

In 2012, Bhutan made no advancement in efforts to eliminate the worst forms of child labor. The Government continued to support the South Asia Initiative to End Violence Against Children (SAIEVAC). Education is not compulsory, but the Government has made efforts to improve access to education, particularly in rural areas. However, there are no labor laws that protect children from working in domestic service. Children continue to engage in the worst forms of child labor, particularly in dangerous agricultural activities and in domestic service.

Statistics on Working Children and Education

Children	Age	Percent
Working	10-14 yrs.	3.8 (6,338)
Attending School	5-14 yrs.	84.7
Combining Work and School	10-14 yrs.	3.3
Primary Completion Rate		95.1

Sources:

Primary completion rate: Data from 2011, UNESCO Institute for Statistics, 2013.(1)

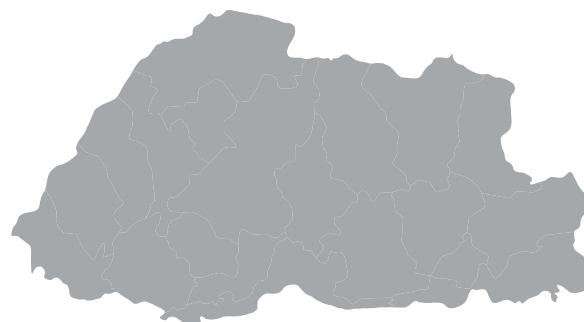
All other data: Understanding Children's Work Project's analysis of statistics from MICS 4 Survey, 2013.(2)

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Bhutan are engaged in the worst forms of child labor, particularly in dangerous activities in agriculture and domestic service.(3-7) Children working in agriculture may use dangerous tools and carry heavy loads.(7-9) Children who work in domestic service, typically girls, may be subjected to abuse and exploitation.(4, 10-12) Although information is limited, child domestic workers work long hours, are mistreated, and are poorly paid. Girls are reportedly trafficked into the country for domestic servitude.(13, 14) Furthermore, some children working as domestic servants live with their employers and are reportedly not allowed to return home.(10)

Although information is limited, reports indicate that some children are involved in construction and in mining or quarrying, sectors in which they are exposed to dangerous machinery, tools, dust, and loud noise.(3, 12)

Girls are also reported to be involved in commercial sexual exploitation, although evidence is limited.(3, 4) Reportedly, these young girls are subject to forced labor in karaoke bars known as



drayangs, 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.(14)

There are limited reports of urban children working on the streets, but specific information on hazards is unknown.(3, 4)

Laws and Regulations on the Worst Forms of Child Labor

The 2007 Labor and Employment Act of Bhutan sets the minimum age for work at 18. However, children ages 13 to 17 can work in non-hazardous activities.(3, 15) This exception effectively lowers the legal working age to 13, which is under the international standard.

International Conventions and Selected Laws on Child Labor and Education

	C138, Minimum Age	N/A
	C182, Worst Forms of Child Labor	N/A
	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

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The Regulation on Acceptable Forms of Child Labor outlines the list of work prohibited for those younger than age 18.(16) Domestic service is not prohibited under the regulation.

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 of imprisonment.(17)

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.(15) The Penal Code prohibits commercial sexual exploitation and trafficking of children for prostitution, and lays out penalties for these offenses.(18)

The Child Care and Protection Act protects children in difficult circumstances, which includes those being or likely to be abused or exploited for immoral or illegal purposes.(19) The Child Care and Protection 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.(19) 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.(19) Information was unavailable on whether these centers were operational during the reporting period.(20)

There is no age to which education is compulsory.(12) 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. The Bhutanese Constitution establishes free education for every citizen for 11 years, and the Government is working with UNESCO and other ILO partners to improve access to educational facilities.(21-24) In 2012, the Secretary of Education reported that all population clusters in Bhutan were within walking distance of a school. However, some children are denied access to education because of the lack of birth registration; this problem is prevalent among Nepali-speaking Bhutanese children.(12, 25)

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.(26) The NCWC includes representatives from government agencies, law enforcement, the judiciary, civil society, media, and business.(27)

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 requires employers to comply with child labor laws throughout the country.(17) Labor inspectors are not permitted to inspect private homes and have reported that this makes it challenging to track child domestic workers.(28) According to the Government, the practice of hiring child domestic workers has been reduced given improvements in education. The Ministry of Labor and Human Resources' Labor Protection Division is responsible for public awareness and enforcement of labor laws.(29) Labor inspectors are based in Thimphu and in two regional offices. The ministry has four labor inspectors in Thimphu and two inspectors in each region of Bhutan; in 2011, it requested 37 more labor inspectors for the subsequent 4 years.(29) Information was unavailable on whether this request was approved.(20) The labor inspectors investigate general working conditions, including child labor violations.(17) There is no available 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.(26) The Police's Woman and Child Protection Unit (WCPU) has established women and child protection units to implement laws protecting women and children.(9) The WCPU also provides counseling services and refers victims to the NCWC and NGOs for assistance.(20, 27) Though these units reportedly provide legal assistance to victims, there is no information on the number of criminal worst forms of child labor investigations, prosecutions, or victims assisted.(20)

There is 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 in the prevention of cross-border trafficking in persons regionally. During the reporting period, one case of a minor female trafficking victim was identified, registered, and referred to the Bhutanese NGO Respect, Educate, Nurture and Empower Women (RENEW) shelter home to receive rehabilitation services. The Government provided no further details regarding this case.(14)

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.(30) It also aims to increase school enrollment by establishing and improving local primary schools.(30) The question of whether this policy has an impact on child labor does not appear to have been addressed.

In 2012, as part of the SAIEVAC, a regional initiative of South Asian countries, the Government of Bhutan supported the signing of an MOU between the SAIEVAC and the ILO. The purpose of the MOU is to (1) reinforce cooperation on current efforts on child rights and protection between the SAIEVAC and the ILO through improved information sharing, (2) support the implementation of the SAIEVAC's 5-year workplan, (3) promote protections in line with ILO C. 138 and ILO C. 182 in each country-specific context, and (4) support the implementation of commitments to promote child rights made by member states of the South Asian Association for Region Cooperation (SAARC).(31, 32)

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 specifically targets children on the street and provides counseling, group therapy, and assistance to help children enroll in school.(9, 33)

In 2011, the NCWC began a mapping and assessment of the child protection system in Bhutan. The purpose of this project

was to determine the laws, policies, regulations, and services needed across the education, social welfare, health, security, and justice sectors to safeguard child rights.(34) The mapping project was intended to provide a baseline against which the implementation of the Child Care and Protection Act can be measured. The project ran from November 2011 through April 2012.(34) No information was available on the status of this project during the reporting period.

A number of projects that address issues of poverty reduction and education are not specifically targeted to child laborers. In 2012, the NCWC continued work on a 3-year, \$2.5 million Japan-funded project to provide economic opportunities to women and girls. The project targets 960 youths to participate in apprenticeships and skills training for self-employment.(35, 36) The Government supports two NGO efforts to address barriers to education.(28) The Youth Development Fund (YDF) provides scholarships to students from families who live below the poverty line, and the Tarayana Foundation's Scholarship Program provides uniforms, shoes, and books to school children in need.(28)

The Government participates in an ongoing project to increase school enrollment in rural areas by providing food aid to households in exchange for sending children to school. The Australian-funded project began in 2001 and will contribute \$500,000 in 2012-2013.(37) 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.(22, 23, 38) The question of whether these programs have had 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.(12) As a result, and despite the efforts described above, some children are denied access to education.(25) Research uncovered no evidence of programs that address the need for birth registrations.

Despite these efforts, research found no evidence of programs to address specifically the worst forms of child labor in agriculture, domestic labor, construction, and mining and quarrying.

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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, 2012
	Enact laws to provide protections for children working in domestic service.	2009, 2010, 2011, 2012
	Make primary education compulsory to ensure children are attending school and are therefore less vulnerable to the worst forms of child labor.	2010, 2011, 2012
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, 2012
Policies	Assess the impact that the Tenth Five-Year Plan may have on child labor.	2009, 2010, 2011, 2012
Social Programs	Create social programs to target children who work in agriculture, domestic labor, construction, and mining and quarrying.	2009, 2010, 2011, 2012
	Assess the impact that existing programs may have on child labor.	2010, 2011, 2012
	Assist rural families to apply for birth registration as a precursor to school enrollment.	2010, 2011, 2012
	Take steps to improve access to education for populations that lack proper birth registration.	2012

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