

[Home](#)[Issues & Press](#)[Travel & Business](#)[Youth & Education](#)[About State Department](#)

Bhutan

Country Reports on Human Rights Practices - [2005](#)

Released by the Bureau of Democracy, Human Rights, and Labor
March 8, 2006

Bhutan is a hereditary monarchy with a population of approximately 800 thousand. King Jigme Singye Wangchuck 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, 10 elected by the National Assembly, 10 nominated by the clergy, and 10 nominated by the king. The civilian authorities generally maintained effective control of the security forces.

The government's human rights record improved during the year, although problems remained. A few prisoners arbitrarily detained for violence related to a pro-democracy movement in 1991-92 were released, but others remained in prison. Unlike in previous years, there were no reports of police conducting house-to-house searches for dissidents. Human rights problems included:

- limited right to change government
- restrictions on speech and press
- restrictions on assembly and association
- restrictions on freedom of religion
- limited political expression
- restrictions on political parties
- discrimination against the ethnic Nepali minority

The government released a draft constitution in March that included provisions protecting political and human rights, and held open and active discussions regarding the merits of the document during the year. By year's end the constitution had yet to be enacted, although nationwide deliberations continued. The government issued identity cards, which previously had been denied to some citizens of Nepali descent, making land registration, travel, and school attendance more accessible.

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 Spartan. The International Committee of the Red Cross (ICRC) conducted one visit to the Lodrai Sub-district Jail and Chamgang Central Jail during the year. Prisoners incarcerated for politically motivated crimes were kept in areas separate from common criminals.

During the year the government extended the ICRC prison visits program for another year, as it has done annually since a five year Memorandum of Understanding was signed by the ICRC and the government in 1998. Authorities allowed the ICRC generally 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, was responsible for internal security. The Royal Bhutan Army was responsible for external threats but also had some internal security responsibilities, such as guarding forests, providing VIP protection, and conducting counter insurgency 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, and the police normally respected the law in practice. There were no reports of arbitrary arrest or detention during the year. Human rights activists alleged that legal protections were incomplete, due to a shortage of defense attorneys.

According to the ICRC, six persons detained in connection with political dissidence and violence in 1991-92 were released 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.

e. Denial of Fair Public Trial

The law provides for the right to a fair trial, and an independent judiciary generally enforced this right.

The judiciary is overseen by the National Judicial Commission. The judicial system consists of three branches, the subdivisional court, the district court, and a high court. Only the king can pardon or commute a sentence. Judges to the High Court and 20 district courts were appointed by the king on the recommendation of the National Judicial Commission and may be removed, suspended, or censured by him, only at the request of the National Judicial Commission. 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 adequately a 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. Current punishments include 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.

Questions on family law such as marriage, divorce, adoption, and child custody were addressed under the Marriage Act of 1980, amended in 1996.

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 codified in 2001 as the Bhutan Civil and Criminal Procedure 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. Unlike in previous years, there were no reports that defendants were not presented with charges in their own language or that defendants were not given enough time to prepare their defense. Defendants were able to confront and question witnesses who were testifying against them and were able to present witnesses and evidence on their behalf. 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. Since there was a legal requirement that citizens pay for their legal counsel, many citizens unable to afford representation did not receive sufficient 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. The High Court in Thimphu is the country's supreme court.

Political Prisoners

Approximately 70 persons remained incarcerated in connection with violence associated with political dissidence from 1991-92.

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

The law prohibits such actions, and the government generally respected these prohibitions in practice. Unlike in previous years, there were no reports that police conducted house to house searches for suspected dissidents without explanation or legal justification. Unlike in previous years, there were no reports of illegal searches during the year. 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 peoples' rights by requiring all citizens, including minorities, to wear the traditional dress of the ethnic majority in all public places. This law was strictly enforced 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

The law does not provide for freedom of speech and of the press, but the government generally respected these rights in practice. Individuals were able to criticize the government publicly; however, the government did at times attempt to impede criticism and monitor political meetings.

The country's only regular publication was *Kuensei*, a biweekly newspaper. It also reported stories on a daily basis through its online edition. Unlike in previous years, according to the editorial staff and management of *Kuensei*, the publication was independent, funded entirely through advertising and subscription revenue, and was free to report on any subject. During the year the paper often published stories critical of the government and highlighted societal problems. Its board consisted of senior civil servants and private individuals. *Kuensei* was published in English, Dzongkha, and Nepali. The government maintained that it did not restrict the creation of new publications. Foreign newspapers and magazines were available.

There were no reports of government restrictions on the Internet or academic freedom; however, the government regulated all material on the Internet that it considered pornographic.

Radio and television stations, run by the Bhutan Broadcasting Service, were government owned; however, a large variety of television programming was available in the country, including CNN, BBC, and a number of Indian news services. The government did not censor content.

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, the government restricted this right in practice, and Buddhism was the state religion. Approximately two-thirds of the population practiced either Drukpa Kagyupa or Nyingmapa Buddhism. The government subsidized monasteries and shrines of the Drukpa sect and provided aid to approximately one-third of the Kingdom's 12 thousand monks. The government also provided financial assistance for the construction of Drukpa Kagyupa and Nyingmapa 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. 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. Mahayana Buddhism is the state religion. Proselytism

by other faiths is illegal. Although there was no legal prohibition against conversion, some NGOs claimed that the government prohibited conversions by Buddhists to other faiths.

Societal Abuses and Discrimination

According to dissidents living outside the country, only Buddhist religious teaching was permitted 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. NGOs confirmed that, although students take part in a prayer session each morning, it is nondenominational and not compulsory. Applicants for government services sometimes were asked their religion before services were rendered. All government civil servants were required to take an oath of allegiance to the king, the country, and the people. The oath did not have religious content, but a Buddhist Lama administered it (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 [2005 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 at which persons were required to show their citizenship identity cards to pass. Citizens traveling in border regions were required to show these cards at immigration check points, even at check points that were located a considerable distance from the country's open border with India. Issuance of security clearances for ethnic Nepalese was often based on the status of their relatives, and clearances were frequently denied to family members of ethnic Nepalese currently living in refugee camps in Nepal. Many ethnic Nepalese claimed that they were frequently denied government security clearances, a prerequisite for obtaining a passport. All citizens must have a security clearance to attend higher education or work for the government.

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, and 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; however, the government recognizes the right to asylum in accordance with international refugee law. The government has not established a system for providing protection to refugees. There were no reports that the government did not provide protection against *refoulement*, the return of persons to a country 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 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.

During the mid- and late-1980s, citizenship became a highly contentious matter in the country. Citizenship requirements resulted in the denaturalization of many ethnic Nepalese residents. Those who lost citizenship under the 1985 law were permitted to apply for naturalization only if they were able to prove 15 years of residence prior to 1985. 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 new citizenship law.

Many ethnic Nepalese went to camps in Nepal where they remained. According to the UN High Commissioner for Refugees (UNHCR), tens of thousands of ethnic Nepalese from the country were living in seven camps in southeastern Nepal. Also, approximately 15 thousand additional persons fled the country and resided in India, but UNHCR did not accord them refugee status. Since 1993 there have been a series of negotiations with Nepal to resolve the refugee problem.

In 2003 the Joint Verification Team (JVT), composed of representatives of both the country and Nepal, released verification results for one refugee camp, the Khudunabari camp. It identified 2.4 percent of the total camp population as eligible Bhutanese citizens, with the absolute right of return; 70.6 percent as "voluntary migrants," who would have to apply for citizenship if they chose to return; 24.2 percent as "nonnationals" who could not return; and 2 percent as criminals who would have to face charges if they returned to the country. All refugees remained in Nepal at year's end. During the year the government did not restart the JVT process, citing concerns over the security situation in Nepal following a 2003 attack on its verification team members by refugees in the Khudunabari camp and the ongoing Maoist insurgency in Nepal.

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 "antinationalists," 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 March 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. At year's end the draft constitution had not been enacted.

Elections and Political Participation

In 2003 citizens elected 105 members of the 150-member National Assembly. Of the remaining 45 seats, the Buddhist clergy selected 10, and the king appointed 35. The National Assembly has the power to remove ministers whom the king nominates but has never done so. Political authority has devolved to the National Assembly, which can pass legislation; however, ultimate control still resided in 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, in June and November, 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, and the vote was 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. Political parties were not allowed. Parties established abroad by ethnic Nepalese and eastern Bhutanese were banned (see section 2.b.).

In 2003 human rights activists claimed that the only time individual citizens had involvement in choosing a national assembly representative was when asked by the village headman to provide consensus approval of a village candidate. The activists claimed that district officials suggested candidates, who in turn took their direction from the central government, and that consensus approval occurred at a public gathering. Human rights activists stated that there was no secret ballot, but the government refuted these allegations. According to the government, a secret ballot was mandatory, even if there was only one candidate.

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 rotates on a yearly basis, beginning with the minister who received the most votes. The chairman of the council of ministers also serves as prime minister and head of government. On September 5, Minister of Agriculture Lyonpo Sangay Ngedup became chairman and prime minister.

There were 15 women in the 150-member National Assembly, and 2 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. However, 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 how government funds were spent. The anticorruption fraud alert system allowed citizens to post information on its website regarding corrupt practices.

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 indicated that biannual checks were no longer necessary.

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 5 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, active since 1981, 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 government demonstrated its commitment to child welfare by rapidly expanding the number of primary schools, healthcare facilities, and immunization programs. Prior to the government's decision to focus on education in 1961, the country had 11 schools with approximately 400 students per school. There are currently 476 educational facilities with approximately 162 thousand students in the country. The government provides 11 years of universal, free, and compulsory primary school education, and primary school enrollment increased 4.4 percent per year since 1995, with enrollment of girls increasing at 5.6 percent. During the year the participation rate for children in primary schools was 88 percent. UN Children's Fund figures estimate net primary school enrollment to be between 66 to 69 percent. The government stated the rate of completion of 6 years of schooling increased from 48 percent in 1996 to 80 percent during the year. The Ministry of Education reported that 79 percent of enrolled students completed eight years of schooling. Completion rates for girls continued to surpass that of boys. Rural areas were home to 80 percent of all primary schools; unlike in previous years, schools in the southern part of the country were open.

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 antinationals, 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. Child labor was prevalent (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.

National/Racial/Ethnic Minorities

In previous years the government committed numerous abuses against ethnic Nepalese. This led to the departure of an estimated 100 thousand ethnic Nepalese. 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 that they filled 16 percent of the civil service and government employment;

however, Bhutanese 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. Specifically, ethnic Nepalese with relatives in refugee camps in Nepal were often denied "No Objection Certificates" (a type of security clearance) needed for education past the tenth grade and for access to government employment.

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.

Drukpa Bhutanese have been resettled in the southern part of the country on land vacated by the ethnic Nepalese living in refugee camps in Nepal (see section 2.d.). 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 ethnic Nepalese from the south occasionally were resettled on more fertile land in other parts of the country. The failure of the government to facilitate the return of ethnic Nepalese refugees reinforced societal prejudices against this group. 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. In 2003 a labor ministry was established to analyze the country's labor situation and provide vocational training.

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, and there were no reports that such practices occurred. The system of mandatory national work service was abolished in 1996. 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 (100 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 does not specifically prohibit forced or compulsory labor by children, but there were no reports that such practices occurred. There is no minimum age for employment; however, the minimum age of 18 was established "in all matters of the state." 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 thousand persons under 18 who were working. A large majority of these children worked for their families.

e. Acceptable Conditions of Work

A 1994 circular established wage rates, rules, and regulations for labor recruiting agencies. It also established the regulations for payment of worker's compensation. Wage rates were revised periodically, and started from a minimum of roughly \$2.50 (100 ngultrums) per day plus various allowances paid in cash or kind. This minimum wage provided a decent standard of living for a worker and family. The workday was 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. Persons who could not receive adequate care within the country the government transported 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.



