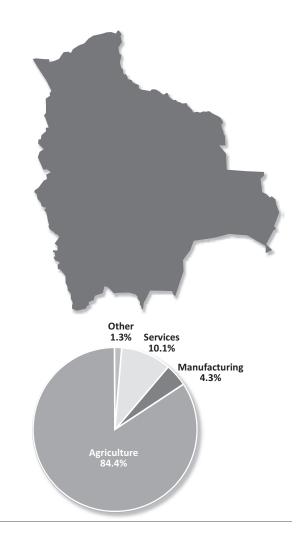
Bolivia

The Government of Bolivia has strengthened its legal and policy framework to address the worst forms of child labor, particularly in the sugar cane sector. However, hazardous child labor continues to exist, especially in the agricultural sector and among indigenous children. Although enforcement efforts have improved, gaps remain in the enforcement of child labor laws. Social programs that address the worst forms of child labor have been established but may be too limited to address the full scope of the problem.

Statistics on Working Children and School Attendance

Children	Age	Percent
Working	7-14 yrs.	22.0%
Attending School	7-14 yrs.	94.6%
Combining Work and School	7-14 yrs.	19.7%



Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Bolivia are exploited in the worst forms of child labor, 496 many of them in agriculture. Indigenous children are particularly vulnerable to the worst forms of child labor. 497 Children work in the production of sugarcane and Brazil nuts, especially in the departments of Pando, Beni, Santa Cruz, and Tarija. 498 Children's work in agriculture commonly involves using potentially dangerous machinery and tools, carrying heavy loads, and applying harmful pesticides.⁴⁹⁹ Children often work alongside their families in the harvesting of these products. Many of these workers become indebted to their employers and are forced to work as long as the debt exists, sometimes for long periods of time and across generations.⁵⁰⁰ Many indigenous Guaraní families live and work on ranches in debt bondage in the Chaco region.⁵⁰¹ Children also mine gold, silver, tin, and zinc where they work long hours, often in enclosed spaces, with

exposure to dangerous tools and chemicals.⁵⁰² Other worst forms of child labor include street vending, shining shoes, and assisting transport operators, work in which children may be exposed to a variety of hazards, such as severe weather, accidents caused by proximity to vehicles, and vulnerability to criminal elements.⁵⁰³ Additionally, underage children work in construction, where they may work long hours, carry heavy loads, or use dangerous tools and machinery.⁵⁰⁴ Although evidence is limited, there is reason to believe that the worst forms of child labor are used in the production of cotton and bricks.⁵⁰⁵

Some Bolivian children also migrate with their families to work in Chile as vendors in markets and in agriculture. Ohildren are also used to transport drugs in the border areas with Chile and Peru. Ohildren are sent from rural to urban areas to work for higher-income families as domestic servants or criaditos, in circumstances that often amount to indentured servitude.

The commercial sexual exploitation of children, including child prostitution, is a problem in Bolivia, particularly in the Chapare region and in urban areas, including Santa Cruz, La Paz, El Alto, and Cochabamba.⁵⁰⁹

Through organized networks, Paraguayan children are trafficked from Paraguay to Santa Cruz and La Paz for the purpose of commercial sexual exploitation. The internal trafficking of Bolivian children for the purposes of prostitution, domestic service, mining, and agricultural labor, particularly on sugarcane and Brazil nut plantations, also occurs. Bolivian children are also trafficked to neighboring countries for forced labor. Bolivian families reportedly sell or rent their children to work in agriculture and mining in Peru. There have also been reports of Bolivian children forced into the production of garments in Argentina.

Several hundred thousand Bolivian citizens, many indigenous, lack identifying documents, which precludes access to basic social services and increases vulnerability to exploitation.⁵¹⁵

Laws and Regulations on the Worst Forms of Child Labor

The *Ley del Código del Niño, Niña, y Adolescente* (Child and Adolescent Code) sets the minimum age for employment at age 14.⁵¹⁶ Apprenticeships for children ages 12 to 14 are permitted with various restrictions.⁵¹⁷ Children age 14 to 18 years must have the permission of their parents or of government authorities to work.⁵¹⁸ The law prohibits children age 14 to 17 from taking part in hazardous activities such as carrying excessive loads, working underground, working with pesticides and other chemicals, working at night, and working in the harvesting of cotton, Brazil nuts, or sugarcane. The law also requires employers to grant time off to adolescent workers who have not completed their primary or secondary education so that they may attend school during normal school hours.⁵¹⁹

Bolivia's new Constitution, which was approved in 2009, prohibits forced or exploitive child labor, as well compulsory labor and any kind of labor without fair compensation. The minimum age for the country's 1-year compulsory military service for males is age 18. The law allows children age 15 and older with basic secondary education to volunteer for certain military activities. ⁵²¹

The Ley 3325: Trata y Tráfico de Personas y Otros Delitos Relacionados (Law Against Trafficking in Persons and Other Related Crimes) specifically prohibits child pornography and trafficking of minors for the purpose of prostitution.⁵²²

Ser to	C138, Minimum Age	✓
ATTORY	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	14
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	17
	Free Public Education	Yes

Institutional Mechanisms for Coordination and Enforcement

The Ministry of Labor (MOL) is responsible for developing policies concerning child labor and leads an Inter-institutional Commission to coordinate the various agencies and other entities involved in child labor issues.⁵²³ The Commission includes several Ministries and various NGOs, which makes coordination challenging.⁵²⁴ Additionally, the meetings are reported to be infrequent.⁵²⁵ The MOL also has a mandate to coordinate and develop policies to eradicate any form of servitude, and its Fundamental Rights Unit has the specific responsibility to protect indigenous people and eradicate forced labor.⁵²⁶

The MOL is responsible for enforcing child labor laws and employs 35 inspectors who investigate labor complaints countrywide. Due to limited resources, these inspectors only respond to complaints and do not pro-actively inspect other workplaces. 527 Inspectors have encountered obstacles in gaining access to plantations in the Chaco region where there

is forced labor of entire families.⁵²⁸ Four inspectors are dedicated to investigating child labor violations in the areas identified by the government to have pervasive child labor, which include the sugar cane regions of Santa Cruz and Tarija-Bermejo, as well as Riberalta and Potosí.529 The child labor inspectors conducted 90 inspections in 2009 and found violations in 10 percent of the cases, which are still pending.⁵³⁰ The MOL has developed a guide and conducted trainings on child labor for all labor inspectors throughout the country.⁵³¹ The MOL has the authority to fine violators and to send cases to labor courts, which are responsible for enforcing the penalties.⁵³² The MOL may also send cases to one of the 260 municipal Defender of Children and Adolescence offices that protect children's rights and interests.533 Statistics on hazardous child labor, such as the number and nature of offenses, investigations conducted, prosecutions, and penalties applied, are limited.⁵³⁴

Trafficking for sexual and labor exploitation is addressed by the Government's Special Police Investigative Units (SIU) and prosecutors. The SIU and Bolivian National Police maintain telephone hotlines for the public to report child trafficking or the commercial sexual exploitation of children. Bolivian police have been conducting raids on brothels and other sites that have rescued 287 child victims of prostitution. The Government of Bolivia hosted the first annual regional International Trafficking in Persons Conference in April 2009, which increased collaboration in the region and shared good practices.

Statistics on child trafficking enforcement actions, such as the number and nature of offenses, investigations conducted, prosecutions, and penalties applied, are limited.⁵³⁹

Government Policies on the Worst Forms of Child Labor

The Government of Bolivia's policy framework to address child labor is the National Plan for the Progressive Eradication of Child Labor 2000–2010.

The plan identifies mining, sugar cane harvesting, and urban work as priority areas in combating exploitive child labor. The MOL has undertaken a consultative process on the problem of labor by indigenous children to help design policies. The consultative process raised awareness within a number of indigenous communities, created a better understanding of the perceptions of child labor among indigenous groups, and encouraged participatory decision-making to address child labor. S41

Bolivia's National Development Plan (2006-2010) and poverty reduction strategy support the goals and implementation of the National Plan for the Progressive Eradication of Child Labor through the coordination of government agencies and projects. In addition, the strategies outlined in the National Program for Decent Work in Bolivia and the UN Development Assistance Framework (2008-2012) support efforts to eliminate the worst forms of child labor and to reduce poverty. The 2008 Education for All (EFA) Global Monitoring Report published by UNESCO indicates that Bolivia will likely attain the EFA goal of universal primary enrollment by 2015.

The Government of Bolivia has created a Transitional Plan for the Guaraní Communities that involves several national ministries and addresses the forced labor of families in the Chaco region. The Transitional Plan supports the fundamental rights of the Guaraní, agrarian land reform, and the development of economic alternatives for Guaraní families, as outlined in the National Development Plan. However, international experts on indigenous rights issues have reported that the implementation of this Transitional Plan has been slow. How the solution of the Plan has been slow.

The Government of Bolivia and other MERCOSUR countries are carrying out the *Niño Sur* (Southern Child) initiative to defend the rights of children and adolescents in the region. The initiative includes public campaigns against commercial sexual exploitation, trafficking, and child labor; mutual technical assistance in raising domestic legal frameworks to international standards on those issues;

and the exchange of best practices related to victim protection and assistance. Bolivia's Secretariat of Tourism is part of the Joint Group for the Elimination of Commercial Sexual Exploitation of Children in Tourism, created in 2005, which conducts prevention and awareness-raising campaigns to combat the commercial sexual exploitation of children in Latin America. The Government of Bolivia also has a bilateral agreement with Chile to combat the worst forms of child labor, with a particular focus on child trafficking in the border areas.

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

The National Commission for the Progressive Eradication of Child Labor implements action programs dedicated to addressing mining, sugar cane, and urban work.⁵⁵⁰ The Government supports efforts to eliminate child labor in mines through awareness-raising, increasing educational opportunities, and providing economic alternatives to families.⁵⁵¹ The Government also works in collaboration with UNICEF to promote an educational strategy to benefit over 3,000 girls and boys and their families in the sugarcane areas of Santa Cruz.⁵⁵²

The Government implements a cash subsidy program called *Bono Juancito Pinto* for all primary school students, which is conditioned on school attendance.⁵⁵³ In 2008, almost 2 million students participated in the program, which has contributed to increased rates of school attendance.⁵⁵⁴

The Government is participating in a 3-year USDOL-funded \$3.4 million project to improve access to basic education for working children in Bolivia. The project aims to rescue almost 6,000 children from engaging in exploitive labor in Santa Cruz and Chuquisaca. The project is working in collaboration with the Ministry of Education to extend to the national level an accelerated learning program, *Nivelación*, that assists children who are behind in school due to work. In addition, the Government participates in a 4-year USDOL-

funded regional project implemented by ILO-IPEC to promote collaboration across four countries (Bolivia, Brazil, Ecuador, and Paraguay) to combat the worst forms of child labor among the most socially excluded populations, including children of indigenous and afro-descent.⁵⁵⁷ The project, which began in 2009, aims to rescue 6,600 children from engaging in the worst forms of child labor through education interventions. The project is also conducting capacity building of government and civil society organizations, raising awareness, and conducting research.⁵⁵⁸

The Government also participates in a 4-year \$8.4 million regional project to eradicate child labor in Latin America, funded by the Government of Spain. A 1-year \$219,000 project funded by the Government of Brazil contributes to the development of national policies and programs to eliminate the worst forms of child labor in Bolivia. 560

The Government has made efforts to increase public awareness of trafficking through education campaigns for school children and working with NGOs and international organizations on prevention activities. ⁵⁶¹ The municipal Defender of Children and Adolescents offices assist victims of trafficking, often in cooperation with NGOs. ⁵⁶² A project funded by USDOS rescues trafficking victims by providing them and their children with shelter, psychological and medical assistance, plus educational and technical training. ⁵⁶³ A few municipalities have created temporary shelters or victims' units to provide services to child victims. ⁵⁶⁴

Despite these efforts, current programs do not appear to be sufficient to address the extent of the worst forms of child labor in Bolivia, particularly in the production of Brazil nuts, forced labor in the Chaco region, and in urban work. Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Bolivia:

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Improve coordination of the Inter-institutional Commission, including the frequency of meetings.
- Create a database to report statistics regarding hazardous child labor, trafficking, and forced labor, including the number of investigations, prosecutions, sentences and penalties applied.
- Increase collaboration with the Governments of Argentina, Chile, Paraguay, and Peru, focusing on border areas, to identify child trafficking victims, children used in drug transport, and other child victims of exploitation, in addition to the perpetrators.

IN THE AREA OF POLICY:

- Effectively implement the Inter-ministerial Transitional Plan for the Guaraní Communities that addresses forced labor in the Chaco region.
- Pursue joint agreements with the Governments of Argentina, Peru, and Paraguay to address the high prevalence of the worst forms of child labor and child trafficking in the border areas.

IN THE AREA OF PROGRAMS:

- Adopt at the national level the accelerated learning program, *Nivelación*, which helps children who have fallen behind due to work catch up in school.
- Expand social programs to address the worst forms of child labor in areas where the incidence of hazardous child labor is high, particularly in the production of Brazil nuts, in forced labor in the Chaco region, and in urban work.
- Expand efforts to ensure all persons, including indigenous citizens, receive identity documents to reduce vulnerability to trafficking and exploitation.

⁴⁹⁶ Data provided in the chart at the beginning of this country report are based on UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, Child Economic Activity, School Attendance, and Combined Working and Studying Rates, 2005-2010. Data on working children and school attendance are from 2005. Data on children combining working and schooling are from 2002. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics and information on children's work in general are reported in this section, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children, and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.

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