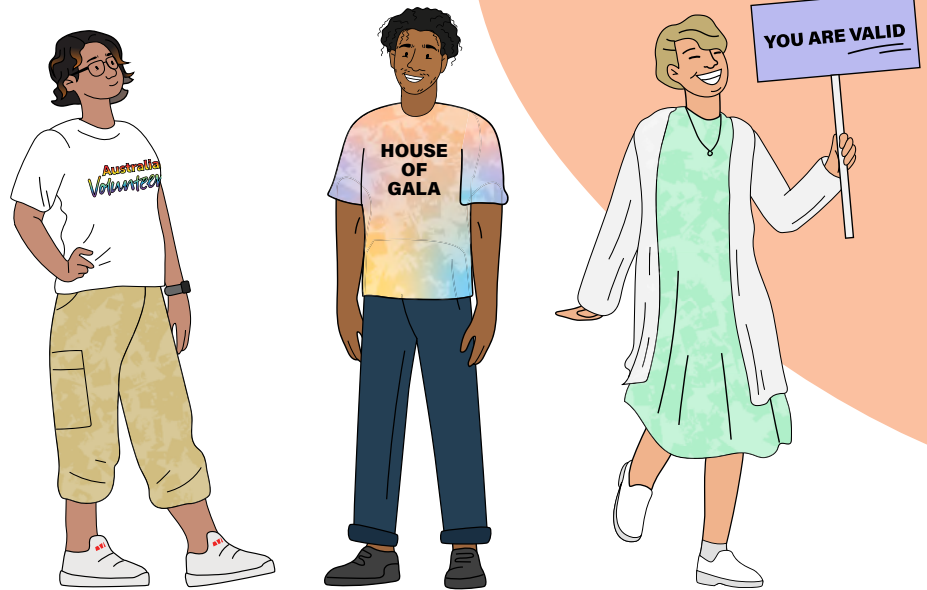


# Pride Guide | Bhutan



The Australian Volunteers Program strives to provide a safe, supportive and equitable environment for LGBTIQ+ volunteers, approved accompanying dependents, partner organisations and all program staff. The Australian Volunteers Program has supported volunteers with diverse sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC) in all program countries and has ongoing connections with community organisations in almost every country and region that the program operates.

Diverse SOGIESEC program participants must be aware of the country context before undertaking an assignment. This guide introduces key issues related to people with diverse SOGIESEC and their participation in the program.

## If you are a volunteer with diverse SOGIESEC, you will need to:

- Do your own research. You will be required to follow the local laws, even if you disagree with them.
- Understand what the local law says you can and can't do when in-country;
- Be aware of what the legal protections are for LGBTIQ+ people in your destinations;
- Consider whether or not you are comfortable living and working in a place where you may be discriminated against and unable to live as openly as you can in some parts of Australia.

## Language

Terminology may differ across urban and rural contexts, and across provinces or ethnic and cultural groups. Information sourced online can be outdated or inaccurate. For current and accurate information, please confirm with an appropriate diverse SOGIESEC Civil Society Organisation (CSO) or ask your in-country team.

## Legal and policy context

Same-sex sexual acts were decriminalised in Bhutan in 2021. Sodomy was criminalised between 2004 and 2021, although the code was never invoked to criminalise acts between two consenting adults of the same sex. There were no laws criminalising homosexuality before 2004, and their introduction was a result of Bhutan mirroring India's colonial-era penal code legal framework. When India decriminalised same-sex sexual acts in 2018, Bhutan followed suit. There is no mention of sexual orientation, gender or homosexuality in the Constitution of Bhutan, and neither the penal code nor the constitution reference lesbians, bisexuals, transgender communities or intersex individuals.

## Discrimination

No legal protections exist for people with diverse SOGIESEC in Bhutan. This includes a lack of constitutional protection and national laws that protect against SOGIESEC discrimination, laws that protect against SOGIESEC discrimination in employment, and laws that protect against incitement to hatred, hate crimes or discrimination.

In the area of employment discrimination, those who can "pass" as heterosexual and cisgender are more likely to find meaningful work. Transgender women are predominantly employed in Drayang (within the entertainment sector), however COVID-19 has forced the closure of these workplaces. The diverse SOGIESEC community in Bhutan is expected to take on unpaid labour to gain acceptance.



## Cultural and societal attitudes

In Bhutan, 75% of the population practice Vajrayana Buddhism, with the other 25% practising Hinduism. Buddhism does not condemn homosexuality, however some followers use Buddhist ideas of reincarnation to claim that people are born with diverse SOGIESC as a result of inappropriate sexual activities in a previous lifetime. Diverse SOGIESC communities are also sometimes blamed for the occurrence of disasters. Patriarchy and a binary understanding of gender has led to discrimination on the basis of female sex assigned at birth, of feminine expression in cisgender men, and of those who are assigned male at birth but present as female. Most diverse SOGIESC individuals fear bringing shame to their family or ruining their family's reputation. While some individuals within the transgender community were accepted by family and friends, other accounts detail the hardship faced by this group.

*“Transgender women, when they transition, face a large level of stigma and discrimination both from the family and the community they live in. Transmen are subjected to forceful marriage with other men to cure their ‘masculine stage’ and often families of trans men believe that sex with men and conceiving a child will cure their ‘issues.’”*

- Research participant.

There are also reports of the mistreatment of intersex individuals by family who fear societal stigmatisation. Lesbian women face pressure to get married but rarely report forced marriage. Lesbian women may have more freedom if they are financially independent of their paternal family. Bisexuality is often associated with promiscuity and it is not widely accepted or spoken about.

## Health and wellbeing

Bhutan holds a positive attitude toward sex and family planning, especially in contrast to neighbouring states. The government makes condoms free as part of its family planning program and to curtail sexually transmitted diseases (STDs). General health services are open to diverse SOGIESC individuals, however staff are not trained or resourced to attend to their specific needs. Fear of discrimination and stigmatisation prevents men who have sex with men (MSM) and transgender women from accessing HIV and allied health services. CSOs who work with these communities deliver education, community support and a public face for those living with HIV/AIDS.

While it is legally possible for people who do not identify with their sex assigned at birth to obtain identification stipulating the gender they identify with, this approval is on a case-by-case basis.

Sex education occurs at the primary and senior school levels, however it is limited to studying human reproduction, family planning and STD prevention, and does not cover diverse SOGIESC themes.

## Media

Diverse SOGIESC advocates and allies have worked closely with the media to ensure they report more accurately on the stories of queer Bhutan. The diverse SOGIESC community is able to call out biased information or discriminatory reporting in the media.

Social media plays an important role in supporting and connecting queer youth throughout Bhutan. Facebook, Twitter and Instagram accounts such as LGBT Bhutan and LGBTQ Bhutan are popular. Privacy remains important for people with diverse SOGIESC, with Instagram and WhatsApp commonly used.