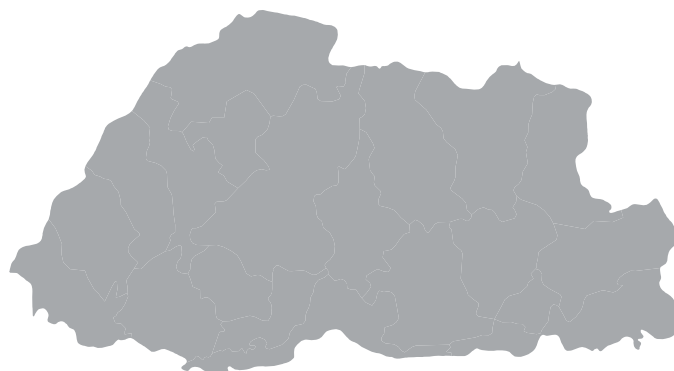


Bhutan

MINIMAL ADVANCEMENT

In 2013, Bhutan made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government launched its Eleventh Five-Year Plan (2013-2018), which commits to strengthening both the child protection system and quality of education. The Government also continued to fund and participate in programs that target improved livelihoods and access to education in impoverished, rural areas. However, children in Bhutan continue to engage in child labor in agriculture and domestic service. Bhutan's minimum age for work is inconsistent with international standards and education is not compulsory.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Bhutan engage in child labor, including in agriculture and domestic service.(1) The majority of child labor in Bhutan occurs in agriculture in rural areas. Data from the 2010 Multiple Indicator Survey indicate that two-thirds of child workers reside in rural areas.(2) Table 1 provides key indicators on children's work and education in Bhutan.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	3.8 (6,338)
Attending School (%)	5-14 yrs.	84.7
Combining Work and School (%)	7-14 yrs.	3.3
Primary Completion Rate (%)		95.1

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2014.(3)

Source for all other data: Understanding Children's Work Project's analysis of statistics from MICS 4 Survey, 2013.(4)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, activities unknown (1, 5-7)
Industry	Mining*† (5)
	Construction, activities unknown*† (1, 5)
Services	Domestic service (1, 5-9)
	Hotel and restaurant service (1, 5)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation* (5, 9)
	Forced labor in karaoke bars* (9, 10)
	Domestic service, sometimes as a result of human trafficking (1, 5-9)

* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.




Some children working as domestic servants live with their employers and are reportedly not allowed to return home.(11) Some young girls are subject to forced labor in karaoke bars known as *drayang*s, particularly in Thimphu. Evidence suggests that some girls are trafficked from rural areas to sing in the bars, and it is here that they are subject to sexual harassment.(9, 10)

There is a lack of current data on child labor in Bhutan. To date, no national survey on child labor has been conducted.

II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

Bhutan has ratified some key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

	Convention	Ratification
	ILO C. 138, Minimum Age	N/A
	ILO C. 182, Worst Forms of Child Labor	N/A
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	

The Government has established relevant laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	13	Labor and Employment Act of Bhutan (1, 5, 12)
Minimum Age for Hazardous Work	Yes	18	Labor and Employment Act of Bhutan (1, 5)
List of Hazardous Occupations Prohibited for Children	Yes		Regulation on Acceptable Forms of Child Labor (13)
Prohibition of Forced Labor	Yes		Labor and Employment Act (12)
Prohibition of Child Trafficking	Yes		Child Care and Protection Act; Penal Code (14, 15)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Child Care and Protection Act; Penal Code (14, 15)
Prohibition of Using Children in Illicit Activities	Yes		Child Care and Protection Act (15)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Labor and Employment Act of Bhutan (12)
Compulsory Education Age	No		
Free Public Education	Yes		Constitution of the Kingdom of Bhutan (16)

*No conscription or no standing military.

Bhutanese law is not completely consistent with international standards regarding child labor. The Labor and Employment Act allows children to work under the age of 14.(5, 12)

There is no age to which education is compulsory.(1) The lack of standards in this area may increase the risk of child involvement in the worst forms of child labor, as young children are not required to be in school but are unable to legally work.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
The Ministry of Labor and Human Resources/Department of Labor	Investigate child labor complaints and ensure employers comply with child labor laws throughout the country.(17)
Royal Bhutan Police	Investigate and enforce child labor laws.(17)
Woman and Child Protection Unit (WCPU)	Enforce laws protecting women and children.(18, 19)

Bhutan

MINIMAL ADVANCEMENT

Research did not reveal specific actions law enforcement agencies in Bhutan took to combat child labor, including its worst forms.

Labor Law Enforcement

In 2011, the most recent year for which information is available, the Ministry had four labor inspectors in Thimphu and two inspectors in each of Bhutan's two regions.(17) Information is unavailable on the current number of labor inspectors, but labor inspectors are based in Thimphu and in two regional offices.(17) The labor inspectors investigate general working conditions, including child labor violations.(17) Labor inspectors are not permitted to inspect private homes and have reported that this makes it challenging to track child domestic workers.(1) There is no available information on the number of labor inspections, their findings, or resulting actions taken during the reporting period.(17) The Department of Labor has documented the obstacles it must overcome in order to comply with the Labor Law. These include: (1) lack of capacity to enforce occupational health and safety standards; (2) an inconsistent application of the labor law across the country; (3) a lack of awareness amongst stakeholders on the labor law; and (4) an insufficient number of trained labor officers to enforce the labor laws.(20)

Criminal Law Enforcement

In 2013, police working on the border of Bhutan participated in a 4-day anti-human trafficking training workshop.(21) The Home Ministry's Royal Bhutan Police enforce the criminal laws related to child labor and the Police's Woman and Child Protection Unit (WCPU) implements laws protecting women and children.(17, 18) The WCPU also provides counseling services and refers victims to the National Commission for Women and Children and NGOs for assistance.(22, 23) Even though this unit reportedly provides legal assistance to victims, there is no information on the number of criminal worst forms of child labor investigations, prosecutions, or victims assisted during the reporting period.(23)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Commission for Women and Children (NCWC)	Coordinate the promotion and protection of women and children and monitoring issues of child labor nationwide.(5, 17) Investigate and receive reports of violations against women and children, and also review and recommend policies and legislation pertaining to women and children.(24) Composed of representatives from government agencies, law enforcement, the judiciary, civil society, media, and business.(5, 17)

In 2013, there was no single coordinating mechanism to address issues related to human trafficking. Several agencies are responsible for various aspects of coordination. In addition to the WCPU, these agencies include the Ministry of Home and Cultural Affairs (Department of Immigration), Ministry of Labor and Employment, and the Ministry of Foreign Affairs, which engages regionally in the prevention of cross-border trafficking in persons.(10)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Bhutan established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

Policy	Description
Eleventh Five-Year Plan (2013-2018)†	Proposes reducing poverty by improving the quality of job opportunities for youth, increasing the quality of education through improving the quality of teachers, textbooks, and school infrastructure, and embracing inclusive social development.(25) Proposes to strengthen child protection systems.(26)

† Policy was launched during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2013, the Government of Bhutan funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

Program	Description
Rural Economy Advancement Program*‡	Government program that develops sustainable livelihoods of Bhutan's 126 poorest villages by diversifying crop cultivation, providing skills development training, and forming self-help groups.(25)
National Rehabilitation Program*	Office of Gyalpoi Zimpon (His Majesty's Secretariat) program that assists landless, socially and economically disadvantaged groups through the provision of land, shelter, and food support, health and education services, and capacity building for sustainable livelihoods.(25)
Improving Rural Children's Access to Basic Education with Focus on Primary Education*	\$12.17 million World Food Program project that aims to increase primary school enrolment, retention, and graduation.(27) Implemented in 232 schools across the country, reaches 37,000 children annually, and supports school construction and kitchen improvements.(27)
Child Protection System Strengthening*	UNICEF program that works to strengthen Bhutan's child protection system and support the development of a National Plan of Action for Child Protection. Trains child protection service providers to build their capacity in this area.(26)
Project Hope‡	NCWC program that provides residential shelters for children at risk of exploitative child labor. Specifically targets children on the street and provides counseling, group therapy, and assistance to help children enroll in school.(17)
Food Assistance*	\$500,000 (2012-2013) Australian-funded project that provides food aid to households in exchange for sending children to school.(28)
Advancing Economic Opportunities for Women*‡	NCWC program that provides economic opportunities to women and girls. Targets 960 youths to participate in apprenticeships and skills training for self-employment.(29, 30)
Trafficking Victims Shelter†‡	Government program that funds an NGO-operated temporary shelter for women and children trafficking victims.(9)
TIP Awareness-Raising*‡	Government program that funds an NGO to sensitize communities on cross-border human trafficking.(9)

* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Bhutan.

Bhutan lacks government programs targeting sectors that are known to employ child labor, such as agriculture, domestic labor, construction, mining, and quarrying.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are that would advance the elimination of child labor, including its worst forms, in Bhutan (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Laws	Ratify the Palermo Protocol on Trafficking in Persons	2013
	Amend legislation to comply with the international standard of the minimum age for work.	2010 – 2013
	Make primary education compulsory and harmonized with the minimum age for work to ensure children are attending school and are therefore less vulnerable to child labor.	2010 – 2013
Enforcement	Publish data on the number of labor investigations, child labor violations, criminal cases of child labor, and child victims assisted.	2010 – 2013
	Strengthen the capacity of the labor inspectors to enforce the labor law and occupational, health, and safety standards.	2013
Social Programs	Conduct a national child labor survey.	2013
	Create social programs to target children who work in agriculture, domestic labor, hotel/restaurant services, construction, and mining/quarrying.	2009 – 2013
	Assess the impact that existing programs may have on child labor.	2010 – 2013
	Conduct awareness raising on the labor law amongst stakeholders.	2013

REFERENCES

1. U.S. Department of State. "Bhutan," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220601.pdf>.
2. Gross National Happiness Commission. *SAARC Development Goals Country Report*. Thimphu; 2013. <http://www.gnhc.gov.bt/wp-content/uploads/2013/10/SDG-Country-report-20132.pdf>.
3. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary Total*. [accessed February 4, 2013]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
4. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from MICS 4 Survey, 2013. Analysis received February 13, 2014. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
5. UNICEF. *Situation of Child Labour in Bhutan*. New York; 2010. <http://www.ncwc.org.bt/wp-content/uploads/2010/08/Revised-Child-Labour-final-report-8-July-2009.pdf>.
6. Wangmo, L. *When Children Abandon Books to Earn a Living*, Business Bhutan, [online] January 18, 2010 [cited January 27, 2014]; <http://www.businessbhutan.bt/?p=776>
7. BBS: The Bhutanese Expression. "Child Labour Exists in Bhutan: Lyonpo Dorji Wangdi." bbs.bt [online] June 12, 2012 [cited January 27, 2014]; <http://www.bbs.bt/news?p=14014&print=1>.
8. International Labour Office. *Children in hazardous work: What we know, What we need to do*. Geneva, International Labour Organization; 2011. While country-specific information on the dangers children face in agriculture is not available, research studies and other reports have documented the dangerous nature of tasks in agriculture and their accompanying occupational exposures, injuries and potential health consequences to children working in the sector.
9. U.S. Department of State. "Bhutan," in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; <http://www.state.gov/j/tip/rls/tiprpt/countries/2013/215402.htm>.
10. U.S. Embassy- New Delhi. *reporting, March 6, 2013*.
11. Chhetri, KK. *Child Labour in Bhutan: The Challenges of Implementing Child Rights in Bhutan*. University of Gothenburg; May 29, 2011.
12. Government of Bhutan. *Labour and Employment Act of Bhutan 2007*, enacted 2007. <http://www.molhr.gov.bt/labouract.pdf> [source on file].
13. Government of Bhutan. *Regulation: Acceptable Forms of Child Labour*, enacted November 10, 2009. http://www.molhr.gov.bt/molhrsite/wp-content/uploads/2012/07/regulation_working_condt.pdf.
14. Government of Bhutan. *Penal Code of Bhutan*, enacted August 11, 2004. <http://www.judiciary.gov.bt/html/act/PENAL%20CODE.pdf>.
15. Government of Bhutan. *Child Care and Protection Act*, enacted 2011. <http://www.ncwc.org.bt/wp-content/uploads/2011/06/CCPB-Final-as-on-14th-may-2010.pdf> [source on file].
16. Government of Bhutan. *The Constitution of the Kingdom of Bhutan*. Thimphu; 2008. https://www.unodc.org/tldb/pdf/Bhutan_const_2008.pdf.
17. U.S. Embassy- New Delhi. *reporting, January 22, 2014*.
18. Royal Bhutan Police. *Woman and Child Protection Division*, [online] 2013 [cited March 7, 2014]; <http://www.rpb.gov.bt/wcpu.php>.
19. U.S. Department of State. "Bhutan," in *Country Reports on Human Rights Practices- 2012*. Washington, DC; April 19, 2013; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
20. Ministry of Labour and Human Resources. *Activities*, [online] 2013 [cited March 10, 2014]; http://www.molhr.gov.bt/molhrsite/?page_id=721.
21. UNODC. *Phuntsholing, Bhutan: Workshop on Anti Human Trafficking*, [online] 2013 [cited March 10, 2014]; <http://www.unodc.org/southasia/en/events/2013/phuntsholing-bhutan-workshop-on-anti-human-trafficking.html>.
22. UN Committee on the Elimination of Discrimination against Women. *Responses to the List of Issues and Questions with Regard to the Consideration of the Seventh Periodic Report: Bhutan*. Geneva; May 10, 2009. Report No. CEDAW/C/BTN/Q/7/Add.1. <http://www2.ohchr.org/english/bodies/cedaw/docs/CEDAW.C.BTN.Q.7.Add.1.pdf>.
23. U.S. Department of State official. E-mail communication to USDOL official. July 5, 2013.
24. National Commission for Women and Children. *Overview of National Commission for Women and Children*. Thimphu. http://209.61.208.233/LinkFiles/FCH_9.NCWC_BHU.pdf.
25. Gross National Happiness Commission. *Eleventh Five Year Plan 2013-2018*. Thimphu; 2013. <http://www.gnhc.gov.bt/wp-content/uploads/2011/04/11-FiveYearPlan.pdf>.
26. UNICEF. *UNICEF Annual Report 2012 for Bhutan*. New York. http://www.unicef.org/about/annualreport/files/Bhutan_COAR_2012.pdf.
27. World Food Program. *Development Project - Bhutan 200300*; 2013. http://one.wfp.org/operations/current_operations/project_docs/200300.pdf.
28. AusAID. *Australian Aid Activities in Bhutan*, Australian Government, [online] [cited January 27, 2014]; <http://www.ausaid.gov.au/countries/southasia/bhutan/Pages/bhutan-aid-activities.aspx>.
29. National Commission for Women and Children. *TA 9155 (BHU) Advancing Economic Opportunities of Women and Girls*, [previously online] [cited January 27, 2014]; http://www.ncwc.org.bt/?page_id=244; [source on file].
30. Asian Development Bank. *44134-012: Advancing Economic Opportunities of Women and Girls*. Manila; March 22, 2013. <http://www.adb.org/projects/44134-012/main>.