Concept Note

Gender Equality Policy

1. Context and Background

Bhutan and Bhutanese people have always valued the role of women in the overall growth and development of the country. Starting at the household level up to the management of the social, political and economic status of Bhutan, Bhutanese women played an important role. Nevertheless, it was since 1981 that the Royal Government started recognizing the role of women in the country’s development through specific incorporations into Fifth Five Year Plan (1981-1986). This also coincides with the year when the Royal Government ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) without any reservations.

Since 1981, Bhutan has been making specific interventions towards women’s empowerment, most notable being the establishment of the National Women’s Association of Bhutan (NWAB) in 1981 that has made significant difference in the lives of women of Bhutan, in particular rural women. Furthermore, more significantly a first of its kind study for Bhutan, the Gender Pilot Study was conducted in 2001. This study was a benchmark in generating evidences to validate the situation of gender equality in Bhutan.

Following such developments and coinciding with the 1st-6th Combined Periodic Report to CEDAW, the Royal Government established the National Commission for Women and Children (NCWC) under the Ministry of Health in 2004, with the primary mandate to report, coordinate, monitor and create awareness on matters pertaining to gender equality in Bhutan.

However, in 2008, the government recognizing the need for a more independent body working on women and children, recognizing the crosscutting nature of the mandate and also acknowledging the increasing responsibilities of NCWC, upgraded NCWC into an autonomous body of the Royal Government in 2008.

Subsequently, to achieve the mandates, vision and mission, the Commission and its Secretariat had developed and successfully implemented its National Plan of Action for

Note: Please see Annexure for definition of Key Terms used in the Concept Note
Gender (NPAG) 2008-2013 which addressed the CEDAW recommendations and Beijing Platform for Action. Significant milestones were achieved to promote gender equality and women’s empowerment with enactment of the following Acts by the Parliament:

1. Child Care and Protection Act of Bhutan 2011 (CCPA)
2. Child Adoption Act of Bhutan 2012 (CAA)
3. Domestic Violence Prevention Act of Bhutan 2013 (DVPA)

Despite such remarkable achievements on the legal, plan and policy front, evidences continue to demonstrate gender gaps in critical areas such as economic empowerment, participation in governance, employment, violence against women, to name a few. To address such gaps, which normally are in favor of male, women need to be empowered in order to attain gender equality, in the Bhutanese context.

While the NCWC has been designated the Competent Authority for the three Acts mentioned above, there are serious gaps in the implementation of the Acts and the establishment of an effective and sustainable protection system in the country. Given the cross cutting nature of gender issues, serious implementation gaps and challenges remain in terms of accountability and ownership of the programs and its results by the sectors and organizations. It is, therefore, envisaged that having a Gender Equality Policy will provide a holistic and strategic guidance in the planning, implementation and accountability of gender initiatives and programs in the country. The problems of women and children cannot be resolved on a sustainable basis without addressing the fundamental gender issues in the society.

2. Critique of Current Policy Options and Approaches

Many of the existing policies have ‘minimal reference to gender issues’ as evidenced from the “Analysis of Gender Mainstreaming in Policies in Bhutan” conducted by the NCWC in 2015 based on directives from the Cabinet. Despite concerted efforts, the NCWC has not been in a position to adequately strengthen gender mainstreaming in Bhutan given the lack of a comprehensive guiding mechanism.

It is also important to state that gender equality forms one of the key considerations in the Policy Formulation Protocol of the Royal Government and is one of the parameters in the GNH policyscreening tool. NCWC also gets the opportunity to review policies and make necessary recommendations. However, the shortfall is on the commitment and capacities to
mainstream and implement the policy statements that are incorporated from a gender equality perspective. These challenges have been raised, discussed and recorded in detail in various Commission Meetings and the Gender Focal Points Meetings.

Most recently, the Annual Gender Focal Points (GFPs) Meeting held in January 2015 noted that ‘there is need for a Policy on Gender Equality to provide directives for mainstreaming efforts in the sectors and ensure ownership and accountability of the sectors/agencies.

3. Policy Recommendations

As its guiding principle, the proposed Gender Equality Policy will establish a coherent strategic policy framework for the promotion of gender equality in the country. The policy will also advocate and promote gender equality as an important factor to ensure sustainable democratic development of society with rule of law.

At the operational and programmatic level, the Gender Equality Policy will provide specific policy directives and guidance to address and mainstream gender concerns in the respective sectoral plans, programs and activities. In addition, having a policy basis will leverage for accountability and ownership.

Following are some of key policy recommendations) that the proposed Gender Equality Policy will aim to facilitate and provide basis for:

- Reviewing and drafting of relevant acts and regulations to integrate gender issues;
- Strengthening effective coordination and partnership between governmental (including LGs and non-governmental bodies) with clear line of responsibilities and accountabilities;
- Development and implementation of mechanism aimed at gender responsiveness in all aspects of public policy, planning, programming and service delivery;
- Establishment of a comprehensive and sustainable women and child protection system in the country;
- Capacity building among the institutions and public officials to understand and undertake planning and implementation of gender mainstreamed programs and projects;
- Creating enabling environment for women to participate in governance and socio-economic activities;
• Planning and implementation of targeted interventions to address specific and critical issues related to gender gaps;
• Ensuring financial resources for gender mainstreaming and monitoring of effective utilization of resources; and
• Development of necessary gender statistics and information base for program formulation, implementation, monitoring and evaluation.

4. Benefits

The policy is envisaged to bring about:

• Recognition of gender as a cross cutting issue, it will call for stronger ownership, accountability and results.
• Strengthened cooperation, collaboration, partnerships and most importantly sustainable outcomes;
• Support in resource allocation and mobilization;
• Strengthened positioning and delivery of NCWC;
• Leveraging for better human resource and logistics support.

5. Cost

The policy will call for government resource allocation in gender responsive planning, budgeting and expenditure, in the implementation of the three Acts and the establishment of an effective and sustainable protection system. Over the longer term, the overall social benefits will outweigh such short and medium term financial costs.

6. Integration of GNH and Cross Cutting Issues

In line with the policy recommendations, this policy will lead to a more inclusive approach to development. The policy, if approved, will endeavor to reach out to all women and men, boys and girls in the society, which can result in informed, educated and valued societies. This will contribute towards the wellbeing of all Bhutanese people.

The policy in the process of alleviating gender inequalities will reconstruct the social systems, which may be impediments to an enabling environment for economic growth. The very intentions of this policy is to create an environment for women’s participation in development which will lead to increased understanding of women on government policies
including policies related to climate change and Disaster Risk Reduction. This will result in a balanced adaptation to climate change and mitigate impacts of disaster.

Empowering women, as evidenced in various researches across the globe can result in reducing impacts of poverty. Likewise the intention of the policy to reach out to women who are the most vulnerable in the society will contribute significantly to the government’s overall goal of reducing poverty. While culture is seen as a challenge, the policy can result in better researches on culture and tradition. This can lead to nurturing practices, which are correct and beneficial to socio-economic growth.

Access and utilization of basic social services will be enhanced through this policy. It will ensure that women have equal access and benefits from health, ICT and agricultural reforms.

Therefore, given the above arguments, the proper implementation of the policy will have a direct impact on creating an environment where men, women, girls and boys can strive for Gross National Happiness.

7. Processes and Indicative Timeline

The policy will be formulated through adequate research and consultative process engaging all stakeholders. All efforts will be made to ensure that the proposed Gender Equality Policy:

- Is consistent with the provisions of the Constitution of the Kingdom of Bhutan;
- Does not violate provisions of any of the existing laws of the country;
- Does not contradict with the provisions of any of the international conventions to which Bhutan is a party;
- Adheres to the positive aspects of social norms, tradition and culture and proposes remedial measures to counter the adversarial issues; and
- Promotes enhancement of GNH values.

All relevant government ministries and autonomous agencies including local governments, law enforcement agencies, judiciary, Gender Focal Persons and relevant Civil Society Organizations will be consulted during the policy formulation.

The timeline for drafting, appraisal, review and approval of the policy is expected to take from six months to a year as tentatively indicated in the table below:

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<tr>
<th>#.</th>
<th>Activity</th>
<th>Indicative Timeline</th>
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<tr>
<td>1</td>
<td>Submission of Policy Concept Note to GNH</td>
<td>December third week, 2016</td>
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2 Approval of Concept Note  
January first week 2017

3 Recruitment of Consultant for Preparation of draft Gender Equality Policy  
January second week 2016

4 Desk review  
January second week last week 2017

5 Consultations and bilateral meeting with all stakeholders  
February first week 2017

5 Consultation with stakeholders to review the draft policy  
April, 2017

6 Appraisal and review of the draft policy by NCWC and GNHC  
May, 2017

7 Review and approval by the GNHC and Cabinet  
June, and July 2017

8. **Major Impediments or Risks Foreseen in the Development of the Policy**

Following are the major impediments envisaged based on assessment of the present situation in terms of need and readiness of the society and government:

- Limited capacity and understanding of the policy makers, implementers on gender related issues. This may lead to limited support and cooperation from the sectors in development of the policy; and

- Socio-cultural factors that may prevent both stakeholders and officials to adopt a comprehensive view toward the gender policy.
Annexure: Definitions of Key Terms Used in the Concept Note

*Gender* - refers to the **roles and responsibilities** of women and men created by our families, our societies and our cultures

*Gender Equality* - refers to a situation where women and men experience equal conditions and treatment in order to realize their full potential.

*Gender Mainstreaming* - refer to the integration of gender sensitivity into our thoughts, actions, practices and evaluations

*Gender Parity* - equal numbers of men and women at all levels of the organization. It must include significant participation of both men and women, particularly at senior levels. Gender parity is one of several integrated mechanisms for improving organizational effectiveness.

*Gender-based Violence* – Refers to violence involving men and women, in which the female is usually the victim; and which is derived from unequal power relationships between men and women. Violence is directed specifically against a woman because she is a woman, or affects women disproportionately.