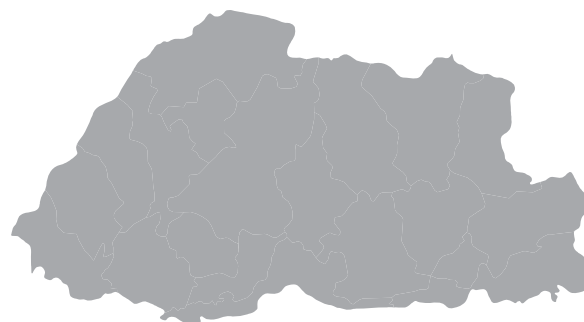


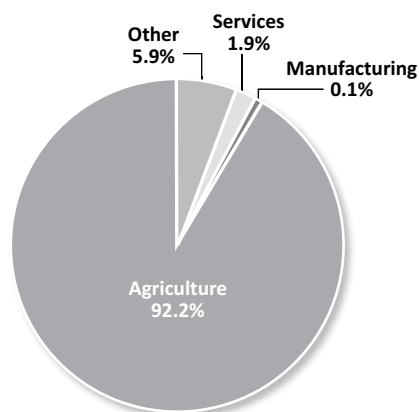
In 2011, Bhutan made a minimal advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the Government passed the Child Care and Protection Act and began a program to assess the current child protection system across the country. However, education is not compulsory and labor laws do not protect children working in domestic service. Children continue to engage in the worst forms of child labor in domestic service and in dangerous agricultural activities.



Statistics on Working Children and Education

Children	Age	Percent
Working	10-14 yrs.	19.6 (14,402)
Attending School	5-14 yrs.	69.0
Combining Work and School	10-14 yrs.	0.3
Primary Completion Rate		95.1

Working Children by Sector, Ages 5-14



Sources:

Primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2012.(1)

All other data: Understanding Children's Work Project's analysis of statistics from LSMS Survey, 2003.(2)

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Bhutan are engaged in the worst forms of child labor, especially in agriculture and domestic service.(3-5) Children working in agriculture may use dangerous tools, carry heavy loads and apply harmful pesticides.(6) Girls are more likely to be employed as child domestic workers in homes where they may be subjected to abuse and exploitation.(4, 7-9)

Reportedly, some children working as domestic servants live with their employers and are not allowed to return home.(7)

Although information is limited, reports indicate that some children are involved in construction and in mining or quarrying, sectors in which they face risk from dangerous machinery and tools, and exposure to dust and loud noise.(3, 10) Urban children sometimes work as street vendors or rag pickers.(3, 4) Children working on the streets are vulnerable to severe weather, traffic accidents and crime.(6)

Girls under age 18 are also reported to be involved in commercial sexual exploitation, although evidence is limited.(3, 4)

Laws and Regulations on the Worst Forms of Child Labor

The 2007 Labor and Employment Act of Bhutan set the minimum age for work at age 18. However, children ages 13 to 17 can work in non-hazardous activities.(3, 11) This exception effectively lowers the legal working age to 13, which is under the international standard.

The Regulation on Acceptable Forms of Child Labor outlines the list of work prohibited for those younger than age 18.(12) Although domestic service involves dangerous activities such as long hours of work and isolation in private homes, where children are susceptible to physical and sexual abuse, domestic service is not prohibited under the regulation.(4, 7-9, 21)

The Penal Code stipulates that anyone who subjects a child to economic exploitation or hazardous work will be guilty of child abuse, a misdemeanor carrying a minimum punishment of 1 year imprisonment.(13)

The Labor and Employment Act of Bhutan also protects children younger than age 18 from forced or compulsory labor, trafficking, use in armed conflict, prostitution, pornography, use by adults in illicit drug-related activities and any labor

that endangers their health, safety or morals.(11) The Penal Code prohibits commercial sexual exploitation and trafficking of children for prostitution and lays out penalties for these offenses.(14)

	C138, Minimum Age	No
	C182, Worst Forms of Child Labor	No
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	No
	Minimum Age for Work	18
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	No
	Free Public Education	Yes

In 2011, the Government passed the Child Care and Protection Act, which protects children in difficult circumstances, including those being or likely to be abused or exploited for immoral or illegal purposes.(15) The Act outlaws the use of children in illicit activities, begging, prostitution and the production of pornography. It also prohibits the sale of children and child trafficking.(15) The Act requires the Government to establish one-stop centers in hospitals to assist children who have had offenses committed against them and to expedite the legal process. The centers are mandated to include staffing by police, a psychiatrist, a social worker and legal counsel.(15) Research does not indicate whether these centers are in operation.

There is no age to which education is compulsory.(9) 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. Education is offered free by the Government for 11 years, but some children may have trouble accessing educational services because of the distance to schools, harsh terrain and informal fees.(10, 16-18) Some children are denied access to education because of the lack of birth registration; this problem is prevalent among Nepali Bhutanese children.(10, 19)

Institutional Mechanisms for Coordination and Enforcement

The National Commission for Women and Children (NCWC) is the lead agency that coordinates the promotion and protection of women and children.(3) It monitors issues of child labor nationwide.(20) The NCWC includes representatives from government agencies, law enforcement, the judiciary, civil society, media and business.(21)

The Department of Labor investigates child labor during routine and special inspections of workplaces. The Ministry of Labor and Human Resources is empowered to investigate child labor complaints and require employers to comply with child labor laws throughout the country.(13) Its Labor Protection Division is responsible for public awareness and enforcement of labor laws. Labor inspectors are based in Thimpu and in two regional offices.(22) The ministry has four labor inspectors in Thimpu and two inspectors in each region of Bhutan; it has requested 37 more labor inspectors over the next four years.(22) The labor inspectors investigate general working conditions, including child labor violations.(13) There is no information on the number of labor inspections, their findings or resulting actions taken.

Child labor laws are also enforced by the Home Ministry's Royal Bhutan Police.(20) The police's Woman and Child Protection Unit (WCPU) protects the rights of children and women in Bhutan. The WCPU also provides counseling services and refers victims to NGOs for assistance.(21) There is no information on the number of criminal worst forms of child labor investigations, prosecutions or victims assisted.

Government Policies on the Worst Forms of Child Labor

The Government's Tenth Five-Year Plan (2008-2013) addresses the issues of poverty reduction and education. The Plan proposes reducing poverty through income and employment generation, expanding rural access to markets and improving living conditions for the rural poor.(23) It also aims to increase school enrollment by establishing and improving local primary schools.(23) The question of whether this policy has an impact on child labor does not appear to have been addressed.

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

The NCWC manages a program called Project Hope, which provides residential shelters for children at risk of exploitative child labor.(5) The Project provides counseling, group therapy, and assistance to help children enroll in school.(24)

This program specifically targets children on the street, and therefore does not appear to be sufficient to provide services to all children vulnerable to or working in other areas including agriculture, domestic labor, construction or mining and quarrying.

In 2011, the NCWC began a mapping and assessment of the child protection system in Bhutan. The purpose of this project is to determine the laws, policies, regulations and services needed across the education, social welfare, health, security and justice sectors to safeguard child rights.(25) The mapping project will provide a baseline against which the implementation of the Child Care and Protection Act can be measured. The project runs from November 2011 through April 2012.(25)

A number of projects that address issues of poverty reduction and education are not specifically targeted to child laborers. The Ministry of Economic Affairs and the Department of Industries participated in a \$785,000 project to provide access to microfinance and development services for the poor. The project aims to help women and youth create micro, small and medium-sized enterprises.(26) In 2011, the NCWC began work on a 3-year, \$2.5 million Japan-funded project to provide

economic opportunities to women and girls. The project targets 960 youth to participate in apprenticeships and skills training for self-employment.(27)

The Government participates in an ongoing project to increase school enrollment in rural areas through providing food aid to households in exchange for sending children to school. The Australian-funded project began in 2001 and was funded for \$500,000 in 2011-2012.(28) In addition, UNICEF works with the Government on education issues by providing non-formal education, printing textbooks and assisting with the establishment of new schools.(17, 18, 29) The question of whether these programs have an impact on child labor does not appear to have been addressed.

Children must have proof of birth registration to attend school. However, those born in remote areas and those born to ethnic minorities are less likely to be registered.(9) As a result, and despite the efforts described above, some children are denied access to education. Furthermore, children of Nepali descent are unable to receive an education in their native language.(19) Research found no evidence of programs that address the need for birth registrations and for education in the Nepali language.

Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Bhutan:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Revise the Labor Law to comply with the international standard of the minimum age for work.	2010, 2011
	Enact laws to provide protections for children working in domestic service.	2009, 2010, 2011
	Make primary education compulsory to ensure children are attending school and are therefore less vulnerable to the worst forms of child labor.	2010, 2011
Coordination and Enforcement	Publish data on the number of labor investigations, child labor violations, criminal cases of the worst forms of child labor and child victims assisted.	2010, 2011
	Take steps to enforce free education and ensure that children are not required to pay informal educational fees.	2010, 2011
Policies	Assess the impact that the Tenth Five-Year Plan may have on child labor.	2009, 2010, 2011
Social Programs	Expand social programs to target children who work in agriculture, domestic labor, construction, and mining and quarrying.	2009, 2010, 2011
	Assess the impact that existing programs may have on child labor.	2010, 2011

Area	Suggested Actions	Year(s) Action Recommended
Social Programs	Assist rural families to apply for birth registration as a precursor to school enrollment.	2010, 2011
	Provide educational services in the Nepali language to encourage Nepali children to attend school and not enter into the worst forms of child labor.	2010, 2011

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