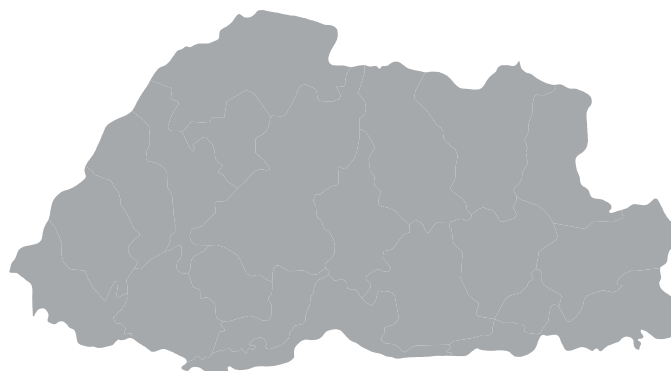


In 2014, Bhutan made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government and UNODC launched the Enhance Government and Civil Society Responses to Counter Trafficking in Persons program. The Government also worked with UNDAF to launch the Bhutan One Program, which includes initiatives to prevent and respond to violence, abuse, exploitation, and neglect of children. However, children in Bhutan are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in forced domestic work. Bhutan's minimum age for work is inconsistent with international standards and education is not compulsory. Law enforcement agencies did not provide any data on actions to combat child labor, including its worst forms.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Bhutan are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in forced domestic work.(1) 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 (%) | | 101.3 |

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(2)

Source for all other data: Understanding Children's Work Project's analysis of statistics from MICS 4 Survey, 2010.(3)

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, 4-6) |
| Industry | Mining†* (4) |
| | Construction,†* activities unknown (1, 4) |
| Services | Domestic work (1, 4-7) |
| | Hotel* and restaurant service* (1, 4) |
| | Forced domestic work sometimes as a result of human trafficking* (1, 8, 9) |
| Categorical Worst Forms of Child Labor‡ | Forced labor in karaoke bars* sometimes as a result of human trafficking* (8, 10) |
| | Commercial sexual exploitation* (4, 7) |

* 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.

There is a lack of current data on child labor in Bhutan. To date, no national survey on child labor has been conducted. There is evidence that some children working and living in third party residences are not allowed to return home.(9) It is reported that young girls are subject to forced labor in karaoke bars. Evidence suggests that some girls are trafficked from rural areas to sing in karaoke bars, where they are subject to commercial sexual exploitation.(7)

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The Government provides free education to all Bhutanese citizens; however, children living in remote villages face significant difficulties in accessing public schools, which may increase their vulnerability to labor exploitation.(11)

II. LEGAL FRAMEWORK FOR 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 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 | Section 171 of the Labor and Employment Act (12) |
| Minimum Age for Hazardous Work | Yes | 18 | Sections 170 and 171 of the Labor and Employment Act (12) |
| Prohibition of Hazardous Occupations or Activities for Children | Yes | | Section 9 of the Regulation on Acceptable Forms of Child Labor (13) |
| Prohibition of Forced Labor | Yes | | Section 9 of the Labor and Employment Act (12) |
| Prohibition of Child Trafficking | Yes | | Section 225 of the Child Care and Protection Act; Sections 227, 379, and 280 of the Penal Code (14, 15) |
| Prohibition of Commercial Sexual Exploitation of Children | Yes | | Section 9 of the Labor and Employment Act; Sections 223 and 224 of the Child Care and Protection Act; Sections 225, 379 and 280 of the Penal Code (12, 14, 15) |
| Prohibition of Using Children in Illicit Activities | Yes | | Section 221 of the Child Care and Protection Act (15) |
| Minimum Age for Compulsory Military Recruitment | N/A* | | |
| Minimum Age for Voluntary Military Service | Yes | 18 | Legislative title unknown (16) |
| Compulsory Education Age | No | | |
| Free Public Education | Yes | | Article 9.16 of the Constitution of the Kingdom of Bhutan (17) |

*No conscription (17)

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

There is no compulsory age for education. The lack of standards in this area may increase the risk of children's involvement in child labor.

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 |
|---|--|
| Ministry of Labor and Human Resources (MOLHR) | Investigate child labor complaints and ensure employers comply with child labor laws. Refer cases involving the worst forms of child labor to the police.(18) |
| Royal Bhutan Police | Investigate and enforce criminal laws relating to the worst forms of child labor.(19) Refer abused and exploited children to Child Welfare Officers and the National Commission for Women and Children (NCWC).(15, 20) |
| Women and Child Protection Unit | Enforce laws protecting women and children as a separate unit within the Royal Bhutan Police.(1, 21) Refer abused and exploited children to Child Welfare Officers and NCWC.(15, 20) |
| Child Welfare Officers | Protect and assist children in difficult circumstances, including children abused and exploited for illegal purposes.(15) |
| Royal Court of Justice | Adjudicate criminal and civil cases, including violations involving children.(22) |

The Government provided no data showing that law enforcement agencies in Bhutan took actions to combat child labor, including its worst forms.

Labor Law Enforcement

In 2014, labor inspections were carried out but no data were provided on the actions taken to enforce child labor laws.(19) In 2011, the most recent year for which information is available, there were four labor inspectors in Thimphu and two inspectors in each of Bhutan's two regional offices.(18) The Ministry of Labor and Human Resources (MOLHR) has reported that there is an insufficient number of trained labor officers to enforce the labor laws.(23) Information is not available on child labor law training and the funding level of MOLHR.

Information is not available on the number, type, frequency, location, and quality of labor inspections, as well as whether MOLHR received complaints of labor law violations.(19) Information is not available about whether a referral mechanism exists between the MOLHR and social welfare services, such as Child Welfare Officers or the National Commission for Women and Children (NCWC). Information is also not available on the incidents involving child labor law violations and how many penalties or citations were issued during the reporting period.(19)

Criminal Law Enforcement

Information is not available on the number and training of investigators responsible for enforcing criminal laws on the worst forms of child labor.(19) No investigations; prosecutions; or convictions involving forced labor, human trafficking, and commercial sexual exploitation were reported by the Government.(19, 24)

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

Although the Government has established a coordination mechanism for protecting exploited children, research found no evidence of 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 | Coordinate the implementation of policies involving abused and exploited women and children. Advise the Government on legislation and policies for the protection of women and children.(25) Composed of a chairperson and commissioners who represent relevant government agencies and nongovernment sectors.(25) |

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).

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Table 7. Policies Related to Child Labor

| Policy | Description |
|---|---|
| UNDAF Bhutan One Program (2014–2018) *† | Serves as a framework for supporting Bhutan's national development goals that target the poor and disadvantaged. Includes initiatives to prevent and respond to violence, abuse, exploitation, and neglect of children.(26) |
| National Plan of Action for Child Protection* | Sets out strategies for establishing a comprehensive child protection system, including passing new legislation, improving service delivery, increasing human resource capacity, instituting coordination mechanisms, increasing communication and advocacy, and collecting data and information.(27) |
| National Youth Policy* | Provides a framework for the promotion of youth development, including increased access to education, training, employment, and financial services. Targets out-of-school youth, domestic workers, and girls working in karaoke bars.(28) |
| National Education Policy* | Specifies the Government's education policy regarding curriculum, admission procedures, student health and safety, career counseling, and nonformal education.(29) |
| Eleventh 5-Year Plan (2013–2018)* | Establishes a strategic framework for increasing economic development, reducing of youth unemployment, improving the quality of education, and curbing corruption.(30) |

* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Bhutan funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

| Program | Description |
|---|---|
| Project Hope‡ | NCWC program that provides residential shelters for children at risk of exploitative child labor. Targets children on the street and provides counseling, group therapy, and assistance to help children enroll in school.(18) |
| Trafficking Victims Shelter‡ | Respect, Education, Nurture, and Empower Women (RENEW), a Thimphu-based NGO, receives government funding to provide shelter, counseling, and rehabilitation for women and child trafficking victims.(18) |
| Enhance Government and Civil Society Responses to Counter Trafficking in Persons† | UNODC and Government program that seeks to increase capacity to combat trafficking in persons. Includes six components: (1) anti-human trafficking laws; (2) train criminal law enforcement officers on victim identification, investigation, and prosecution; (3) formalize a Standard Operating Protocol for investigating trafficking cases; (4) train law enforcement on victim treatment and reintegration; (5) establish transit homes for human trafficking victims; and (6) raise public awareness of human trafficking issues.(24) |
| Advancing Economic Opportunities for Women and Girls*‡ | NCWC program that provides economic opportunities to women and girls. Targets 960 youth to participate in apprenticeships and skills training for self-employment.(31, 32) |
| Child Protection System Strengthening* | UNICEF program that works to strengthen Bhutan's child protection system through capacity building trainings. Supports the implementation of a National Plan of Action for Child Protection.(33) |
| Improving Rural Children's Access to Basic Education with Focus on Primary Education* | WFP-funded, \$8.58 million program that provides financial support to rural primary schools. Aims to increase primary school enrollment, retention, and graduation through the provision of school breakfasts and lunches. Implemented in 232 schools across the country, reaches 37,000 children annually, and supports school construction and kitchen improvements.(18, 34) |
| Rural Economy Advancement Program*‡ | Government program that develops sustainable livelihoods in Bhutan's 126 poorest villages by diversifying crop cultivation, providing skills development training, and forming self-help groups.(30) |
| National Rehabilitation Program*‡ | Office of the 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.(30) |

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

† Policy was launched during the reporting period.

‡ Program is funded by the Government of Bhutan.

The Government of Bhutan has implemented programs that target children at risk for exploitative labor and child victims of human trafficking, but there is no data on specific sectors such as agriculture and domestic service. There is no data on social programs targeting children involved in the worst forms of child labor, including domestic servitude, forced labor in karaoke bars, and commercial sexual exploitation.

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

Based on the reporting above, suggested actions are identified 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 |
|---------------------|--|-------------------|
| Legal Framework | Ratify the Palermo Protocol on Trafficking in Persons | 2013 – 2014 |
| | Ensure that the law complies with the international standard of the minimum age for work. | 2010 – 2014 |
| | Make primary education compulsory and harmonized with the minimum age for work. | 2010 – 2014 |
| Enforcement | Publish data on the number of labor inspections, number of child labor law violations, and number of citations issued and penalties assessed for child labor law violations. | 2010 – 2014 |
| | Ensure that MOLHR has the resources and training necessary to enforce labor laws and to combat child labor, including its worst forms. | 2014 |
| | Establish a mechanism for MOLHR to refer child employed in violation of labor laws to child welfare service providers. | 2014 |
| | Publish data on the number and training of investigators, investigations, and prosecutions and convictions of crimes, involving the worst forms of child labor. | 2010 – 2014 |
| Coordination | Establish a coordinating mechanism to combat child labor, including its worst forms. | 2014 |
| Government Policies | Integrate child labor elimination and prevention strategies into existing social protection policies. | 2014 |
| Social Programs | Conduct a national child labor survey. | 2013 – 2014 |
| | Implement programs to make education more accessible for children living in remote locations. | 2014 |
| | Assess the impact that existing social programs may have on child labor. | 2010 – 2014 |
| | Create social programs to target working children, particularly in agriculture and forced domestic work, and children engaged in the worst forms of child labor. | 2009 – 2014 |

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