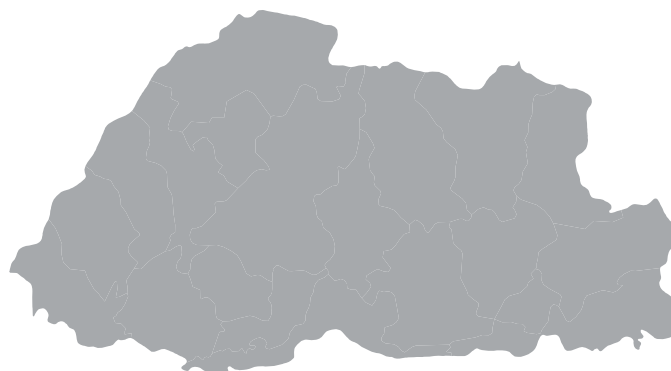


In 2018, Bhutan made a minimal advancement in efforts to eliminate the worst forms of child labor. The government drafted standard operating procedures for identifying and referring human trafficking victims. In addition, government personnel received training on human trafficking. Although research is limited, there is evidence that children in Bhutan engage in the worst forms of child labor, including in forced domestic work and commercial sexual exploitation, sometimes as a result of human trafficking. 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 commercial sexual exploitation, sometimes as a result of human trafficking. (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 (%)		95.1

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (3)

Source for all other data: International Labor Organization'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 (5,6)
Industry	Construction, <sup>†</sup> activities unknown (7)
Services	Domestic work (5,6)
	Work in hospitality services (6)
Categorical Worst Forms of Child Labor <sup>‡</sup>	Forced domestic work, sometimes as a result of human trafficking (1)
	Forced labor in karaoke bars, sometimes as a result of human trafficking (1)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2)
	Use in illicit activities, including the smuggling of tobacco (8)

<sup>†</sup> Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

<sup>‡</sup> 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.

# Bhutan







## MINIMAL ADVANCEMENT

The government provides a minimum of 11 years of free education to all Bhutanese citizens, and has committed to increasing free education by an additional 2 years. However, children living in remote villages, children of nomadic communities and migrant populations, and children with disabilities face significant difficulties in accessing public schools. (5,6,9,10)

## II. LEGAL FRAMEWORK FOR 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 (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	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 (11,12)
Minimum Age for Hazardous Work	Yes	18	Sections 170–171 of the Labor and Employment Act (11)
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 (11,12)
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 (11,13,14)
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; Sections 227, 379, and 380 of the Penal Code (11,13,14)
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 (11,13,14)
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 (11,13)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Defense Service Rules and Regulations (15)
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 (11)
Compulsory Education Age	No		
Free Public Education	Yes		Article 9.16 of the Constitution of the Kingdom of Bhutan (16)

\* No conscription (15)

The minimum age for work is not compliant with international standards because the Labor and Employment Act allows children under age 14 to work. (11) In addition, Bhutan has no compulsory age for education, which may increase the risk of children's involvement in child labor. (17)

Bhutan's criminal prohibitions against child trafficking do not adhere to international standards because Bhutan's laws require proof of use of force, fraud, or coercion to criminalize child trafficking. (11,13)

While sources report that the minimum age for voluntary recruitment into Bhutan's military is 18, research was unable to uncover a public version of the Defense Service Rules and Regulations. (15)

### 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)	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. (6)
Royal Bhutan Police	Investigate and enforce criminal laws relating to the worst forms of child labor. (6) Includes 3 Women and Child Protection Units and 10 Women and Child Protection Desks to enforce laws protecting women and children. (18,19) Refer abused and exploited children to child welfare officers and the National Commission for Women and Children. (14)
Child Welfare Officers	Protect and assist children in difficult circumstances, including children abused and exploited for illegal purposes. (6,14)
Royal Court of Justice	Adjudicates cases involving child labor. (6)

#### Labor Law Enforcement

In 2018, 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 limited resources.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$23,000 (17)	Unknown (6)
Number of Labor Inspectors	23 (17)	24 (6)
Inspectorate Authorized to Assess Penalties	Yes (17)	Yes (6)
Initial Training for New Labor Inspectors	N/A (7)	Unknown (6)
Training on New Laws Related to Child Labor	N/A (17)	N/A
Refresher Courses Provided	No (17)	Unknown (6)
Number of Labor Inspections Conducted	2,169 (17)	2,256 (6)
Number Conducted at Worksite	2,169 (17)	2,256 (6)
Number of Child Labor Violations Found	0 (17)	0 (6)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (17)	0 (6)
Number of Child Labor Penalties Imposed that Were Collected	0 (17)	0 (6)
Routine Inspections Conducted	Yes (17)	Yes (6)
Routine Inspections Targeted	Yes (17)	Yes (6)
Unannounced Inspections Permitted	Yes (17)	Yes (17)
Unannounced Inspections Conducted	Yes (17)	Yes (6)
Complaint Mechanism Exists	Yes (17)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (17)	Yes (6)

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## MINIMAL ADVANCEMENT

The MOLHR has reported that limited resources place constraints on the number of inspections conducted and inspectors employed. (20)

### **Criminal Law Enforcement**

In 2018, 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 data on efforts to investigate, prosecute, and convict crimes involving child labor.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown (17)	Unknown (6)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (17)	N/A
Refresher Courses Provided	Yes (21)	Unknown (6)
Number of Investigations	Unknown (17)	Unknown (6)
Number of Violations Found	Unknown (17)	Unknown (6)
Number of Prosecutions Initiated	Unknown (17)	Unknown (6)
Number of Convictions	Unknown (17)	Unknown (6)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (17)	Yes (6)

In 2018, government agencies collaborated with UNODC to conduct human trafficking training programs for government personnel, including 129 law enforcement officials, legal officers, and prosecutors. (22)

## 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 the efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
Child Labor Task Force	Coordinates government efforts on child labor across multiple government agencies and ministries. Led by the MOLHR and comprises representatives from government, international organizations, civil society, and the private sector. (23,24)
National Commission for Women and Children (NCWC)	Coordinates the implementation of laws and policies that promote and protect the rights of women and children. Comprises a chairperson at the cabinet level, and high-level officials who represent relevant government agencies, non-government organizations, and the private sector. (25)
Department of Law and Order	Coordinates anti-trafficking in persons efforts, including leading regular meetings with all government agencies and other relevant stakeholders. (22)

Research was unable to determine whether the coordinating bodies for the government's child labor initiatives undertook activities during the reporting period.

## 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. (26,27)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, 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 lack of information on whether efforts are being taken to address child labor in all relevant sectors.

**Table 9. Key Social Programs to Address Child Labor**

Program	Description
Project Hope†	National Commission for Women and Children 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. (28) Research was unable to determine what activities were undertaken to implement the program during the reporting period.
Women and Children's Shelter†	Respect, Education, Nurture, and Empower Women, a Thimphu-based NGO, receives government funding to provide shelter, counseling, and rehabilitation for women and children who have been victims of human trafficking. (28) Research was unable to determine what activities were undertaken to implement the program during the reporting period.
Enhance Government and Civil Society Responses to Counter Trafficking in Persons (2013–2018)	\$750,000 UNODC-funded program that sought to improve law enforcement responses, strengthen coordination, increase awareness, and improve protection mechanisms for addressing trafficking in persons. (29,30) In 2018, worked with the government to draft standard operating procedures for identifying and referring human trafficking victims, coordinating across agencies, and collaborating across borders. Additionally, conducted 18 awareness-raising programs for individuals in high-risk industries and district government officials. (22)
Improving Rural Children's Access to Basic Education with a Focus on Primary Education (2014–2018)	\$8.58 million WFP-funded program that provided financial support to rural primary schools. (29) Aimed to increase primary school enrollment, retention, and graduation by providing school breakfasts and lunches to students. Implemented in 232 schools across the country, reached 37,000 children annually, and supported school construction and kitchen improvements. (28,29) Research was unable to determine what activities were undertaken to implement the program during the reporting period.

† 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. (30)

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 forced domestic work.

### 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 – 2018
	Ensure that laws on child labor comply with the international standard for the minimum age for work.	2010 – 2018
	Make primary education compulsory and ensure that the compulsory age extends to the minimum age for employment.	2010 – 2018
	Criminally prohibit child trafficking without needing proof of the use of force, fraud, or coercion.	2018
	Publish the Defense Service Rules and Regulations that prohibit the recruitment of children under age 18 into Bhutan's military.	2018
Enforcement	Publish child labor law enforcement data, including the amount of funding for the Labor Inspectorate, and if new and veteran labor inspectors received training.	2017 – 2018
	Ensure that the MOLHR has the resources necessary to enforce labor laws and combat child labor.	2014 – 2018
	Publish information 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 – 2018
Coordination	Ensure that coordinating bodies take actions to address child labor.	2017 – 2018

**Table 10. Suggested Government Actions to Eliminate Child Labor (Cont.)**

Area	Suggested Action	Year(s) Suggested
Government Policies	Adopt a policy to address child labor, including its worst forms.	2016 – 2018
	Integrate child labor elimination and prevention strategies into existing relevant policies.	2014 – 2018
Social Programs	Conduct a national child labor survey and publish the results.	2013 – 2018
	Implement programs to make education more accessible for children living in remote locations, children of nomadic communities and migrant populations, and children with disabilities.	2014 – 2018
	Create social programs targeting working children, particularly in agriculture, and children engaged in the worst forms of child labor, including forced domestic work.	2009 – 2018
	Publish information about the implementation of child labor-related programs, such as Project Hope.	2017 – 2018

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