

<sup>351</sup> U.S. Department of State, "Country Reports- 2007: Bhutan," section 6d.

<sup>352</sup> U.S. Embassy- New Delhi, *reporting* September 17, 2004.

<sup>353</sup> UNICEF, *A Situation Analysis of Children and Women in Bhutan*, National Commission for Women and Children, Thimphu, 2006, 69; available from [http://www.ncwcbhutan.org/ncwc/publications/SITAN\\_Bhutan-2006.pdf](http://www.ncwcbhutan.org/ncwc/publications/SITAN_Bhutan-2006.pdf). See also UNICEF, *Report on Assessment of Protection Factors of Children in Bhutan*, Ministry of Health, Thimphu, 2004, 65. See also UN Committee on the Rights of the Child, *Second Periodic Reports of States Parties due in 1997: Bhutan*, March 21, 2007, section 406; available from <http://daccessdds.un.org/doc/UNDOC/GEN/G07/430/93/PDF/G0743093.pdf?OpenElement>.

<sup>354</sup> UNICEF, *Report of Assessment of Protection*, 65.

<sup>355</sup> Government of Bhutan, *Labour and Employment Act of Bhutan 2007*, articles 170, 171. See also U.S. Department of State, "Country Reports- 2007: Bhutan," section 6d. See also US Embassy Delhi, E-mail communication USDOL official, March 10, 2007.

<sup>356</sup> UN Committee on the Rights of the Child, *Second Periodic Reports of States Parties due in 1997: Bhutan*, section 408.

<sup>357</sup> Ministry of Labour and Human Resources, *Offences and Penal Provisions under the Labour and Employment Act 2007*, 2007; available from <http://www.molhr.gov.bt/penalcode.htm>.

<sup>358</sup> UN Committee on the Rights of the Child, *Second Periodic Reports of States Parties due in 1997: Bhutan*, section 395.

<sup>359</sup> Government of Bhutan, *Labour and Employment Act of Bhutan 2007*, article 9.

<sup>360</sup> U.S. Embassy- New Delhi, *reporting* September 17, 2004.

<sup>361</sup> Government of Bhutan, *Labour and Employment Act of Bhutan 2007*, article 6. See also U.S. Department of State, "Country Reports- 2007: Bhutan," section 6c.

<sup>362</sup> U.S. Embassy- New Delhi, *reporting* September 17, 2004.

<sup>363</sup> Government of Bhutan, *Penal Code of Bhutan*, (August 11, 2004), par. 3(a), sections 228, 230.

<sup>364</sup> *Ibid.*, para 380.

<sup>365</sup> Coalition to Stop the Use of Child Soldiers, "Bhutan," in *Child Soldiers Global Report 2004*, London, 2004; available from <http://www.child-soldiers.org/document/get?id=846>.

<sup>366</sup> UN Committee on the Rights of the Child, *Second Periodic Reports of States Parties due in 1997: Bhutan*, section 31.

## Bolivia

### Incidence and Nature of Child Labor

In Bolivia, many children work with their families in subsistence agriculture. Children can also be found working in the production of sugar cane and Brazil nuts, especially in Santa Cruz and Tarija.<sup>367</sup>

Children engage in activities such as street vending, shining shoes, and assisting transport operators.<sup>368</sup> Additionally, children work in industry, construction, small business, personal services, hotels and restaurants, and small-scale mining.<sup>369</sup> Children are also being used to transport drugs.<sup>370</sup> Some children are brought or sent by their family members from rural to urban areas to work as domestic servants or "criaditos" for higher-income families, often in situations that amount to indentured servitude.<sup>371</sup>

The commercial sexual exploitation of children, including child prostitution, is a problem in Bolivia,

particularly in the Chapare region and in urban areas.<sup>372</sup> The internal trafficking of children for the purposes of prostitution, domestic service, mining, and agricultural labor, particularly on sugar cane and Brazil nut plantations, also occurs.<sup>373</sup> Children are also trafficked to neighboring countries for forced labor.<sup>374</sup> A study sponsored by IOM and the OAS found that there were girls from Argentina, Paraguay, Brazil, Chile, and Colombia working as prostitutes in urban centers in Bolivia.<sup>375</sup>

### Child Labor Laws and Enforcement

Bolivian law sets the minimum age for employment at 14 years.<sup>376</sup> Apprenticeship for children ages 12 to 14 years is permitted with

various restrictions.<sup>377</sup> Children 14 to 18 years must have the permission of their parents or of government authorities in order to work.<sup>378</sup> The law prohibits children 14 to 17 years from taking part in hazardous activities such as carrying excessively heavy loads, working underground, working with pesticides and other chemicals, or working at night. 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.<sup>379</sup> The law prohibits forced or compulsory labor.<sup>380</sup> The law also prohibits any kind of labor without consent and fair compensation.<sup>381</sup> Bolivian men who have reached the age of 18 years are required to perform military service for 1 year. The law allows children 15 years and older to volunteer for certain military activities if they have completed 3 years of secondary education.<sup>382</sup>

investigations and rescued 129 young victims of trafficking. The special anti-trafficking police and prosecutors also convicted 5 traffickers who received jail sentences from 3 to 7 years.<sup>385</sup>

There are 260 municipal Defender of Children and Adolescents offices to protect children's rights and interests.<sup>386</sup> Childhood and Adolescence Courts are empowered to resolve issues involving children and apply sanctions for violations of the law.<sup>387</sup> USDOS reported that the Government of Bolivia did not enforce child labor laws throughout the country, but notes a steady progress in the Government's increased resolve to combat trafficking, especially in the areas of enforcement, protection for victims, and prevention.<sup>388</sup>

### **Current Government Policies and Programs to Eliminate 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, sugarcane harvesting, and urban work as priority areas to combat exploitive child labor.<sup>389</sup> The National Commission for the Progressive Eradication of Child Labor implements action programs under three subcommittees, each dedicated to one sector.<sup>390</sup> An independent evaluation conducted on the implementation of the first half of the National Plan found that financing has been lacking.<sup>391</sup>

The Vice Ministry of Gender and Adolescence (formerly the Vice Ministry of Youth, Childhood, and Senior Citizens) implements a Plan for the Prevention of and Attention to Commercial Sexual Exploitation, with a focus on efforts in the country's largest cities.<sup>392</sup> The Government has also made efforts to increase public awareness of trafficking by airing television segments at airports, and launching a National Police campaign targeting children, parents, and local authorities.<sup>393</sup> The Government of La Paz operates an emergency shelter for youth victims of sexual exploitation that provide 3-day services to trafficking victims.<sup>394</sup>

The law prohibits trafficking for the purpose of prostitution of minors and imposes penalties of 8 to 12 years of imprisonment, which increase by 25 percent if the victim is under 18 years of age.<sup>384</sup> Since 2007, authorities opened 118 anti-trafficking

The Government of Bolivia is working with NGOs and foreign governments to provide free birth registration and identity documentation to citizens in order to facilitate their access to social services such as education, and reduce their vulnerability to

<i>Selected Statistics and Indicators on Child Labor</i> <sup>383</sup>	
Working children, 7-14 years (%), 2002:	23.2
Working boys, 7-14 years (%), 2002:	23.9
Working girls, 7-14 years (%), 2002:	22.5
Working children by sector, 7-14 years (%), 2002:	
- Agriculture	76.3
- Manufacturing	4.2
- Services	18.8
- Other	0.7
Minimum age for work:	14
Compulsory education age:	15
Free public education:	Yes
Gross primary enrollment rate (%), 2004:	113
Net primary enrollment rate (%), 2004:	95
School attendance, children 7-14 years (%), 2002:	93.5
Survival rate to grade 5 (%), 2003:	85
ILO-IPEC participating country:	Yes

trafficking.<sup>395</sup> The IOM is working with the government to implement projects that address the trafficking of women and minors and to build the country's capacity to prevent it.<sup>396</sup> The municipal Defender of Children and Adolescents offices assists victims of trafficking, sometimes in cooperation with NGOs.<sup>397</sup>

The Bolivian Government is implementing a cash subsidy program called Bono Juancito Pinto for all primary school students, conditioned on school attendance. Children grades 1 through 6 receive USD 15 at the completion of the school term.<sup>398</sup>

The Government of Bolivia and the other government members and associates of MERCOSUR are conducting the "Niño Sur" ("Southern Child") initiative to defend the rights of children and adolescents in the region. The initiative includes unified public campaigns against commercial sexual exploitation, trafficking and child labor; mutual technical assistance in adjusting domestic legal frameworks to international standards on those issues; and the exchange of best practices related to victim protection and assistance.<sup>399</sup>

Since October 2007 and until December 2010, USDOL is funding a USD 3.4 million project implemented by Desarrollo y Autogestión and the Bolivian Swiss Red Cross to improve access to basic education for working children in Bolivia. The project aims to withdraw 2,900 children who are working and prevent 2,900 children at risk of entering exploitive labor in Santa Cruz and Chuquisaca.<sup>400</sup> Bolivia is also part of a 460,000 Euros ILO-IPEC global initiative funded by the Netherlands to combat child domestic work.<sup>401</sup>

USAID, the Secretary of State of Economy of the Swiss Confederation, UNICEF, and the Bolivian Institute of Foreign Trade are collaborating in a corporate social responsibility effort with the sugar sector in Santa Cruz. The activities targeting the welfare of families working in the sugar plantations include child labor prevention actions such as distribution of school materials for school-aged children.<sup>402</sup>

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<sup>367</sup> UNICEF, *Caña dulce, vida amarga: El trabajo de los niños, niñas y adolescentes en la zafra de caña de azúcar*, 2004, 11; available from

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[http://www.oit.org.pe/ippec/boletin/documentos/zafr\\_a\\_final\\_bo.pdf](http://www.oit.org.pe/ippec/boletin/documentos/zafr_a_final_bo.pdf). See also U.S. Department of State, "Bolivia," in *Country Reports on Human Rights Practices-2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100629.htm>. See also CEACR, *Solicitud directa individual sobre el Convenio sobre las peores formas de trabajo infantil*, 1999 (núm. 182) Bolivia (ratificación: 2003) Envío: 2007, CEACR 2006/77a reunión, 2007; available from <http://www.ilo.org/ilolex/cgi-lex/pdconvs2.pl?host=status01&textbase=iloilc&document=238&chapter=18&query=C182%40ref%2B%23ANO%3D2007&highlight=&querytype=bool&context=0>.

<sup>368</sup> U.S. Department of State, "Country Reports- 2007: Bolivia," section 6d.

<sup>369</sup> Victor Mezza Rosso, Carmen Ledo García, and Isabel Quisbert Arias, *Trabajo Infantil en Bolivia*, National Institute of Statistics and UNICEF, La Paz, 2004, 31-32. See also Noel Aguirre Ledezma, *Plan Nacional de erradicación progresiva del trabajo infantil: Evaluación externa de medio término, informe preliminar*, May 2005, 11. See also UNICEF, *Buscando la luz al final del túnel: niños, niñas y adolescentes en la minería artesanal en Bolivia*, 2004; available from [http://www.oit.org.pe/ippec/boletin/documentos/mineria\\_final\\_bo.pdf](http://www.oit.org.pe/ippec/boletin/documentos/mineria_final_bo.pdf).

<sup>370</sup> U.S. Department of State, "Country Reports- 2007: Bolivia," section 6d.

<sup>371</sup> Ibid. See also Erick Roth U. and Erik Fernandez R., *Evaluación del tráfico de mujeres, adolescentes y niños/as en Bolivia*, IOM, OAS, and Scientific Consulting SRL, La Paz, 2004, 10,51.

<sup>372</sup> UNICEF, *La niñez clausurada: La explotación sexual comercial de niñas, niños y adolescentes en Bolivia*, 2004, 11,17; available from [http://www.oit.org.pe/ippec/boletin/documentos/esci\\_final\\_bo.pdf](http://www.oit.org.pe/ippec/boletin/documentos/esci_final_bo.pdf). See also U.S. Department of State, "Country Reports- 2007: Bolivia," section 5.

<sup>373</sup> U.S. Department of State, "Country Reports- 2007: Bolivia," section 5. See also U.S. Department of State, "Bolivia (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>.

<sup>374</sup> U.S. Department of State, "Country Reports- 2007: Bolivia," section 5.

<sup>375</sup> Roth U. and Erik Fernandez R., *Evaluación del tráfico de mujeres*, 47.

<sup>376</sup> Government of Bolivia, *Ley del Código del Niño, Niña y Adolescente*, article 126. See also Government of Bolivia, *Ley General de Trabajo*, (December 8, 1942); available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/46218/65057/S92BOL01.htm#t4c6>.

<sup>377</sup> U.S. Department of State, "Country Reports- 2007: Bolivia," section 6d.

<sup>378</sup> Government of Bolivia, *Ley General de Trabajo*, article 8.

<sup>379</sup> Government of Bolivia, *Ley del Código del Niño, Niña y Adolescente*, 134, 146, 147.

<sup>380</sup> U.S. Department of State, "Country Reports- 2007: Bolivia," section 6c.

<sup>381</sup> Government of Bolivia, *Constitución Política del Estado*, article 5.

<sup>382</sup> Coalition to Stop the Use of Child Soldiers, "Bolivia," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=811](http://www.child-soldiers.org/document_get.php?id=811).

<sup>383</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Bolivia, *Ley del Código del Niño, Niña y Adolescente*, Ley No. 2026, (October 27, 1999), article 126; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/55837/68387/S99BOL01.htm>. See also Government of Bolivia, *Constitución Política del Estado*, Ley 1615, (February 6, 1995), article 177; available from <http://www.geocities.com/bolilaw/legisla.htm>.

<sup>384</sup> Government of Bolivia, *Ley 3325: Trata y Trafico de Personas y Otros Delitos Relacionados*, (January 18, 2006); available from <http://www.bolivialegal.com/modules/Sileg/pdfphp.php?numero=6&dbname=slb402>.

<sup>385</sup> U.S. Embassy- La Paz official, E-mail communication to USDOL official, July 28, 2008.

<sup>386</sup> U.S. Department of State, "Country Reports- 2007: Bolivia," section 5. See also U.S. Embassy- La Paz official, E-mail communication to USDOL official, April 2, 2007.

<sup>387</sup> Government of Bolivia, *Written communication*, submitted in response to U.S. Department of Labor Federal Register Notice (July 25, 2005) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor", Washington, DC,

August 31, 2005.

<sup>388</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Bolivia." See also U.S. Department of State, "Country Reports- 2007: Bolivia," section 6d.

<sup>389</sup> CEACR, *Bolivia (ratificación: 1997)*, 2007; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/appl-displaycomment.cfm?hdroff=1&ctry=0080&year=2006&type=R&conv=C138&lang=ES>.

<sup>390</sup> CEACR, *Solicitud directa individual sobre el Convenio sobre las peores formas de trabajo infantil*, 1999 (núm. 182) *Bolivia (ratificación: 2003) Envío: 2007*.

<sup>391</sup> Aguirre Ledezma, *Plan Nacional de erradicación progresiva del trabajo infantil: Evaluación externa*, 36.

<sup>392</sup> Aguirre Ledezma, *Plan Nacional de erradicación progresiva del trabajo infantil: Evaluación externa*, 22, 31.

<sup>393</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Bolivia."

<sup>394</sup> *Ibid.* See also U.S. Department of State, "Country Reports-2007: Bolivia," section 5.

<sup>395</sup> U.S. Department of State, "Country Reports- 2006: Bolivia," section 5.

<sup>396</sup> IOM, *Bolivia*, [online] [cited December 10, 2007]; available from <http://www.iom.int/jahia/page447.html>.

<sup>397</sup> U.S. Department of State, "Country Reports- 2007: Bolivia," section 5.

<sup>398</sup> U.S. Embassy- La Paz, *reporting*, January 24, 2008.

<sup>399</sup> CRIN, *MERCOSUR*, [online] 2007 [cited December 26, 2007]; available from <http://www.crin.org/espanol/RM/mercosur.asp>. See also Government of Argentina, *Iniciativa Niñ@SUR*, [online] 2008 [cited March 16, 2008]; available from <http://www.derhuman.jus.gov.ar/direcciones/asistencia/ninosur.htm>.

<sup>400</sup> Desarrollo y Autogestión, *Project Summary: Combating Exploitive Child Labor Through Education in Bolivia*, 2007.

<sup>401</sup> ILO-IPEC, *ILO-IPEC Table of Non USDOL-funded Projects, USDOL Questions*, February 16, 2007.

<sup>402</sup> U.S. Embassy- La Paz official, E-mail communication, April 2, 2007.