Bhutan

Country Reports on Human Rights Practices - 2006
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Bhutan is a hereditary monarchy with a population of 672,000. On December 9, King Jigme Singye Wangchuck signed a royal decree handing power over to his son, Crown Prince Jigme Khesar Namgyel Wangchuck. The king governs with the support of a National Assembly, a cabinet, and a Council of Ministers. As head of state, the king is responsible for matters relating to the country's security and sovereignty. Citizens elected 106 of the 150 representatives in the National Assembly in 2003, with 10 ministers elected by the National Assembly, 10 representatives nominated by the central Buddhist clergy, and 24 government officials nominated in their ex-officio capacity by the king to represent government and other secular interests. The civilian authorities generally maintained effective control of the security forces.

The following human rights problems remained noteworthy: limited right to change government; restrictions on assembly and association; restrictions on freedom of religion, limited political expression, restrictions on political parties and discrimination against the ethnic Nepali minority.

Political changes took place throughout the year as the country laid the ground work for its transition to a parliamentary democracy. In June and July, Parliament passed four legislative acts including the Anti-Corruption Act that launched a countrywide education and advocacy program; the Audit Act that enhanced the organizational and functional independence of the Royal Audit Authority; the Information, Communications and Media Act that contains provisions for freedom of speech and the press; and the Office of the Attorney General Act, which made the Office an autonomous agency. At the end of the year, the National Assembly also enacted the Labor and Employment Act.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, and there were no reports that government officials employed them.

Prison and Detention Center Conditions

Prison conditions reportedly were satisfactory, and buildings and installations remain in fairly good condition. In December the International Committee of the Red Cross (ICRC) conducted its 24th round of visits to the Lodrai Sub-district Jail and Chamgang Central Jail. In both places authorities kept prisoners incarcerated for politically motivated crimes in areas separate from common criminals.

During the year the government extended the ICRC prison visits program for another year, as it had done annually since a five year Memorandum of Understanding was signed by the ICRC and the government in 1998. Authorities allowed the ICRC unhindered access to prisons.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

The Royal Bhutan Police, under the control of the Ministry of Home and Cultural Affairs, had responsibility for internal security. The Royal Bhutan Army had responsibility for external threats but also had some internal security responsibilities, such as guarding forests, providing VIP protection, and conducting counterinsurgency operations. Corruption and impunity were not problems during the year.

Arrest and Detention

Under the law police may not arrest a person without a warrant, must immediately inform the accused of the charge, must make a reasonable effort to inform the person's family of the arrest, and must bring an arrested person before a court within 24 hours, exclusive of travel time from place of arrest. The police normally respected the law in practice. There were no reports of arbitrary arrest or detention during the year.

An undetermined number of Nepal-based refugees who attempted to return to the country were turned over to Indian authorities and returned to camps in Nepal. ICRC and the Nepal Red Cross Society continued to partially reimburse fare for the families of the detainees living in United Nations UNHCR) run camps in Nepal wishing to visit their relatives detained in Chamgang.

e. Denial of Fair Public Trial

The law does not provide for an independent judiciary, but in practice the judiciary generally enforced the right to a fair trial.

The judiciary is overseen by the National Judicial Commission (NJC).

The judicial system consists of three branches, the sub-divisional court, the district court, and a high court. Local headmen and magistrates (thrimpon) hear cases in the first instance. Appeals may be made to a six-member High Court (also known as the Royal Court of Justice). From the High Court, a final appeal may be made to the king. Only the king can pardon or commute a sentence. The king appointed judges to the High Court and 20 district courts on the recommendation of the NJC. The judges may be removed, suspended, or censured by the king only at the request of the NJC. The chief justice, using recommendations of the Judicial Service Council, made judicial appointments to the sub-divisional courts.

The Office of Legal Affairs (OLA) is the judicial support department of the government and conducted state prosecutions, drafted and reviewed legislation, and rendered legal counsel. The OLA consists of a legal services division with domestic, international, and human rights sections, and a prosecution division with a criminal section and a civil section.

Trial Procedures

The law stipulates that defendants receive a fair and speedy trial, as long as it does not limit the ability of the accused to prepare an adequate defense, and these conditions generally were respected. Bail is also available depending on the severity of charges, the suspect's past criminal record, likelihood of flight, and potential threat to the public. A preliminary hearing must be convened within 10 days of registration with the appropriate court. Before any guilty or no contest plea is registered, the court must determine that the accused is mentally sound and understands the consequences of such action. Defendants enjoy a presumption of innocence and all cases must be proved to the "beyond a reasonable doubt" standard. Juries were not used. Punishments included imprisonment, probation, fines, or restitution. Defendants have the right to appeal to the High Court and may make a final appeal to the king, who traditionally delegated the decision to the Royal Advisory Council. Trials were conducted publicly, except for family law and cases involving juveniles.

Citizens generally had the right to a fair trial. Courts adjudicated criminal cases and a variety of civil matters under both customary law and the legal code. State-appointed prosecutors filed charges and prosecuted cases for offenses against the state. In other cases the relevant organizations and departments of government filed charges and conducted the prosecution. Defendants and their attorneys had access to government-held evidence.

Defendants may choose legal representation from a list of 165 government-licensed advocates. The OLA stated that most defendants sought legal assistance only in serious criminal cases. Legal counsel is not free; therefore, many citizens unable to afford representation did not receive professional legal assistance. Village headmen, who had the power to arbitrate disputes, constituted the bottom rung of the judicial system. Magistrates, each with responsibility for a block of villages, could review the decisions of village headmen. Magistrates' decisions could be appealed to district judges, of which there was one for each of the country's 20 districts.

Political Prisoners and Detainees

By year's end 43 persons remained incarcerated under the National Security Act of 1992 and the Supreme Law of the Land (Chinchun Chempo) in connection with violence associated with political dissidence from 1991 to 92. They were all sentenced, and the government permitted ICRC regular access to them.

Civil Judicial Procedures and Remedies

Criminal matters and most civil matters are resolved by application of the 17th century legal code as revised in 1957 and in 2001. Precedence is not used in the delivery of justice. Questions of family law are governed by traditional Buddhist or Hindu law. Minor offenses are adjudicated by village headmen.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions, and the government generally respected these prohibitions in practice. Only an authorized agent of the government may search mail without a warrant and only if there is cause to suspect that the parcel contains narcotics, contraband such as weapons or explosives, or information that could be harmful to public health or security. Wiretapping is not allowed without a warrant.

Human rights groups argued that the government interfered with individual rights by requiring all citizens, including minorities, to wear the traditional dress of the ethnic majority in all public places. The government strictly enforced the law only for Buddhist religious buildings, government offices, schools, official functions, and public ceremonies; otherwise, the enforcement of this law was sporadic, and it was common to see people in nontraditional dress throughout the country (see section 5).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

In July the National Assembly adopted the Information, Communications and Media Act that contains provisions to ensure the freedom of speech and press. Individuals were able to criticize the government publicly; however, the government did at times attempt to impede criticism and monitor political meetings.

During the year two independent newspapers started publication. On April 30, The Bhutan Observer, an English weekly newspaper, began printing, and on June 2, The Bhutan Times, a weekly newspaper published in English and in Dzongkha, began publication. The two new newspapers were critical at times of the government. Along with Kuensel, a pro-government private biweekly newspaper, they reported stories on a daily basis through online editions. On November 11, Bhutan Now, a monthly periodical, began publication. As reported in previous years, according to the editorial staff and management of Kuensel, publication was independent, funded entirely through advertising and subscription revenue, and was free to report on any subject. During the year Kuensel often published stories critical of the government and highlighted societal problems. Its board consisted of senior civil servants and private individuals. Kuensel was published in English, Dzongkha, and Nepali. Foreign newspapers and magazines were available.

On September 28, a private FM radio station, Kuzoo FM 90, began operating 12 hours a day, 7 days a week. The state-owned Bhutan Broadcasting Service ran other radio and television stations. The government limited the number of television channels available, although a large variety of television programming was available in the country, including CNN, BBC, and a number of Indian news services. There were no private broadcasters. The government did not censor content.

Internet Freedom

Internet access was growing and was unrestricted. There were no reports of government restrictions on access to the Internet; however, the government regulated all material on the Internet that it considered pornographic. Individuals and groups could engage in peaceful expression of views via the Internet, including by electronic mail.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law does not provide for freedom of assembly, and the government restricted this right in practice.

Freedom of Association

The law does not provide for freedom of association, and the government restricted this right in practice by not permitting the creation of political parties and organizations; however, the government allowed civic and business organizations to function freely. The government regarded political parties organized by ethnic Nepalese exiles--the Bhutan People's Party, the Bhutan National Democratic Party, and the Druk National Congress--as illegal, terrorist, and antinational. These parties, which sought the repatriation of refugees and democratic reforms, were unable to conduct activities inside the country.

c. Freedom of Religion

The law provides for freedom of religion; however, there were allegations that the government restricted this right in practice and Mahayana Buddhism was the state religion.

The government subsidized monasteries and shrines of the Drukpa sect and provided aid to approximately one-third of the Kingdom's 12,000 monks. The government also provided financial assistance for the construction of Drukpa Kagyupa and Ningmapa Buddhist temples and shrines. The government maintained that it supported the monastic establishment in accordance with an agreement it made with the Buddhists in 1956 when the government seized land from them for redistribution to landless citizens. In exchange the government committed

to providing financial support to the monasteries. Societal pressure for conformity with Drukpa Kagyupa norms was prevalent.

The king declared one major Hindu festival a national holiday and the royal family participated in it. There was only one Hindu temple in Thimphu. Nongovernmental organizations (NGOs) reported that permission from the government to build religious temples was required but rarely granted for non-Buddhist religious buildings, with the last reported Hindu temple constructed in the early 1990s. Followers of religions other than Buddhism and Hinduism were free to worship in private homes but could not erect religious buildings or congregate in public. International Christian relief organizations and Jesuit priests were active in education and humanitarian activities. Proselytism and conversion, particularly through the provision of financial and economic incentives, were deemed illegal by the government due to the National Security Act, which prohibits "words either spoken or written, or by other means whatsoever, promotes or attempts to promote, on grounds of religion, race, language, caste or community, or on any other ground whatsoever, feelings of enmity or hatred between different religious, racial or language groups or castes and communities". Violating the act is punishable with up to three years' imprisonment, although it was not clear that the government enforced this provision of the act.

On January 7, authorities arrested two civil servants for proselytizing Christianity in the village of Nago in the Paro District. The government found them guilty of falsely calling a village meeting on the pretext of holding an official meeting, proselytism, maligning the Spiritual Head of Bhutan, posing as officials on business, and giving false information. Authorities released the prisoners on July 29.

Societal Abuses and Discrimination

According to dissidents living outside the country, the government permitted only Buddhist religious teaching in schools. Some dissidents claimed that Buddhist prayer is compulsory in all government-run schools; however, the government contended that Buddhist teaching was permitted only in monastic schools and that religious teaching was forbidden in other schools. Although students take part in a prayer session each morning, the sessions are nondenominational and non- compulsory. Government authorities sometimes asked applicants for government services to state their religion before services were rendered. The government required all civil servants to take an oath of allegiance, did not have religious content but was administered by a Buddhist Lama (see section 5).

The country does not have a Jewish population, and there were no reports of anti-Semitic acts.

For a more detailed discussion, see the 2006 International Religious Freedom Report.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights, but the government placed limits on them in practice. There were highway checkpoints in districts that bordered China or Assam at which persons were required to show their citizenship identity cards. Citizens traveling in border regions were required to show these cards at immigration check points.

The law does not address forced exile. Although the government officially does not use formal exile, in previous years many political dissidents freed under government amnesties stated that they were released on the condition that they depart the country. The government denied this. Many of those released subsequently registered at refugee camps in Nepal, while some relocated to India.

Protection of Refugees

The law does not provide for the granting of asylum in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has not established a system for providing or denying protection to refugees. There are no reports that the government provided or denied protection against refoulement, the return of persons to a county where they feared persecution.

The government restricted emigration and prohibited the return of citizens who left the country. The country's citizenship laws state that persons who have left the country of their own accord, without the knowledge or permission of the government, or whose names are not recorded in the citizenship register maintained in the Ministry of Home Affairs (MHA), will not be considered citizens of the country. Some dissidents claimed that this law was created specifically to deny citizenship to ethnic Nepalese Bhutanese. Over the years local government offices gave many such persons identity cards without registering them with the central offices of the MHA.

Implementation of a nationwide census in 1980s, rather than changed citizenship requirements, resulted in the denaturalization of many ethnic Nepalese residents. The census, which was initially conducted across the country in 1985, was re-conducted in 1988-1989 in the southern districts. At that time people were required to demonstrate land documents from 1958. Those who lost citizenship under the 1985 law were permitted to apply for citizenship provided that certain conditions were met, including 20 years of residency, proficiency in speaking and writing Dzongkha, a "good moral character," and no record of having spoken or acted against the king, country, and its people. Those who could not meet the new citizenship requirements were deemed to be illegal immigrants. In addition, citizens who voluntarily emigrated without government approval lost their citizenship. Beginning in 1988 the government expelled large numbers of ethnic Nepalese under the 1985 citizenship law.

From 1990 to 1993, more than 80,000 ethnic-Nepalese Bhutanese entered Nepal seeking refuge. When they first arrived between 1990 and 1991, prior to the establishment of camps and the provision of international assistance, the ethnic-Nepalese Bhutanese refugees lived in harsh conditions. Numerous refugees told UNHCR that they want to return to Bhutan. Approximately 15,000 additional ethnic-Nepalese Bhutanese fled Nepal to India, but UNHCR did not accord them refugee status. Since 1993 the country has had a series of negotiations with Nepal, conducted under the auspices of the Joint Verification Team (JVT) to resolve the refugee problem; however, the JVT process has been delayed since 2003.

The Citizenship Act provides for the revocation of the citizenship of any naturalized citizen who "has shown by act or speech to be disloyal in any manner whatsoever to the king, country, and people of Bhutan." The Home Ministry later declared in a circular that any nationals leaving the country to assist "anti-nationals," and the families of such persons, would forfeit their citizenship. Human rights groups alleged that these provisions were used widely to revoke the citizenship of ethnic Nepalese who subsequently were expelled from or otherwise departed the country.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the right to change their government. The country is a monarchy with sovereign power vested in the king. However, in 2005 the government released a draft constitution stipulating a constitutional monarchy with limited right to change the government, a separation of powers, and protection of human rights. The government stated it would enact the constitution in 2008 and began establishing institutions required by the draft constitution.

Elections and Political Participation

In 2003 citizens elected 106 members of the 150-member National Assembly. Of the remaining 44 seats, the Buddhist clergy nominated 10, the National Assembly elected 10 ministers, and the king nominated 24. The National Assembly has the power to remove ministers whom the king nominates, but it has never done so. Political authority has devolved to the National Assembly, which can pass legislation; however, ultimate control remained with the king and the cabinet, which is composed of the Royal Advisory Council and the Council of Ministers.

The National Assembly, which convenes twice a year, elects the Council of Ministers and the Royal Advisory Council. A special session, if necessary, can be called at any time.

Each national assembly constituency consisted of a number of villages. Each village was permitted to nominate one candidate, conducted by secret ballot, according to national election law. There is no provision for self nomination, and the law states that no person may campaign for the candidacy or canvass through other means. The government did not allow political parties. The government banned parties established abroad by ethnic Nepalese and eastern Bhutanese (see section 2.b.).

The king nominates all cabinet ministers who are then elected by the National Assembly. A minister's term is limited to five years, after which he or she must pass a vote of confidence in the National Assembly to remain in office. The National Assembly, by a two-thirds vote of no confidence, can require the king to abdicate to be replaced by the next person in the line of succession. The position of chairman of the council of ministers rotates on a yearly basis, beginning with the minister who received the most votes. The chairman serves as prime minister and head of government. In September Foreign Minister Lyonpo Khandu Wangchuck became chairman and prime minister.

There were 15 women in the 150-member National Assembly and two women on the High Court. Women constituted 23 percent of civil service employees, and women held more than 30 percent of positions at the Ministry of Foreign Affairs. There was no provision for allocating a set number or percentage of parliamentary seats for women or members of minority groups.

All major ethnic groups were represented in the National Assembly, including 14 ethnic Nepalese. Nevertheless, NGOs reported that ethnic Nepalese were underrepresented in the assembly.

Government Corruption and Transparency

There were reports of government corruption during the year. The government took an active role in addressing the issue through the Public Accounts Committee in the National Assembly and the Royal Audit Authority, which monitored the use of government funds. The anticorruption fraud alert system allowed citizens to post information on its Web site regarding corrupt practices. In December 2005 the king created an Anti-Corruption Commission by royal decree. The government stated during the transition to a parliamentary democracy, "it is very important to curb and root out corruption from the very beginning." On July 3, the government passed the Anti-Corruption Bill creating a framework for investigating and prosecuting corruption. The bill allows the government to freeze assets of suspects, blacklist companies from participating in government tenders, revoke licenses, and manage anticorruption policies.

There is no law providing for public access to government information; however, NGOs reported that the government regularly provided unclassified information upon request.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

There were no legal human rights organizations in the country. The government regarded human rights groups established by ethnic Nepalese exiles--the Human Rights Organization of Bhutan, the People's Forum for Human Rights in Bhutan, and the Association of Human Rights Activists-Bhutan--as political organizations and did not permit them to operate in the country.

ICRC representatives conducted an annual prison visit, and the government provided them unhindered access to detention facilities, including those in southern districts inhabited by ethnic Nepalese. The ICRC stated that the government was open and forthright during prison visits and, as of this year, stopped biannual checks.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law does not prohibit discrimination on the basis of race, sex, disability, language, or social status.

Women

The law does not specifically prohibit domestic violence against women; however, the provisions of criminal law generally cover such crimes. Women have the same legal rights as men, and NGOs reported that women faced no overt discrimination and had equal access to health care, education, and public services. There was no evidence that rape or spousal abuse were extensive problems. However, NGOs reported that many women did not report rape because of cultural taboos or because they were unaware of their legal options.

The Rape Act contains a clear definition of criminal sexual assault and specified penalties. In cases of rape involving minors, sentences range from five to 17 years in prison. In extreme cases a rapist may be imprisoned for life. Spousal rape is illegal. There were few reported instances of sexual harassment.

Women were accorded respect in the traditions of most ethnic groups and participated freely in the social and economic life of the country. Inheritance law provides for equal inheritance among all sons and daughters, but traditional inheritance practices, which vary among ethnic groups, may be observed if the heirs choose to forego legal challenges. For example traditional inheritance laws for the majority of Buddhists stipulate that daughters inherit family land. As a result, 60 percent of rural women hold land registration titles. These inheritance practices favoring daughters reportedly accounted for the large numbers of women who owned shops and businesses. Tradition dictates that the most capable member of the family runs the household, which often resulted in the mother or eldest daughter holding this position. Within the household men and women were relatively equal. Female school enrollment was 48.3 percent and was growing in response to government policies encouraging and funding universal attendance. Women in unskilled jobs generally were paid slightly less than men in the same positions. In 2004 women constituted approximately 30 percent of the formal work force. Dowries were not customary, even among ethnic Nepalese Hindus.

Questions related to family law, including divorce, child custody, and inheritance, were adjudicated by the Marriage Act of 1996. The minimum age of marriage for women was 18 years. The law provides for equal treatment for both men and women. Polygamy is allowed provided the first wife gives her permission. Polyandry is permitted but rare. Marriages may be arranged by the marriage partners themselves as well as by their parents. The law requires that all marriages be registered.

The National Women's Association of Bhutan tried to encourage women to improve their living standards and socio-economic status. In 2004 the government created a National Commission for Women and Children, which actively defended the rights of women and children during the year.

Children

The law provides for children's rights, and the government's policies generally supported these provisions.

There are 512 educational facilities with approximately 190,000 students in the country. There was tremendous growth in the number of non-formal education (literacy courses) centers. In 1992 there were six institutions with 300 students; there are now 646 institutions with 18,550 students. The government provides 11 years of universal, free, and compulsory primary school education, and primary school enrollment increased 4.2 percent per year since 1995. The Ministry of Education reported that enrollment of girls at every level of general education (except government schools) is approximately 48 percent. During the year the participation rate for children between the ages of six and 12 in primary schools was approximately 80 percent. Completion rates for girls continued to surpass that of boys. Rural areas were home to over 80 percent of all primary schools.

There is no law barring ethnic Nepalese children from attending school; however, the government denied security clearance forms to children of ethnic Nepalese whom the government claimed were anti-nationals, thus denying them higher education. Exile groups claimed that Nepalese secondary-level students scoring highly on national exams, because of their inability to obtain a passport, were not always given the same advantages as other students, such as the chance to study abroad at government expense, particularly if they were related to prominent dissidents or refugees. The government refuted this claim, stating that all scholarships were merit based.

The law prohibits the employment of children, but child labor was present (see section 6.d.). Child abuse was rare.

Trafficking in Persons

The law does not prohibit trafficking in persons; however, there were no reports that persons were trafficked to, from, or within the country.

Persons with Disabilities

The law does not specifically protect the rights of citizens with disabilities; however, there was no evidence of official discrimination against persons with disabilities in matters of employment, education, access to health care, or in the provision of other state services. The law stipulates that new buildings must be constructed to allow access for persons with disabilities; however, the law was not always enforced. Under the Disability Prevention and Rehabilitation Program, the government seeks to provide medical rehabilitation for all types of disabilities, promote integration of children with disabilities into normal schools, support activities for vocational rehabilitation of adults with disabilities, and foster community awareness and social integration of persons with disabilities in community activities.

There are special educational institutes for students with disabilities. The National Institute for the Disabled (NID) in Khaling educates visually handicapped children. The institute had an enrollment of 45 students and 12 teachers. There was a Deaf Education resource unit at In

Drukgyel in Paro. In Changangkha in Thimphu, special education facilities were constructed to meet the needs of physically and mentally challenged children. While there were no government-sponsored social welfare services available for people with disabilities, the National Pension and Provident Fund entitles benefits to people with disabilities.

National/Racial/Ethnic Minorities

In the late 1980s and early 1990s, the government committed numerous abuses against ethnic Nepalese. This led to the departure or involuntary expulsion of an estimated 100,000 ethnic Nepalese, although the government asserted substantially fewer left. At the time the government claimed it was concerned about the rapid influx and associated political agitation of ethnic Nepalese. Since then the government claimed that ethnic and gender discrimination in employment was not a problem. It stated that ethnic Nepalese constituted 25 percent of the population and comprised 16 percent of the civil service and government employment; however, human rights groups active outside the country claimed that ethnic Nepalese actually make up approximately one-third of the country's population and that the government deliberately underreported their numbers. Ethnic Nepalese claimed that they were subject to discrimination and prejudice.

The law requires that the national dress be worn for official occasions and as a school uniform and that the Dzongkha language be taught as a second language in all schools. No instruction in Nepali as a second language was required or offered. After the expulsion of many ethnic Nepalese in the early 1990s, discriminatory measures with regard to ethnic minority communities continued.

The government has resettled Drukpa Bhutanese in the southern part of the country on land vacated by the ethnic Nepalese living in refugee camps in Nepal. Human rights groups maintained that this prejudiced any eventual outcome of negotiations over the return of the refugees to the country. The government maintained that it occasionally resettled ethnic Nepalese from the south on more fertile land in other parts of the country. In the same fashion the government's one-time only policy on the forced retirement of refugee family members in government service and the resettlement of Drukpa on land vacated by expelled ethnic Nepalese in the south reinforced prejudice against ethnic Nepalese. The government claimed that the resettlement scheme was part of a nationwide program to discourage migration to urban centers and reduce landless people's dependence on migrant farming.

Section 6 Worker Rights

a. The Right of Association

The law allows workers to form or join unions; however, there were no labor unions operating in the country during the year. The government maintained that, with very little industrialization, there was little labor to be organized. The Ministry of Employment reported in 2004 that the total labor force numbered 216,500 persons, 166,200 of whom worked in rural areas.

b. The Right to Organize and Bargain Collectively

The law does not authorize collective bargaining or the right to strike.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The government prohibits forced or compulsory labor, including by children, and there were no reports that such practices occurred. The government required community service to build local roads, schools, and hospitals. The government and NGOs stated that rural workers often volunteered to work on national projects and were paid slightly above the minimum wage of $2.50 (112.70 ngultrums) per day. There was no evidence to suggest that the government subjected domestic workers to coerced or bonded labor.

d. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the employment of children; however, child labor was prevalent. There is no minimum age for employment. Children under 18 often performed agricultural work and chores on family farms and shops after school and during holidays. NGOs estimated that there were approximately 45,000 persons under 18 who were working. A large majority of these children worked for their families.

e. Acceptable Conditions of Work

A 1994 circular establishes wage rates, the regulations for payment of workers' compensation. Wage rates, which were revised periodically, started from a minimum of roughly $2.50 (112.70 ngultrums) per day plus various allowances paid in cash or kind. The national minimum wage provided a decent standard of living for a worker and family. The workday is defined as eight hours with a one-hour lunch break, and employers must grant regular days of leisure. Work in excess of this must be paid at one and one-half times normal rates.

Civil service regulations require equal pay for equal work for men and women. All citizens are entitled to free medical care. The government transported persons who could not receive adequate care within the country to other countries (usually India) for treatment. Workers are eligible for compensation in the case of partial or total disability, and in the event of death, their families are entitled to compensation. Existing labor regulations do not grant workers the right to remove themselves from work situations that endanger health and safety without jeopardizing their continued employment.