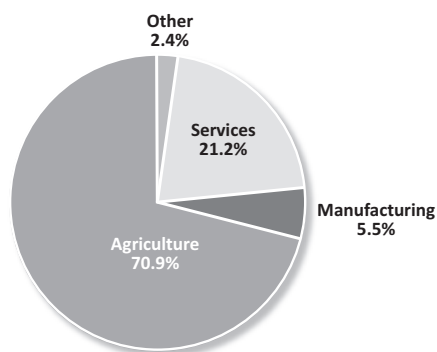


In 2012, Bolivia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government passed the Comprehensive Law against Human Trafficking and Smuggling, which mandates several new programs and policies aimed at reducing the trafficking of minors for labor and commercial sexual exploitation. The Law increases penalties for traffickers, expands victim support services, and enhances efforts to prevent trafficking, especially in border areas. The Government of Bolivia increased funding for a conditional cash transfer program, the Juancito Pinto subsidy program, aimed at increasing school attendance. In addition, the Bolivian Government supported the efforts of international organizations and the private sector to combat child labor. Despite these gains, child labor inspections remain insufficient relative to the scope of the problem, and the Government does not make key information publicly available, such as statistics on child trafficking cases or penalties applied to employers for child labor violations. The Government's National Plan to Eradicate Child Labor expired in 2010 and has not been updated. Children continue to engage in the worst forms of child labor, including in hazardous activities in agriculture and mining.

Statistics on Working Children and Education

Children	Age	Percent
Working	7-14 yrs.	20.2 (388,541)
Attending School	7-14 yrs.	96.2
Combining Work and School	7-14 yrs.	18.7
Primary Completion Rate		95.0

Working Children by Sector, Ages 7-14



Sources:

Primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2013.(1)

All other data: Understanding Children's Work Project's analysis of statistics from ECH Survey, 2013.(2)



Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Bolivia are engaged in the worst forms of child labor, including in hazardous activities in agriculture and mining. Indigenous children are particularly vulnerable to the worst forms of child labor.(3, 4) In agriculture, children are exposed to dangerous work in the production of corn. Although the size of the problem is unknown, children reportedly work producing cotton and peanuts.(3, 5-8) Children working in agriculture may use dangerous tools, carry heavy loads, and apply harmful pesticides.(9, 10) Children work in hazardous activities producing sugarcane and Brazil nuts, especially in the departments of Pando, Beni, Santa Cruz, and Tarija, although recent efforts and other factors have reportedly reduced the prevalence of child labor in these sectors.(3, 4, 11-22) Children's work in sugarcane and Brazil nut production commonly involves carrying heavy loads, working long hours, and using potentially dangerous tools such as machetes.(4, 12, 17) Children often work alongside their families to harvest these crops.(3, 12) Some of these workers become indebted to their employers and are forced to work until they have paid off their debt. Some workers may repay these debts quickly, but others cannot.(3, 20, 21, 23) Some indigenous Guaraní families live in debt bondage and work on ranches, including cattle ranches, in the Chaco region.(3, 4) Based on reports, this practice may have been reduced in recent years partially due to increased attention to the region and land tenure reform.(5, 6, 15, 19, 23, 24)

Children work in gold, silver, tin, and zinc mines; they work long hours, often in enclosed spaces, and are exposed to dangerous tools and chemicals.(4, 17, 22, 25-27) Children

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also work as street vendors, shoe shiners, and transportation assistants. Street work exposes children to multiple dangers, including severe weather, criminal elements, and vehicle accidents.(17, 22, 28) Additionally, children work in construction, which may require working long hours, carrying heavy loads, and using dangerous tools and machinery.(17, 29) Children work long hours, are exposed to extreme weather, and carry heavy loads in the production of bricks.(3, 5-8, 30) Some Bolivian children from rural areas work as domestic servants in urban, third-party homes under circumstances that often amount to indentured servitude.(3, 17, 22, 23)

Commercial sexual exploitation of children is a problem in Bolivia, particularly in the Chapare region and in urban areas, including Cochabamba, La Paz, El Alto, and Santa Cruz.(31, 32)

Bolivian children are trafficked internally for the purposes of commercial sexual exploitation, domestic service, and mining.(33) Children are also trafficked from Bolivia to neighboring countries for forced labor and commercial sexual exploitation.(33) Bolivian families reportedly sell or rent their children to work in agriculture and mining in Peru.(34)

Laws and Regulations on the Worst Forms of Child Labor

The Child and Adolescent Code sets the minimum age for employment at 14, except for apprenticeships.(35, 36) Although the Labor Code and the Child and Adolescent Code regulate some aspects of apprenticeships to ensure child apprentices are able to attend school, the ILO has pointed out that the law does not set a minimum age for apprenticeships.(36, 37) Children under age 18 must have the permission of their parents or government authorities to work.(36) The Child and Adolescent Code prohibits children under age 18 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 Child and Adolescent Code also requires employers to grant time off to adolescent workers ages 14 through 17 who have not completed their primary or secondary education, so that they may attend school during normal school hours.(35)

The Constitution requires children to complete secondary school, which ends at approximately age 17, and establishes free primary and secondary education.(19, 38) The 2010 Avelino Siñani-Elizardo Pérez Education Law guarantees equal educational opportunities for all, including children who are behind in school due to work.(39)

International Conventions and Selected Laws on Child Labor and Education

	C138, Minimum Age	✓
	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

Bolivia's Constitution prohibits forced or exploitative child labor, compulsory labor, and any kind of labor without fair compensation.(38) The minimum age for voluntary military service is 17. For males, the minimum age for compulsory military recruitment is 18.(40) The Bolivian Government has stated that no one under age 18 is permitted to engage in combat.(41) However, it is not clear whether the law prohibits minors under age 18 from engaging in combat.

The 2010 Law for the Legal Protection of Children and Adolescents penalizes the use of child labor, the use or procurement of minors for purposes of prostitution, and trafficking offenses related to children.(42) In July 2012, the Government approved the Comprehensive Law against Human Trafficking and Smuggling, which increases penalties for trafficking of minors and for producing, possessing, or distributing child pornography.(43) It also mandates that government agencies provide victim support services and expand efforts to prevent trafficking.(27, 43) The Comprehensive Law against Human Trafficking and Smuggling defines human trafficking to include all forms of forced labor exploitation, including forced servitude, forced begging, and forced employment in criminal activities.(27, 43) It also prohibits child pornography and trafficking of minors for the purpose of prostitution and exploitation in illegal activities.(44)

Institutional Mechanisms for Coordination and Enforcement

The Ministry of Labor (MOL) is responsible for developing policies concerning child labor and leads the Inter-Institutional Commission to Progressively Eradicate Child Labor (CNEPTI), which coordinates the various agencies and other entities involved in child labor issues.(28) The CNEPTI includes the Ministry of Justice, local courts, the Ministry of Education, the Ministry of Health, and several NGOs, but coordination among members has been challenging and meetings have been infrequent.(28, 45) The MOL also has a mandate to coordinate and develop policies to eradicate any form of servitude. The MOL's Fundamental Rights Unit has the specific responsibility to protect indigenous people and eradicate forced labor.(46) The new Comprehensive Law against Human Trafficking and Smuggling mandates the creation of a National Council against Trafficking. The Council is chaired by the Minister of Justice and is composed of the ministers of the nine ministries charged with implementing the Law.(27) The Council has met monthly since the Law was passed in July 2012.(27) The Law also mandates the creation of departmental human trafficking councils. However, during the reporting period, Cochabamba was the only department to form such a council.(27, 47)

The MOL is responsible for enforcing child labor laws. In 2012, The MOL employed 78 inspectors nationwide, an increase from 55 inspectors in 2011.(19, 27, 42) According to the Government, funding for inspections increased in 2012, but the exact increase in funding level is not publicly available.(27) Five inspectors were specially trained and solely dedicated to conducting child labor inspections.(27, 41) In addition, the Government provided inspectors with training on hazardous child labor and forced labor during the reporting period.(27)

Inspectors conduct unprompted inspections in areas identified by the Government as having pervasive child labor. These areas include the sugarcane-producing regions of Santa Cruz and Tarija-Bermejo, as well as the Brazil nut-producing areas of Riberalta and the mining sectors of Potosí.(27, 46) However, in other sectors and regions, MOL staff only conduct inspections in response to complaints and do not proactively inspect workplaces.(28, 42, 48) In 2012, the MOL carried out 100 inspections involving child labor in Santa Cruz, Bermejo, Riberalta, Potosí, and in the informal sector in El Alto.(27) Though precise data were unavailable, the MOL estimates approximately 100 child laborers were found during these inspections.(27) Information on the services provided to these children and whether they were withdrawn from child labor is unavailable.(27)

The MOL has the authority to fine violators and to send cases to labor courts, which are responsible for enforcing penalties.(28) The MOL may also send cases to the municipal Defender of Children and Adolescents offices that protect children's rights and interests.(19, 28) Information is unavailable on penalties and fines issued or paid regarding child labor violations.(27)

The Government of Bolivia supports the Bolivian Foreign Trade Institute's (IBCE) Triple Seal initiative. The Triple Seal is a voluntary certification indicating that a company complies with Bolivian law and ILO conventions regarding child labor, forced labor, and worker discrimination in the production of its goods.(16, 27, 49) However, only one company operating in Bolivia, in the sugarcane sector, has begun the process to apply for the certification. As of the end of 2012, no company operating in Bolivia has obtained the Seal.(27)

The Government has a Steering Committee for Zero Child Labor in Sugarcane Production that was formed with support from the MOL and the participation of the regional government of Santa Cruz, Bolivian municipal governments, the IBCE, and various NGOs.(16)

Trafficking for sexual and labor exploitation is addressed by public prosecutors and by 14 specialized trafficking and smuggling units within the Bolivian National Police.(28, 41) However, many of the cases investigated by these units involve missing persons, limiting officers' ability to focus on trafficking cases. During the reporting period, La Paz police opened a missing persons unit, allowing the La Paz trafficking and smuggling unit to focus its work on human trafficking cases.(41) Each department capital city has prosecutors responsible for pursuing trafficking cases.(19, 27) In 2012, the Attorney General's office issued an administrative resolution instructing prosecutors to prioritize trafficking cases in which the victim is a minor.(47) The National Police maintains telephone hotlines for the public to report child trafficking or the commercial sexual exploitation of children.(28) When trafficked children are identified, the police refer victims to NGOs or the government social services agency, SEDEGES.(27) In 2012, cases involving a total of 319 trafficking victims were investigated, and public prosecutors opened 95 trafficking cases.(27, 41) The majority of the reported cases involved children, though the specific number of children involved in these cases is unknown. The Government reported convicting four sex trafficking offenders in cases involving three minors during the year.(41)

The 2012 Comprehensive Law against Human Trafficking and Smuggling requires the military to support anti-trafficking efforts by assisting police in detecting trafficking and child

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labor in border-crossing areas.(27) To comply with this requirement, the military offered training on trafficking to its border units during the reporting period.(27, 47) In early 2013, the MOL began creating a national registry of employment agencies, with the goal of identifying agencies engaged in the illegal recruitment and trafficking of children.(27)

Government Policies on the Worst Forms of Child Labor

The Government of Bolivia's policy framework for addressing child labor, the National Plan for the Progressive Eradication of Child Labor (2000-2010), expired in 2010; a new plan was not established during the reporting period. The Plan identified mining, sugarcane harvesting, commercial sexual exploitation, and domestic service as priority areas in combating exploitative child labor.(50) The strategy, which is outlined in the UN Development Assistance Framework (2008-2012), supported efforts to eliminate the worst forms of child labor and to reduce poverty.(51)

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.(52, 53) However, secondary school attendance rates are low, and many children are behind in school due to work.(11, 52, 54)

The Government of Bolivia's Transitional Plan for the Guaraní Communities addressed the forced labor of Guaraní families in the Chaco region and supported agrarian land reform and economic alternatives for Guaraní families.(6, 23, 55) However, international experts on indigenous rights issues have reported that bureaucratic challenges have slowed the Plan's implementation. These experts say that a more decentralized plan with additional resources is needed to adequately assist the families that have been subjected to forced labor.(6, 15, 23) Nonetheless, under the Transitional Plan, the Bolivian Government pursued a birth registration campaign, which in 2012 provided identity documents to 3,139 Guaranís.(6) Other recent efforts, including the Government's biometric election registration system, have also enabled the Government to reach many previously hard-to-reach populations.(19, 56)

The Government of Bolivia and other MERCOSUR countries are carrying out the 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.(57) It also seeks to encourage mutual technical assistance in raising domestic

legal frameworks to international standards and to promote the exchange of best practices related to victim protection and assistance.(57, 58)

Bolivia's Secretariat of Tourism is a member of the Joint Regional Group for the Americas.(59, 60) The Joint Regional Group, whose members also include Argentina, Brazil, Chile, Colombia, Ecuador, Peru, Suriname, Uruguay, and Venezuela, conducts prevention and awareness-raising campaigns to combat the commercial sexual exploitation of children in Latin America.(59)

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

The Government supports efforts to eliminate child labor in mines through awareness raising, increasing educational opportunities, and providing economic alternatives to families.(4) The Government also works in collaboration with UNICEF to promote an educational strategy targeting more than 3,000 children and their families who work in the sugarcane areas of Santa Cruz.(4)

The Juancito Pinto subsidy program, a Government conditional cash transfer program for all primary school students, has reportedly contributed to increased school attendance and reduced dropout rates.(27, 28) The program provides students with a yearly subsidy of approximately \$30 if the student maintains an attendance rate of at least 75 percent.(27) In 2012, the program's budget was \$59.3 million, an increase from the 2011 funding level of \$55 million.(19, 27) Almost 2 million students participate in the program.(19, 42) The question of whether this program has an impact on child labor does not appear to have been addressed.

The Government participates in a 4-year, USDOL-funded \$6 million project that works to reduce the worst forms of child labor by improving educational and livelihood opportunities for families in the departments of Chuquisaca, La Paz, and Santa Cruz.(8) The project began in 2010 and will assist 3,100 children and 1,300 households in both urban and rural areas. The project is also collaborating with the Ministry of Education to expand an accelerated learning program, the Leveling Program, to be implemented nationally. The Leveling program assists children who are behind in school because they work.(8)

A Ministry of Education directive requires all public schools to offer an accelerated education "Leveling" program so that children who are behind in school have the opportunity to catch up.(61, 62) During the reporting period, the Ministry of Education continued to develop administrative mechanisms to

implement the Leveling program.(63) However, the program remains underfunded and only some schools were able to implement it with funding from local governments.(63) The Ministry of Education adapted its national school enrollment form for the 2012 academic year to capture statistics on the number of children enrolled in a Leveling program in addition to the number of hours and the type of work children do.(63, 64)

The Government participates in a 4-year, USDOL-funded \$6.75 million regional project to promote collaboration across four countries (Bolivia, Brazil, Ecuador, and Paraguay) in order to combat the worst forms of child labor among the most socially excluded populations, including children of indigenous and Afro descent.(14, 65) The project, which began in 2009, aims to rescue 6,600 children from the worst forms of child labor through education interventions in the four countries. The project also aims to build the capacity of government and civil society organizations to combat child labor, raise

awareness, and conduct research.(14, 65) The project intersects with another 4-year regional project in which the Government of Bolivia participates; the other 4-year project is funded by the Government of Spain and is aimed at eradicating child labor in Latin America.(14)

The Government has made efforts to increase public awareness of trafficking through education campaigns for school children and by working with NGOs and international organizations on prevention activities.(66) The municipal Defender of Children and Adolescents offices assist victims of trafficking, often in cooperation with NGOs.(19, 33)

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, urban work, mining, and commercial sexual exploitation.

Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Bolivia:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Amend legislation to prohibit children under age 14 from participating in apprenticeships.	2010, 2011, 2012
	Clarify whether the minimum age for voluntary military recruitment meets international standards.	2009, 2010, 2011, 2012
Coordination and Enforcement	Develop concrete mechanisms to improve the coordination of the CNEPTI, including the frequency of meetings following the model established in 2012 by the National Council Against Trafficking.	2009, 2010, 2011, 2012
	Ensure that general labor inspectors conduct unprompted inspections in all sectors and geographical areas.	2011, 2012
	Collect and make publicly available statistics on child labor, including the number of investigations, number of children found in child labor as a result of inspections, prosecutions, sentences, and penalties applied.	2009, 2010, 2011, 2012
	Collect and make publicly available statistics on trafficking cases disaggregated by adults and minors.	2011, 2012
Policies	Establish and implement a new National Plan for the Progressive Eradication of Child Labor.	2010, 2011, 2012
	Develop and implement a new Inter-Ministerial Transitional Plan for the Guaraní Communities that promotes local governance and directly assists families that have been subjected to forced labor.	2009, 2010, 2011, 2012

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Area	Suggested Actions	Year(s) Action Recommended
Policies	Further develop national policies to support the Avelino Siñani-Elizardo Pérez Education Law that guarantees equal educational opportunities for all, including for children who are behind in school due to work.	2010, 2011, 2012
Social Programs	Assess the impact the Juancito Pinto subsidy program may have on child labor.	2010, 2011, 2012
	Allocate the needed resources for the implementation of an accelerated learning program that supports the new Education Law and helps both primary and secondary school children who are behind in school due to work.	2011, 2012
	Develop programs and devote resources to improve attendance in secondary schools.	2011, 2012
	Expand social programs to address the worst forms of child labor in areas where hazardous child labor exists, particularly in the production of Brazil nuts, in forced labor in the Chaco region, urban work, mining, and commercial sexual exploitation.	2009, 2010, 2011, 2012

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