

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

Since ratifying the Convention on the Rights of the Child in 1990, the Government of Bhutan has amended the Marriage Act (1996), and has enacted the Regulation of Wage Rate, Recruitment Agencies and Workmen's Compensation Act (1993) to safeguard the rights of children.⁴³⁰ The government is working with the UNDP to improve policies that address the needs of the country's poor and impoverished.⁴³¹ His Majesty the King Jigme Singye Wangchuck established the Youth Development Fund in 1998 to provide assistance for ongoing and new youth activities and programming.⁴³² The Government of Bhutan also coordinates with the WFP on a USDA - supported school-feeding program. The Bhutanese Department of Education finances the construction of kitchens and storerooms, provides cooking materials and stoves, pays the salaries of cooks, and distributes a meal stipend for children in secondary boarding schools.⁴³³ As a member state of the South Asian Association for Regional Cooperation, Bhutan signed the Convention on Preventing and Combating Trafficking in Women and Children for Prostitution in January 2002.⁴³⁴

UNICEF is working 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.⁴³⁵ The World Bank is funding an education program implemented by the Ministry of Health and Education that is constructing new schools and upgrading existing facilities, expanding and improving teacher education, revising curriculum and examinations, and introducing decentralized school monitoring and evaluation through training of central staff and head-teachers.⁴³⁶ The ADB and the Government of Germany recently funded a skills training project aimed at unemployed youth, women and the poor, which is being carried out by the Government of Bhutan's National Technical Training Authority. The Government of Bhutan will contribute approximately USD 3 million to this project.⁴³⁷ Sixty percent of recurrent educational expenditures are invested into primary education.⁴³⁸

⁴³⁰ The Marriage Act of 1996 raised the minimum age for marriage for both males and females to 18. The Regulation of Wage Rate, Recruitment Agencies and Workmen's Compensation Act prohibits the employment of children. UNICEF, *Implementing the Convention*, UNICEF in Bhutan, [online] 2003 [cited June 16, 2003]; available from <http://www.unicef.org/bhutan/crc.htm>. See also UN Committee on the Rights of the Child, *Summary Record of the 715th Meeting: Bhutan*, United Nations, Geneva, June 2001, para. 41.

⁴³¹ UNDP, *Developing Bhutan's poverty monitoring system*, UNDP Bhutan, [online] October 2002 [cited June 16, 2003]; available from http://www.undp.org/bt/fact_sheets/povertyFS.PDF.

⁴³² Government of Bhutan, *The Youth Development Fund*, [online] 2003 [cited August 7, 2003]; available from <http://www.youthdevfund.gov.bt/>. 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>.

⁴³³ U.S. Department of Agriculture, *The Global Food for Education Pilot Program*, Washington D.C., February 2003; available from <http://www.fsa.usda.gov/excredits/gfe/congress2003/africa.htm> [hard copy on file].

⁴³⁴ South Asian Association for Regional Cooperation Secretariat, *Eleventh SAARC Summit held in Kathmandu*, press release, January 9, 2002.

⁴³⁵ UNICEF, *Second Chance at Literacy*, UNICEF in Bhutan, [online] [cited June 13, 2003]; 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 June 13, 2003]; available from <http://www.unicef.org/bhutan/disable.htm>.

⁴³⁶ World Bank, *Bhutan- Second Education Project*, [project appraisal document] June 4, 2003 [cited June 13, 2003]; available from http://www-wds.worldbank.org/servlet/WDS_IBank_Servlet?pcont=details&eid=000009265_3980312102450.

⁴³⁷ Asian Development Bank, *Reforming Skills Training in Bhutan To Boost Growing Private Sector*, [online] 2001 [cited June 16, 2003]; available from <http://www.adb.org/Documents/News/2001/nr2001064.asp>.

⁴³⁸ U.S. Department of Agriculture, *The Global Food for Education Pilot Program*.

Incidence and Nature of Child Labor

In 2001, the ILO estimated that 50.2 percent of children ages 10 to 14 years in Bhutan were working.⁴³⁹ Although detailed information on the sectors in which children are working is limited, it is reported that children are often engaged in agricultural work on family farms.⁴⁴⁰

Education, including technical and vocational education, is free up to the tertiary level for all children aged 6 years or older in Bhutan.⁴⁴¹ In 1998, Bhutan had a gross primary enrollment rate of 71.9 percent. Gross enrollment varied between sexes, with boys enrolled at a rate of 82.1 percent and girls at 61.5 percent. The net primary enrollment rate was 52.9 percent in 1998, with 58.4 percent for boys and 47.2 percent for girls.⁴⁴² The completion rate of 7 years of schooling in 2001 was 60 percent for girls and 59 percent for boys.⁴⁴³ In 1999, 90.42 percent of children enrolled in primary school reached grade five.⁴⁴⁴ 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.⁴⁴⁵ Most of the primary schools in southern areas of Bhutan that were closed in 1990 remain closed. The closure of the schools in these areas, which are heavily populated by ethnic Nepalese, effectively limits the ability of ethnic Nepalese to obtain a basic education.⁴⁴⁶

Child Labor Laws and Enforcement

Employment of children is prohibited by the Regulation for Wage Rate, Recruitment Agencies and Workmen's Compensation Act (1994);⁴⁴⁷ however, a minimum age has not been established.⁴⁴⁸ For all practical purposes, however, the age of 18 has been established as the age of majority in all matters of the state, including employment, by the Marriage Act of 1996.⁴⁴⁹ Forced or compulsory labor is prohibited by Bhutanese law, and there are no

⁴³⁹ World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003.

⁴⁴⁰ U.S. Department of State, *Country Reports on Human Rights Practices- 2002: Bhutan*, Washington, D.C., March 31, 2003, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18310.htm>. See also 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, para. 32.

⁴⁴¹ UN Committee on the Rights of the Child, *Initial Reports of State Parties: Bhutan*, para. 138. See also U.S. Department of State, *Country Reports- 2002: Bhutan*, Section 5.

⁴⁴² UNESCO, *Education For All: Year 2000 Assessment* [CD-ROM], Paris, 2000.

⁴⁴³ U.S. Department of State, *Country Reports- 2002: Bhutan*, Section 5.

⁴⁴⁴ World Bank, *World Development Indicators 2003*. This percentage may hide the fact that many children promoted to grade five may combine school and work. In addition, little is known in regard to Bhutanese standards for promoting children through primary school.

⁴⁴⁵ For a more detailed discussion on the relationship between school statistics and work, see the preface to this report.

⁴⁴⁶ Schools were closed by the government as a result of protests by Southern Bhutanese to the government's "One Nation, One People" citizenship policies. U.S. Department of State, *Country Reports- 2002: Bhutan*, Section 5. See also Bhutan Association of Human Rights Activists, *Government Repression of Southern Bhutanese*, [online] [cited December 17, 2003]; available from <http://www.hurights.or.jp/wcar/E/doc/other/Refugee/AHURA.htm>.

⁴⁴⁷ UN Committee on the Rights of the Child, *Initial Reports of State Parties: Bhutan*, para. 32.

⁴⁴⁸ UN Committee on the Rights of the Child, *Summary Record: Bhutan*, para. 23.

⁴⁴⁹ *Ibid.*, para.41.

reports that such practices occur.⁴⁵⁰ Trafficking in persons is not specifically prohibited,⁴⁵¹ and there have been reports, but no specific information, that children were trafficked from Bhutan to Nepal, India, and Pakistan.⁴⁵²

The Government of Bhutan is not a member of the ILO and therefore has not ratified ILO Convention 138 or Convention 182.⁴⁵³

⁴⁵⁰ U.S. Department of State, *Country Reports- 2002: Bhutan*, Sections 6c.

⁴⁵¹ *Ibid.*, Section 6f.

⁴⁵² ECPAT International, *Bhutan*, [database online] 2003 [cited June 25, 2003]; available from http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/index.asp.

⁴⁵³ ILO, *Alphabetical list of ILO member countries*, Official Relations Branch, [online] 2003 [cited August 7, 2003]; available from <http://www.ilo.org/public/english/standards/relm/country.htm>. See also U.S. Department of State, *Country Reports- 2002: Bhutan*, Section 6d.