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 **Opening Statement by**

**His Excellency Lyonpo (Dr.) Tandi Dorji**

**Minister for Foreign Affairs**

**at the Meeting of the Working Group of the**

**United Nations Human Rights Council**

**Third Universal Periodic Review of the Situation of Human Rights**

**in the Kingdom of Bhutan**

**Geneva, 8th May 2019**

**Statement by His Excellency Lyonpo (Dr.) Tandi Dorji, Minister for Foreign Affairs at the Third Universal Periodic Review of the Kingdom of Bhutan, Geneva, 8th May 2019**

Mr. President

Excellencies

Distinguished delegates,

It is my great pleasure to lead the Bhutanese delegation to present the third Universal Periodic Report on the situation of human rights in the kingdom. My delegation comprises of senior officials from the Ministry of Foreign Affairs, Ministry of Home and Cultural Affairs, Ministry of Education, Gross National Happiness Commission, the Office of the Attorney General, the National Commission for Women and Children and the Executive Director of Ability Bhutan Society who is representing the Civil Society Organization.

Bhutan commends the work of the United Nations Human Rights Council and the Universal Periodic Review in promoting and protecting human rights around the world. As our country is not a party to many human rights instruments due to various constraints, we attach high importance to the UPR process, which is the means by which the international community can assess the entire range of human rights in Bhutan and discuss ways to improve them. Therefore, it is from this perspective that we approach our third cycle of the UPR in an open, transparent and cooperative spirit.

**Political Transformation:**

The Kingdom of Bhutan completed its first decade as a Democratic Constitutional Monarchy in 2018 which also coincided with the third general elections. The three general elections in the last one decade witnessed three different political parties elected to office. It is important to put into perspective, that the political system of Bhutan evolved from a monastic system, to the royal court of the Kings and to a democratic constitutional monarchy.

Our political evolution reflects the adoption of a system that is best suited to the people of Bhutan in keeping with evolving times. At a time when nations are striving to pursue governance as an integral part of overall human development, our transformation from monarchy to a parliamentary democracy, initiated by our monarchs is a unique and powerful example of how benevolent leadership can steer a nation to a progressive future, with the people at the center of all state policies and actions.

Democracy is taking firm roots in the country, guided by the will of the Bhutanese people and the Constitution. The nation’s overall goal is to secure happiness and well-being for its people. We are clear that this goal can only be realized in a peaceful and secure environment built on the foundations of equality, justice and human rights.

**Economic Transformation:**

The evolving geo-politics in the region and beyond in the 1960s triggered a fundamental shift in how Bhutan engaged with its neighbors and the outside world. The formulation and implementation of the First Five Year Plan in 1961 heralded the deliberate policy to embrace modernization after centuries of isolation from the rest of the world. Bhutan’s inclusion in the category of United Nations Least Developed Countries in 1971, enabled wider access to external resources to fund the country’s development plans. As financial and technical resources flowed in from external development partners, both bilateral and multilateral, Bhutan underwent rapid socio-economic transformation. Our successive development plans, guided by the development philosophy of Gross National Happiness, has enabled Bhutan to achieve rapid socio-economic progress without compromising its environment, culture and tradition and overall well-being of the people.

Bhutan today is on the cusp of graduating to a middle income country. I am pleased to report that the United Nations General Assembly resolution, adopted on 13 December 2018, decided that Bhutan will graduate in five years on 13 December 2023. This is a significant achievement for the Royal Government and our development partners. It is a testament of the holistic approach to development that places people at the center of development.

**The Constitution of Bhutan:**

The Royal Government of Bhutan is fully committed to upholding the centrality of rule of law as the foundation of good governance. The Constitution of the Kingdom is the supreme law of the land, formulated on the principle that it should liberate its people from any form of enslavement. It also seeks to establish a harmonious state of equity between the State and the citizens. More specifically, the Constitution elaborates 21 different fundamental rights, liberties and freedoms as the preserve of every Bhutanese citizen. There is no greater demonstration of a nation’s cause to human rights than the act of empowering people constitutionally.

It is against the backdrop of 10 years of democracy, the Constitution as the foundation of all laws and the prevailing socio-economic conditions in the country, that my delegation presents the Third Universal Periodic Report on the situation of human rights in Bhutan. The report primarily focuses on the 103 recommendations which were accepted by the Royal Government during the Second UPR in 2014.

**Legal Framework:**

In line with the Constitution and enactment of various laws, the Royal Government seeks to continuously define the rights and responsibilities of the people of Bhutan. During the reporting period, nine relevant legislations were enacted by the Parliament of Bhutan. The Royal Government also carried out a national review of all existing laws to address the issue of duplication of laws. A recommendation to review 65 Acts out of 98 has been made to the Parliament. To address emerging concerns of different forms of inequalities during formulation of national policies, a national protocol for policy formulation requires all policies to mainstream gender, environment, climate change, disaster, and poverty.

**Access to Justice:**

The Royal Government has invested significantly in creating the necessary judicial infrastructure closer to the people. We have also enhanced the human resource capacity of the judiciary so that delivery of justice is more efficient. More specialized benches will be established to accommodate the special needs of different categories of litigants such as family and child benches. While much more remains to be done to reduce the economic cost of accessing justice, Bhutan is committed to making delivery of justice more efficient. The Working Group on Arbitrary Detention during their visit to Bhutan this year acknowledged the significant progress Bhutan has made in the justice system, since their last visit in the 1990s.

**Access to Education and Health:**

The present government came to office on the central pledge of *“Narrowing the Gap”.* While this pledge takes a holistic approach to all aspects that create the divide, provision of equal access to health and education is a priority. We see access to good education and healthcare as citizen’s rights and primary enablers for their development.

**Right to Education:**

Article 9, section (16) of the Constitution guarantees every child, the right to free basic education. The National Education Policy has been put in place to provide the strategic road map to achieve universal access to free and equitable education. Establishment of school infrastructure, most notably the central school system has served to improve quality and access to education, particularly for children from rural communities. Currently, we have 64 Central Schools benefiting around 28 percent of the total students. Effort is being made to improve access to quality and inclusive Early Childhood Care and Development (ECCD) through establishment of ECCD centres around the country. Investment to establish additional ECCD will continue to receive priority.

In a continuously evolving environment nationally and internationally, the Royal Government has recognized the need to maintain the relevance and quality of education. This has been met through update of national curriculum, introduction of central school system, granting of autonomy to select secondary schools, professional development programme for teachers and leveraging ICT as an enabling tool to enhance accessibility to quality education among many others.

Bhutan has so far achieved 98.8 percent primary enrolment. Adults, mostly women who missed the opportunity to pursue formal schooling are provided basic literacy and functional skills through the non-formal education programme. I am happy to report that adult literacy rate in Bhutan has improved from 57 percent in 2014 to 66.6 percent in 2017.

**Right to Health:**

Provision of free public health services is a constitutional mandate of the State. The Constitution also requires the State to endeavour to provide security in the event of sickness and disability or lack of adequate means of livelihood for reasons beyond one’s control. Despite limited resources, sustaining the provision of free health services was a policy preceding the Constitution of the country. This led to the creation of the Bhutan Health Trust Fund, which finances the purchase of all essential drugs and vaccines today.

Bhutan has a well-integrated three-tier health system addressing the health needs of the people. There has been a steady improvement in the doctor-patient ratio. Nonetheless, the health sector continues to be constrained by shortage of doctors. The establishment of a University of Medical Sciences and introduction of nursing programmes has addressed the need for other categories of health workers. In the next five years, the government will be investing resources to take specialty care facilities closer to the people, including construction of a multi-specialty hospital.

**Poverty Reduction:**

Bhutan has made significant progress in reducing poverty. People living below income poverty and multi-dimensional poverty stood at 8.2 percent and 5.8 percent respectively in 2017. Reducing poverty is one of the 17 National Key Result Areas in the 12th Five Year Plan and the Royal Government has adopted a two pronged approach to address poverty through: (i) broad based programmes such as education, health, agriculture, and social infrastructure; and (ii) targeted poverty reduction initiatives to cover those who still remain poor due to pocketed and dispersed nature of poverty in the country.

**Trafficking in Persons (TIP):**

The Royal Government is mindful of the dangers of trafficking in person and this is especially true when people are increasingly traveling further and wider for economic reasons and especially in search of employment. Youths seeking employment overseas and especially women are most vulnerable to trafficking and other risks. The Royal Government is putting in policy measures and interventions to address the issues of unemployment and trafficking in persons.

**Women:**

Bhutanese women enjoy equal socio-economic rights and status. Significant progress has been made in addressing gender gaps. However, there are gaps that still need to be addressed. In education, we have more or less achieved gender parity at basic and higher education. Gender parity in tertiary education has improved from 0.78 in 2014 to 0.85 in 2018.

Women’s participation in politics in Bhutan is making progress. The last two parliamentary elections saw more numbers of women turning out to vote than men. However, the number of women contesting for elected posts still remain low. Only 15% of our parliamentarians are women as against 8% in the last Parliament. Women constitute 30% of the employees in the civil service and about 9 % of the executive positions are held by women. The Royal Government is determined to do everything possible to close these gaps. I must highlight here that gender disparity in Bhutan is not on account of gender discrimination but rather on account of problems of access to opportunities in the past.

**Children:**

Bhutan is party to the Convention on the Rights of the Child and its two optional protocols. Every possible measure is being taken by the government to protect the rights of the child and ensure their development to productive citizens. Policy initiatives to support child rights and protection of infants have been put in place. Some of the initiatives include extending maternity leave from 3 to 6 months, establishment of ECCD centers, establishment of creches at work places, provision of free education up to grade 12 and putting in place several legal frameworks and institutional arrangements.

**Rights of vulnerable groups**:

The needs of minority groups such as people with disabilities are integrated in our national development plans. To address the issue of people with disabilities, a National Policy for Persons with Disabilities was drafted in 2018. The draft policy is based on a needs assessment survey covering persons with different types of disabilities and age groups and is aligned with the Convention on the Rights of Persons with Disabilities (CRPD) and follows a right- based approach. It also has provisions to improve access to health and education for persons with disabilities by removing environmental, physical, attitudinal and other barriers. A national interest analysis to ratify the Convention on the Rights of People with Disability has been submitted to the government. We are hopeful that this convention can be ratified in the next few years.

The Royal Government is aware of the emergence of minority groups on account of the impact of socio-economic and other related changes. I would like to underline here that the Royal Government identifies minority groups on the basis of their special socio-economic needs and not on the basis of ethnicity as some of the independent reports suggests. For a small country with different communities, recognizing minority groups on the basis of ethnicity is not in the interest of the country and it will be divisive and detrimental to the country’s cohesion and security.

**The Role of CSOs:**

The Constitution requires the state to create a civil society free of oppression, discrimination and violence, based on the rule of law, protection of human rights and dignity. The government has provided increasing space to CSOs over the years. Today, we have 58 registered CSOs, which is an increase by 30 from 2014. CSOs are playing an increasingly active role in advancing a rights-based approach, improving services, and encouraging participation and accountability. In recognition of the important role of CSOs in nation building, and their contributions especially to disadvantaged groups, His Majesty The King awarded the National Order of Merit (Gold) medal to 23 CSOs in December 2016. I am happy to report that we received valuable inputs from our CSOs during the drafting of our UPR.

**Cooperation with Human Rights Mechanisms:**

Bhutan considers cooperation with human rights bodies and mechanisms as essential to further improve human rights in the country. The Royal Government will continue to cooperate with them in keeping with our needs and capacity. As mentioned earlier, the Working Group on Arbitrary Detention visited Bhutan in January this year. The Group’s preliminary findings and recommendations are being considered and in some cases have already been implemented.

**Environment, Climate Change and Disaster Management:**

Climate change and its adverse effects have direct impact on the livelihood of people and their human rights. While Bhutan’s commitments to global compacts on environment and climate change remains steadfast, it is a concern that global actions are inadequate to prevent further rise in the global temperature. Related to climate change, are the associated risks of natural disasters. It is common knowledge that poor and small countries that have not had any role in climate change, have had to bear the brunt. They have the least capacity to adapt and this is having a direct bearing on the sustainable development of countries like Bhutan, who have pledged to remain carbon neutral for all times to come. Today Bhutan maybe the only carbon negative country.

**Challenges:**

Despite the socio-economic gains that Bhutan has made over several decades, it still faces severe challenges. Scarce resources, lack of / or weak institutions, among many others, limit our capacity to fulfil national and international obligations. Notwithstanding these constraints, the Royal Government is committed to meeting its obligations incrementally, commensurate with its national capacity. We seek the continued support and understanding of the member states in this regard.

**Commitments**

Bhutan recognizes the importance of effective follow up and implementation of the recommendations of the UPR, the UN human rights treaty bodies, the Special Procedures and other relevant mechanisms. Towards this end, the Royal Government is in discussion with UN agencies in Bhutan to develop a web-based system to coordinate and monitor actions taken. We are hopeful that this web-based system will make monitoring and reporting more efficient.

**Mr. President,**

Our Constitution requires the State to promote those conditions that will enable the pursuit of Gross National Happiness as one of the principles of State Policy. We are convinced that human rights is integral to promoting Gross National Happiness. Our Kings have given us a strong foundation to build a future for our children which will further promote a society which is pluralistic, socially just and inclusive.

In closing, I wish to thank all the member states for your presence. My delegation looks forward to a frank and constructive session.

Thank you, Kadrinche and Tashi Delek!