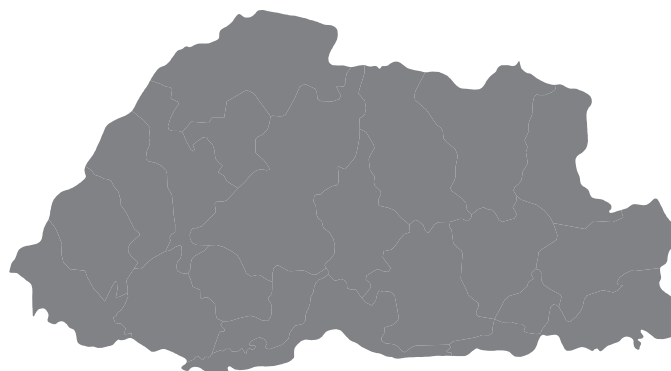


In 2021, Bhutan made moderate advancement in efforts to eliminate the worst forms of child labor. The National Commission for Women and Children developed a Standard Operating Procedure for children in difficult circumstances. The commission also launched a mobile application that allows people to report violations against women and children, including child labor violations, and connects citizens to the national helpline. However, children in Bhutan are subjected to the worst forms of child labor, including commercial sexual exploitation, as a result of trafficking and forced domestic work and care-giving. 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. The government did not publicly release information on its criminal law enforcement efforts.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Bhutan are subjected to the worst forms of child labor, including in forced domestic work and care giving. (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 (%)		82.1

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2021. (3)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 4 (MICS 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)
Industry	Construction,† activities unknown (6-8)
Services	Domestic work (2,5)
	Work in hospitality services, including restaurants (2,5)
	Work in automobile workshops (2)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, as a result of human trafficking (2)
	Forced domestic work, including forced care-giving (2,5)

† 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 forced domestic work and caregiving. (2) Some are trafficked through debt bondage and threats of physical abuse. Media outlets have reported instances of child labor in Bhutan's restaurants and automobile workshop industries, with some indications of forced child labor. Some Indian children are trafficked into Bhutan for the purpose of domestic servitude. (2,9)

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The government provides free education to all Bhutanese citizens until grade 10. (10) While the Royal Government of Bhutan has committed to achieving universal student attendance in its 12th five-year plan, research was unable to determine whether the plan has been implemented. (10,11) Children living in remote villages, children from nomadic communities or migrant populations, and children with disabilities face significant difficulties in accessing public schools, including long distances to school and lack of transportation. (1,2,11,12) Although they have access to primary education, a small number of children who are stateless lack access to the documentation necessary to enroll in higher education, making them more vulnerable to child labor and trafficking. (2,5,13)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Bhutan has ratified some 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	

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 Labour and Employment Act; Regulation on Working Conditions 2012: Acceptable Forms of Child Labor (14,15)
Minimum Age for Hazardous Work	Yes	18	Sections 170–171 of the Labour and Employment Act (14)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 9(e) of the Labour and Employment Act; Section 9 of the Regulation on Acceptable Forms of Child Labor (14,15)
Prohibition of Forced Labor	No		Amendment 9 of Penal Code (Amendment) Act of Bhutan 2021; Section 11 of Acceptable Forms of Child Labour, 2009; Sections 6–8, 9(a), and 10 of the Labor and Employment Act; Sections 154–155 of the Penal Code; Preamble, and Sections 221 and 224 of the Child Care and Protection Act (15-16)
Prohibition of Child Trafficking	No		Section 9(a) of the Labour 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 and 379–380 of the Penal Code (14,16-18,19)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 9(b) of the Labour and Employment Act; Sections 222–224 of the Child Care and Protection Act; Sections 225 and 375–380 of the Penal Code (14,17,18)
Prohibition of Using Children in Illicit Activities	Yes		Section 9(c) of the Labour and Employment Act; Sections 216 and 220 of the Child Care and Protection Act (14,17)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Defense Service Rules and Regulations (20)

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

Standard	Meets International Standards	Age	Legislation
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 (14)
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 Labour and Employment Act allows children under age 14 to work. (14) Although Bhutan provides free education through grade 10, attendance is not compulsory, which may increase the risk of children's involvement in child labor. (2,10) Laws prohibiting forced labor are not sufficient as they do not criminalize slavery. (15-17) While there is no explicit prohibition on slavery, Bhutan does criminalize practices similar to slavery such as sale of children, debt bondage, and forced labor. (14,18) 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. (5,16,19,22)

Although the Royal Government of Bhutan reports that the minimum age for voluntary recruitment into Bhutan's military is 18, the relevant Defense Service Rules and Regulations were not available for public review. (20,22)

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
Ministry of Labor and Human Resources	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. (5,10) Regularly inspects companies for compliance with the Labour and Employment Act. Regulations on working conditions cover issues related to child labor; wages, worker compensation, the recruitment process for foreign workers, grievance procedures, penalties, and hours of work. (23)
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. (5,24) Refers survivors of child abuse and exploitation to child welfare officers and the National Commission for Women and Children. (5,18)
Child Justice Court	Adjudicates criminal and civil cases involving child labor. (5,18)

Labor Law Enforcement

In 2021, 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 that may hinder adequate labor law enforcement, including insufficient financial and human resource allocation.

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Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (5)	\$180,360† (10)
Number of Labor Inspectors	Unknown (10)	23† (10)
Mechanism to Assess Civil Penalties	Yes (14)	Yes (14)
Initial Training for New Labor Inspectors	Yes (5)	Yes (10)
Training on New Laws Related to Child Labor	N/A	Yes (10)
Refresher Courses Provided	Unknown (5)	No (10)
Number of Labor Inspections Conducted	2711 (10)	998† (10)
Number Conducted at Worksite	2,350 (25)	998† (10)
Number of Child Labor Violations Found	Unknown (5)	Unknown (10)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (5)	N/A (10)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (5)	N/A (10)
Routine Inspections Conducted	Yes (5)	Yes (10)
Routine Inspections Targeted	Yes (5)	No (10)
Unannounced Inspections Permitted	Yes (14)	Yes (14)
Unannounced Inspections Conducted	Yes (5)	Yes (10)
Complaint Mechanism Exists	Yes (5)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (5)	Yes (10)

† Data from July 2020–June 2021.

Ministry of Labor and Human Resources officials acknowledged that limited financial and human resources place constraints on the number of inspections conducted and inspectors employed. (1) Inspectors lack adequate training regarding human-trafficking and refresher courses were not provided due to budget issues. (2,10) Labor inspectors cannot carry out inspections in private farms or homes. In some cases, exceptions are made if underage child labor is suspected. (5) While the government allocated approximately \$180,360 towards the labor inspectorate, only \$5,000 was targeted towards operational support for child labor inspections. (10)

In 2021, the COVID-19 pandemic hampered government efforts to conduct the required number of labor inspections. Additionally, pandemic-related budget cuts exacerbated logistical and equipment challenges already faced by labor inspectors. (10) While the Royal Government of Bhutan reports that there was sufficient training for labor inspectors in 2021, one Bhutanese Government official has acknowledged that additional training beyond the initial training may be needed. (5,10)

Criminal Law Enforcement

In 2021, 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	2020	2021
Initial Training for New Criminal Investigators	Unknown (5)	N/A (10)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (10)
Refresher Courses Provided	Unknown (5)	N/A (10)
Number of Investigations	Unknown (5)	Unknown (10)
Number of Violations Found	Unknown (5)	Unknown (10)
Number of Prosecutions Initiated	0 (25)	Unknown (10)
Number of Convictions	1 (22)	Unknown (10)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (5)	Unknown (10)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Unknown (10)

In January 2022, a 77-year-old Bhutanese woman was charged with trafficking a non-Bhutanese 13-year-old girl, which was brought to national attention after the trafficked girl died by suicide. (9,26) The child was allegedly trafficked to Bhutan from India around 7 years ago to work as a maid. Bhutan police have indicated that further investigation is outstanding but indicate that the accused will be charged within relevant laws against child labor and trafficking. (26) The government does not publicly release information on criminal law enforcement efforts. (5,10)

The Government of Bhutan, upon the order of the Prime Minister, officially closed the karaoke bars in 2022 to stop worker exploitation. (27) Reports had previously indicated that girls who worked as entertainers in karaoke bars and were vulnerable to trafficking for the purpose of commercial sexual exploitation. (2)

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 a lack of 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 Ministry of Labor and Human Resources, and comprises representatives from government, international organizations, civil society, and the private sector. (28,29) Research was unable to determine whether the Child Labor Task Force was active during the reporting period.
National Commission for Women and Children (NCWC)	Coordinates the implementation of laws and policies that promote and protect the rights of women and children. Comprised of a chairperson at the cabinet level and high-level officials who represent relevant government agencies, NGOs, and the private sector. (30) During the reporting period, NCWC, along with UNICEF and Save the Children, developed a standard operating procedure for children in difficult circumstances, including child labor and the worst forms of child labor. (31,32)
Trafficking in Persons Special Task Force	Coordinates anti-trafficking in persons efforts, including monitoring human trafficking trends in Bhutan and advising national policy on human trafficking. Headed by the Department of Law and Order, with participation from other relevant government agencies and civil society organizations. (1) Research was unable to determine if the TIP task force met during the reporting period.

Budget cuts have hampered the National Commission for Women and Children (NCWC) from effectively implementing its programs for women and children, including providing shelter homes for children. Bhutanese officials have commented on a lack of protection, probation, and NCWC child welfare officers due to the budget cuts. (33) Due to the pandemic response and national lockdowns, many government officials were reassigned to pandemic response duties. Many government offices were closed, although essential services were still provided. (10)

V. GOVERNMENT POLICIES ON CHILD LABOR

Research found no evidence that the government has established policies to address child labor. (10)

The government has not adopted a national strategy to address child labor, including hazardous work. (1)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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.

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Table 9. Key Social Programs to Address Child Labor

Program	Description
Women and Children Hotlines†	Respond to issues related to women and children, including human trafficking cases and provide emergency assistance and referral services. (23) One hotline is run through 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. (24) During the reporting period, the NCWC launched a mobile application to provide additional access to existing services for women and children in need. The application allows people to report potential rights violations involving women or children. Members of the public also can access this hotline by calling 1098. (31)
Shelters for Vulnerable Women and Children†	Include Project Hope, an NCWC program that provides residential shelters for children at risk of labor exploitation. (1) In 2019, the program was transferred to Respect, Educate, Nurture, and Empower Women (RENEW) as part of its shelter program. RENEW is a Thimphu-based NGO that receives government funding, and provides shelter, counseling, and rehabilitation for women and children who have been victims of human trafficking. (1) The Nazhoen Lamtoen Children Halfway Home also provides shelter, counseling, and support services to children, in part through government funding. (25,34) During the reporting period, supported educational expenses for 18 children currently under NCWC's care as part of the shelter case management process. (31)
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 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. (1) During the reporting period, the UNODC, in collaboration with the Bhutanese government conducted anti-trafficking training to more than 255 students and educators in Thimphu. (35)

† Program is funded by the Royal Government of Bhutan.

Although Bhutan has programs that target children 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 the worst forms of child labor.

According to the 12th Five-Year Plan (2018–2023), the government has included achieving universal student attendance and improving education outcome for primary students by 2023. (10,11) The government has not adopted a national strategy to address child labor, including hazardous work. (1)

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 – 2021
	Ensure that laws on child labor comply with the international standard for the minimum age for work.	2010 – 2021
	Ensure that laws prohibiting forced labor criminalize slavery.	2021
	Make primary education compulsory and ensure that the compulsory age for education extends to the minimum age for employment.	2010 – 2021
	Criminally prohibit child trafficking without needing proof of the use of force, fraud, or coercion.	2018 – 2021
	Make publicly available the legal statute that prohibits the recruitment of children under age 18 into Bhutan's military.	2018 – 2021
Enforcement	Ensure that the Department of Labor has the financial and human resources necessary to enforce labor laws and combat child labor.	2014 – 2021
	Ensure that labor inspectors receive refresher trainings to carry out their duties.	2020 – 2021
	Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2021
	Publish criminal law enforcement information, including initial training for new criminal investigators, training on new laws related to the worst forms of child labor, refresher courses provided to criminal investigators, the number of investigations conducted, and the number of violations found.	2010 – 2021

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that the labor law enforcement data are disaggregated by labor violation type to better target, prevent, and eliminate child labor, including penalties imposed on child labor violations.	2021
	Publish information about the referral mechanism.	2021
Coordination	Ensure that all coordinating bodies that address child labor are active and have sufficient financial and human resources to be able to carry out their mandate.	2019 – 2021
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 – 2021
Social Programs	Conduct a national child labor survey, including research to determine child labor activities in farming and construction, and publish the results.	2013 – 2021
	Implement programs to make education more accessible for children living in remote locations, children from nomadic communities and migrant populations, children with disabilities, and children who are stateless.	2014 – 2021
	Create social programs targeting working children, particularly in agriculture, and children engaged in the worst forms of child labor, including commercial sexual exploitation and forced domestic work.	2009 – 2021

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