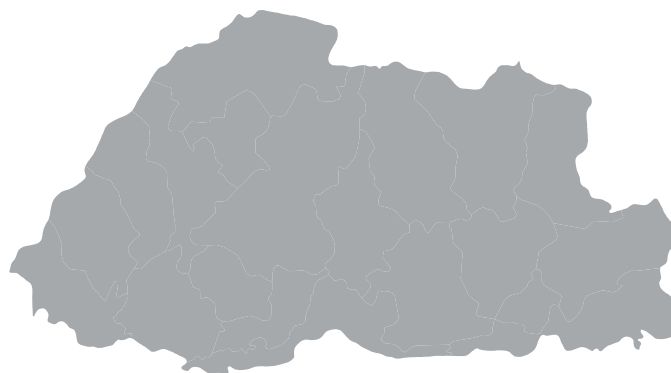


In 2017, Bhutan made a minimal advancement in efforts to eliminate the worst forms of child labor. During the year, law enforcement received training on trafficking in persons. Although research is limited, there is evidence that children in Bhutan engage in the worst forms of child labor, including in forced domestic work, and engage in child labor in agriculture. Bhutan's minimum age for work is inconsistent with international standards and education is not compulsory. The government 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 engage in the worst forms of child labor, including in forced domestic work, and engage in child labor in agriculture. (1; 2) 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 (%)		97.4

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2018. (3)

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

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 (2; 5; 6)
Industry	Construction, [†] activities unknown (7)
Services	Domestic work (2; 5; 6)
	Work in shops, restaurants, hotel service, and automobile repair (8; 5; 9)
Categorical Worst Forms of Child Labor [‡]	Forced domestic work, sometimes as a result of human trafficking (8; 1)
	Forced labor in karaoke bars, sometimes as a result of human trafficking (10; 1)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1; 11)
	Use in illicit activities, including the smuggling of tobacco (9)

[†] 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 a minimum of 11 years of free education to all Bhutanese citizens, children living in remote villages, children of nomadic communities and migrant populations, and children with disabilities face significant difficulties in accessing public schools, which may increase their vulnerability to labor exploitation. (5; 12; 6; 7)




II. LEGAL FRAMEWORK FOR CHILD LABOR

Bhutan has ratified some key international conventions concerning child labor (Table 3).

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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 (Table 4). However, gaps exist in Bhutan's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	13	Sections 170–171 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 170–171 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 and 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; 15)
Prohibition of Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Defense Service Rules and Regulations (17)
Non-state	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

The minimum age for work is not compliant 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. (6)

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 the Ministry of Labor and Human Resources (MOLHR) that may hinder adequate enforcement of their child labor laws.

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 that 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 two Women and Child Protection Units and eight Women and Child Protection Desks to enforce laws protecting women and children. (5; 21; 22; 7) 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)
Royal Court of Justice	Adjudicate cases involving child labor, including its worst forms. (6)

Labor Law Enforcement

In 2017, labor law enforcement agencies in Bhutan took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOLHR that may hinder adequate labor law enforcement, including resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2016	2017
Labor Inspectorate Funding	\$27,000 (5)	\$23,000 (6)
Number of Labor Inspectors	27 (5)	23 (6)
Inspectorate Authorized to Assess Penalties	Yes (5)	Yes (6)
Training for Labor Inspectors		
Initial Training for New Employees	No (5)	N/A (7)
Training on New Laws Related to Child Labor	N/A	N/A (6)
Refresher Courses Provided	Yes (5)	No (6)
Number of Labor Inspections Conducted	2,434 (5)	2,169 (6)
Number Conducted at Worksites	2,434 (5)	2,169 (6)
Number of Child Labor Violations Found	0 (5)	0 (6)
Number of Child Labor Violations for Which Penalties were Imposed	0 (5)	0 (6)
Number of Child Labor Penalties Imposed that were Collected	0 (5)	0 (6)
Routine Inspections Conducted	Yes (5)	Yes (6)
Routine Inspections Targeted	Yes (5)	Yes (6)
Unannounced Inspections Permitted	Yes (5)	Yes (6)
Unannounced Inspections Conducted	Yes (5)	Yes (6)
Complaint Mechanism Exists	Yes (5)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (5)	Yes (6)

The MOLHR has reported that limited resources place constraints on the number of inspections conducted and inspectors employed. (5)

Criminal Law Enforcement

In 2017, criminal law enforcement agencies in Bhutan took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2016	2017
Training for Investigators		
Initial Training for New Employees	Unknown* (5)	Unknown* (6)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Unknown* (6)
Refresher Courses Provided	Unknown* (5)	Yes (24)
Number of Investigations	Unknown* (5)	Unknown* (6)

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Table 7. Criminal Law Enforcement Efforts Related to Child Labor (cont)

Overview of Criminal Law Enforcement	2016	2017
Number of Violations Found	Unknown* (5)	Unknown* (6)
Number of Prosecutions Initiated	Unknown* (5)	Unknown* (6)
Number of Convictions	Unknown* (5)	Unknown* (6)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Unknown* (6)

* The government does not publish this information.

In 2017, senior law enforcement officials from the Royal Bhutan Police Force and the MOLHR participated in human trafficking training organized by UNODC. (24)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms 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 in accomplishing mandates.

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

Coordinating Body	Role and Description
Child Labor Task Force	Coordinate the development and drafting of a national child labor action plan. (5) Led by the MOLHR and the NCWC. Collaborate with multiple government ministries and agencies. Comprises of a national committee and a regional committee. (25; 26) Research was unable to determine whether actions were taken during the year.
National Commission for Women and Children (NCWC)	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. (5) Comprises a chairperson and commissioners who represent relevant government agencies and non-government sectors. (27) Research was unable to determine whether actions were taken during the year.

V. GOVERNMENT POLICIES ON CHILD LABOR

Research found no evidence that the government has established policies to address child labor. 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 2017, the government funded and participated in programs that may contribute to the prevention or elimination of child labor (Table 9). However, gaps exist in these social programs, including the adequacy of efforts to address the problem in all sectors.

Table 9. Key Social Programs to Address Child Labor†

Program	Description
Project Hope†	NCWC program that provides residential shelters for children at risk of labor exploitation. Targets children on the street and provides them with counseling, group therapy, and assistance enrolling in school. (19) Research was unable to determine actions taken during the year.
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 who have been victims of human trafficking. (19) Research was unable to determine actions taken during the year.
Enhance Government and Civil Society Responses to Counter Trafficking in Persons	UNODC-funded 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)
Improving Rural Children's Access to Basic Education with a Focus on Primary Education (2014–2018)	\$8.58 million WFP-funded program that 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) Research was unable to determine actions taken during the year.

† 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. (32)

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

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).

Table 10. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2013 – 2017
	Ensure that laws on child labor comply with the international standard for the minimum age for work.	2010 – 2017
	Make primary education compulsory and ensure that the compulsory age extends to the minimum age for employment.	2010 – 2017
Enforcement	Publish child labor law enforcement data.	2017
	Ensure that the MOLHR has the resources and training necessary to enforce labor laws and combat child labor.	2014 – 2017
	Publish data on training of 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 – 2017
Coordination	Ensure that coordinating bodies take actions to address child labor.	2017 – 2017
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 address child labor.	2014 – 2017
Social Programs	Conduct a national child labor survey and publish the results.	2013 – 2017
	Publish information about the implementation of child labor-related programs, such as Project Hope.	2017
	Implement programs to make education more accessible for children living in remote locations.	2014 – 2017
	Create social programs targeting working children, particularly in agriculture, and children engaged in the worst forms of child labor, including forced domestic work.	2009 – 2017

REFERENCES

- U.S. Department of State. Trafficking in Persons Report 2017: Bhutan. Washington, DC. June 27, 2017. <https://www.state.gov/documents/organization/271341.pdf>.
- UN Human Rights Council. Report of the Special Rapporteur on the right to education: Mission to Bhutan. Prepared by Kishore Singh. June 3, 2015. <http://www.refworld.org/country,,,BTN,,5583f1b64,0.html>.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2018. <http://data.uis.unesco.org/>. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- UCW. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 4, 2010. Analysis received January 12, 2018. Please see the “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- New Delhi. Reporting, January 20, 2017.
- . Reporting, April 11, 2018.
- U.S. Department of State official. E-mail communication to USDOL official. June 6, 2018.
- U.S. Department of State. Country Reports on Human Rights Practices- 2016: Bhutan. Washington, DC. March 3, 2017. <https://www.state.gov/documents/organization/265746.pdf>.
- U.S. Embassy- New Delhi. Reporting, January 22, 2016.
- . Reporting, March 6, 2013.
- National Commission for Women and Children. Study on Violence Against Children in Bhutan. May 2016. [Source on file].
- Tshering, Nima. Advocating Girl-Friendly Boarding Schools in Bhutan: Toward Improving Quality Learning Opportunities and Outcomes for Bhutanese Girls. Brookings. September 22, 2014. <http://www.brookings.edu/blogs/education-plus-development/posts/2014/09/22-improving-quality-learning-bhutan-tshering>.
- 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>.
- . Regulation: Acceptable Forms of Child Labour. Enacted: 2009. http://www.molhr.gov.bt/molhrsite/wp-content/uploads/2012/07/regulation_working_condt.pdf.
- . Penal Code of Bhutan. Enacted: 2004. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/87826/100246/F1820522728/BTN87826%20English.pdf>.
- . 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.
- UN Committee on the Rights of the Child. 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: CRC/C/OPAC/BTN/1. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fOPAC%2fBTN%2f1&Lang=en.

Bhutan

MINIMAL ADVANCEMENT

18. **Government of Bhutan.** The Constitution of the Kingdom of Bhutan. Enacted: 2008. https://www.unodc.org/tldb/pdf/Bhutan_const_2008.pdf.
19. **U.S. Embassy- New Delhi.** Reporting, January 22, 2014.
20. —. Reporting, February 4, 2015.
21. **Royal Bhutan Police.** Woman and Child Protection Division. 2013. <http://www.rbp.gov.bt/wcpu.php>.
22. **U.S. Department of State.** Trafficking in Persons Report- 2015: Bhutan. 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. **UNODC.** Bhutan: Police, government and prosecutors join hands against trafficking. June 12-14, 2017. http://www.unodc.org/southasia/en/frontpage/2017/june/bhutan_police_government_and_prosecutors_join_hands_against_trafficking.html.
25. **U.S. Department of State official.** E-mail communication to USDOL official. April 21, 2017.
26. **UN Committee on the Rights of the Child.** List of issues in relation to the combined third to fifth periodic reports of Bhutan, Addendum. May 2, 2017: CRC/C/BTN/Q/3-5/Add.1. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fBTN%2fQ%2f3-5%2fAdd.1&Lang=en.
27. **Government of Bhutan.** National Commission for Women and Children. Accessed February 5, 2015. <http://www.ncwc.gov.bt>.
28. **Youth Development Fund Secretariat.** A Strategic Plan for the Child Protection and Care Services for Youth Development Fund: 2014. June 27, 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. **World Food Programme.** Development Project – Bhutan 200300: Improving Children’s Access to Education. 2013. http://one.wfp.org/operations/current_operations/project_docs/200300.pdf.
32. **Gross National Happiness Commission.** Eleventh Five Year Plan 2013–2018. 2013. <https://www.gnhc.gov.bt/12rtm/wp-content/uploads/2011/04/11-FiveYearPlan2013/10/Eleventh-Five-Year-Plan-Volume-I-Final.pdf>.