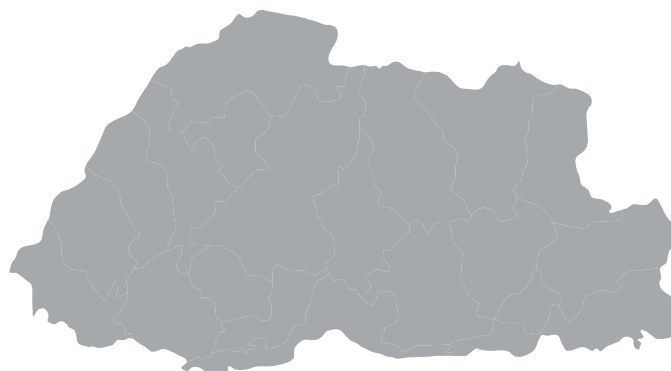


In 2016, Bhutan made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government increased the number of labor inspectors and established a coordinating mechanism that developed a national child labor action plan. Although research is limited, there is evidence that children in Bhutan perform dangerous tasks in agriculture, and engage 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. The Government also has not adopted a national policy to address child labor, including its worst forms.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Bhutan perform dangerous tasks in agriculture and engage in the worst forms of child labor, including in forced domestic work.(1-3) Table 1 provides key indicators on children's work and education in Bhutan. Data on some of these indicators are not available from the sources used in this report.

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 (%)		97.0

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from the Multiple Indicator Cluster Survey 4, 2010.(5)

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, 6-8)
Industry	Construction,† activities unknown (3)
Services	Domestic work (3, 6-10)
	Work in shops, restaurants, hotel service, and automobile repair (3, 8, 10)
Categorical Worst Forms of Child Labor‡	Forced domestic work, sometimes as a result of human trafficking (1, 3)
	Forced labor in karaoke bars, sometimes as a result of human trafficking (1, 11)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1)
	Use in illicit activities, including the smuggling of tobacco (10)

† 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.

While the Government provides 11 years of free education to all Bhutanese citizens, children living in remote villages face significant difficulties in accessing public schools, which may increase their vulnerability to labor exploitation.(8, 12)

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). However, gaps exist in Bhutan's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	13	Sections 170 and 171 of the Labor and Employment Act; Section 7 of the Regulation on Acceptable Forms of Child Labor (13, 14)
Minimum Age for Hazardous Work	Yes	18	Sections 170 and 171 of the Labor and Employment Act (13)
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 Acceptable Forms of Child Labor (13, 14)
Prohibition of Forced Labor	Yes		Sections 6 and 9(a) of the Labor and Employment Act; Sections 154, 227, and 379 of the Penal Code; Section 221 of the Child Care and Protection Act (13, 15, 16)
Prohibition of Child Trafficking	Yes		Section 9(a) of the Labor and Employment Act; Sections 221 and 224 of the Child Care and Protection Act; Sections 227, 379 and 380 of the Penal Code (13, 15, 16)
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, 375–380 of the Penal Code (13, 15, 16)
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 (13, 16)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Defense Service Rules and Regulation (17)
Non-state Compulsory	Yes	18	Section 9(a) of the Labor and Employment Act (13)
Compulsory Education Age	No		
Free Public Education	Yes		Article 9.16 of the Constitution of the Kingdom of Bhutan (18)

* No conscription (18)

The minimum age for work is not in compliance with international standards because the Labor and Employment Act allows children under age 14 to work.(13) Bhutan has no compulsory age for education, which 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). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

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.(19)
Royal Bhutan Police	Investigate and enforce criminal laws relating to the worst forms of child labor.(20) Includes three Women and Child Protection Units and eight Women and Child Protection Desks to enforce laws protecting women and children.(8, 21, 22) Refer abused and exploited children to child welfare officers and the National Commission for Women and Children.(16, 23)
Child Welfare Officers	Protect and assist children in difficult circumstances, including children abused and exploited for illegal purposes.(16)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Bhutan took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$45,000 (8)	\$27,000 (8)
Number of Labor Inspectors	20 (10)	27 (8)
Number of Child Labor Dedicated Inspectors	1 (10)	1 (8)
Inspectorate Authorized to Assess Penalties	Yes (10)	Yes (8)
Training for Labor Inspectors		
Initial Training for New Employees	No (10)	No (8)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (10)	Yes (8)
Number of Labor Inspections	2,000 (10)	2,434 (8)
Number Conducted at Worksite	2,000 (10)	2,434 (8)
Number Conducted by Desk Reviews	0 (10)	0 (8)
Number of Child Labor Violations Found	0 (10)	0 (8)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (10)	0 (8)
Number of Penalties Imposed That Were Collected	0 (10)	0 (8)
Routine Inspections Conducted	Yes (10)	Yes (8)
Routine Inspections Targeted	Yes (10)	Yes (8)
Unannounced Inspections Permitted	Yes (10)	Yes (8)
Unannounced Inspections Conducted	Yes (10)	Yes (8)
Complaint Mechanism Exists	Yes (10)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (8)

The Ministry of Labor and Human Resources has reported that limited resources place constraints on the number of inspections conducted and inspectors employed.(8)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Bhutan took actions to combat the worst forms of child labor (Table 7).

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Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown* (8)	Unknown* (8)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	No (24)	Unknown* (8)
Number of Investigations	Unknown* (10)	Unknown* (8)
Number of Violations Found	Unknown* (10)	Unknown* (8)
Number of Prosecutions Initiated	Unknown* (10)	Unknown* (8)
Number of Convictions	Unknown* (10)	Unknown* (8)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	Yes (8)

* The Government does not publish this information.

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 8).

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

Coordinating Body	Role & Description
Interagency Task Force*	Coordinate the development and drafting of a national child labor action plan. Led by the MOLHR and the National Commission for Women and Children (NCWC). Collaborate with multiple government ministries and agencies. Consists of a national committee and a regional committee.(25)
National Commission for Women and Children	Coordinate the implementation of policies concerning abused and exploited women and children. Advise the Government on legislation and policies for the protection of women and children.(26) Comprises a chairperson and commissioners who represent relevant government agencies and non-government sectors.(26)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

Research found no evidence that the Government has established policies to address child labor, including its worst forms. In 2016, the Interagency Task Force drafted a national child labor action plan that is expected to be finalized in 2017.(8) The Government also hosted the South Asia Initiative to End Violence Against Children regional consultation on achieving Sustainable Development Goal 8.7 that focuses on ending child labor, forced labor, modern slavery, and human trafficking.(27)

The Government had policies that may have addressed child labor issues or had an impact on child labor; however, child labor elimination and prevention strategies have not been included in these policies.(28, 29)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that may contribute to the prevention or elimination of child labor (Table 9).

Table 9. Key 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 them with counseling, group therapy, and assistance enrolling in school.(19)
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 children trafficking victims.(19)
Enhance Government and Civil Society Responses to Counter Trafficking in Persons	UNODC and Government program that seeks to increase law enforcement capacity to enforce anti-trafficking laws, including victim identification, investigation of human trafficking cases, and victim reintegration.(30)

Table 9. Key Social Programs to Address Child Labor[†] (cont)

Program	Description
Improving Rural Children's Access to Basic Education with Focus on Primary Education (2014–2018)	\$8.58 million WFP-funded program provides financial support to rural primary schools.(31) Aims to increase primary school enrollment, retention, and graduation by providing school breakfasts and lunches to students. Implemented in 232 schools across the country, reaches 37,000 children annually, and supports school construction and kitchen improvements.(19, 31)

[†] Program is funded by the Government of Bhutan.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(32, 33)

While the Government of Bhutan has implemented programs that target children at risk for labor exploitation, research found no evidence that these programs target children working in agriculture and domestic service or children involved in the worst forms of child labor, including in domestic servitude.

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 10).

Table 10. 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 – 2016
	Ensure that the laws on child labor comply with the international standard of the minimum age for work.	2010 – 2016
	Make primary education compulsory and ensure that the compulsory age extends to the minimum age for employment.	2010 – 2016
Enforcement	Ensure that the MOLHR has the resources and training necessary to enforce labor laws and to combat child labor.	2014 – 2016
	Publish data on training provided to investigators responsible for enforcing criminal laws prohibiting the worst forms of child labor, and publish data on the number of investigations, violations, prosecutions, and convictions of crimes involving the worst forms of child labor.	2010 – 2016
Government Policies	Adopt a policy to address child labor, including its worst forms.	2016
	Integrate child labor elimination and prevention strategies into existing policies that may address child labor.	2014 – 2016
Social Programs	Conduct a national child labor survey and publish the results.	2013 – 2016
	Implement programs to make education more accessible for children living in remote locations.	2014 – 2016
	Create social programs targeting working children, particularly in agriculture, and children engaged in the worst forms of child labor, including forced domestic work.	2009 – 2016

REFERENCES

- U.S. Department of State. "Bhutan," in *Trafficking in Persons Report- 2016*. Washington, DC; June 30, 2016; <http://www.state.gov/documents/organization/258878.pdf>.
- ILO. *Children in hazardous work: What we know, what we need to do*. Geneva; 2011. http://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/@publ/documents/publication/wcms_155428.pdf.
- U.S. Department of State. "Bhutan," in *Country Reports on Human Rights Practices- 2016*. Washington, DC; March 3, 2017; <https://www.state.gov/documents/organization/265746.pdf>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary education, both sexes (%)*. Accessed December 16, 2016; <http://data.uis.unesco.org/>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. This ratio is the total number of new entrants in the last grade of primary education, regardless of age, expressed as a percentage of the population at the theoretical entrance age to the last grade of primary. A high ratio indicates a high degree of current primary education completion. The calculation includes all new entrants to last grade (regardless of age). Therefore, the ratio can exceed 100 percent, due to over-aged and under-aged children who enter primary school late/early and/or repeat grades. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from MICS 4, 2010. Analysis received December 15, 2016. 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" in the Reference Materials section of this report.
- UN Human Rights Council. *Mission to Bhutan, Report of the Special Rapporteur on the Right to Education* Prepared by Kishore Singh Special Rapporteur on the Right to Education; June 3, 2015; Report No. A/HRC/29/30/Add.1. <http://www.refworld.org/country,...BTN,,5583f1b64.0.html>.

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MODERATE ADVANCEMENT

7. BBS: The Bhutanese Expression. "Child labour Exists in Bhutan: Lyonpo Dorji Wangdi." bbs.bt [online] June 12, 2012 [cited May 30, 2017]; <http://www.bbs.bt/news/?p=14014&print=1>.
8. U.S. Embassy- New Delhi. *reporting*, January 20, 2017.
9. Tenzin, P. "Child labour keeps growing in Bhutan." Bhutan Observer, Thimphu, August 27, 2012. http://bhutanobserver.bt/5934-bo-news-about-child_labour_keeps_growing_in_bhutan.aspx.
10. U.S. Embassy- New Delhi. *reporting*, January 22, 2016.
11. U.S. Embassy- New Delhi. *reporting*, March 6, 2013.
12. Tshering, N. *Advocating Girl-Friendly Boarding Schools in Bhutan: Toward Improving Quality Learning Opportunities and Outcomes For Bhutanese Girls*, Brookings, [cited May 30, 2017]; <http://www.brookings.edu/blogs/education-plus-development/posts/2014/09/22-improving-quality-learning-bhutan-tshering>.
13. Government of Bhutan. *Labour and Employment Act of Bhutan*, enacted 2007. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/80218/86462/F1162145166/BTN80218%20English.pdf>.
14. Government of Bhutan. *Regulation: Acceptable Forms of Child Labour*, enacted 2009. http://www.molhr.gov.bt/molhrsite/wp-content/uploads/2012/07/regulation_working_condt.pdf.
15. Government of Bhutan. *Penal Code of Bhutan*, enacted 2004. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/87826/100246/F1820522728/BTN87826%20English.pdf>.
16. Government of Bhutan. *Child Care and Protection Act*, enacted 2011. http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-new_delhi/documents/genericdocument/wcms_300620.pdf.
17. UNCRC. *Periodic Reports of States parties due in 2011: Bhutan*. Prepared by Government of Bhutan, Article 8 (1) of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict. August 29, 2016. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fOPAC%2fBTN%2f1&Lang=en.
18. Government of Bhutan. *The Constitution of the Kingdom of Bhutan*, enacted 2008. https://www.unodc.org/oldb/pdf/Bhutan_const_2008.pdf.
19. U.S. Embassy- New Delhi. *reporting*, January 22, 2014.
20. U.S. Embassy- New Delhi. *reporting*, February 4, 2015.
21. Royal Bhutan Police. *Woman and Child Protection Division*, Kingdom of Bhutan, [online] 2013 [cited May 30, 2017]; <http://www.rbp.gov.bt/wcpu.php>.
22. U.S. Department of State. "Bhutan," in *Trafficking in Persons Report- 2015*. Washington, DC; July 27, 2015; <https://www.state.gov/documents/organization/243558.pdf>.
23. U.S. Department of State official. E-mail communication to USDOL official. July 5, 2013.
24. U.S. Embassy- New Delhi. *reporting*, January 29, 2016.
25. U.S. Department of State official. E-mail communication to USDOL official. April 21, 2017.
26. Government of Bhutan. *National Commission for Women and Children*, Government of Bhutan, [online] [cited February 5, 2015]; <http://www.ncwc.gov.bt/en/>.
27. South Asia Initiative to End Violence Against Children. *Regional Consultation on the SDG Alliance 8.7 - South Asia Launch*; July 2016. http://www.saievac.org/download/sdg_alliance_8.7/SDG%20Alliance%208.7%20Concept%20Note.pdf.
28. Youth Development Fund. *A Strategic Plan for the Child Protection and Care Services for Youth Development Fund*. Thimphu; 2014. <http://www.bhutanyouth.org/wp-content/uploads/2014/12/Strategic-Plan-Child-Protection-and-Care-Services.pdf>.
29. Government of Bhutan. *National Youth Policy*. Department of Youth and Sports, 2011. http://www.youthpolicy.org/national/Bhutan_2011_National_Youth_Policy.pdf.
30. U.S. Embassy- New Delhi. *reporting*, March 5, 2015.
31. WFP. *Development Project – Bhutan 200300*; 2013. http://one.wfp.org/operations/current_operations/project_docs/200300.pdf.
32. 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>.
33. UNICEF. *UNICEF Annual Report 2012 for Bhutan*. New York; 2012. http://www.unicef.org/about/annualreport/files/Bhutan_COAR_2012.pdf.