

**Please identify the office responsible for coordinating the responses to this survey and include the contact information.**

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Please return the completed survey to the ESCAP secretariat by **31 August 2020**, preferably by e-mail to [escap-sdd@un.org](mailto:escap-sdd@un.org) with a copy to Regional Network on Migration for Asia and the Pacific at [UNRNAP-regreviews@iom.int](mailto:UNRNAP-regreviews@iom.int). Any queries can be forwarded to these same addresses.

Kindly indicate whether you would be willing to share your report at the IMRF/regional reviews site on the UN Network on Migration at <https://www.migrationnetwork.un.org/>. Please contact [UNRNAP-regreviews@iom.int](mailto:UNRNAP-regreviews@iom.int) if you have a query or suggestion in this regard.

☒ Yes. I am willing to share my report.

☐ No. I am not willing to share my report.

### **Instructions**

**Please provide answers to the following set of questions (about 500 words per question)** as they relate to **clusters of objectives** of the Global Compact for Migration (General Assembly resolution 73/326, para 21).

If needed, please provide the answers in a separate document and attach it to this survey.

Please provide **references or links to relevant policy documents in a separate document**, attached to this survey.

If possible, please identify any **innovative policies or practices** related to any of the objectives of the Global Compact for Migration. Also, information should be based on **statistical as well as qualitative data**.

**Question 1. Ensuring that migration is voluntary, orderly and regular. (GCM Objectives: 2, 5, 6, 12, 18)**

**Q1A.** Please highlight the migration levels and trends, including drivers (if possible), and migrant experiences relevant to this cluster of objectives. *The response could make reference to trends in migration; outcomes of migration; or migrant experiences.*

The Royal Government of Bhutan has put in place appropriate immigration and labour laws and regulations to facilitate and ensure that migration into Bhutan is voluntary, orderly and regular in nature. Most migrants in Bhutan are those who come to work primarily within the construction and hydropower sectors and fall under professional, skilled and unskilled categories. On an average, there are around 45,000 to 50,000 migrant workers in the country at any given point of time. The variation in the number of migrant workers in the country is contingent upon the number of developmental activities taking place. However, due to the COVID-19 situation in the country, most migrant workers have returned back to their home country currently. The import of migrant workers are jointly overseen by the Department of Immigration under the Ministry of Home and Cultural Affairs and the Department of Labour under the Ministry of Labour and Human Resources.

The Labour and Employment Act of Bhutan (2007), prohibits compulsory or forced labour, discrimination against employees and job seekers and sexual harassment by the employer for all workers irrespective of their nationality. This Act also enables the Royal Government to execute its commitment to treat migrant workers at par with our national workers and also to protect their rights. Further, the Act requires that contract agreement include information on duration, specified task, notice period for termination of contract, wages, and working hours for the purpose of appropriate screening and assessment of their competencies and skills sets.

For our own nationals going abroad for employment, the Ministry of Labour and Human Resources has been facilitating and regulating overseas employment. Around 8000 Bhutanese, mostly youth, have been facilitated for employment overseas by the Ministry of Labour and Human Resources since 2013. The overseas employment placement of Bhutanese nationals by the Private Employment Agents are done only after approval from the Ministry of Labour and Human Resources on the type of employments, wages, working conditions and environment are accorded.

**Q1B.** Please highlight the concrete policy, legal, and programmatic actions taken by your government to advance these objectives in recent years (in particular since the adoption of the GCM on 10 December 2018)? *Examples could include policy reforms undertaken, adoption of new laws, drafting of national-level implementation plans, entering into bilateral/regional agreements, signature/ratification of relevant conventions, engagement in dialogue processes.*



Through implementation of relevant immigration and labour laws and regulations, the entry of migrants and their work related aspects in the country are well monitored and regulated. The Department of Labour under the Ministry of Labour and Human Resources oversees and approves requests for work permits of foreign workers wishing to come and work in Bhutan. Thereafter, the Department of Immigration under the Ministry of Home and Cultural Affairs issues work permit cards and accordingly regulates the entry and exit of migrant workers to and from the country.

The Labour and Employment Act of Bhutan 2007 and its Regulations on Working Conditions governs the services of both our national and foreign migrant workers in the country. Since the Royal Government already has the required laws and regulations in place prior to the adoption of the Global Compact for Safe, Order and Regular Migration (GCM) in 2018, no new laws, regulations or policies have been adopted.

**Q1C. What are the main gaps identified and challenges faced in addressing these objectives?** *These gaps and challenges may include challenges at national, regional and global levels; capacity challenges; financing and others.*

Preventing irregular migration due to the long, open and porous border and ensuring the authenticity of identity documents of migrants remains a challenge. Most migrants are illiterate but notwithstanding capacity and resource constraints faced by the Department of Immigration, Ministry of Home and Cultural Affairs, every effort is being made to ensure the proper management of migrants.

**Q1D. Please share some of the results of these actions, effective solutions, best practices and lessons learned by your Government in implementing these objectives.**

The introduction of biometric systems at land ports in the country by the Department of Immigration, Ministry of Home and Cultural Affairs have significantly helped the Royal Government in ensuring entry and exit of migrant workers in a safe, orderly and regular manner.

**Question 2. Protecting migrants through rights-based border governance measures. (GCM Objectives: 4, 8, 9, 10, 11, 13, 21)**

**Q2A. Please highlight migration levels and trends, including drivers (if possible), and migrant experiences relevant to this cluster of objectives.** *The response could make reference to trends in migration; outcomes of migration; or migrant experiences.*

Most cross border migration (inward) is for purposes of employment in the construction sector (public and private) and hydro-power projects. All migrants who enter the country for purposes of employment must have a valid identity document and work authorization from the Department of Labour. The entry, stay and exit of migrants are regulated by the Department of



Immigration, Ministry of Home and Cultural Affairs in close coordination with the Department of Labour, Ministry of Labour and Human Resources. Cases of migration (outbound) by Bhutanese nationals are also increasing for purposes of long term studies and employment.

In the event that any migrant workers in the country goes missing, then necessary efforts to locate the missing person or persons are undertaken by taking on board relevant government agencies such as the Department of Immigration, Ministry of Home and Cultural Affairs; Department of Labour, Ministry of Labour and Human Resources; and the Royal Bhutan Police. In order to prevent, combat and eradicate Trafficking In Persons (TIP) in the context of international migration, relevant government agencies have been and continue to be sensitized and trained by the Department of Law and Order, Ministry of Home and Cultural Affairs, which is the lead government agency on Trafficking. The Department of Law and Order also launched a Standard Operating Procedure (SOP) for Multisectoral Response to Address TIP in Bhutan on 25 November 2019. The SOP outlines the roles and responsibilities of relevant government agencies and Civil Society Organizations (CSO) while dealing with TIP cases involving both nationals and foreigners. The government also ensures that undocumented migrants are returned back to their home country in a safe and dignified manner. During their stay in the country, necessary psychosocial support measures like counselling and shelter home care are provided by relevant government agencies such as the National Commission for Women and Children (NCWC) and RENEW, a CSO dedicated to extending psychosocial support to trafficking victims.

The Labour and Employment Act 2007 prohibits any person from acting as an employment agent unless the person is licenced. The licenced agents should follow the procedures laid out in the Regulation on Bhutanese Overseas Employment Agent 2013. The agents must seek prior approval from the Ministry of Labour and Human Resources right from announcing overseas vacancies to final placement. However, there have been cases in the past where unlicensed agents or fake operators were involved in sending Bhutanese overseas for employment.

**Q2B. Please highlight the concrete policy, legal, and programmatic actions taken by your government to advance these objectives in recent years (in particular since the adoption of the GCM on 10 December 2018). Examples could include policy reforms undertaken, adoption of new laws, drafting of national-level implementation plans, entering into bilateral/regional agreements, signature/ratification of relevant conventions, engagement in dialogue processes.**

Efforts to streamline processes to facilitate the smooth entry, stay and exit of migrants is undertaken by the Department of Immigration, Ministry of Home and Cultural Affairs in close coordination with the Department of Labour, Ministry of Labour and Human Resources periodically. Amongst others, capacity building programs for immigration personnel on document examination, border management and TIP has also been implemented. A Standard Operating Procedure (SOP) for a multi-sectoral response to address TIP was adopted for implementation by the government in 2019.



**Q2C. What are the main gaps identified and challenges faced in addressing these objectives?** *These gaps and challenges may include challenges at national, regional and global level; capacity challenges data needs; financing and others.*

Preventing irregular migration due to the long, open and porous border and ensuring the authenticity of identity documents of migrants remains a challenge. Most migrants are illiterate but notwithstanding capacity and resource constraints faced by the Department of Immigration, Ministry of Home and Cultural Affairs, every effort is made to ensure the proper management of migrants.

**Q2D. Please share some of the results of these actions, effective solutions, best practices and lessons learned by your Government in implementing these objectives.**

By implementing the above GCM objectives, in particular objective 10 on preventing, combating and eradicating TIP in the context of international migration, the Royal Government through the launch of the SOP for Multi Sectoral Response to Address TIP in Bhutan has been successful in outlining the roles and responsibilities of relevant stakeholder agencies such as the Department of Law and Order and Department of Immigration, Ministry of Home and Cultural Affairs; Department of Labour, Ministry of Labour and Human Resources; Ministry of Foreign Affairs; Royal Bhutan Police; National Commission for Women and Children and other relevant agencies to deal with TIP cases involving both Bhutanese and foreign nationals in the country. Further, through the advocacy and outreach programmes conducted thus far in the country, a significant level of awareness among the general public on TIP has been achieved.

**Question 3. Supporting the integration of migrants and their contribution to development.**  
**(GCM Objectives: 14, 15, 16, 19, 20, 22)**

**Q3A. Please highlight migration levels and trends, including drivers (if possible), and migrant experiences relevant to this cluster of objectives.** *The response could make reference to trends in migration; outcomes of migration; or migrant experiences.*

The Royal Government treats migrant workers at par with our national workers and ensures that all migrant workers residing in Bhutan enjoy all rights as that of Bhutanese workers. Our national laws and regulations are not discriminatory to migrant workers and ensure that they have equal access to basic services such as healthcare and education while in the country. Further, necessary arrangements have been undertaken by Financial Institutions in the country to ensure that they have faster, safer and cheap transfer of remittances through the banks. Additionally in order to facilitate remittances from Bhutanese working abroad, the RemitBhutan platform was launched in September, 2016.

With regard to the social security entitlements and earned benefits of the migrant workers in the country, the Labour and Employment Act of Bhutan (2007) requires information about contracts of employment with duration, specified task, notice period for termination of contract, wages, and working hours to be specified in the contract agreement, thereby ensuring that the rights of the migrant workers to their entitlements are guaranteed. The Department of Labour, Ministry of Labour and Human Resources also carries out regular unannounced worksite inspections to monitor compliance. From 2019 up until now, a total of 1782 such workplace inspections were carried out in the country.

**Q3B. Please highlight the concrete policy, legal, and programmatic actions taken by your government to advance these objectives in recent years (in particular since the adoption of the GCM on 10 December 2018).** *Examples could include policy reforms undertaken, adoption of new laws, drafting of national-level implementation plans, entering into bilateral/regional agreements, signature/ratification of relevant conventions, engagement in dialogue processes.*

No new policy, legal and programmatic actions relating to the above GCM objectives have been undertaken since the adoption of GCM on 10 December 2018 besides those mentioned above in Q3.

**Q3C. What are the main gaps identified and challenges faced in addressing these objectives?** *These gaps and challenges may include challenges at national, regional and global level; capacity challenges data needs; financing and others.*

No major gaps or challenges have been faced while addressing these GCM objectives since the Royal Government already has in place necessary legislation such as the Labour and Employment Act of Bhutan, 2007 and its Regulations to address some of the above GCM objectives.

**Q3D. Please share some of the results of these actions, effective solutions, best practices and lessons learned by your Government in implementing these objectives?**

While implementing these set of GCM objectives, the Royal Government has been able to ensure that the migrant workers and their rights to basic services such as healthcare and basic education are at par with our own national workers. By empowering migrant workers to realize full social benefits, the Royal Government has been able to ensure that Bhutan is a safe and reliable place for migrants to come and work.



**Question 4. Improving value-driven and evidence-based policymaking and public debate and enhancing cooperation on migration. (GCM Objectives: 1, 3, 7, 17, 23)**

**Q4A. Please highlight migration levels and trends, including drivers (if possible), and migrant experiences relevant to this cluster of objectives. *The response could make reference to trends in migration; outcomes of migration; or migrant experiences.***

At the port of entries, all migrant workers are documented before their work permits are issued. The Department of Immigration, Ministry of Home and Cultural Affairs records and maintains a database on all migrant workers along with their biometrics. The Department of Labour, Ministry of Labour and Human Resources also maintains records of work authorization issued to migrant workers. These repositories of data are in turn used to inform the Royal Government's decisions in an accurate and reliable manner. The Royal Government and its policies are not discriminatory to the migrants and instead ensures that their rights and welfare are at par with our own national workforce.

**Q4B. Please highlight the concrete policy, legal, and programmatic actions taken by your government to advance these objectives in recent years (in particular since the adoption of the GCM on 10 December 2018). *Examples could include policy reforms undertaken, adoption of new laws, drafting of national-level implementation plans, entering into bilateral/regional agreements, signature/ratification of relevant conventions, engagement in dialogue processes.***

No new policy, legal and programmatic actions relating to the above GCM objectives have been undertaken since the adoption of GCM on 10 December 2018 besides those mentioned in Q4A.

**Q4C. What are the main gaps identified and challenges faced in addressing these objectives?. *These gaps and challenges may include challenges at national, regional and global level; capacity challenges data needs; financing and others.***

No major gaps or challenges have been faced while addressing these GCM objectives.

**Q4D. Please share some of the results of these actions, effective solutions, best practices and lessons learned by your Government in implementing these objectives?**

While implementing the above GCM objectives, particularly Objective 1 concerning the collection and utilization of accurate and disaggregated data as a basis for evidence based policies, data on migrant workers are maintained by both the Department of Immigration, Ministry of Home and Cultural Affairs and the Department of Labour, Ministry of Labour and Human Resources.

**Question 5. What steps has the Government taken to integrate the *vision and cross-cutting and interdependent guiding principles* of the Global Compact for Migration (see paras 8 to 15 of the Global Compact (see General Assembly resolution 73/195)) into its implementation? How was this accomplished? (please check against the principles that have been integrated).**

A. People-centered ☐ Yes ☐ No

Yes

B. International cooperation ☐ Yes ☐ No

Yes

C. National sovereignty ☐ Yes ☐ No

Yes

D. Rule of law and due process ☐ Yes ☐ No

Yes

E. Sustainable development ☐ Yes ☐ No

Yes

F. Human rights ☐ Yes ☐ No

Yes

G. Gender-responsive ☐ Yes ☐ No

Yes

H. Child-sensitive ☐ Yes ☐ No

Yes

I. Whole-of-government approach ☐ Yes ☐ No

Yes

J. Whole-of-society approach ☐ Yes ☐ No

Yes



**Question 6. How is the Global Compact for Migration contributing to realizing the achievement of the 2030 Agenda for Sustainable Development? What has your Government done to integrate the implementation of the Global Compact objectives into SDG implementation?**

Bhutan follows a five year development planning cycle. Concerted efforts are made to ensure that international commitments stemming from various programmes of action and frameworks are mainstreamed into the national planning and monitoring frameworks and cascaded through all levels of government. The 12<sup>th</sup> Five Year Plan (FYP) is Bhutan's current national development plan that commenced implementation in November 2018 and will extend till 2023. The Plan's 17 National Key Result Areas (NKRAs) and Key Performance Indicators (KPIs) are strongly aligned to the 17 Sustainable Development Goals (SDGs). Programmes formulated under NKRA 11: Productive and gainful employment pertaining to implementation of the Labour and Employment Act 2007 and its regulations, improving foreign workers management and labour relations are aligned with the objectives of the GCM.

**Question 7. From the Government's perspective, are there any objectives of the Global Compact for Migration that are of particular importance in the national context? Please name the objectives that the Government has prioritized and explain why.**

From the 23 GCM objectives, the following objectives are deemed to be of particular importance to our national context:

**Objective 4 - Ensure that all migrants have proof of legal identity and adequate documentation.**

Ensuring that all migrants have proof of legal identity and adequate documents is critical for the government to facilitate, monitor and regulate entry, stay and exit of migrant workers.

**Objective 7- Address and reduce vulnerabilities in migration.**

The constitution of the country mandates provision of free access to basic health services to all the people residing within the country and it applies to also the migrant workers residing in the country.

**Objective 10 - Prevent, combat and eradicate trafficking in persons in the context of the international migration.**

Bhutanese nationals are increasingly going overseas for the purposes of studies and employment. In this regard, the chances of Bhutanese nationals being enticed through coercion, fraudulent and deceptive means with promises of high wages and attractive employment opportunities remains

significant. As such, this particular GCM objective to prevent, combat and eradicate TIP in the context of international migration remains a priority for the government.

**Objective 11 - Manage borders in an integrated, secure and coordinated manner.**

In order to regulate the entry and exit of migrant workers (both nationals and foreigners) in a regulated and coordinated manner, the need to manage our borders in an integrated, secure and coordinated manner is critical for the government. This would also significantly curtail the chances of TIP in the context of international migration.

**Objective 12: Strengthen certainty and predictability in migration procedures for appropriate screening, assessment and referral.**

This is in line with the government's focus on citizen centric approach whereby all processes are required to be certain and predictable. In the case of migrant workers, relevant information for purposes of entry, stay and exit are provided in the relevant agencies' websites.

**Question 8. From the Government's perspective, how and to what extent have *regional plans and strategies* addressed the implementation of the Global Compact for Migration? What are the main achievements, gaps and challenges to existing regional approaches, strategies and implementation plans?**

Not awarded.

**Question 9. What *methodology* was adopted for completing this voluntary GCM review; how was a whole-of-government approach applied through engaging the various relevant ministries and other sectors of government; what mechanisms were used to engage civil society and other relevant stakeholders for a whole-of-society approach?**

In view of the cross cutting nature of migration, relevant agencies of the Royal Government were taken on board to gather responses to this GCM survey questionnaire. A whole of the government approach was undertaken to gather pertinent information on the implementation of the 23 GCM objectives.

**Question 10. Given the outbreak of *COVID-19* which has affected all countries in the region, what challenges has the Government identified in implementation of the Global Compact for Migration as part of the COVID-19 response, and what has the Government done to address the specific situation of migrants and their families?**

The Royal Government's response to the COVID - 19 pandemic has been a whole of society approach. We have taken into consideration the concerns of the migrant workers in the country while framing our national response to the pandemic. In order to mitigate the spread of COVID - 19, the Royal Government implemented measures such as closing of our international borders



and also enforcing lockdown. For those migrant workers wishing to return back to their home country, the Royal Government in close consultation with relevant counterpart agencies facilitated their safe return. And during the lockdown period, the government allocated visitation cards to both our nationals and migrant workers in the country to undertake restricted movements to access essential services such as groceries and healthcare services. The government has ensured that our national response to the COVID - 19 pandemic is inclusive and takes into consideration the well being of the migrant workers present in the country. The Department of Immigration, Ministry of Home and Cultural Affairs also relaxed immigration rules and regulations to facilitate extension of stay of migrant workers beyond the approved duration, change of employer and work places and facilitated renewal of work permits without imposing late renewal fees.

For our own nationals working in other countries, the government has organized numerous repatriation flights to bring them back from other countries. Upon their return back to the country, they were provided free quarantine services. Further, the government through His Majesty The King's Relief Fund also granted monetary assistance to those individuals whose incomes were affected by COVID-19 pandemic and were unable to meet their basic food and living expenses.

**End of the survey.**

**Thank you for your support**