

Bhutan

Incidence and Nature of Child Labor

Statistics on the number of working children in Bhutan are unavailable.⁴⁵⁷ Children are found working in agriculture, particularly on family farms.⁴⁵⁸ Foreign child workers are found in road construction.⁴⁵⁹ In cities, children are found working as domestics and child care workers.⁴⁶⁰ Children also work as doma⁴⁶¹ sellers, street vendors,⁴⁶² in shops and restaurants, auto mechanic shops, transportation services, and other family and private enterprises.⁴⁶³ Children are also involved in commercial sexual exploitation.⁴⁶⁴

Primary education is free and compulsory.⁴⁶⁵ Primary education comprises 7 years, including a year of preparatory education and grades 1 through 6.⁴⁶⁶ Basic education has been raised through grade 10,⁴⁶⁷ which includes four years of lower and middle school secondary education.⁴⁶⁸ In 2004, Bhutan had a gross primary enrollment rate of 84.2 percent.⁴⁶⁹ While the primary school enrollment is increasing more rapidly for girls than boys,⁴⁷⁰ the gross enrollment rate was still significantly higher for boys (82.1 percent) than girls (61.5 percent).⁴⁷¹ The net primary enrollment rate was 52.9 percent in 1998, with 58.4 percent for boys and 47.2 percent for girls.⁴⁷² Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. In 2004, the completion rate for primary education, 7 years of schooling, was 86 percent for girls and 73 percent for

⁴⁵⁷ This statistic is not available from the data sources that are used in this report. 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, such as the use of children in the illegal drug trade, prostitution, pornography, and trafficking. As a result, statistics and information on children's work in general are reported in this section. Such statistics and information may or may not include the worst forms of child labor. For more information on the definition of working children and other indicators used in this report, please see the "Data Sources and Definitions" section of this report.

⁴⁵⁸ U.S. Department of State, *Country Reports on Human Rights Practices- 2004: Bhutan*, Washington, DC, February 28, 2005, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2004/41739.htm>.

⁴⁵⁹ U.S. Embassy- New Delhi, *reporting*, September 17, 2004.

⁴⁶⁰ U.S. Department of State, *Country Reports- 2004: Bhutan*, Section 6d.

⁴⁶¹ Doma is a mixture of doma or areca nut, pani or betel leaf, with a dash of lime (calcium carbonate). It is ubiquitous in Bhutan, although its use appears to be on the decline among the younger generation. See http://www.raonline.ch/pages/bt/visin2/bt_doma01.html.

⁴⁶² UNICEF, *Report on Assessment of Protection Factors of Children in Bhutan*, Ministry of Health, Thimphu, 2004.

⁴⁶³ Interview with Dr. Rinchen Chopel, Executive Director, National Commission of Women and Children, by EnCompass LLC, for the U.S. Department of Labor, on April 11, 2005, Bhutan Country File Section III, 19.

⁴⁶⁴ UNICEF, *Report of Assessment of Protection*.

⁴⁶⁵ U.S. Department of State, *Country Reports- 2004: Bhutan*, Section 5.

⁴⁶⁶ Royal Government of Bhutan, *Bhutan National Human Development Report - 2000*, The Planning Commission Secretariat, Thimphu, 2000.

⁴⁶⁷ Interview with Ms. Yandey Penjor, Director; and Ms. Dorji Ohm, Project Co-ordinator; Youth Development Fund, Thimphu, on April 4, 2005, and Mr. Bap Kuenga, Vice President Bhutan Chamber of Commerce and Industries, on April 5, 2005, by EnCompass LLC for the U.S. Department of Labor, Bhutan Country File, Section III, 3 and 8.

⁴⁶⁸ Interview with Mr. Jambey Wangchuk, Deputy Secretary, Policy and Planning Division, Ministry of Education, on April 1, 2005, by EnCompass LLC for the U.S. Department of Labor, Bhutan Country File, Section III, 17.

⁴⁶⁹ Ministry of Education, *General Statistics 2004* Policy and Planning Division, Thimphu, Bhutan, 2004, 7.

⁴⁷⁰ General Statistics, 2004, 10. In 2004, 48.4 percent of the student population consisted of girls. See also Royal Government of Bhutan, *Bhutan National Human Development Report- 2000*, The Planning Commission Secretariat, 2000; available from <http://www.dop.gov.bt/rep/nhdr2000.pdf>.

⁴⁷¹ UNESCO, *Education for All: Year 2000 Assessment* [CD-ROM], Paris, 2000.

⁴⁷² *Ibid.*

boys.⁴⁷³ In 2000, 91 percent of children enrolled in primary school reached grade 5.⁴⁷⁴ The education system suffers from lack of teachers and classrooms.⁴⁷⁵ However, the government is focusing on education and teacher training in the formal and non-traditional sectors.⁴⁷⁶

Child Labor Laws and Enforcement

The Regulation for Wage Rate, Recruitment Agencies and Workmen's Compensation Act (1994) prohibits the employment of children and states that candidates seeking employment shall have attained the age of majority, 18 years, to be eligible for appointment to any post in a business establishment.⁴⁷⁷ The Government of Bhutan is in the process of reforming its labor laws to include prohibitions against the worst forms of child labor.⁴⁷⁸ Children are permitted to enlist in the armed forces, however, at 15 years of age.⁴⁷⁹

Forced or compulsory labor is prohibited by Bhutanese law.⁴⁸⁰ In 2004, the National Assembly passed the Bhutan Penal Code, which criminalizes sex crimes and offenses against children.⁴⁸¹ According to the Penal Code of Bhutan, trafficking of children is a felony of the third degree⁴⁸² with a minimum penalty of three years;⁴⁸³ prostitution is a felony with penalties varying according to the age of the child: a felony of the first degree for a child under 12 with the penalty being 15 year to life in prison.⁴⁸⁴ The Ministry of Labor, created in 2003, is responsible for analyzing the country's labor situation and providing vocational training. The ministry conducts 10 to 15 inspections per week, most of which are in the construction sector where most imported child labor is found.⁴⁸⁵

⁴⁷³ U.S. Department of State, *Country Reports- 2004: Bhutan*.

⁴⁷⁴ UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableView/tableView.aspx?ReportId=51> (School life expectancy, % of repeaters, survival rates; accessed December 2005). This percentage may hide the fact that many children promoted to grade 5 may combine school and work. In addition, little is known in regard to Bhutanese standards for promoting children through primary school.

⁴⁷⁵ UNICEF, *Committed Partner in Progress*, [online] [cited May 20, 2004]; available from <http://www.unicef.org/bhutan/unicefbh.htm>. See also UNICEF Australia, *Perspectives on Development: Bhutanese Schools and How Can We Help?* [online] [cited May 20, 2004]; available from <http://www.unicef.org.au/whatWeDoPerspective3.asp>. See also Royal Government of Bhutan, *Bhutan National Human Development Report- 2000*, 22.

⁴⁷⁶ UNESCO, *Education for All*. Part II, para 14, table 23. See also UNICEF, *Full-Scale Evaluation of Non-Formal Education in Bhutan*, Thimphu, 1999.

⁴⁷⁷ United Nations, *Initial Reports of State Parties due in 1992: Bhutan*, October, 14 1999, UN Committee on the Rights of the Child, *Initial Reports of State Parties due in 1992: Bhutan*, CRC/C/3/Add.60, prepared by Government of Bhutan, pursuant to Article 44 of the Convention on the Rights of the Child, October 1999. See also Royal Government of Bhutan, *Rules and Regulations on Employment of Bhutanese Nationals in the Private Sector*, Thimphu, December 26, 1997.

⁴⁷⁸ Ugyen Doma, email communication to USDOL official, November 28, 2005. See also *Labour and Employment Act of the Kingdom of Bhutan*, (2005 draft), paras. 5 and 90.

⁴⁷⁹ See UN Committee on the Rights of the Child, *Summary Record of the 715th Meeting: Bhutan*, United Nations, Geneva, June 2001.

⁴⁸⁰ U.S. Department of State, *Country Reports- 2004: Bhutan*, Section 6c.

⁴⁸¹ U.S. Embassy- New Delhi, *reporting*, September 17, 2004.

⁴⁸² Royal Government of Bhutan, *Penal Code of Bhutan*, 2001, para. 227-228.

⁴⁸³ *Ibid.*, para. 3(a).

⁴⁸⁴ *Ibid.*, para. 380.

⁴⁸⁵ U.S. Embassy- New Delhi, *reporting*, September 17, 2004.

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

In August 2004, the National Assembly ratified the South Asian Association for Regional Cooperation Convention (SAARC) on Preventing and Combating Trafficking in Women and Children for Prostitution.⁴⁸⁷ The government is working with the UNDP to improve policies that address the needs of the country's poor and impoverished.⁴⁸⁸ The Youth Development Fund established by King Jigme Singye Wangchuck in 1998 provides assistance for new youth activities and programming.⁴⁸⁹

Selected Child Labor Measures Adopted by Governments	
Ratified Convention 138	N/A ⁴⁸⁶
Ratified Convention 182	N/A
ILO-IPEC Member	
National Plan for Children	
National Child Labor Action Plan	
Sector Action Plan	

UNICEF is working with the government to improve the country's education system, with special emphasis on women, children, and disadvantaged students. Efforts are focused on improving primary, non-formal, and special education, as well as providing teacher training and essential school supplies.⁴⁹⁰ The World Bank financed an education program with an emphasis on strengthening basic education in rural areas through June 2004. The Ministry of Health and Education implemented the project, which is designed to construct new schools, upgrade existing facilities, expand and improve teacher education, revise curriculum and examinations, and introduce decentralized school monitoring and evaluation through the training of central staff and head-teachers.⁴⁹¹ The World Bank is supporting another project to improve access to primary and secondary education, by financing the capital costs of schools, and improving the quality and relevance of education at all levels. The project is scheduled to run through 2009.⁴⁹² The Asian Development Bank and the Government of Germany are financing a USD 12.5 million skills training project, targeting unemployed youth in rural areas, with an emphasis on women and economically disadvantaged. The Government of Bhutan's National Technical Training Authority serves as executing agency for the project, and the Government of Bhutan will contribute approximately USD 3 million to this project.⁴⁹³

⁴⁸⁶ The Government of Bhutan is not a member of the ILO, and is thus unable to ratify ILO conventions.

⁴⁸⁷ Ibid.

⁴⁸⁸ UNDP, *Developing Bhutan's poverty monitoring system*, UNDP Bhutan, [online] October 2002 [cited May 21, 2004]; available from http://www.undp.org.bt/fact_sheets/povertyFS.PDF.

⁴⁸⁹ Government of Bhutan, *The Youth Development Fund*, [online] 2004 [cited May 21, 2004]; available from <http://www.youthdevfund.gov.bt/>. See also U.S. Department of State, *Country Reports- 2004: Bhutan*. See also UN Committee on the Rights of the Child, *Summary Record: Bhutan*, para. 8. See also Kuensel Newspaper, "Sports: promoting wholesale education," (Thimpu), January 13, 2001; available from <http://www.bootan.com/kuensel/20010113/sports.htm>.

⁴⁹⁰ UNICEF, *Second Chance at Literacy*, UNICEF in Bhutan, [online] [cited May 21, 2004]; available from <http://www.unicef.org/bhutan/educat.htm>. In addition, the Education Department is launching an "inclusive education" program that will integrate students with disabilities into regular schools by renovating one school in each of the 20 school districts to provide basic facilities for disabled students and training for teachers. See UNICEF, *Disabled Children Join Mainstream*, UNICEF in Bhutan, [online] [cited May 21, 2004]; available from <http://www.unicef.org/bhutan/disable.htm>.

⁴⁹¹ World Bank, *Bhutan- Second Education Project*, [online] May 20, 2004 [cited May 20, 2004]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK40941&menuPK=228424&Projectid=P009574>.

⁴⁹² World Bank, *Education Development Project*, May 20, 2004 [cited May 20, 2004]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK40941&menuPK=228424&Projectid=P074114>.

⁴⁹³ ADB, *Reforming Skills Training in Bhutan to Boost Growing Private Sector*, ADB.org, [online] 2004 [cited October 25, 2004]; available from <http://www.adb.org/Documents/News/2001/pi2001064.asp>. See also cADB, *Reforming Skills Training in Bhutan To Boost Growing Private Sector*, [online] 2001 [cited May 21, 2004]; available from <http://www.adb.org/Documents/News/2001/nr2001064.asp>.