

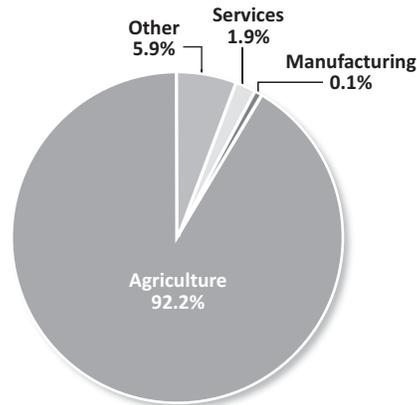
Bhutan

The Government of Bhutan has recently revised its legal framework to address the worst forms of child labor. However, children continue to engage in the worst forms of child labor in activities such as agriculture. The government has yet to fully establish coordinating mechanisms, policies, and programs to address many worst forms of child labor.



Statistics on Working Children and School Attendance

Children	Age	Percent
Working	10-14 yrs.	19.6%
Attending School	5-14 yrs.	69.0%
Combining Work and School	7-14 yrs.	0.3%



Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Bhutan are exploited in the worst forms of child labor,⁴⁷⁸ especially in agriculture. They often work long hours, use dangerous tools, work unsupervised in dangerous environments, perform physically difficult tasks, and put themselves at risk for occupational injury.⁴⁷⁹ Girls, some as young as age 11, are more likely to be employed as child domestic workers. They may work long hours and be physically and sexually exploited by their employer.⁴⁸⁰

Some children in Bhutan work in unregulated activities such as rag picking.⁴⁸¹ Others are involved in construction and mining/quarrying, where their health may be endangered through long working hours and increased likelihood of accidents and physical harm from potentially dangerous machinery and tools.⁴⁸²

There have been limited reports that armed political groups such as the Bhutan Communist Party through its youth wing, the Bhutan Revolutionary Youth, as well as the Bhutan Tiger Force, have been recruiting children younger than age 16 from refugee camps for

military purposes.⁴⁸³ There is also limited evidence that girls under age 18 are involved in commercial sexual exploitation.⁴⁸⁴

Laws and Regulations on the Worst Forms of Child Labor

The 2007 Labor and Employment Act of Bhutan sets the minimum age for work at age 18.⁴⁸⁵ Children age 13 to 17 are allowed to work, but are prohibited from working in hazardous areas, and the Act prohibits work that exposes children to physical harm, dangerous machinery, or an unhealthy working environment.⁴⁸⁶ However, exceptions allow children age 13 to 17 to work in certain roles within 11 identified forms of hazardous labor, presuming the work does not endanger the child.⁴⁸⁷ These exceptions may not be specific enough to avoid risk of harm to children. For example, while mining and quarrying are identified as hazardous forms of labor, children may work as sweepers and cleaners in this industry.⁴⁸⁸ Children working as sweepers and cleaners in mines may be exposed to hazardous dust and debris that should not be inhaled.

The Labor and Employment Act of Bhutan also protects children under age 18 from forced or compulsory labor, trafficking, recruitment into the armed forces, prostitution and pornography, use by adults in illicit drug-related activities, and labor endangering their health, safety, or morals.⁴⁸⁹ The Act also lays out penalties for anyone convicted of trafficking of children.⁴⁹⁰ The Penal Code prohibits child commercialized sexual exploitation and trafficking of children for prostitution.⁴⁹¹

The Ministry of Labor and Human Resources is empowered to investigate child labor complaints and to require employers to come into compliance with child labor laws throughout the country. However, all investigations take place in the capital city of Thimpu.⁴⁹⁴

Government Policies on the Worst Forms of Child Labor

Research has found no evidence of any policies to address the worst forms of child labor.

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

The National Commission for Women and Children manages a program titled Project Hope, which provides residential shelters for children at-risk of exploitative child labor.⁴⁹⁵ This program does not appear to be sufficient to provide services to many of the children vulnerable to or involved in the worst forms of child labor in Bhutan, such as those involved in agriculture, construction, and domestic labor.

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	No
	Minimum Age for Work	18
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	16
	Free Public Education	Yes

Institutional Mechanisms for Coordination and Enforcement

Research has found no evidence that the Government of Bhutan has established a coordinating mechanism to combat the worst forms of child labor specifically. However, in 2004, the Government of Bhutan created the National Commission for Women and Children as the lead agency to coordinate the promotion and protection of women and children.⁴⁹² In 2007, the police established the Woman and Child Protection Unit (WPCU) to protect the rights of children and women in Bhutan. WPCU also provides counseling services, referrals to NGOs, and separate detention centers for young boys and girls.⁴⁹³

Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Bhutan:

IN THE AREA OF LAWS AND REGULATIONS:

- Revise the hazardous sector list to eliminate exceptions for children working in certain roles within proscribed sectors.

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Establish a coordinating mechanism to combat the worst forms of child labor.
- Take steps to expand inspection activity beyond Thimpu.

IN THE AREA OF POLICIES:

- Adopt policies that address the worst forms of child labor.

IN THE AREA OF PROGRAMS:

- Expand social programs for children at-risk of engaging in child labor to target children who work in agriculture, construction, and domestic labor.

⁴⁷⁸ Data provided in the chart at the beginning of this country report are based on UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity, School Attendance, and Combined Working and Studying Rates*, 2005-2010. Data provided are from 2003. Reliable 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 and information on children's work in general are reported in this section, 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" section of this report.

⁴⁷⁹ UNICEF, *Draft Form of Situation of Child Labour in Bhutan*, 2010. See also UNICEF, *A Situation Analysis of Children and Women in Bhutan*, National Commission for Women and Children, Thimphu, 2006; available from http://www.ncwcbhutan.org/ncwc/publications/SITAN_Bhutan-2006.pdf. See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by State Parties under Article 44 of the Convention: Convention on the Rights of the Child: Second Periodic Reports of States Parties due in 1997: Bhutan*, July 16, 2007; available from <http://www.unhcr.org/refworld/country,,CRC,,BTN,,46d411e02,0.html>. See also Lucky Wangmo, "When Children Abandon Books to Earn a Living," *Business Bhutan*, January 18, 2010.

⁴⁸⁰ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by State Parties under Article 44 of the Convention: Convention on the Rights of the Child: Second Periodic Reports of States Parties due in 1997: Bhutan*, July 16, 2007; available from <http://www.unhcr.org/refworld/country,,CRC,,BTN,,46d411e02,0.html>.

⁴⁸¹ UNICEF, *Situation of Child Labour in Bhutan*, N.D. 2010.

⁴⁸² Ibid.

⁴⁸³ Coalition to Stop the Use of Child Soldiers, "Bhutan," in *Child Soldiers Global Report 2008*, London, 2008; available from http://www.childsoldiersglobalreport.org/files/country_pdfs/FINAL_2008_Global_Report.pdf.

⁴⁸⁴ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by State Parties under Article 44 of the Convention: Convention on the Rights of the Child: Second Periodic Reports of States Parties due in 1997: Bhutan*, July 16, 2007.

⁴⁸⁵ Government of Bhutan, *Labour and Employment Act of Bhutan 2007*, (2007); available from <http://www.molhr.gov.bt/labouract.pdf>.

⁴⁸⁶ U.S. Department of State, "Bhutan," in *Country Reports on Human Rights Practices- 2009*, Washington, DC, March 11, 2010; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/sca/136086.htm>.

⁴⁸⁷ UNICEF, *Draft form of Situation of Child Labour in Bhutan*.

⁴⁸⁸ Lucky Wangmo, “When Children Abandon Books to Earn a Living.”

⁴⁸⁹ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by State Parties under Article 44 of the Convention: Convention on the Rights of the Child: Second Periodic Reports of States Parties due in 1997: Bhutan*. See also Government of Bhutan, *Labour and Employment Act of Bhutan 2007*.

⁴⁹⁰ Government of Bhutan, *Penal Code of Bhutan*, (August 11, 2004).

⁴⁹¹ Government of Bhutan, *Labour and Employment Act of Bhutan 2007*.

⁴⁹² UNICEF, *Draft form of Situation of Child Labour in Bhutan*.

⁴⁹³ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Convention on the Rights of the Child: concluding observations: Bhutan*, October 8, 2008; available from <http://www.unhcr.org/refworld/country,,CRC,,BTN,,48f7164c2,0.html>. See also UN Convention on the Elimination of All Forms of Discrimination against Women, *Responses to the list of issues and questions with regard to the consideration of the seventh periodic report: Bhutan*, May 10, 2009; available from <http://www2.ohchr.org/english/bodies/cedaw/docs/CEDAW.C.BTN.Q.7.Add.1.pdf>.

⁴⁹⁴ U.S. Embassy- New Delhi, *reporting*, September 17, 2004.

⁴⁹⁵ Lucky Wangmo, “When Children Abandon Books to Earn a Living.”