

Bhutan

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

UNICEF is actively working with the government to improve the education system, with an emphasis on the needs of women and children, training for teachers, and providing essential supplies.²²² The World Bank is also funding an education program implemented by the Education Division of the Ministry of Health and Education that aims to expand access to primary schools and reduce the dropout rate.²²³

Incidence and Nature of Child Labor

In 1999, the ILO estimated that 51.9 percent of children between the ages of 10 and 14 in Bhutan were working.²²⁴ Specific information on the sectors in which children work is limited, but children are most often found working in the agriculture sector on family farms.²²⁵

Education is not compulsory at any age in Bhutan, but it is free for all children beginning at the age of 6 years.²²⁶ In 1998, the gross primary enrollment rate was 71.9 percent.²²⁷ Gross enrollment varied significantly between sexes, with boys enrolled at a rate of 82.1 percent and girls at 61.5 percent.²²⁸ The net primary enrollment rate was 52.9 percent in 1998, with 58.4 percent for boys and 47.2 percent for girls.²²⁹ Primary school attendance rates are unavailable for Bhutan. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.²³⁰ Most primary schools in southern Bhutan have been closed since 1990. Ethnic Nepalese heavily populates this area, and thus the closures have effectively prevented children within that minority group from obtaining basic education.²³¹

²²² UNICEF, *UNICEF in Bhutan: Committed Partner in Progress*, at <http://www.unicef.org/bhutan/educat.htm> on 9/19/01.

²²³ World Bank, *Bhutan - Second Education, Project No. BT-PE-9574*, Report No. PID5746, at <http://www4.worldbank.org/sprojects/Project.asp?pid=P009574> on 10/30/01.

²²⁴ *World Development Indicators 2001* (Washington, D.C.: World Bank, 2001) [CD ROM].

²²⁵ Bhutanese society is largely agrarian. See *Country Reports on Human Rights Practices 2000—Bhutan* (Washington, D.C.: U.S. Department of State, 2000) [hereinafter *Country Reports 2000*], Section 6d, at <http://www.state.gov/g/drl/rls/hrrpt/2000/sa/index.cfm?docid=695>.

²²⁶ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Initial Reports of States Parties Due in 1992, Bhutan*, CRC/C/3/Add.60, October 14, 1999 [hereinafter *Initial Reports of States Parties*].

²²⁷ UNESCO, *Education for All: Year 2000 Assessment* (Paris, 2000) [CD-ROM].

²²⁸ *Ibid.*

²²⁹ *Ibid.*

²³⁰ For a more detailed discussion on the relationship between education statistics and work, see *Introduction* to this report.

²³¹ *Country Reports 2000* at Section 6d.

Child Labor Laws and Enforcement

Employment of any kind by children is prohibited by the Regulation for Wage Rate, Recruitment Agencies and Workmen's Compensation. This law prohibits the employment of "children" without clearly establishing a minimum age.²³² Bhutanese law does not specifically prohibit forced or bonded labor by children, or trafficking in persons.²³³ Bhutan is not a member of the ILO and has not ratified ILO Convention 138 or ILO Convention 182.²³⁴

²³² Because there is no clearly established minimum age for employment, other measures of Bhutanese law, which define children to be girls under age 16 and boys under age 18, are applied to the Regulation. There is no information available on enforcement mechanisms or penalties for noncompliance relating to the minimum age for employment. Bhutan has no Constitution or Bill of Rights, and its legal system, based on Indian law and English common law, is in the process of modernizing in order to establish a rule of law at the State level. A Department of Legal Affairs was just recently established, and civil and criminal procedures are still being formed. See UN, *Summary Record of the 715th Meeting: Bhutan*, CRC/C/SR.715, June 5, 2001. See also *Initial Reports of States Parties* and UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Concluding Observations of the Committee on the Rights of the Child, Bhutan*, CRC/C/15/Add.157, July 9, 2001.

²³³ *Country Reports 2000* at Section 6f.

²³⁴ ILO List of Member Countries at <http://www.ilo.ch/public/english/standards/relm/country.htm> on 9/24/01.

NOTE: Hard copies of all Web citations are on file.