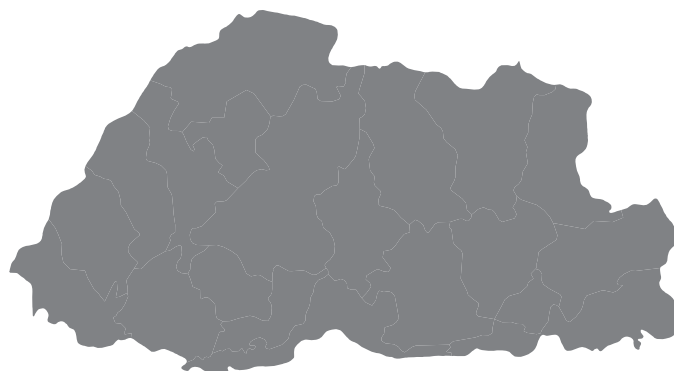


In 2022, Bhutan made moderate advancement in efforts to eliminate the worst forms of child labor. The Royal Government of Bhutan ratified the Palermo Protocol and the United Nations Protocol Against Smuggling of Migrants by Land, Sea, and Air. Additionally, it conducted anti-trafficking training programs for 72 judges and carried out 7 awareness programs on countering human trafficking for over 2,600 students. However, children in Bhutan are subjected to the worst forms of child labor, including commercial sexual exploitation, sometimes as a result of human trafficking, and forced domestic work. Bhutan's minimum age for work of 13 does not meet international standards and education is not compulsory. In addition, the government has not adopted a national policy to address child labor, including its worst forms, and the government did not publicly release information on its labor or criminal law enforcement efforts.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

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 to 14	3.8 (6,338)
Attending School (%)	5 to 14	84.7
Combining Work and School (%)	7 to 14	3.3
Primary Completion Rate (%)		89.8

Source for primary completion rate: Data from 2021, published by UNESCO Institute for Statistics, 2023. (1)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 4 (MICS 4), 2010. (2)

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 (3)
Industry	Construction,† activities unknown (4,5)
Services	Domestic work (3,6)
	Work in hospitality services, including restaurants (3,6,7)
	Work in automobile workshops (6)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, as a result of human trafficking (6)
	Forced domestic work, including forced caregiving (3,6)

† 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. Bhutanese girls are victims of sex and labor trafficking, including for forced domestic work and caregiving. (6) Some are also trafficked into debt bondage and face threats of physical abuse. (6,8) Media outlets have reported instances of child labor, including some indications of forced child labor, in Bhutan's restaurants and automobile workshops. In addition, some Indian children are trafficked into Bhutan for the purpose of domestic servitude. (6,8)

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The Royal Government of Bhutan (RGOB) provides free education to all children in Bhutan until grade 10. (9,10) While the RGOB committed to achieving universal student attendance in its 12th Five-Year Plan (2018–2023), research was unable to determine whether that objective has been implemented. (9,11) Children living in remote villages, from nomadic communities or migrant populations, and those with disabilities face significant difficulties in accessing public schools due to lack of transportation. (7,9-12) Although they have access to primary education, a small number of children who are stateless also lack access to the documentation necessary to enroll in higher education, making them more vulnerable to child labor and human trafficking. (3,7,13)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Bhutan has ratified most key international conventions concerning child labor (Table 3). Bhutan is not a member of the ILO.

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	✓

During the reporting period, the RGOB ratified the Palermo Protocol; the UN Convention Against Transnational Organized Crime; and the UN Protocol Against the Smuggling of Migrants by Land, Sea, and Air. (9,14)

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Bhutan’s legal framework to adequately protect children from the worst forms of child labor, including setting the minimum age for work at 13 years old.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	13	Sections 170 and 171 of the Labor and Employment Act; Regulation on Working Conditions 2012: Acceptable Forms of Child Labor (15,16)
Minimum Age for Hazardous Work	Yes	18	Sections 170 and 171 of the Labor and Employment Act (15)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 9(e) of the Labor and Employment Act; Section 9 of the Regulation on Working Conditions 2012: Acceptable Forms of Child Labor (15,16)
Prohibition of Forced Labor	No		Amendment 9 of Penal Code (Amendment) Act of Bhutan 2021; Section 11 of Acceptable Forms of Child Labor 2009; Sections 6–8, 9(a), and 10 of the Labor and Employment Act; Sections 154 and 155 of the Penal Code; Preamble and Sections 221 and 224 of the Child Care and Protection Act (15-19)
Prohibition of Child Trafficking	No		Section 9(a) of the Labor and Employment Act; Sections 221 and 224 of the Child Care and Protection Act; Amendment 9 of Penal Code (Amendment) Act of Bhutan 2021; Sections 154, 379, and 380 of the Penal Code (15,18-20)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 9(b) of the Labor and Employment Act; Sections 222–224 of the Child Care and Protection Act; Sections 225 and 375–380 of the Penal Code (15,17,18)
Prohibition of Using Children in Illicit Activities	Yes		Section 9(c) of the Labor and Employment Act; Sections 216 and 220 of the Child Care and Protection Act (15,17-19)

Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Minimum Age for Voluntary State Military Recruitment	Yes	18	Defense Service Rules and Regulations (20)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Section 9(a) of the Labor and Employment Act (15)
Compulsory Education Age	No		
Free Public Education	Yes		Article 9.16 of the Constitution of the Kingdom of Bhutan (21)

* Country has no conscription (20)

Bhutan's minimum age for work is not compliant with international standards because the Labor and Employment Act allows children age 13 to enter the labor force. (15) Although Bhutan provides free education through grade 10, attendance is not compulsory, which may increase the risk of children's involvement in child labor. (7,9,10,22) Laws prohibiting forced labor are also not sufficient as they do not criminalize slavery. (16,17) In addition, while the Bhutanese Parliament passed the Penal Code (Amendment) Act of Bhutan 2021, which amended the legal definition of human trafficking to make the legislation consistent with international standards for adults, it still includes the necessity of force, fraud, or coercion in child trafficking cases. (3,19,23,24) Moreover, although the RGOB reports that the minimum age for voluntary recruitment into Bhutan's military is age 18, the relevant Defense Service Rules and Regulations were not available for public review. (20,24)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of enforcement agencies that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role & Activities
Ministry of Labor and Human Resources (MOLHR)	Investigates child labor complaints and ensures that employers comply with child labor laws. Refers cases involving the worst forms of child labor to the police. (3,22) Regularly inspects companies for compliance with the Labor and Employment Act. Regulations on working conditions cover issues related to child labor, hours of work, and penalties. (25)
Royal Bhutan Police	Investigates and enforces criminal laws related to the worst forms of child labor. Includes 3 dedicated Women and Child Protection Units and 10 Women and Child Protection Desks tasked with enforcing laws protecting women and children. (3,26) Refers survivors of child abuse and exploitation to child welfare officers and the National Commission for Women and Children. (3,18)
Child Justice Court	Adjudicates criminal and civil cases involving child labor. (3,18)

Labor Law Enforcement

In 2022, labor law enforcement agencies in Bhutan took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Human Resources (MOLHR) that may hinder adequate labor law enforcement, including insufficient financial and human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2021	2022
Labor Inspectorate Funding	\$180,360† (22)	Unknown (9)
Number of Labor Inspectors	23† (22)	23 (9)
Mechanism to Assess Civil Penalties	Yes (15)	Yes (15)

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2021	2022
Training for Labor Inspectors Provided	Yes (22)	Yes (9)
Number of Labor Inspections Conducted at Worksite	998† (22)	Unknown (9)
Number of Child Labor Violations Found	Unknown (22)	Unknown (9)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (22)	N/A (9)
Number of Child Labor Penalties Imposed that Were Collected	N/A (22)	N/A (9)
Routine Inspections Conducted	Yes (22)	Yes (9)
Routine Inspections Targeted	No (22)	Yes (9)
Unannounced Inspections Permitted	Yes (15)	Yes (15)
Unannounced Inspections Conducted	Yes (22)	Yes (9)
Complaint Mechanism Exists	Yes (22)	Yes (9)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (22)	Yes (9)

† Data from July 2020–June 2021.

MOLHR officials acknowledged that limited financial and human resources place constraints on how many inspectors can be employed and on the number of inspections that can be conducted. (27) Reports noted that adequate training and refresher courses for inspectors were not provided due to budget issues. (7,22) Furthermore, labor inspectors are not allowed to carry out inspections on private farms or in homes. In some cases, exceptions are made if underage child labor is suspected. (3)

Criminal Law Enforcement

In 2022, criminal law enforcement agencies in Bhutan took actions to address child labor (Table 7). However, gaps exist within the operations of criminal enforcement agencies that may hinder adequate criminal law enforcement, including a lack of data on criminal law enforcement efforts.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2021	2022
Training for Criminal Investigators Provided	Unknown (22)	Unknown (9)
Number of Investigations	Unknown (22)	Unknown (9)
Number of Prosecutions Initiated	Unknown (22)	Unknown (9)
Number of Convictions	Unknown (22)	Unknown (9)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (22)	Unknown (9)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (22)	Unknown (9)

The Government of Bhutan did not respond to requests for information on its criminal law enforcement efforts for inclusion in this report. However, during the reporting period the government, in partnership with the UNODC and the Bhutan National Legal Institute, facilitated a training program with introductory courses on human trafficking for 72 judges. (9) The UNODC also provided a separate training for 25 police officers. (9)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established a key mechanism to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including a lack of efficacy in accomplishing mandates.

Table 8. Key Mechanism to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Activities
Child Labor Task Force	Coordinates government efforts on child labor across multiple government agencies and ministries. Led by MOLHR, and comprises representatives from government, international organizations, civil society, and the private sector. Research was unable to determine whether the Child Labor Task Force was active during the reporting period.

Bhutan government’s National Commission for Women and Children (NCWC) coordinates the implementation of laws and policies that promote and protect the rights of women and children. (28) During the reporting period, NCWC launched a multi-sectoral campaign to end violence against children, which will be implemented by a consortium of 14 governmental and non- governmental organizations. (29) The commission also launched the Internal Child Safeguarding and Protection framework with support from Save the Children. The framework establishes awareness programs for school principals on child protection issues. (9) However, budget cuts have hampered the NCWC’s ability to effectively implement its programs, including providing shelter homes for children. Bhutanese officials have also commented on the lack of protection, probation, and child welfare officers due to the budget cuts. (30,31)

V. GOVERNMENT POLICIES ON CHILD LABOR

Research found no evidence that the government has established policies to address child labor. (22)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2022, the government funded and participated in programs that may contribute to eliminating or preventing child labor (Table 9). However, gaps exist in these social programs, including the inadequacy of programs to address the problem in all sectors.

Table 9. Key Social Programs to Address Child Labor

Program	Description & Activities
Women and Children Hotlines†	Respond to issues related to women and children, including human trafficking cases, and provide emergency assistance and referral services. (25) One hotline is run through the National Commission for Women and Children (NCWC) and is managed by a team of counselors, providing counseling and legal services. MOLHR also has a hotline that can receive anonymous complaints about child labor abuses. MOLHR’s online system is for employers and employees to report complaints and accidents. (26) Research was unable to determine if the hotlines were operational during the reporting period.
Shelters for Vulnerable Women and Children†	Includes Respect, Educate, Nurture, and Empower Women (RENEW), a Thimphu-based NGO that receives government funding, and provides shelter, counseling, and survivor services for women and children who have been victims of human trafficking. (27) The Nazhoen Lamtoen Children Halfway Home also provides shelter, counseling, and support services to children, in part through government funding. (32,33) Both shelters were operational during the reporting period. (34)
Promoting Rights-Based Multi-Sectoral Responses to Prevent Trafficking in Persons in Bhutan (2019–2022)	Program funded by the USDOS Trafficking in Persons Office and implemented by the UNODC to improve Bhutanese police investigation skills regarding human trafficking cases, improve information sharing, and implement the government’s Standard Operating Procedure for Multi-Sectoral Responses to Prevent Trafficking in Persons in Bhutan. (27) During the reporting period, the government, in collaboration with the UNODC, conducted 7 awareness programs on countering human trafficking for over 2,600 students. (35)

For information about USDOL’s projects to address child labor around the world, visit <https://www.dol.gov/agencies/ilab/ilab-project-page-search>

† Program is funded by the Royal Government of Bhutan.

Although the 12th Five-Year Plan (2018–2023) has a goal to achieve universal student attendance and improve education for primary students by 2023, research was unable to determine whether the plan has been implemented. (11,22) In addition, while Bhutan has programs that address child labor, research found that the scope of these programs is insufficient to fully address the extent of the problem in all relevant sectors, particularly regarding child labor in agriculture, domestic work, and commercial sexual exploitation.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Bhutan (Table 10).

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Table 10. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Increase the minimum age for work from age 13 to age 15 to meet international standards.	2010 – 2022
	Ensure that laws prohibiting forced labor criminalize slavery.	2021 – 2022
	Make primary education compulsory and establish a compulsory age for education that is the same as the minimum age for work.	2010 – 2022
	Criminally prohibit child trafficking without needing proof of the use of force, fraud, or coercion.	2018 – 2022
	Make publicly available the legal statute that prohibits the recruitment of children under age 18 into Bhutan's military.	2018 – 2022
Enforcement	Ensure that the Ministry of Labor and Human Resources has adequate financial and human resources to employ enough labor inspectors, provide adequate training and refresher courses to inspectors, and carry out an adequate number of labor inspections.	2014 – 2022
	Ensure inspections are allowed based on analysis of data related to risk-prone sectors and patterns of serious incidents, including on private farms and in homes.	2021 – 2022
	Publish criminal law enforcement information, including training for criminal investigators and the number of investigations, prosecutions, convictions, and penalties imposed.	2010 – 2022
	Publish labor law enforcement information, including labor inspectorate funding, number of labor inspectors, number of inspections conducted at worksites, and the number of child labor violations found. Ensure that data are disaggregated by labor violation type and penalties imposed.	2021 – 2022
	Publish information about the referral mechanism between criminal authorities and social services.	2021 – 2022
Coordination	Publish information on the activities undertaken by the Child Labor Task Force.	2019 – 2022
	Ensure that the National Commission for Women and Children receives enough funding to effectively implement its programs, including providing shelter, protection, probation, and child welfare services to children.	2022
Government Policies	Adopt a comprehensive policy or national action plan that addresses the worst forms of child labor and includes child labor prevention strategies.	2014 – 2022
Social Programs	Conduct a national child labor survey, including research to determine child labor activities in farming and construction, and publish the results.	2013 – 2022
	Implement programs to make education more accessible for stateless children, children living in remote locations, children from nomadic communities and migrant populations, and children with disabilities, including by improving transportation to schools and ensuring that children have access to identity documents for school enrollment.	2014 – 2022
	Publish information about the activities undertaken to implement the 12th Five-Year Plan on an annual basis.	2022
	Publish information on whether hotlines and shelters are operational, including the number of survivors served by each program.	2022
	Create social programs that contribute to eliminating or preventing child labor, including in agriculture, domestic work, and commercial sexual exploitation.	2009 – 2022

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