



BHUTAN

MINIMAL ADVANCEMENT

In 2023, Bhutan made minimal advancement in efforts to eliminate the worst forms of child labor. The government published data about its labor inspectorate funding and began to offer vocational training to boys upon their release from juvenile detention centers, reducing their vulnerability to child labor. However, Bhutan’s laws do not meet international standards on the minimum age for work as the Labor and Employment Act allows children aged 13 to enter the labor force; the prohibition of forced labor as the law does not criminalize slavery; and the prohibition of child trafficking as the Penal Code (Amendment) Act of Bhutan 2021 still includes the necessity of force, fraud, or coercion in child trafficking cases. In addition, the government has not adopted a national policy to address child labor and the government did not publicly release information on its criminal law enforcement efforts.



PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Statistics on Children’s Work and Education

Children	Age	Percent of Population
Working	5 to 14	3.8% (6,338)
Hazardous Work by Children	15 to 17	Unavailable
Attending School	5 to 14	84.7%
Combining Work and School	7 to 14	3.3%

Children in Bhutan are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in forced domestic work, including forced caregiving. Children also perform dangerous tasks in construction.

Overview of Children’s Work by Sector and Activity



Agriculture

Farming.



Industry

Construction.†



Services

Domestic work. Working in hospitality services, including restaurants. Working in automobile workshops.



Categorical Worst Forms of Child Labor‡

Commercial sexual exploitation, sometimes as a result of human trafficking. Forced domestic work, including forced caregiving.

† 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.



SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

The suggested government actions below would close gaps USDOL has identified in Bhutan’s implementation of its international commitments to eliminate the worst forms of child labor.

Legal Framework

Increase the minimum age for work from age 13 to age 15 to meet international standards.

Ensure that laws prohibiting forced labor criminalize slavery.

Make primary education compulsory and establish a compulsory age for education that is the same as the minimum age for work.

Criminally prohibit child trafficking without needing proof of the use of force, fraud, or coercion.

Make publicly available the legal statute that prohibits the recruitment of children under age 18 into Bhutan’s military.

Suggested Government Actions to Eliminate Child Labor (cont.)**Enforcement**

Provide adequate training and refresher courses to inspectors.

Ensure inspectors carry out routine and targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents, including in private farms and homes even if child labor is not suspected.

Publish criminal law enforcement information, including training for criminal investigators and the number of investigations, prosecutions, convictions, and penalties imposed and collected.

Publish labor law enforcement information, including the number of child labor violations for which penalties were imposed and collected and number of penalties imposed for worst forms of child labor crimes. Ensure investigations are conducted of suspected or reported child labor crimes.

Coordination

Publish information on the activities undertaken by the Child Labor Task Force.

Government Policies

Adopt a comprehensive policy or national action plan that addresses the worst forms of child labor and includes child labor prevention strategies.

Social Programs

Collect and publish data on the extent and nature of child labor to inform policies and programs.

Implement programs to make education more accessible for stateless children, children living in remote locations, children from nomadic communities and migrant populations, and children with disabilities, by improving transportation to schools and ensuring that children have access to identity documents for school enrollment.

Ensure that the National Commission for Women and Children receives enough funding to effectively implement its programs, including providing shelter homes and officers to oversee child protection, probation, and welfare services.

Create social programs that contribute to eliminating or preventing child labor, including in agriculture, domestic work, and commercial sexual exploitation.

**CHILDREN AT HIGHER RISK**












Bhutanese girls have been victims of commercial sexual exploitation and sex and labor trafficking, including for forced domestic work and caregiving. Some were also trafficked into debt bondage and faced threats of physical abuse. Some girls who dropped out of school in rural Bhutan were trafficked to urban centers to work as domestic help.

**BARRIERS TO EDUCATION ACCESS**

Children living in remote villages, from nomadic communities or migrant populations, and those with disabilities face significant difficulties in accessing public schools due to lack of transportation. However, the government has made efforts in recent years to improve road infrastructure, which has improved access to education for children in remote communities. Although they have access to primary and secondary education, a small number of children who are stateless also lack access to the documentation necessary to enroll in higher education, making them more vulnerable to child labor and human trafficking.

**LEGAL FRAMEWORK FOR CHILD LABOR**

As Bhutan is not a member of the ILO, it has not ratified ILO Convention 138 Minimum Age for Work and ILO Convention 182 Worst Forms of Child Labor. However, it has ratified all other key international conventions concerning child labor. In addition, Bhutan's laws do not meet international standards on the minimum age for work because the Labor and Employment Act allows children aged 13 to enter the labor force.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, 13 Years		Sections 170 and 171 of the Labor and Employment Act; Regulation on Working Conditions 2012: Acceptable Forms of Child Labor
Minimum Age for Hazardous Work, 18 Years		Sections 9(e), 170, and 171 of the Labor and Employment Act
Identification of Hazardous Occupations or Activities Prohibited for Children		Section 9(e) of the Labor and Employment Act; Section 9 of the Regulation on Working Conditions 2012: Acceptable Forms of Child Labor
Prohibition of Slavery, Debt Bondage, and Forced Labor		Amendment 9 of Penal Code (Amendment) Act of Bhutan 2021; Sections 6–8, 9(a), and 10 of the Labor and Employment Act; Sections 154 and 155 of the Penal Code; Preamble and Sections 221 and 224 of the Child Care and Protection Act
Prohibition of Child Trafficking		Section 9(a) and 10 of the Labor 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, 155, 379, and 380 of the Penal Code
Prohibition of Commercial Sexual Exploitation of Children		Section 9(b) and 10 of the Labor and Employment Act; Sections 222–224 of the Child Care and Protection Act; Sections 225 and 375–380 of the Penal Code
Prohibition of Using Children in Illicit Activities		Section 9(c) and 10 of the Labor and Employment Act; Section 220 of the Child Care and Protection Act
Minimum Age for Voluntary State Military Recruitment, 18 Years		Defense Service Rules and Regulations
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*	
Prohibition of Military Recruitment by Non-state Armed Groups		Section 9(a) and 10 of the Labor and Employment Act
Compulsory Education Age		
Free Public Education		Article 9.16 of the Constitution of the Kingdom of Bhutan

*Country has no conscription

Bhutan's minimum age for work is not compliant with international standards because the Labor and Employment Act allows children aged 13 to enter the labor force. Although Bhutan provides free education through grade 10, attendance is not compulsory, which may increase the risk of children's involvement in child labor. Laws prohibiting forced labor are also not sufficient as they do not criminalize slavery. In addition, 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. Moreover, although the Royal Government of Bhutan (RGoB) reports that the minimum age for voluntary recruitment into Bhutan's military is age 18, the relevant Defense Service Rules and Regulations were not available for public review.



ENFORCEMENT OF LAWS ON CHILD LABOR

In 2023, labor and criminal law enforcement agencies in Bhutan took actions to address child labor. However, gaps exist within the operations of enforcement agencies, including a lack of adequate training provided to enforcement officials, that may have hindered adequate enforcement of their child labor laws.

Agencies Responsible for Child Labor Law Enforcement

Ministry of Industry, Commerce and Employment (MoICE): On December 30, 2022, the Ministry of Labor and Human Resources was merged with relevant departments of the former MoICE. The Department of Labor (DOL) under MoICE investigates child labor complaints and ensures that employers comply with child labor laws. In addition, DOL refers cases involving the worst forms of child labor to the police and regularly inspects companies for compliance with the Labor and Employment Act. Regulations on working conditions cover issues related to child labor, hours of work, and penalties.

Royal Bhutan Police: Investigate and enforce criminal laws related to the worst forms of child labor. Include 3 dedicated Women and Child Protection Units and 10 Women and Child Protection Desks tasked with enforcing laws protecting women and children. Refer survivors of child abuse and exploitation to child welfare officers and the National Commission for Women and Children. Criminal and civil cases involving child labor are adjudicated by the Child Justice Court.

Enforcement Mechanisms and Efforts

Has a Labor Inspectorate	Yes	Has a Complaint Mechanism	Yes
Able to Assess Civil Penalties	Yes	Imposed Penalties for Child Labor Violations	Unknown
Routinely Conducted Worksite Inspections	Yes	Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	Unknown
Unannounced Inspections Permitted	Yes	Imposed Penalties for Worst Forms of Child Labor Crimes	Unknown

In 2023, **25** labor inspectors conducted **5,251** worksite inspections, finding **0** child labor violations. It is **unknown** whether investigations into suspected cases of the worst forms of child labor were conducted, prosecutions were initiated, or perpetrators were convicted.



COORDINATION, POLICIES, AND PROGRAMS

<p>Key Mechanism to Coordinate Government Efforts on Child Labor</p> <p>Bhutan established a mechanism to coordinate its efforts to address child labor. However, it is unclear whether that coordinating mechanism carried out any activities during the reporting period.</p>	<p>Child Labor Task Force: Coordinates government efforts on child labor across multiple government agencies and ministries. Led by MoICE, and comprises representatives from government, international organizations, civil society, and the private sector. Although the Child Labor Task Force was active during the reporting period, research could not determine what activities were undertaken.</p>
<p>Key Policies Related to Child Labor</p>	<p>Research found no evidence that Bhutan established policies to address child labor.</p>
<p>Key Social Programs to Address Child Labor</p> <p>Bhutan funded and participated in programs that include the goal of eliminating or preventing child labor. However, these social programs are inadequate to address the problem in all sectors and in all states where child labor has been identified, including in agriculture, domestic work, and commercial sexual exploitation.</p>	<p>Women and Children Hotlines: Respond to issues related to women and children, including human trafficking cases, and provide emergency assistance and referral services. The hotline operates 24 hours a day, 7 days a week, and is staffed by trained counselors. The PEMA Secretariat, established in 2022 as the lead national organization promoting mental health and well-being, has assumed responsibility for many of the services previously handled by the National Commission for Women and Children (NCWC), including the operation of a hotline to report child protection issues and to oversee referrals to related services. MoICE, through the NCWC, also has a hotline that can receive anonymous complaints about child labor abuses. MoICE’s online system is for employers and employees to report complaints and accidents. The hotline was active during the reporting period.</p>

Coordination, Policies, and Programs (Cont.)**Key Social Programs to Address Child Labor**

† Program is funded by the Royal Government of Bhutan.

Shelters for Vulnerable Women and Children:[†] Include Respect, Educate, Nurture, and Empower Women (RENEW), a Thimphu-based civil society organization (CSO) that receives government funding, and provides shelter, counseling, and survivor services for women and children who have been victims of human trafficking. During the reporting period, RENEW operated the Gawaling Happy Home (GHH), which is a shelter that provides services to women and girls, and boys up to the age of 14, who are survivors of domestic violence, gender-based violence, and human trafficking. GHH provides counseling, legal aid, emergency medical aid, crisis intervention, meditation practice, education for children, and livelihood training. The CSO, Nazhoen Lamtoen Children Halfway Home, also provides shelter, counseling, and support services to children, including children in conflict with the law, such as vocational training to boys upon their release from juvenile detention centers, in part through government funding.

For information about USDOL's projects to address child labor around the world, visit dol.gov/ILABprojects
For references, please visit dol.gov/ChildLaborReports