

KNOW THE LAW – TO BE AN INFORMED YOUTH

“As the future of Bhutan lies in the hands of our people, it is our responsibility to make sure that the future well-being of our country is secure in the hands of the Bhutanese people and that our younger generations can successfully shoulder this sacred responsibility with complete loyalty and dedication.”

His Majesty, the Druk Gyalpo

This vision of His Majesty the King is an inspiration for the young people of Bhutan to grow up as responsible, productive and happy citizens of the country. For this to happen, the Royal Court of Justice recognizes the need for Bhutanese children and youth to grow up as informed citizens, prepared to live a full and harmonious life in society. Children and youth must, therefore, be made aware of the laws of the land and of their rights as citizens of Bhutan.

An important legislation is the Penal Code. The Penal Code encapsulates the spirit of rightful living and reflects a broad range of the offences and behaviour that youth should refrain for the well-being of themselves, their families and the country.

The Penal Code and the Child

According to the Code, the minimum age of criminality of a child is ten years. The child, who is ten years and below shall not be held liable for any offences committed by him/her and hence cannot be convicted. If the child is of above ten years, the Court may sentence the child to a minimum of half of the sentence prescribed for the offence, and the child can only be convicted if he/she has attained sufficient maturity of understanding to judge the nature and consequences of his/her conduct on that occasion.

(A) Offences in the Code that every child should know		
Sl.No	Offences	Sections
1	Illegal abortion	146/147
2	Complicity in suicide	150/151
3	Assault	156/157

4	Battery	158/159
5	Criminal elopement	169/170
6	Escape from lawful custody	171/172
7	Incest	207/208
8	Indecent exposure	209/210
9	Bestiality	211/212
10	Unnatural sex	213/214
11	Arson	231/232
12	Trespass	237 to 239
13	Larceny	240 to 244
14	Larceny of property lost, mislaid or delivered by mistake	253/254
15	Possession of stolen property	255/256
16	Theft of services	257 to 261
17	Unauthorized use of property	262 to 264
18	Reckless endangerment of property	269/270
19	Auto stripping	273/274
20	Pick pocketing	275/276
21	Lewd and lascivious conduct	381/382
22	Public intoxication	383/384
23	Use of tobacco or other health hazard substances	385/386
24	Malicious mischief	396/397
25	Black-marketing	402/403
26	Environmental pollution	408/409
27	Criminal nuisance	410/411
28	Disorderly conduct	460/461
29	Prowling	464/465
30	Unauthorized opening of mail and parcel	470/471

31	Tampering with computer materials	472/473
32	Unlawful possession of computer materials	474/475
33	Computer pornography	476/477
34	Illegal possession of firearm, ammunition, explosive or other lethal weapons	480/481
35	Illegal pointing of a firearm	484/485
36	Brandish/display of weapon	486/487
37	False alarm	488/489
38	Illegal transaction of controlled substances	498/499
39	Possession of a controlled substance	500/501

(B) Offences in the Code committed against the child

Sl.No	Offences	Sections
1	Statutory rape	181/182
2	Rape of a child above twelve years of age	183/184
3	Gang rape of a child below twelve years of age	191/192
4	Gang rape of a child above twelve years of age	193/194
5	Custodial rape	197/198
6	Child molestation	203/204
7	Child abuse	221/222
8	Endangerment of a child	223/224
9	Pedophilia	225/226
10	Trafficking of child	227/228
11	Prostitution	373 to 380
12	Illegal sale of tobacco or other health hazard substances	387/388
13	Illegal sale of alcohol	390 to 392

In the best interest of the Child

Buddhism, on which Bhutan's laws are based, provides many lessons that are still relevant today. Buddha's teaching of Dhammanuvatti, for example, reminds us to live in conformity with righteous laws and principles in both personal life and in work.

Bhutan's youth must cultivate a sense of responsibility for themselves and towards all others. They need to have a healthy respect for the law to help it achieve its overall aim of building a good harmonious society and a great nation.