,000MW, of which so far only about 2,500MW is exploited. India is by far the largest market for Bhutan’s exports and is still a significant source of development aid. Bhutan’s tenth Five Year Plan commenced in 2008. The Economic Development Policy (EDP) has as its priority the strengthening of the economic base and emphasises Bhutan’s concept of ‘gross national happiness’.” [8]

- 2.03 As noted by the same source, the currency of Bhutan is the Bhutanese ngultrum (BTN), and the exchange rate, as at March 2010, was £1 Sterling (GBP) = Nu 68.9 BTN. [8]

### 3. HISTORY

- 3.01 The Foreign & Commonwealth (FCO) Country Profile on Bhutan, dated 28 April 2010, noted:

“Bhutan is a Mahayana Buddhist Kingdom. Buddhism was brought to the country from northern India in the 8th Century by Guru Padma Sambhava. Hinduism is the second largest religion. The country’s administration, legal system and defence were unified in the mid-17th Century by the Shabdrung Ngawang Namgyal, a prominent monk from Tibet. The Shabdrung set up a dual-system of government with temporal and religious leaders. In 1865, following a military conflict known as the Duar Wars, Britain and Bhutan signed the Treaty of Sinchula, under which Bhutan would receive an annual subsidy in exchange for ceding some border land in the South. Three years later, a treaty was signed whereby the British agreed not to interfere in Bhutanese internal affairs and Bhutan undertook to seek the advice of Britain in the conduct of its foreign affairs. This Treaty was assumed by India at Independence in 1947 but has now been replaced. The hereditary monarchy came into being through election in 1907.” [8]

- 3.2 The same source continued:

“In 2007 the Fourth King Jigme Singye Wangchuck abdicated in favour of his son the present King, Jigme Khesar Namgyal Wangchuck, who is the great-great-grandson of the founder. The King was educated in Bhutan, the United States and at Oxford University. In 2008 the King signed Bhutan’s first Constitution by which Bhutan became a fully constitutional monarchy with a multi-party democratically elected Government. The first elections were held in

March 2008.” [8]

[Back to contents](#)  
[Go to list of sources](#)

#### 4. RECENT DEVELOPMENTS

- 4.01 In its report, *Freedom in the World 2010*, published on 3 May 2010, Freedom House noted:

“The Bhutanese Communist Party, modeled on Nepal's Maoist party and dominated by Nepali refugees, has launched an armed struggle to overthrow the monarchy, and a number of bomb attacks were reported in 2008. The Bhutanese group has received training and supplies from Indian separatist groups such as the United Liberation Front of Assam (ULFA), which reportedly operates from guerrilla bases in southern Bhutan. There were no reports of major attacks or deaths in 2009.” [3]

[See also Section 14: Opposition groups and political activists](#)

[See also Section 18: Ethnic groups](#)

#### USEFUL SOURCES FOR FURTHER INFORMATION

- 4.02 A list of sources with weblinks is provided below, which may be useful if additional up to date information is required to supplement that provided in this report. The full list of sources used in this report can be found in Annex C: References to source material.

Amnesty International (News/reports)

<http://www.amnesty.org/>

BBC News (News/reports)

[http://www.bbc.co.uk/news/world/south\\_asia/](http://www.bbc.co.uk/news/world/south_asia/)

Canadian Immigration and Refugee Board (Reports)

<http://www.irb-cisr.gc.ca/Eng/Pages/index.aspx>

European Country of Origin Information Network (News/reports)

<http://www.ecoi.net/>

Human Rights Watch (News/reports)

<http://www.hrw.org/asia/bhutan>

UNHCR Refworld (News/reports)

<http://www.unhcr.org/refworld/country/COI...BTN...0.html>

US State Department (*2010 Report on International Religious Freedom*, due in September/October 2010)

<http://www.state.gov/g/drl/rls/irf/index.htm>

US State Department (*2010 Country Reports on Human Rights Practices*, due in February/March 2011)

<http://www.state.gov/g/drl/rls/hrrpt/index.htm>

[Back to contents](#)  
[Go to list of sources](#)

## 5. CONSTITUTION

- 5.01 In its *Report of the Working Group on the Universal Periodic Review on Bhutan*, dated 4 January 2010, the UN Human Rights Council (HRC) recorded, "In culmination of a series of far-reaching political changes initiated by the Fourth King, Bhutan peacefully transitioned into a parliamentary democracy and adopted its first written Constitution in 2008." [5a] According to Article 1 of the 2008 Constitution, "Bhutan is a Sovereign Kingdom and the Sovereign power belongs to the people of Bhutan. The form of Government shall be that of a Democratic Constitutional Monarchy." [17a]
- 5.02 A citizen's rights and duties are defined under Articles 7 and 8 of the Constitution. Regarding fundamental rights, Article 7 states, "All persons shall have the right to life, liberty and security of person and shall not be deprived of such rights except in accordance with the due process of law." [17a] ([http://www.constitution.bt/TsaThrim%20Eng%20\(A5\).pdf](http://www.constitution.bt/TsaThrim%20Eng%20(A5).pdf))

## 6. POLITICAL SYSTEM

- 6.01 In its Country Profile on Bhutan, updated on 28 April 2010, the Foreign & Commonwealth Office (FCO) noted:

"In the 1950s Bhutan established some representative political institutions, including an indirectly elected National Assembly (Tshogdu Chhenmo) and elected village headmen, but there were no political parties. In 1998 the Assembly elected a Cabinet for the first time. In March 2005 the draft of the first written constitution was published and the King initiated public discussions in October 2005. The constitution came into effect in 2008. In December 2005 Jigme Singye Wangchuck announced that he would abdicate in 2008 and that Bhutan would hold its first general elections in that year. However on 14 December 2006, he announced his immediate abdication and transfer of the throne to his eldest son Jigme Khesar Wangchuck. The official coronation of the new King took place on 6-9th November 2008." [8]

- 6.02 The FCO continued:

"Following the introduction of the first Constitution, the new democratic system comprises an upper and lower house the latter based on political party affiliations. There is no limit to the number of political parties which can exist, though they must all be registered with the Election Commission. However, in a unique system, there are two rounds of elections for the National Assembly. In the first round the people vote for a political party. The two parties which receive the most votes are the two parties which can then contest for seats in the National Assembly. Elections for the 20 elected seats of the 25 member upper house (National Council) were held on December 31, 2007, while elections for the lower house, the 47-seat National Assembly, were held on March 24, 2008. Two political parties, the People's Democratic Party (PDP) headed by Sangay Ngedup, and the Druk Phuensum Tshogpa (DPT) headed by Jigme Yoesar Thinley, competed in the National Assembly election. The Druk Phuensum Tshogpa won the elections taking 45 out of 47 seats in the

parliament. There are ten Cabinet Ministers. The elected Government holds office for a fixed period of five years. Under the Constitution, the combined Upper and Lower Houses may in certain circumstances require the abdication of the reigning Monarch in favour of the heir. The monarch may be either male or female.” [8]

- 6.03 The US State Department’s *2009 Country Reports on Human Rights Practices: Bhutan* (USSD Report 2009), published on 11 March 2010, noted, “Bhutan is a democratic, constitutional monarchy... The current king, Jigme Khesar Namgyel Wangchuck, is the head of state, and executive power is vested in the cabinet, headed by the prime minister, Jigme Thinley.” [2a] (Introduction to Bhutan)

[See also Section 14: Political affiliation](#)

[Back to contents](#)  
[Go to list of sources](#)

## Human Rights

---

### 7. INTRODUCTION

- 7.01 The US State Department's *2009 Country Reports on Human Rights Practices: Bhutan* (USSD Report 2009), published on 11 March 2010, noted, "Although constitutional democracy has helped to improve the human rights situation in the country, difficulties with the regulation of religion and some discrimination against the ethnic Nepalese minority remained." [2a] (Introduction to Bhutan)
- 7.02 The same report noted, "There were no independent human rights organizations operating in the country. The government regarded human rights groups established by ethnic Nepalese as political organizations and did not permit them to operate. The ICRC [International Committee of the Red Cross] was the only human rights monitoring group officially operating in the country." [2a] (Section 5)
- 7.03 In its Country Profile on Bhutan, updated on 28 April 2010, the FCO stated:
- "While there are no legal human rights NGOs in Bhutan, the Bhutanese have allowed access for various human rights organisations. The then UN High Commissioner for Refugees, Mrs. Ogata, visited in her final year in office in 2000. The UN High Commissioner for Human Rights visited Bhutan in 1994 and the UNCHR Working Group on Arbitrary Detention visited in May 1996. The International Committee of the Red Cross visits regularly, most recently in 2009, and is allowed unimpeded access to all detention facilities and prisoners therein. Amnesty International visited Bhutan in December 1998. Bhutan has signed and ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child (CRC) and the International Convention on the Elimination of all forms of Racial Discrimination (CERD)." [8]

[Back to contents](#)  
[Go to list of sources](#)

### 8. SECURITY FORCES

- 8.01 The US State Department's *2009 Country Reports on Human Rights Practices: Bhutan* (USSD Report 2009), published on 11 March 2010, noted, "The civilian authorities generally maintained effective control of the security forces." (Introduction to Bhutan) The report further stated:
- "The Royal Bhutan Police (RBP) agency, which reports to the Ministry of Home and Cultural Affairs, was responsible for internal security. The Royal Bhutan Army (RBA) was responsible for external threats but also had responsibility for some internal security functions including conducting counterinsurgency operations, guarding forests, and providing security for important persons. The army and police both have procedures in place for conducting internal investigations of alleged officer misconduct; official courts of inquiry adjudicate the allegations. The king or other senior official makes the final determination of the outcome of a case." [2a] (Section 1d)

8.2 The same report continued:

“The government adopted the Royal Bhutan Police Act of 2009 to help address police human rights abuses. Under the Act, a Police Service Board consisting of senior police personnel and a Ministry of Home and Cultural Affairs representative investigates cases of abuse; police officers can face criminal prosecution for human rights violations. The RBP has in place institutional reviews, human rights training for its personnel, and accountability procedures.” [2a] (Section 1d)

8.3 The following link provides further useful information on the above topic:

US State Department, *2009 Country Reports on Human Rights Practices: Bhutan* (USSD Report 2009), 11 March 2010

<http://www.state.gov/g/drl/rls/hrrpt/2009/sca/136086.htm> [2a] (Section 1: Respect for the Integrity of the Person)

[See also Section 10: Judiciary](#)

[See also Section 11: Arrest and detention – legal rights](#)

[See also Section 16: Corruption](#)

[Back to contents](#)  
[Go to list of sources](#)

## 9. MILITARY SERVICE

9.1 The following link provides useful information on the above topic:

War Resisters International (WRI), *World survey of conscription and conscientious objection to military service: Bhutan*, 27 March 1998

[http://www.wri-irg.org/programmes/world\\_survey/country\\_report/en/Bhutan](http://www.wri-irg.org/programmes/world_survey/country_report/en/Bhutan) [19]

[Back to contents](#)  
[Go to list of sources](#)

## 10. JUDICIARY

### ORGANISATION

10.01 The US State Department’s *2009 Country Reports on Human Rights Practices: Bhutan* (USSD Report 2009), published on 11 March 2010, recorded:

“The National Judicial Commission (NJC) oversees the judiciary. The JSA [Judiciary Services Act 2007] created a supreme court that has the responsibility to oversee the interpretation and application of the constitution. The judicial system consists of subdivisional courts, district courts, and a high court. The NJC nominates and the king confirms judges to the high court and 20 district court justices. The king may remove, suspend, or censure judges only at the request of the NJC. The chief justice of the high court, following recommendations of the Judicial Service Council, makes judicial appointments to the subdivisional courts. The Office of Legal Affairs (OLA) is the judicial

support department and it conducts state prosecutions, drafts and reviews legislation, and renders legal counsel. The OLA consists of a legal services division with domestic, international, and human rights sections, and a prosecution division with criminal and civil sections. As the lowest level of the judicial system, village headmen arbitrate disputes. Magistrates with responsibility for a block of villages review the decisions of village headmen. Defendants may appeal decisions rendered by magistrates to a district judge.” [2a] (Section 1e)

## INDEPENDENCE

- 10.02 The USSD Report 2009 recorded, “In 2007 the government passed the Judiciary Services Act (JSA), establishing the formal separation of the judiciary from the executive. The JSA set professional standards for judges and other judicial service personnel. In practice the judiciary generally enforced the right to a fair trial.” [2a] (Section 1e)

## FAIR TRIAL

- 10.03 The USSD Report 2009 recorded:

“The law stipulates that defendants must receive fair and speedy trials, and the government generally respected this right in practice. A preliminary hearing must be convened within 10 days of registration of a criminal matter with the appropriate court. Before registering any plea, courts must determine whether an accused is mentally sound and understands the consequences of entering a plea. Defendants enjoy a presumption of innocence, and cases must be proved beyond a reasonable doubt to obtain convictions. There is no trial by jury. Punishments include imprisonment, probation, fines, or a requirement for restitution of losses. Defendants have the right to appeal to the high court and may make a final appeal to the king, who traditionally delegates the decision to the Royal Advisory Council. Trials are conducted publicly, except for cases involving family law and juveniles. The Civil and Criminal Procedure Code of Bhutan 2001 does not give defendants the right to question witnesses. Only the court can determine if there is a need to question witnesses, after which the prosecutor and defendants are allowed to conduct cross-examinations.” [2a] (Section 1e)

- 10.04 The report continued:

“Courts tried criminal and civil cases under both customary law and the legal code. State-appointed OLA prosecutors are responsible for filing charges and prosecuting cases for offenses against the state. In other cases relevant organizations and departments of government file charges and conduct prosecutions. The law grants defendants and their attorneys access to state evidence. Although most litigants represented themselves before the court, the law provides for the right to representation in criminal cases, including provision of counsel for defendants who cannot afford representation. In practice there were no known instances of the government providing free legal counsel to political opponents, and many citizens who were unable to afford representation did not receive professional legal assistance. The law states that defendants may choose legal representation from a list of government licensed advocates, and the government promoted the use of judiciary Web sites for legal information as a means of offering self-help to defendants. The



OLA stated that most defendants sought professional legal assistance only in serious criminal cases.” [2a] (Section 1e)

[Back to contents](#)  
[Go to list of sources](#)

## 11. ARREST AND DETENTION – LEGAL RIGHTS

- 11.01 The US State Department’s *2009 Country Reports on Human Rights Practices: Bhutan* (USSD Report 2009), published on 11 March 2010, noted:

“The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions... Under the law police may not arrest a person without a warrant, and in practice the police generally respected the law. According to the law, authorities must issue an immediate statement of charges and engage in reasonable efforts to inform the family of the accused. Authorities are required to bring an arrested person before a court within 24 hours, exclusive of travel time from the place of arrest. Bail is available depending on the severity of charges, the suspect's criminal record, likelihood of flight, and potential threat to the public.” [2a] (Section 1d)

[See also Section 8: Security forces](#)

[See also Section 14: Opposition groups and political activists](#)

[Back to contents](#)  
[Go to list of sources](#)

## 12. PRISON CONDITIONS

- 12.01 The US State Department’s *2009 Country Reports on Human Rights Practices: Bhutan* (USSD Report 2009), published on 11 March 2010, recorded:

“Inmates and members of civil society reported that prison conditions generally were satisfactory, and buildings and installations were in fairly good condition. According to the 1982 Prison Act, men and women should be detained separately, and juveniles (younger than 18) should be kept separate from adults. NGOs were unable to determine if these laws were followed during the year. Authorities kept prisoners incarcerated for politically motivated crimes in areas separate from criminals. The government extended the International Committee of the Red Cross (ICRC) prison visits program. During the year the ICRC visited 86 persons held at the Chamgang Prison near Thimphu. None of the 86 persons was a woman or juvenile. At the time of the visit in January, Chamgan Prison authorities told the ICRC the prison held a total of 405 prisoners, including the 86 the ICRC visited. During its July session, parliament passed the 2009 Prison Act to improve prison management.” [2a] (Section 1c)

[See also Section 14: Political affiliation](#)

[Back to contents](#)  
[Go to list of sources](#)

### 13. DEATH PENALTY

- 13.01 As noted by the UN Human Rights Council (HRC), in its *Report of the Working Group on the Universal Periodic Review on Bhutan*, dated 4 January 2010, Bhutan abolished the death penalty in 2004. [5a]

### 14. POLITICAL AFFILIATION

#### FREEDOM OF POLITICAL EXPRESSION

- 14.01 As documented by the US State Department's *2009 Country Reports on Human Rights Practices: Bhutan* (USSD Report 2009), published on 11 March 2010:

“The law provides limited rights for changing the government, and it provides for a separation of powers... In 2007 the government began allowing political parties to register under the terms of a draft constitution. Three parties registered with the Election Commission, which disqualified the Bhutan People's United Party (BPUP) for ‘failing to prove its credibility’ as a national political party. The Election Commission indicated that BPUP candidates did not meet the commission's education requirements. The Election Act specifies that candidates for parliament must have earned at least a bachelor's degree to run for office. The government took no action in response to the party's appeal of the decision. Other parties, such as the Druk National Congress, established in 1994, continued to claim that the government denied independent parties the ability to operate effectively. Both parties that participated in the 2008 National Assembly elections, the ruling Druk Phensum Tshogpa (DPT) party and opposing People's Democratic Party (PDP), had ties to the royal family. The government regarded political parties organized by ethnic Nepalese living in refugee camps as illegal, terrorist, and antinational in nature. These parties, which sought repatriation of refugees and democratic reforms, were unable to conduct activities inside the country.” [2a] (Section 3)

- 14.02 As noted by Freedom House in its report, *Freedom in the World 2010*, published on 3 May 2010:

“Bhutan is not an electoral democracy, though the 2008 elections represented a significant step toward that status... Political parties, previously illegal, were allowed to begin registering in 2007. Only two parties – the DPT and PDP, both of which have ties to the royal family – participated in the 2008 National Assembly elections. The parties do not differ significantly in policy goals. The constitution forbids parties based on sex, religion, language, or region, and a 2007 election law bars individuals without bachelor's degrees from participating in government. In November 2007 the election commission denied registration to the Bhutan People's United Party, commenting that it did not ‘have the capacity to fulfill ... national aspirations, visions and goals.’ Nine ethnic Nepali candidates were elected to office in 2008, although the EU monitors noted that a rule requiring candidates to obtain a security clearance certificate may have been an obstacle for some Nepalis.” [3]

[See also Section 18: Ethnic groups](#)

- 14.03 In a report dated 8 September 2009, the UN Human Rights Council (HRC)

recorded:

“GHRD [Global Human Rights Defence] voiced concern that only two political parties with broadly similar policies were allowed by the Government to register and stand for election. No political parties, such as the National Front for Democracy in Bhutan in exile were invited to take part in the elections. According to GHRD, democracy defendants have been largely excluded, and many continue to languish both in exile and in Bhutan’s prisons. It also alleged that more than 100,000 Bhutanese were excluded from the elections. Bhutanese refugees in exile and/or political prisoners, and allegedly 80,000 citizens were deprived of their adult franchise on the pretext of not having ‘security clearance’, while the Kingdom of Bhutan has refused initiatives of international democratic monitoring.” [5c] (Paragraph 24)

[See also Section 6: Political system](#)

- 14.04 The USSD Report 2009 noted that “at least 200 political prisoners remained imprisoned in the country.” [2a] (Section 1e)

[See also Section 12: Prison conditions](#)

#### FREEDOM OF ASSEMBLY AND ASSOCIATION

- 14.05 The USSD Report 2009 recorded:

“The constitution provided for the right to peacefully assemble and for freedom of association, with the exclusion of membership in associations that are ‘harmful to the peace and unity of the country.’ All protesters must first obtain government approval before staging public demonstrations. It is not known whether the government denied any permits during the year... The government did not allow NGOs that work on overtly political issues to operate inside the country. Security forces arrested citizens for taking part in peaceful prodemocracy demonstrations, and the government deported southern Bhutanese refugees who had been living in Nepal but who entered the country to demonstrate for the right to return... The law provided for freedom of association, and the government permitted the registration of some political parties and organizations. The government did not permit political parties organized by ethnic Nepalese citizens. According to international NGOs, local civil society organizations censored themselves to avoid conflict with the government.” [2a (Section 2b)]

#### OPPOSITION GROUPS AND POLITICAL ACTIVISTS

- 14.06 The CIA *World Factbook*, updated on 24 June 2010, named the following as political pressure groups and leaders: United Front for Democracy (exiled); Druk National Congress (exiled); other: Buddhist clergy; ethnic Nepalese organisations leading militant anti-government campaign; Indian merchant community. [4]
- 14.07 In its report, *Freedom in the World 2010*, published on 3 May 2010, Freedom House noted:
- “The Bhutanese Communist Party, modeled on Nepal’s Maoist party and dominated by Nepali refugees, has launched an armed struggle to overthrow

the monarchy, and a number of bomb attacks were reported in 2008. The Bhutanese group has received training and supplies from Indian separatist groups such as the United Liberation Front of Assam (ULFA), which reportedly operates from guerrilla bases in southern Bhutan. There were no reports of major attacks or deaths in 2009.” [3]

[See also Section 11: Arrest and detention – legal rights](#)

[See also Section 12: Prison conditions](#)

[See also Section 15: Freedom of speech and media](#)

[See also Section 18: Ethnic groups](#)

[See also Section 25: Exit and return](#)

[Back to contents](#)  
[Go to list of sources](#)

## 15. FREEDOM OF SPEECH AND MEDIA

15.01 The following links provide useful information on the above topic:

US State Department, *2009 Country Reports on Human Rights Practices: Bhutan* (USSD Report 2009), 11 March 2010  
<http://www.state.gov/g/drl/rls/hrrpt/2009/sca/136086.htm> [2a] (Section 2a: Freedom of Speech and Press)

UN Human Rights Council (HRC), *Summary prepared by the Office of the High Commissioner for Human Rights, in accordance with paragraph 15(c) of the Annex to Human Rights Council Resolution 5/1 - Bhutan*, 8 September 2009  
<http://www.unhcr.org/refworld/pdfid/4acc63f70.pdf> [5c] (Paragraph 22)

UN Human Rights Council (HRC), *National report submitted in accordance with paragraph 15(a) of the annex to Human Rights Council resolution 5/1 - Bhutan*, 3 September 2009  
<http://www.unhcr.org/refworld/pdfid/4ac9f9df0.pdf> [5d] (Paragraphs 103-105)

Reporters Without Borders, *Press Freedom Index 2009*  
[http://en.rsf.org/press-freedom-index-2009\\_1001.html](http://en.rsf.org/press-freedom-index-2009_1001.html) [7]

BBC News, *Bhutan Country Profile*, 5 May 2010  
[http://news.bbc.co.uk/1/hi/world/south\\_asia/country\\_profiles/1166513.stm](http://news.bbc.co.uk/1/hi/world/south_asia/country_profiles/1166513.stm) [14a]

Freedom House, *Freedom in the World 2010*, 3 May 2010  
<http://www.unhcr.org/refworld/country.COI...BTN.,4c0ceb0328.0.html> [3]

[See also Section 14: Opposition groups and political activists](#)

[Back to contents](#)  
[Go to list of sources](#)

## 16. CORRUPTION

16.1 The following links provide useful information on the above topic:

US State Department, *2009 Country Reports on Human Rights Practices: Bhutan* (USSD Report 2009), 11 March 2010  
<http://www.state.gov/g/drl/rls/hrrpt/2009/sca/136086.htm> [2a] (Section 4: Official Corruption and Government Transparency)

Freedom House, *Freedom in the World 2010*, 3 May 2010  
<http://www.unhcr.org/refworld/country.COI...BTN,,4c0ceb0328.0.html> [3]

Transparency International (TI), *Corruption Perceptions Index 2009*  
[http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2009/cpi\\_2009\\_table](http://www.transparency.org/policy_research/surveys_indices/cpi/2009/cpi_2009_table) [16]

[Back to contents](#)  
[Go to list of sources](#)

## 17. FREEDOM OF RELIGION

17.01 The US State Department's *International Religious Freedom Report 2009: Bhutan*, dated 26 October 2009, noted:

“The Constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion. Buddhism is the state's ‘spiritual heritage,’ although in the southern areas many citizens openly practice Hinduism... There were no reports of societal abuse or discrimination based on religious affiliation, belief, or practice. Societal pressures toward non-Buddhists were reflected in official and unofficial efforts to uphold the ‘spiritual heritage’ (Buddhism) of the country... Followers of religious groups other than Buddhism and Hinduism generally were free to worship in private homes, but NGOs alleged that they were prohibited from erecting religious buildings or congregating in public. Some Christian groups reported that religious meetings must be held discreetly, especially in rural areas, for fear of the authorities. They also alleged that the official government record does not allow them to note their religious affiliation as Christianity. The Government denied this.” [2b] (Introduction to Bhutan and Section II. Status of Religious Freedom)

17.02 The following links provide further useful information on the above topic:

US State Department, *2009 Country Reports on Human Rights Practices: Bhutan* (USSD Report 2009), 11 March 2010  
<http://www.state.gov/g/drl/rls/hrrpt/2009/sca/136086.htm> [2a] (Section 2c: Freedom of Religion)

US State Department, *International Religious Freedom Report 2009: Bhutan*, 26 October 2009  
<http://www.state.gov/g/drl/rls/irf/2009/127364.htm> [2b]

Freedom House, *Freedom in the World 2010*, 3 May 2010  
<http://www.unhcr.org/refworld/country.COI...BTN,,4c0ceb0328.0.html> [3]

UN Human Rights Council (HRC), *Summary prepared by the Office of the*

*High Commissioner for Human Rights, in accordance with paragraph 15(c) of the Annex to Human Rights Council Resolution 5/1 - Bhutan, 8 September 2009*

<http://www.unhcr.org/refworld/pdfid/4acc63f70.pdf> [5c] (Paragraphs 19-21)

[Back to contents](#)  
[Go to list of sources](#)

## 18. ETHNIC GROUPS

18.01 A report by the Minorities at Risk (MAR) Project, dated 31 December 2006, stated, "Bhutan's official population consists of two broad groupings -- the Drukpas of the north, the original inhabitants, and the Lhotshampas of the south... who are immigrants of Nepali origin... Lhotshampas constitute approximately 35 percent of Bhutan's total population." [15]

18.02 In a report dated 8 September 2009, the UN Human Rights Council (HRC) recorded:

"STP [Society for Threatened Peoples] noted that Bhutan is a multi-ethnic country with at least three major ethnic groups and several minorities. The main ethnic communities are the Sharchops in the eastern part of the country, the Ngalongs in western Bhutan and the Lhotshampa, who settled in southern Bhutan. Besides these main ethnic groups, Layaps are living in the north-west, Doyas in the south, Monpas in central Bhutan and the nomads of Merak Sakten in the eastern areas.

"STP expressed concern about the non recognition of religious and ethnic minorities noting that Bhutan does not recognize any minority group on the basis of religion, race, ethnicity or language. While Bhutan is presented by the authorities as a homogenous society with one culture and one religion, it is a multi-religious, multi-cultural and multi-lingual country.

"...GHRD [Global Human Rights Defence] expressed concern over minority rights in Bhutan for the Hindu and Nepalese and indicated that these minorities suffered extensive abuses and that they are mainly situated in the south of Bhutan." [5c] (Paragraphs 27-28, 30)

18.03 Ethnologue.com, a website specialising in languages of the world, accessed on 23 July 2010, stated that there are 25 individual languages in use in Bhutan. [1] The 8 September report by the UN Human Rights Council further stated:

"According to STP, linguistic minorities are suffering from state discrimination. Despite the fact that nineteen languages are spoken in Bhutan according to national statistics, 'Dzongkha' has been declared the national language in the Constitution. The existence of other languages spoken in Bhutan such as Ngalopkha, Sharchopkh, Nepali and Groma was ignored. The Constitution failed to recognize them as official or regional languages. Every citizen must be able to speak and write 'Dzongkha' according to the Constitution. Until today the government of Bhutan has refused to withdraw an edict by His Majesty the King in 1993 that all conferences and public meetings must be held in the national language 'Dzongkha'." [5c] (Paragraphs 29)

## NEPALESE

- 18.04 In its Country Profile for Bhutan, dated 28 April 2010, the Foreign & Commonwealth (FCO) noted:

“Over the last century or so the Nepalese have had a history of emigration to the northern parts of the sub-continent. Many went to the lowlands of Bhutan. Some of these lowlands with significant ethnic Nepali populations, for example Cooch Behar, were confiscated from Bhutan by the Treaty of Sinchula, and are now part of India. However, in the late 1980s Bhutan tightened up the implementation of its citizenship law, required all citizens to adhere to a single cultural code and placed increasing pressure on ethnic Nepalese who could not prove their citizenship entitlement (mainly based on residence in Bhutan prior to 1959). Between 1990-93 thousands left Bhutan. Some valid Bhutanese citizens voluntarily emigrated, usually with their non-Bhutanese relatives, and thereby under Bhutanese nationality laws lost their entitlement to Bhutanese nationality. Allegations of human rights violations by the relatively untrained security forces during this period are commonly voiced by occupants of the camps. Over 100,000 people are now in UNHCR-run camps in eastern Nepal (for which the UN's World Food Programme provides, with substantial input from the EU, much of the estimated annual \$14 million running costs). There are also claimed to be about 15,000 refugees in India concentrated in West Bengal and Sikkim, though this figure is unsubstantiated. As a result of bilateral discussions with a succession of governments in Nepal a joint Nepal-Bhutan verification team commenced work in 1993 to verify the exact background of the occupants of the UNHCR camps. This exercise was brought to a halt when violence broke out in the camps in December 2003. In an interview in February 2009 with a delegation of members of the EU Parliament the Prime Minister indicated that he aimed to make significant progress on a solution to this problem during his term of office.” [8]

- 18.05 The US State Department's *2009 Country Reports on Human Rights Practices: Bhutan* (USSD Report 2009), published on 11 March 2010, noted:

“An estimated 100,000 ethnic Nepalese Bhutanese left the country in the early 1990s, although the government asserted that a substantially smaller number departed. Ethnic Nepalese Bhutanese claimed they were subjected to discrimination and prejudice in employment, but the government stated they were proportionally represented in civil service and government jobs. Human rights groups outside the country contended that the government's employment claims are based on intentionally inaccurate numbers.

“During the 1990s, the government resettled Bhotes (members of the dominant ethnic group of the country who speak Dzongkha and practice the Drukpa Kagyupa sect of Mahayana Buddhism) in the southern part of the country on land that ethnic Nepalese Bhutanese had vacated. Human rights groups maintained that this action prejudiced any eventual outcome of negotiations over the return of the ethnic Nepalese Bhutanese refugees to the country. The government indicated it occasionally resettled ethnic Nepalese from the south on more fertile land in other parts of the country.” [2a] (Section 6)

- 18.6 The report continued:

“The 1998 government dismissal of 219 employees who were relatives of

'antinationalists' (refugee activists) continued to adversely affect the ethnic Nepalese Bhutanese resettlement. The forced retirement of refugee family members from government service and the resettlement of Bhotas on land that expelled ethnic Nepalese Bhutanese vacated in the south reinforced prejudice against the ethnic Nepalese Bhutanese. The government stated that these resettlement plans were part of a nationwide program to discourage migration to urban centers and to reduce the dependence of landless persons on migrant farming.

"The law requires that the Dzongkha language be taught as a second language in all schools. No instruction in Nepali as a second language was required or offered. The Committee on the Rights of the Child expressed concern about the rights of minority children, specifically those of Nepalese ethnic origin, to take part in their culture, practice their religion, or use their language." [2a] (Section 6)

18.07 The report also stated:

"There is no law barring ethnic Nepalese children from attending school, but the government denied NOCs [No Objection Certificates] to children of ethnic Nepalese the government claimed were antinationals, preventing them from accessing higher education. Minority children often were denied access to primary, secondary, and higher-level education when the government withheld a required 'security clearance certificate.' Members of exiled groups claimed the government discriminated against ethnic Nepalese Bhutanese secondary level students in distribution of educational advantages and benefits, particularly if the students were related to prominent dissidents or refugees. The government refuted this claim, stating that all scholarships were merit based." [2a] (Section 6)

[See also Section 22: Children: Education](#)

18.08 The same report stated:

"The law does not address forced exile, but the government forced the majority of its Nepali-speaking population to leave the country in the early 1990s, following a series of steps taken during the 1970s and 1980s to deprive the Nepali-speaking population of their citizenship. The 2007 census indicated there were 108,000 persons living in refugee camps in Nepal administered by the Office of the UN High Commissioner for Refugees (UNHCR). In 2007 the government of Nepal announced it would allow resettlement of the refugees in foreign countries. As a result, resettlement began in 2007, and as of November more than 24,000 Bhutanese refugees had been resettled in foreign countries, with the majority (more than 21,000) in the United States. As of October, according to the UNHCR, almost 80,000 of the refugees had formally expressed interest in resettlement in other countries.

"Despite the opportunity for large numbers of refugees to resettle to third countries, some residents in the camps in Nepal continued to demand, occasionally through hunger strikes, repatriation to the country. A human rights group active in the refugee camps registered several thousand refugees, many of them elderly, who had expressed their continued strong desire to repatriate.



“The government continued to condemn the UNHCR for its failure to screen individuals who entered camps in Nepal in the early 1990s to determine whether they were genuine citizens of the country. The government maintained that individuals who entered the camps before the establishment of screening and registration mechanisms were not citizens and were using the camps as a base for terrorist activities against the country.

“The government restricted emigration and prohibited the return of citizens who left the country. The country's revised citizenship laws state that persons who have left the country of their own accord, without the knowledge or permission of the government, or whose names are not recorded in the citizenship register maintained in the Ministry of Home Affairs (MHA), would not be considered citizens of the country. Some dissidents and human rights groups claimed the government wrote the law specifically to deny citizenship to ethnic Nepalese Bhutanese. Human rights groups also alleged that some ethnic Nepalese who had relatives in the camps faced insurmountable bureaucratic challenges and were denied identification cards, compromising their citizenship status and preventing them from participating in the 2008 election process.” [2a] (Section 2d)

18.9 The report stated further:

“From 1990 to 1993, more than 80,000 ethnic Nepalese Bhutanese left the country and entered Nepal via India. Approximately 15,000 additional refugees fled Nepal to India, but the UNHCR did not accord them refugee status. According to Human Rights Watch (HRW), there were 25,000 to 45,000 unregistered ethnic Nepalese Bhutanese refugees living outside refugee camps in India and Nepal who did not have citizenship in the country, rendering these persons stateless. The government stated it is committed to receiving ‘genuine’ refugees wishing to return voluntarily from the camps but also maintained that only a small number of persons in the Nepali camps are genuinely citizens...

“Implementation of a nationwide government-conducted census in 1985 resulted in the denationalization of many ethnic Nepalese in the country because land ownership documents from 1958 were required to receive citizenship. The census was repeated in 1988-1989 in the southern districts, and those who lost citizenship in 1985 were at that time permitted to reapply for citizenship provided they met certain conditions. The government then labeled as illegal immigrants those who could not meet the new, more stringent citizenship requirements. Beginning in 1990 the government expelled large numbers of ethnic Nepalese individuals under the 1985 citizenship law.

“The law provides for revocation of the citizenship of any naturalized citizen who ‘has shown by act or speech to be disloyal in any manner whatsoever to the King, country, and people.’ The MHA later declared that any nationals leaving the country to assist ‘antinationalists,’ and the families of such persons, would forfeit their citizenship. The law permits reapplication for citizenship after a two-year probationary period. The government reissues citizenship upon successful completion of the probation period and a finding that the person in question is not responsible for any act against the government. There were no reports of successful application of this provision.

“Some citizens alleged the government discriminated against ethnic Nepalese persons still living in the country by enacting and enforcing restrictive citizenship laws. These laws regulated the movement of ethnic Nepalese to different towns, monitored school attendance, regulated the buying and selling of property, and regulated engagement in business activities. The government also required ethnic Nepalese individuals to meet strict criteria to obtain citizenship, including security clearances to obtain No Objection Certificates (NOCs). Without citizenship, they were stateless and faced discrimination with regard to education, employment, and land ownership.” [2a] (Section 2d)

18.10 In its report, *Freedom in the World 2010*, published on 3 May 2010, Freedom House noted:

“Prior to the mass expulsions of Nepali speakers in the early 1990s, the government had stripped thousands of their citizenship under a 1985 law that required both parents to be Bhutanese citizens. Individuals also had to prove that they or both of their parents resided in Bhutan in 1958. While the Office of the UN High Commissioner for Refugees (UNHCR) asserts that the overwhelming majority of refugees have proof of Bhutanese nationality, the government maintains that many left voluntarily or had been illegal immigrants. The refugees live in extremely poor conditions in Nepal. Even if permitted to reenter Bhutan, ethnic Nepalis would face a difficult citizenship process and would not be compensated for lost property. The government has also sought to settle Bhutanese from the north in lands formerly occupied by the refugees. A resettlement process aimed at transferring the refugees to third countries including the United States began in 2008, but it was reported in June 2009 that approximately 95,000 ethnic Nepalis remained in refugee camps.

“According to a 2007 Human Rights Watch report, ethnic Nepalis living in Bhutan must obtain certificates verifying that they do not present a threat to the state in order to enter schools, receive health care, take government jobs, or travel within the country or abroad. Schools in the south restrict even Nepali speakers with certificates. Bhutan's first private college, the Royal Thimphu College, opened in July 2009.

“The Bhutanese Communist Party, modeled on Nepal's Maoist party and dominated by Nepali refugees, has launched an armed struggle to overthrow the monarchy, and a number of bomb attacks were reported in 2008. The Bhutanese group has received training and supplies from Indian separatist groups such as the United Liberation Front of Assam (ULFA), which reportedly operates from guerrilla bases in southern Bhutan. There were no reports of major attacks or deaths in 2009.” [3]

[See also Section 14: Opposition groups and political activists](#)

[See also Section 22: Children](#)

[See also Section 25: Exit and return](#)

[See also Section 26: Foreign refugees](#)

[See also Section 27: Citizenship and nationality](#)

[Back to contents](#)  
[Go to list of sources](#)

## 19. LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS

19.1 The following links provide useful information on the above topic:

US State Department, *2009 Country Reports on Human Rights Practices: Bhutan* (USSD Report 2009), 11 March 2010

<http://www.state.gov/g/drl/rls/hrrpt/2009/sca/136086.htm> [2a] (Sections 1f: Arbitrary Interference with Privacy, Family, Home, or Correspondence, and 6: Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity)

UN Human Rights Council (HRC), *Report of the Working Group on the Universal Periodic Review on Bhutan*, 4 January 2010

<http://www.unhcr.org/refworld/pdfid/4bdfc61627.pdf> [5a] (Paragraph 88)

UN Human Rights Council (HRC), *Summary prepared by the Office of the High Commissioner for Human Rights, in accordance with paragraph 15(c) of the Annex to Human Rights Council Resolution 5/1 - Bhutan*, 8 September 2009

<http://www.unhcr.org/refworld/pdfid/4acc63f70.pdf> [5c] (Paragraph 17)

GlobalGayz, *Gay Bhutan News and Reports, 2004-2009*

<http://www.globalgayz.com/country/Bhutan/view/BTN/gay-bhutan-news-and-reports> [18]

[Back to contents](#)  
[Go to list of sources](#)

## 20. DISABILITY

20.1 The following links provide useful information on the above topic:

US State Department, *2009 Country Reports on Human Rights Practices: Bhutan* (USSD Report 2009), 11 March 2010

<http://www.state.gov/g/drl/rls/hrrpt/2009/sca/136086.htm> [2a] (Section 6: Persons with Disabilities)

UN Human Rights Council (HRC), *National report submitted in accordance with paragraph 15(a) of the annex to Human Rights Council resolution 5/1 - Bhutan*, 3 September 2009

<http://www.unhcr.org/refworld/pdfid/4ac9f9df0.pdf> [5d] (Paragraphs 56-58 and 96-97)

[See also Section 22: Children: Health issues](#)

[Back to contents](#)  
[Go to list of sources](#)

## 21. WOMEN

### LEGAL RIGHTS

- 21.01 According to Article 9 of Bhutan's 2008 Constitution, "The State shall endeavour to take appropriate measures to eliminate all forms of discrimination and exploitation against women including trafficking, prostitution, abuse, violence, harassment and intimidation at work in both public and private spheres." [17a] Bhutan signed the Convention on the Elimination of All Forms of Discrimination against Women on 17 July 1980 and ratified it on 31 August 1981. [5d] (Paragraph 31) In a report dated 7 August 2009, the Committee on the Elimination of Discrimination against Women (CEDAW) expressed concern about certain issues, including domestic violence, the lack of resources for the work of the National Commission on Women and Children (NCWC), and inadequate access of women to education and participation in public and political life. [21]
- 21.02 The US State Department's *2009 Country Reports on Human Rights Practices: Bhutan* (USSD Report 2009), published on 11 March 2010, noted:
- "The law mandates that the government take appropriate measures to eliminate all forms of discrimination and exploitation of women, including trafficking, prostitution, abuse, violence, harassment, and intimidation, at work and at home, and generally the law was enforced. The Committee on the Elimination of Discrimination against Women (CEDAW) reviewed the country during the year. CEDAW commended the government for establishing the National Commission on Women and Children (NCWC) Plan of Action for Gender and recognizing gender in the five-year plan of the Gross National Happiness Commission. CEDAW expressed concerns, however, that the constitution does not adequately define discrimination to include both direct and indirect forms. They also noted the government failed to adopt implementation legislation for its international treaty obligations related to women's rights or to provide adequate resources to the NCWC to allow it to operate effectively." [2a] (Section 6)

### POLITICAL RIGHTS

- 21.03 The USSD Report 2009 stated:
- "Women constituted 26 percent of civil service employees and held more than 30 percent of positions at the Ministry of Foreign Affairs. There were no women on the high court, although there was one female judge in a district court. Women in parliament decreased from 9.3 percent in 2005 to 2.7 percent in 2008. There was no provision for allocating a set number or percentage of parliamentary seats for women or members of minority groups... CEDAW expressed concern over the continued gender gap in secondary and higher education as well as in participation and representation in public and political affairs." [2a] (Sections 3 and 6)

### SOCIAL AND ECONOMIC RIGHTS

- 21.4 The USSD Report 2009 stated:
- "NGOs reported that women faced little overt discrimination and had equal access to health care, education, and public services... Women were accorded respect in the traditions of most ethnic groups and participated relatively freely in the social and economic life of the country. Inheritance law

provides for equal inheritance for sons and daughters, but traditional inheritance practices, which varied among ethnic groups, may be observed if the heirs choose to forgo legal challenges. Traditional inheritance laws for the majority of Buddhists stipulate that daughters inherit family land. As a result, 60 percent of rural women held land registration titles, accounting for the large number of women who owned shops and businesses. Tradition dictates that the most capable member of the family runs the household, which often resulted in the mother or eldest daughter holding this position. Within the household men and women were relatively equal. Employers generally paid women in unskilled jobs slightly less than men in the same positions. In 2007 women constituted approximately 43.6 percent of the work force. Dowries were not customary in the country.” [2a] (Section 6)

21.05 The report stated further:

“The law covered questions related to family issues, including divorce, child custody, and inheritance. The minimum age of marriage for women was 18. The law provided for equal treatment for men and women. Polygyny is allowed provided the first wife gives her permission. Polyandry was permitted but was rare. Marriages were arranged by the marriage partners themselves or by their parents. The law required registration of all marriages with the government. The National Women’s Association, one of the few registered NGOs, tried to encourage women to improve their living standards and socioeconomic status. The NCWC actively defended the rights of women and children during the year, although CEDAW questioned the limited resources of the NCWC and its potential lack of independence from government influence.” [2a] (Section 6)

21.06 As recorded by Freedom House in its report, *Freedom in the World 2010*, published on 3 May 2010, “Women participate freely in social and economic life but continue to be underrepresented in government and politics, despite some recent gains. The application of religious or ethnically based customary laws regarding inheritance, marriage, and divorce sometimes results in discrimination against women. There are no reports that trafficking of women or children is a problem in Bhutan.” [3]

21.07 In a report dated 8 September 2009, the UN Human Rights Council (HRC) recorded:

“The Global Human Rights Defence (GHRD) indicated that the participation of women in education is reduced, thus impeding their independence and representation in governance. The marriage age set at 15 years of age increases the dependent position. Although there is some improvement in school enrolment and property rights of women in Bhutan, the main breaches of human rights against women in Bhutan come from sexual abuse and trafficking, domestic and labour exploitation and violence, with limited access to, inter alia, work. According to GHRD, the great majority of women in Bhutan are illiterate, and remains mostly engaged in agricultural activities. Women suffer high mortality rates, health problems and restrictions to education, employment and decision-making, especially in rural areas. Nevertheless, the general context does not allow reliable statistics.” [5c] (Paragraph 5)

## VIOLENCE AGAINST WOMEN

21.08 The USSD Report 2009 stated:

“There was no evidence that rape or spousal abuse were extensive problems, but NGOs reported that many women did not report rape because of cultural taboos or because they were unaware of their rights. CEDAW expressed concern over reports of violence against women by their spouses or other family members and at work. The law contains a clear definition of criminal sexual assault and specifies penalties. In cases of rape involving minors, sentences range from five to 17 years in prison. In extreme cases a rapist may be imprisoned for life. Spousal rape is illegal.” [2a] (Section 6)

### Assistance available

21.09 The USSD Report 2009 noted:

“According to CEDAW, the government commissioned a report on violence against women, set up mobile police stations, trained police on gender issues, and allowed civil society groups to undertake further efforts including the opening of a crisis and rehabilitation center. CEDAW expressed concern about the large number of reported sexual harassment cases in the workplace... In 2007 the government established the Women and Child Protection Unit, run by female police officers in collaboration with the NCWC. The unit provides a setting for women to voice problems freely and works to provide appropriate care for victims of societal violence or discrimination.” [2a] (Section 6)

[See also Section 22: Children](#)

[See also Section 23: Trafficking](#)

[Back to contents](#)  
[Go to list of sources](#)

## 22. CHILDREN

### GENERAL INFORMATION

22.01 A report by the United Nations Children’s Fund (UNICEF), accessed on 9 July 2010, stated:

“Children receive high priority in Bhutan, guided by the King of Bhutan who has declared that ‘the future of our nation lies in the hands of our children.’ Bhutan was one of the first countries to ratify the Convention on the Rights of the Child in 1990, and has since been investing steadily in services to benefit children... The legislature has also made significant progress in promoting child rights by framing new laws and amending existing ones to protect children. The amendment of the Marriage Act in 1996, and the drafting of the proposed Administration of Juvenile Justice Act are all geared towards safeguarding children's rights.” [10a]

22.02 In a report dated 18 September 2009, the UN Human Rights Council (HRC) recorded, “The minimum age of criminal responsibility is ten years, though the National Commission for Women and Children has started advocating with the Royal Court of Justice to increase this to 13 years.” [5b] (Paragraph 26)

- 22.03 In a report dated 8 October 2008, the UN Committee on the Rights of the Child (CRC) noted:

“The Committee notes with appreciation that national legislation incorporates the principle of the best interests of the child. However, the Committee is concerned that this general principle is not fully applied in practice... The Committee notes that Bhutan has included in its Penal Code (Chap. 14) severe penalties for crimes against children, but it remains concerned about the lack of the definition and prohibition of acts of torture and other cruel, inhuman or degrading treatment or punishment against children in its Penal Code... The Committee notes that child-related provisions have been included in the Penal Code, 2004 and the Civil and Criminal Procedure Code, 2001. Furthermore, the Committee notes that the draft Juvenile Justice Act has been amended as a draft Child Care and Protection Act. The Committee is concerned that the minimum age for criminal responsibility is ten years.” [13] (Paragraphs 27, 35 and 70)

- 22.04 The USSD Report 2009 noted:

“Under the constitution only children whose parents are both citizens become citizens at birth. According to the Bhutanese Refugee Support Group, existing citizenship laws contained inadequate provisions for a child to acquire nationality at birth, and persons who are designated as ‘non-nationals’ (for example, ethnic Nepalese Bhutanese) are rendered essentially stateless. Births in remote areas are less likely to be registered. NGOs asserted births of children to nonregistered ethnic Nepalese Bhutanese may not be registered. The failure of timely birth registration had negative consequences and made it difficult for some children to access educational and other services.” [2a] (Section 6)

[See also Section 18: Ethnic groups](#)

[See also Section 27: Citizenship and nationality](#)

## EDUCATION

- 22.05 The USSD Report 2009 recorded:

“The government provides 11 years of universal, free education to children who are recognized as citizens. Education is not compulsory, and some schools charged fees. According to the UN Development Program, the primary school net enrollment rate was 83.7 percent in 2007. The Ministry of Education reported that enrollment of girls at every level of general education has slowly but steadily increased since 2002. Girls comprised 49 percent of the enrollment in schools and, in several districts, the average surpassed 50 percent. Approximately 33 percent of university students were female and 18 percent of the students receiving scholarships to study abroad were female... Child abuse was rare. Although corporal punishment was banned in schools, there were some incidents in schools and monasteries.” [2a] (Section 6)

- 22.06 In a report dated 8 October 2008, the UN Committee on the Rights of the Child (CRC) noted:

“The Committee welcomes that the Constitution guarantees free education to

all children of school age up to class ten. The Committee also notes achievements in education indicators, such as the decrease of the gender gap, and the planned construction of primary and community schools. However, the Committee is concerned that informal fees are still charged in schools, that additional costs have not been waived for all parents and that education has not been made compulsory. The Committee is furthermore concerned that a remarkable number of children are not enrolled, that regional disparities persist, that repetition and dropout rates are still high and that gender parity has yet to be still achieved. The Committee is also concerned that early childhood care and education as well as vocational training are not yet expanded to the extent needed.” [13] (Paragraph 60)

[See also Section 18: Ethnic groups](#)

#### CHILD CARE / LABOUR

22.07 The website of the United Nations Children’s Fund (UNICEF), accessed on 9 July 2010, stated, “Many rural children have been left behind by migrating parents, or have been sent by themselves into urban areas for education... A quarter of all children ages ten to fourteen are working. Many toil for long hours as domestic workers, earning minimal wages, and are vulnerable to physical and sexual abuse by their employers.” [10c]

22.08 The USSD Report 2009 stated:

“The law prohibits the employment of children, but child labor remained prevalent. The 2007 Labor and Employment Act allows for employment of children between the ages of 13 and 17 in environments that will not damage their health. Children younger than 18 often performed agricultural work and completed chores on family farms or worked in shops after school and during holidays. Girls were employed primarily as domestic workers, where they were vulnerable to abuse and exploitation. The government estimated there were approximately 45,000 persons under 18 who were working. Labor inspectors operating under the Ministry of Labor and Human Resources enforced child labor laws sporadically.” [2a] (Section 7d)

[See also Section 23: Trafficking](#)

22.09 In a report dated 8 October 2008, the UN Committee on the Rights of the Child (CRC) noted:

“The Committee notes that the State party is undertaking efforts to improve the situation of vulnerable children, particularly those living in rural-remote areas, and children with disabilities. However, it remains concerned that gender discrimination, the lack of services for children with disabilities, the gap of resources between rural and urban areas and the disparities in the enjoyment of rights experienced by children of Nepalese ethnic origin, particularly in relation to their right to a nationality, to education and to health services... The Committee notes information indicating the absence of alternative care other than monasteries in the State party. The Committee notes that most separated children remain in the extended family without sufficient support from the State party.” [13] (Paragraphs 25 and 44)

22.10 The orphan population of Bhutan was estimated at 22,000 out of a total



population of 262,000 children. (UNICEF, 2007/2008) [10b]

## HEALTH ISSUES

- 22.11 The website of the United Nations Children’s Fund (UNICEF), accessed on 9 July 2010, stated:

“Bhutanese children face a difficult start. Infant and child mortality is high, with six out of every 100 children dying before they are one. Another two do not live beyond five... Despite tremendous improvements in the national health situation, with life expectancy increased from an average of 49 to 66 years, there is much to be done to improve the situation of women and children... Malnutrition is a problem, with four out of every ten children under five years of age malnourished, and five to six children stunted. With UNICEF support, Bhutan has been working on improving the nutritional intake of the people. Mothers and community leaders are being trained to identify malnutrition and to take preventive action. The health system focuses on the village community, encouraging their participation and contribution, whether it is to strengthen the village health worker system or to build an outreach clinic.” [10d]

- 22.12 The website of One World, accessed on 23 July 2010, stated, “Both child and infant mortality rates have halved since 1990 and are expected to fall further... Similar results have been recorded for maternal mortality but the government has expressed concern that only 56% of births take place with the benefit of institutional care.” [9]

- 22.13 In a report dated 8 October 2008, the UN Committee on the Rights of the Child (CRC) noted:

“The Committee notes measures the State party has undertaken to enhance access to specialized services and education for children with disabilities. However, the Committee regrets that there still are no accurate figures on the number of children with disabilities in Bhutan and that the resources dedicated to guaranteeing the implementation of the rights of children with disabilities are inadequate... The Committee welcomes the reduction of infant mortality and the measures the State party has undertaken to expand and improve access to the public health-care system. It also welcomes that article 9.21 of the Constitution provides for free access to basic public health services. However, the Committee is concerned about the number of children who continue to be malnourished and over the lack of trained health workers and medical practitioners.” [13] (Paragraphs 50 and 52)

[See also Section 20: Disability](#)

[See also Section 21: Women](#)

[See also Section 24: Medical issues](#)

[Back to contents](#)  
[Go to list of sources](#)

## 23. TRAFFICKING

23.01 The following links provide useful information on the above topic:

US State Department, *2009 Country Reports on Human Rights Practices: Bhutan* (USSD Report 2009), 11 March 2010

<http://www.state.gov/g/drl/rls/hrrpt/2009/sca/136086.htm> [2a] (Section 6: Trafficking in Persons)

UN Office on Drugs and Crime, *Global Report on Trafficking in Persons*, February 2009

<http://www.unhcr.org/refworld/pdfid/49997ae45.pdf> [12] (p194)

[See also Section 21: Women](#)

[See also Section 22: Children](#)

[See also Section 25: Exit and return](#)

[Back to contents](#)  
[Go to list of sources](#)

## 24. MEDICAL ISSUES

### OVERVIEW OF AVAILABILITY OF MEDICAL TREATMENT AND DRUGS

24.01 The following links provide useful information on the above topic:

UN Human Rights Council (HRC), *National report submitted in accordance with paragraph 15(a) of the annex to Human Rights Council resolution 5/1 - Bhutan*, 3 September 2009

<http://www.unhcr.org/refworld/pdfid/4ac9f9df0.pdf> [5d] (Paragraphs 98-99 and 106-108)

World Health Organisation (WHO), Countries: Bhutan

<http://www.who.int/countries/btn/en/> [11a]

One World, Country Guides: Bhutan

<http://uk.oneworld.net/guides/bhutan/development> [9]

[See also Section 22: Children: Health issues](#)

### HIV/AIDS

24.02 The following links provide useful information on the above topic:

US State Department, *2009 Country Reports on Human Rights Practices: Bhutan* (USSD Report 2009), 11 March 2010

<http://www.state.gov/g/drl/rls/hrrpt/2009/sca/136086.htm> [2a] (Section 6: Other Societal Violence or Discrimination)

UN Human Rights Council (HRC), *National report submitted in accordance with paragraph 15(a) of the annex to Human Rights Council resolution 5/1 - Bhutan*, 3 September 2009

<http://www.unhcr.org/refworld/pdfid/4ac9f9df0.pdf> [5d] (Paragraph 100)

One World, Country Guides: Bhutan  
<http://uk.oneworld.net/guides/bhutan/development> [9]

UN Committee on the Rights of the Child (CRC), *Consideration of reports submitted by States parties under article 44 of the Convention : Convention on the Rights of the Child : concluding observations: Bhutan*, 8 October 2008  
<http://www.unhcr.org/refworld/pdfid/48f7164c2.pdf> [13] (Paragraph 58)

UNAIDS, Countries: Bhutan  
<http://www.unaids.org/en/CountryResponses/Countries/bhutan.asp> [20]

## MENTAL HEALTH

24.3 The following link provides useful information on the above topic:

*Mental Health Atlas 2005: Country Profile: Bhutan*  
[http://www.who.int/mental\\_health/evidence/atlas/](http://www.who.int/mental_health/evidence/atlas/) [11b]

[Back to contents](#)  
[Go to list of sources](#)

## 25. FREEDOM OF MOVEMENT

25.01 The following links provide useful information on the above topic:

US State Department, *2009 Country Reports on Human Rights Practices: Bhutan* (USSD Report 2009), 11 March 2010  
<http://www.state.gov/g/drl/rls/hrrpt/2009/sca/136086.htm> [2a] (Section 2d: Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons)

UN Human Rights Council (HRC), *Summary prepared by the Office of the High Commissioner for Human Rights, in accordance with paragraph 15(c) of the Annex to Human Rights Council Resolution 5/1 - Bhutan*, 8 September 2009  
<http://www.unhcr.org/refworld/pdfid/4acc63f70.pdf> [5c] (Paragraph 18)

## EXIT AND RETURN

25.2 The US State Department's *2009 Country Reports on Human Rights Practices: Bhutan* (USSD Report 2009), published on 11 March 2010, noted:

"The government restricted emigration and prohibited the return of citizens who left the country. The country's revised citizenship laws state that persons who have left the country of their own accord, without the knowledge or permission of the government, or whose names are not recorded in the citizenship register maintained in the Ministry of Home Affairs (MHA), would not be considered citizens of the country." [2a] (Section 2d)

25.3 The following links provide further useful information on the above topic:

US State Department, *2009 Country Reports on Human Rights Practices: Bhutan* (USSD Report 2009), 11 March 2010  
<http://www.state.gov/g/drl/rls/hrrpt/2009/sca/136086.htm> [2a] (Section 2d:

**Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons)**

UN Human Rights Council (HRC), *Summary prepared by the Office of the High Commissioner for Human Rights, in accordance with paragraph 15(c) of the Annex to Human Rights Council Resolution 5/1 - Bhutan*, 8 September 2009

<http://www.unhcr.org/refworld/pdfid/4acc63f70.pdf> [5c] (Paragraphs 31-32)

Canadian Immigration and Refugee Board (IRB), *Bhutan: Whether Bhutanese citizens of Nepalese origin face restrictions in obtaining passports or travelling abroad*, 23 October 2008, BTN102942.E

<http://www.unhcr.org/refworld/docid/49b92b5dc.html> [6a]

Canadian Immigration and Refugee Board (IRB), *Bhutan: Procedures to follow and documents required to obtain a Bhutanese passport; whether passports are issued from missions abroad (such as from Bhutan's mission in New York) to people living in Bhutan*, 20 October 2008, BTN102941.E

<http://www.unhcr.org/refworld/docid/49b92b5e2.html> [6b]

[See also Section 14: Opposition groups and political activists](#)

[See also Section 18: Ethnic groups](#)

[See also Section 23: Trafficking](#)

[See also Section 27: Citizenship and nationality](#)

[Back to contents](#)  
[Go to list of sources](#)

## 26. FOREIGN REFUGEES

26.1 The following links provide useful information on the above topic:

US State Department, *2009 Country Reports on Human Rights Practices: Bhutan* (USSD Report 2009), 11 March 2010

<http://www.state.gov/g/drl/rls/hrrpt/2009/sca/136086.htm> [2a] (Section 2d: Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons)

UN Human Rights Council (HRC), *Summary prepared by the Office of the High Commissioner for Human Rights, in accordance with paragraph 15(c) of the Annex to Human Rights Council Resolution 5/1 - Bhutan*, 8 September 2009

<http://www.unhcr.org/refworld/pdfid/4acc63f70.pdf> [5c] (Paragraphs 6-10, 18, 25 and 31-32)

Foreign & Commonwealth Office (FCO), *Country Profile: Bhutan*, 28 April 2010

<http://www.fco.gov.uk/en/travel-and-living-abroad/travel-advice-by-country/country-profile/asia-oceania/bhutan> [8]

BBC News, *Bhutan Country Profile*, 5 May 2010

[http://news.bbc.co.uk/1/hi/world/south\\_asia/country\\_profiles/1166513.stm](http://news.bbc.co.uk/1/hi/world/south_asia/country_profiles/1166513.stm)

[14a]

[See also Section 18: Ethnic groups](#)

[Back to contents](#)  
[Go to list of sources](#)

## 27. CITIZENSHIP AND NATIONALITY

- 27.01 The US State Department's *2009 Country Reports on Human Rights Practices: Bhutan* (USSD Report 2009), published on 11 March 2010, noted:

"The country's revised citizenship laws state that persons who have left the country of their own accord, without the knowledge or permission of the government, or whose names are not recorded in the citizenship register maintained in the Ministry of Home Affairs (MHA), would not be considered citizens of the country... The law provides for revocation of the citizenship of any naturalized citizen who 'has shown by act or speech to be disloyal in any manner whatsoever to the King, country, and people.' The MHA later declared that any nationals leaving the country to assist 'antinationalists,' and the families of such persons, would forfeit their citizenship. The law permits reapplication for citizenship after a two-year probationary period. The government reissues citizenship upon successful completion of the probation period and a finding that the person in question is not responsible for any act against the government. There were no reports of successful application of this provision."  
 [2a] (Section 2d)

- 27.02 The following links provide further useful information on the above topic:

US State Department, *2009 Country Reports on Human Rights Practices: Bhutan* (USSD Report 2009), 11 March 2010  
<http://www.state.gov/g/drl/rls/hrrpt/2009/sca/136086.htm> [2a] (Sections 2d: Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons, and 6: Children)

Freedom House, *Freedom in the World 2010*, 3 May 2010  
<http://www.unhcr.org/refworld/country.COI...BTN,,4c0ceb0328.0.html> [3]

UN Human Rights Council (HRC), *Compilation Prepared by the Office of the High Commissioner for Human Rights, in accordance with paragraph 15(b) of the Annex to Human Rights Council Resolution 5/1 - Bhutan*, 18 September 2009  
<http://www.unhcr.org/refworld/pdfid/4ac9feddd.pdf> [5b] (Paragraphs 17-18)

UN Human Rights Council (HRC), *Summary prepared by the Office of the High Commissioner for Human Rights, in accordance with paragraph 15(c) of the Annex to Human Rights Council Resolution 5/1 - Bhutan*, 8 September 2009  
<http://www.unhcr.org/refworld/pdfid/4acc63f70.pdf> [5c] (Paragraphs 6-10, 18, 25 and 31-32)

Canadian Immigration and Refugee Board (IRB), *Bhutan: Whether Bhutanese citizens of Nepalese origin face restrictions in obtaining passports or travelling abroad*, 23 October 2008, BTN102942.E  
<http://www.unhcr.org/refworld/docid/49b92b5dc.html> [6a]

Foreign & Commonwealth Office (FCO), Country Profile: Bhutan, 28 April 2010

<http://www.fco.gov.uk/en/travel-and-living-abroad/travel-advice-by-country/country-profile/asia-oceania/bhutan> [8]

Constitution of the Kingdom of Bhutan 2008 (Article 6)

[http://www.constitution.bt/TsaThrim%20Eng%20\(A5\).pdf](http://www.constitution.bt/TsaThrim%20Eng%20(A5).pdf) [17a]

Bhutan Citizenship Act, 10 June 1985

<http://www.unhcr.org/refworld/country.LEGAL.,LEGISLATION,BTN.,3ae6b4d838.0.html> [17b]

Act on Grant of Citizenship in Bhutan, 1977

<http://www.unhcr.org/refworld/country.LEGAL.,LEGISLATION,BTN.,3ae6b4d738.0.html> [17c]

[See also Section 18: Ethnic groups](#)

[Back to contents](#)  
[Go to list of sources](#)

## 28. EMPLOYMENT RIGHTS

28.01 The following links provide useful information on the above topic:

US State Department, *2009 Country Reports on Human Rights Practices: Bhutan* (USSD Report 2009), 11 March 2010

<http://www.state.gov/g/drl/rls/hrrpt/2009/sca/136086.htm> [2a] (Section 7: Worker Rights)

Freedom House, *Freedom in the World 2010*, 3 May 2010

<http://www.unhcr.org/refworld/country.COI.,BTN.,4c0ceb0328.0.html> [3]

UN Human Rights Council (HRC), *Compilation Prepared by the Office of the High Commissioner for Human Rights, in accordance with paragraph 15(b) of the Annex to Human Rights Council Resolution 5/1 - Bhutan*, 18 September 2009

<http://www.unhcr.org/refworld/pdfid/4ac9feddd.pdf> [5b] (Paragraphs 35-37)

[Back to contents](#)  
[Go to list of sources](#)

## Annexes

---

### ANNEX A – CHRONOLOGY OF MAJOR EVENTS

- 1907** Ugyen Wangchuck is chosen as hereditary ruler.
- 1910** Treaty signed with British giving them control over Bhutan's foreign relations.
- 1949** Treaty signed with newly-independent India guaranteeing non-interference in Bhutan's internal affairs, but allowing Delhi influence over foreign relations.
- 1952** Reformist monarch Jigme Dorji Wangchuck succeeds to throne.
- 1952** National assembly established.
- 1958** Slavery abolished. Other social reforms follow in subsequent years.
- 1959** Several thousand refugees given asylum after Chinese annex Tibet.
- 1964/65** Prime minister killed in dispute among competing political factions. Unsuccessful attempt to assassinate monarch.
- 1968** First cabinet established.
- 1971** Bhutan joins United Nations.
- 1972** King Jigme Dorji Wangchuck dies and is succeeded by his son, Jigme Singye Wangchuck, who continues policy of cautious modernisation.
- 1974** First foreign tourists allowed in.
- 1986** New law granting citizenship on basis of length of residence in Bhutan.
- 1988** Census leads to branding of many ethnic Nepalis as illegal immigrants. New measures adopted to enforce citizenship law. Government also introduces other measures to stress Tibetan-based Bhutanese culture, antagonising minority ethnic Nepali community.
- 1989** Nepali ceases to be a language of instruction in schools.
- 1990** Violent ethnic unrest and anti-government protests in southern Bhutan pressing for greater democracy and respect for Nepali rights. Bhutan People's Party begins campaign of violence. Thousands of ethnic Nepalis flee to Nepal.
- 1992** Leader of illegal Bhutan People's Party sentenced to life imprisonment.
- 1993** Bhutan and Nepal try to resolve refugee problem.
- 1996** Nepal demands all 80,000 or so refugees should be accepted back by Bhutan.
- 1997** Amnesty International raises serious concerns over human rights situation in southern Bhutan.

- 1998** King cedes some powers to national assembly, giving up role as head of government; cabinet now elected by assembly; famous "Tiger's Lair" Buddhist monastery damaged by fire.
- 1999** Limited television and internet services allowed; several dozen political prisoners released.
- 2000** First internet cafe opens in Thimphu; Bhutan hit by landslides following severe flooding in region, causing at least 200 deaths.
- 2001** August - Bhutanese, Nepalese ministers meet to discuss the repatriation of Bhutanese refugees living in Nepal. Some 100,000 ethnic Nepalese say they were forced out of Bhutan in the 1980s and 1990s, alleging ethnic and political repression.
- 2002** January - Indian state of Assam says two rebel groups still have camps in Bhutan, despite Bhutan's deadline for them to leave the country by the end of 2001.
- 2003** December - Bhutanese soldiers fight Indian separatist rebels in an attempt to drive them from their bases in the south of the country.
- 2005** March - Proposed constitution is unveiled. It envisages a parliamentary democracy and will be adopted or rejected in a referendum.
- 2005** December - King Jigme Singye Wangchuck says he will abdicate in 2008, when democratic parliamentary elections are held. The crown prince will take over as monarch.
- 2006** June-August - Bhutanese refugees in Nepal demonstrate over several weeks to press for third-country resettlement.
- 2006** September - Preparations start in earnest for first ever elections in 2008. Officials begin training for the polls which will appoint a government to take over from the absolute monarchy.
- 2006** December - King Jigme Singye Wangchuck abdicates; Jigme Khesar Namgyel Wangchuck, the crown prince, assumes the throne. The former monarch had been expected to stay in power until 2008.
- 2007** February - Bhutan signs a landmark agreement with India which revises ties with its neighbour, giving Bhutan more say over its foreign and defence policies.
- 2007** April - Mock elections are staged to familiarise voters with the concept of parliamentary democracy ahead of planned polls in 2008.
- 2007** July - Prime Minister Khandu Wangchuck resigns so he can compete in elections planned for February and March 2008.
- 2008** January and February - A string of bomb blasts hits the country ahead of elections set for March 24. The attacks are blamed on groups fighting for the rights of ethnic Nepalis exiled in 1991.



- 2008** March - Pro-monarchy Bhutan Harmony Party wins 44 out of the 47 seats in the country's first parliamentary elections. Another pro-monarchy party wins the remaining seats.
- 2008** November - Jigme Khesar Namgyel Wangchuck is crowned king. India alleges links between Assamese separatists and Bhutan dissident Druk National Congress.
- 2009** April - Huanglongbing virus wipes out much of orange crop. Oranges are an important export for Bhutan.

(BBC, *Bhutan: Timeline*, 5 May 2010) [14b]

[Back to contents](#)  
[Go to list of sources](#)

**ANNEX B – GUIDE TO ACRONYMS**

<b>AI</b>	Amnesty International
<b>CEDAW</b>	Convention on the Elimination of all forms of Discrimination Against Women
<b>FCO</b>	Foreign & Commonwealth Office (UK)
<b>FH</b>	Freedom House
<b>GDP</b>	Gross Domestic Product
<b>HIV/AIDS</b>	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
<b>HRW</b>	Human Rights Watch
<b>ICRC</b>	International Committee of the Red Cross
<b>IDP</b>	Internally Displaced Person
<b>NGO</b>	Non Governmental Organization
<b>TI</b>	Transparency International
<b>UN</b>	United Nations
<b>UNAIDS</b>	Joint United Nations Programme on HIV/AIDS
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>UNICEF</b>	United Nations Children's Fund
<b>USSD</b>	United States State Department
<b>WHO</b>	World Health Organisation

[Back to contents](#)  
[Go to list of sources](#)

**ANNEX C – REFERENCES TO SOURCE MATERIAL**

*The Home Office is not responsible for the content of external websites.*

- [1] **Ethnologue.com**  
<http://www.ethnologue.com/>  
*Languages of Bhutan*  
[http://www.ethnologue.com/show\\_country.asp?name=BT](http://www.ethnologue.com/show_country.asp?name=BT)  
Date accessed 23 July 2010
- [2] **US State Department (USSD)**  
<http://www.state.gov/g/drl>  
a *2009 Country Reports on Human Rights Practices: Bhutan*, 11 March 2010  
<http://www.state.gov/g/drl/rls/hrrpt/2009/sca/136086.htm>  
Date accessed 8 July 2010  
b *International Religious Freedom Report 2009: Bhutan*, 26 October 2009  
<http://www.state.gov/g/drl/rls/irf/2009/127364.htm>  
Date accessed 9 July 2010
- [3] **Freedom House**  
<http://www.freedomhouse.org/>  
*Freedom in the World 2010: Bhutan*, 3 May 2010  
<http://www.unhcr.org/refworld/country,COI,,,BTN,,4c0ceb0328,0.html>  
Date accessed 15 July 2010
- [4] **Central Intelligence Agency (CIA)**  
<https://www.cia.gov/>  
*World Factbook: Bhutan*, updated 24 June 2010  
<https://www.cia.gov/library/publications/the-world-factbook/geos/bt.html>  
Date accessed 8 July 2010
- [5] **UN Human Rights Council (HRC)**  
<http://www2.ohchr.org/english/bodies/hrcouncil/>  
a *Report of the Working Group on the Universal Periodic Review on Bhutan*, 4 January 2010  
<http://www.unhcr.org/refworld/pdfid/4bdfc61627.pdf>  
Date accessed 23 July 2010  
b *Compilation Prepared by the Office of the High Commissioner for Human Rights, in accordance with paragraph 15(b) of the Annex to Human Rights Council Resolution 5/1 - Bhutan*, 18 September 2009  
<http://www.unhcr.org/refworld/pdfid/4ac9fedddd.pdf>  
Date accessed 23 July 2010  
c *Summary prepared by the Office of the High Commissioner for Human Rights, in accordance with paragraph 15(c) of the Annex to Human Rights Council Resolution 5/1 - Bhutan*, 8 September 2009  
<http://www.unhcr.org/refworld/pdfid/4acc63f70.pdf>  
Date accessed 26 July 2010  
d *National report submitted in accordance with paragraph 15(a) of the annex to Human Rights Council resolution 5/1 - Bhutan*, 3 September 2009  
<http://www.unhcr.org/refworld/pdfid/4ac9f9df0.pdf>  
Date accessed 26 July 2010
- [6] **Canadian Immigration and Refugee Board (IRB)**  
<http://www.irb-cisr.gc.ca/Eng/Pages/index.aspx>

- a *Bhutan: Whether Bhutanese citizens of Nepalese origin face restrictions in obtaining passports or travelling abroad*, 23 October 2008, BTN102942.E  
<http://www.unhcr.org/refworld/docid/49b92b5dc.html>  
Date accessed 27 July 2010
- b *Bhutan: Procedures to follow and documents required to obtain a Bhutanese passport; whether passports are issued from missions abroad (such as from Bhutan's mission in New York) to people living in Bhutan*, 20 October 2008, BTN102941.E  
<http://www.unhcr.org/refworld/docid/49b92b5e2.html>  
Date accessed 27 July 2010
- [7] **Reporters Without Borders**  
<http://www.rsf.org/>  
*Press Freedom Index 2009*  
[http://en.rsf.org/press-freedom-index-2009\\_1001.html](http://en.rsf.org/press-freedom-index-2009_1001.html)  
Date accessed 27 July 2010
- [8] **Foreign & Commonwealth Office (FCO)**  
<http://www.fco.gov.uk/en/>  
Country Profiles: Bhutan, 28 April 2010  
<http://www.fco.gov.uk/en/travel-and-living-abroad/travel-advice-by-country/country-profile/asia-oceania/bhutan>  
Date accessed 29 June 2010
- [9] **One World**  
<http://uk.oneworld.net/>  
Country Guides: Bhutan  
<http://uk.oneworld.net/guides/bhutan/development>  
Date accessed 23 July 2010
- [10] **United Nations Children's Fund (UNICEF)**  
<http://www.unicef.org/index.php>
- a *Bhutan: Children at the heart of development*  
<http://www.unicef.org/bhutan/rights.htm>  
Date accessed 9 July 2010
- b *Bhutan: Statistics*, updated 3 March 2010  
[http://www.unicef.org/infobycountry/bhutan\\_statistics.html](http://www.unicef.org/infobycountry/bhutan_statistics.html)  
Date accessed 9 July 2010
- c *Bhutan: Background*, updated 14 May 2007  
[http://www.unicef.org/infobycountry/bhutan\\_background.html](http://www.unicef.org/infobycountry/bhutan_background.html)  
Date accessed 9 July 2010
- d *Bhutan: Care comes to remote villages*  
<http://www.unicef.org/bhutan/health.htm>  
Date accessed 9 July 2010
- [11] **World Health Organisation (WHO)**  
<http://www.who.int/en/>
- a Countries: Bhutan  
<http://www.who.int/countries/btn/en/>  
Date accessed 9 July 2010
- b *Mental Health Atlas 2005: Country Profile: Bhutan*  
[http://www.who.int/mental\\_health/evidence/atlas/](http://www.who.int/mental_health/evidence/atlas/)  
Date accessed 9 July 2010

- [12] **UN Office on Drugs and Crime**  
<http://www.unodc.org/>  
*Global Report on Trafficking in Persons*, February 2009  
<http://www.unhcr.org/refworld/pdfid/49997ae45.pdf>  
 Date accessed 27 July 2010
- [13] **UN Committee on the Rights of the Child (CRC)**  
<http://www2.ohchr.org/english/bodies/CRC/>  
*Consideration of reports submitted by States parties under article 44 of the Convention : Convention on the Rights of the Child : concluding observations : Bhutan*, 8 October 2008  
<http://www.unhcr.org/refworld/pdfid/48f7164c2.pdf>  
 Date accessed 27 July 2010
- [14] **BBC News**  
[http://www.bbc.co.uk/news/world/south\\_asia/](http://www.bbc.co.uk/news/world/south_asia/) \_  
 a *Bhutan Country Profile*, 5 May 2010  
[http://news.bbc.co.uk/1/hi/world/south\\_asia/country\\_profiles/1166513.stm](http://news.bbc.co.uk/1/hi/world/south_asia/country_profiles/1166513.stm)  
 Date accessed 29 June 2010  
 b *Timeline: Bhutan*, 5 May 2010  
[http://news.bbc.co.uk/1/hi/world/south\\_asia/1171693.stm](http://news.bbc.co.uk/1/hi/world/south_asia/1171693.stm)  
 Date accessed 27 July 2010
- [15] **Minorities at Risk (MAR) Project**  
<http://www.cidcm.umd.edu/mar/>  
*Assessment for Lhotshampas in Bhutan*, 31 December 2006  
<http://www.cidcm.umd.edu/mar/assessment.asp?groupid=76001>  
 Date accessed 9 July 2010
- [16] **Transparency International (TI)**  
<http://www.transparency.org/>  
*Corruption Perceptions Index 2009*  
[http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2009/cpi\\_2009\\_table](http://www.transparency.org/policy_research/surveys_indices/cpi/2009/cpi_2009_table)  
 Date accessed 27 July 2010
- [17] **Bhutan Government**  
 a *Constitution of the Kingdom of Bhutan*, 18 July 2008  
[http://www.constitution.bt/TsaThrim%20Eng%20\(A5\).pdf](http://www.constitution.bt/TsaThrim%20Eng%20(A5).pdf)  
 Date accessed 15 July 2010  
 b *Bhutan Citizenship Act*, 10 June 1985  
[http://www.unhcr.org/refworld/country\\_LEGAL,,LEGISLATION,BTN,,3ae6b4d838,0.html](http://www.unhcr.org/refworld/country_LEGAL,,LEGISLATION,BTN,,3ae6b4d838,0.html)  
 Date accessed 15 July 2010  
 c *Act on Grant of Citizenship in Bhutan*, 1977  
[http://www.unhcr.org/refworld/country\\_LEGAL,,LEGISLATION,BTN,,3ae6b4d738,0.html](http://www.unhcr.org/refworld/country_LEGAL,,LEGISLATION,BTN,,3ae6b4d738,0.html)  
 Date accessed 15 July 2010
- [18] **GlobalGayz**  
<http://www.globalgayz.com/>  
*Gay Bhutan News and Reports*, 2004-2009

<http://www.globalgayz.com/country/Bhutan/view/BTN/gay-bhutan-news-and-reports>

Date accessed 9 July 2010

- [19] **War Resisters International (WRI)**  
<http://www.wri-irg.org/>  
*World survey of conscription and conscientious objection to military service: Bhutan*, 27 March 1998  
[http://www.wri-irg.org/programmes/world\\_survey/country\\_report/en/Bhutan](http://www.wri-irg.org/programmes/world_survey/country_report/en/Bhutan)  
Date accessed 9 July 2010
- [20] **UNAIDS**  
<http://www.unaids.org/en/CountryResponses/Countries/default.asp>  
Countries: Bhutan  
<http://www.unaids.org/en/CountryResponses/Countries/bhutan.asp>  
Date accessed 9 July 2010
- [21] **Committee on the Elimination of Discrimination against Women (CEDAW)**  
<http://www2.ohchr.org/english/bodies/cedaw/>  
*Concluding observations of the Committee on the Elimination of Discrimination against Women: Bhutan*, 7 August 2009  
[http://www.bayefsky.com/.pdf/bhutan\\_t4\\_cedaw\\_44.pdf](http://www.bayefsky.com/.pdf/bhutan_t4_cedaw_44.pdf)  
Date accessed 6 August 2010

[Back to contents](#)