

Bolivia

<i>Selected Statistics and Indicators on Child Labor</i>	
Percent of children 7-14 estimated as working in 2002:	23.2% ⁴⁹⁴
Minimum age for admission to work:	14 ⁴⁹⁵
Age to which education is compulsory:	13 ⁴⁹⁶
Free public education:	Yes ⁴⁹⁷
Gross primary enrollment rate in 2004:	113% ⁴⁹⁸
Net primary enrollment rate in 2004:	95% ⁴⁹⁹
Percent of children 7-14 attending school in 2002:	93.5% ⁵⁰⁰
As of 2003, percent of primary school entrants likely to reach grade 5:	86% ⁵⁰¹
Ratified Convention 138:	6/11/1997 ⁵⁰²
Ratified Convention 182:	6/6/2003 ⁵⁰³
ILO-IPEC participating country:	Yes ⁵⁰⁴

Incidence and Nature of Child Labor

In 2002, approximately 23.9 percent of boys and 22.5 percent of girls ages 7 to 14 were working in Bolivia. The majority of working children in Bolivia were found in the agricultural sector (76.3 percent), followed by services (18.8 percent), manufacturing (4.2 percent), and other sectors (0.7 percent).⁵⁰⁵ Children work in the production of sugar cane and Brazilian nuts.⁵⁰⁶

⁴⁹⁴ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, March 1, 2007, Section 6d.

⁴⁹⁵ ILOLEX, *C138 Minimum Age Convention, 1973*, accessed October 12, 2006; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=6503&chapter=19&query=C138%40ref&highlight=&querytype=bool>.

⁴⁹⁶ Government of Bolivia, *Constitución Política del Estado*, Ley 1615, (February 6, 1995), Article 177; available from <http://www.geocities.com/bolilaw/legisla.htm>. See also IDB, *Education Reform Program: Second Stage*, loan proposal, 2006, Section 1.8; available from <http://www.iadb.org/projects/Project.cfm?project=BO0178&Language=English#>. See also Government of Bolivia, *Ley 1565: Reforma educativa*, (July 7, 1994), Chapter V, Article 11; available from http://www.minedu.gov.bo/minedu/_docs/_5/ley1565.pdf.

⁴⁹⁷ Government of Bolivia, *Constitución Política del Estado*, Article 177.

⁴⁹⁸ UNESCO Institute for Statistics, *Gross Enrolment Ratio. Primary. Total*, accessed December 20, 2006; available from <http://stats.uis.unesco.org>.

⁴⁹⁹ UNESCO Institute for Statistics, *Net Enrolment Rate. Primary. Total*, accessed December 20, 2006; available from <http://stats.uis.unesco.org>.

⁵⁰⁰ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

⁵⁰¹ UNESCO Institute for Statistics, *Survival Rate to Grade 5. Total*, accessed December 18, 2006; available from <http://stats.uis.unesco.org>.

⁵⁰² ILOLEX, *C138 Minimum Age Convention, 1973*.

⁵⁰³ ILOLEX, *C182 Worst Forms of Child Labour Convention, 1999*, accessed October 12, 2006; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=7169&chapter=19&query=C182%40ref&highlight=&querytype=bool>.

⁵⁰⁴ ILO-IPEC, *IPEC Action Against Child Labour: Highlights 2006*, Geneva, February, 2007; available from http://www.ilo.org/iloroot/docstore/ipecc/prod/eng/20070228_Implementationreport_en_Web.pdf.

⁵⁰⁵ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

Children also engage in activities such as begging, street vending, shining shoes, and assisting transport operators.⁵⁰⁷ Additionally, children work in industry, construction, small business, personal services, hotels and restaurants, and small-scale mining.⁵⁰⁸ Children have been used to traffic drugs.⁵⁰⁹ Some children are brought or sent by their family members from rural to urban areas to work as domestic servants for higher-income families, often in situations that amount to indentured servitude.⁵¹⁰

The commercial sexual exploitation of children, including child prostitution, is a problem in Bolivia, particularly in the Chapare region and in urban areas.⁵¹¹ The internal trafficking of children for the purposes of prostitution, domestic service, forced mining, and agricultural labor, particularly on sugar cane and Brazilian nut plantations in Santa Cruz and Tarija, also occurs.⁵¹² Children from indigenous ethnic groups in the Altiplano region were at the greatest risk of being trafficked.⁵¹³ 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.⁵¹⁴

Child Labor Laws and Enforcement

Bolivian law sets the minimum age for employment at 14 years, except in the case of apprenticeships.⁵¹⁵ The ILO Committee of Experts on the Application of Conventions and Recommendations has noted that Bolivian law does not provide a minimum age for

⁵⁰⁶ UNICEF, *Caña dulce, vida amarga: El trabajo de los niños, niñas y adolescentes en la zafra de caña de azúcar*, 2004, 1. See also U.S. Embassy- La Paz, *reporting*, August 30, 2005. See also U.S. Department of State, "Bolivia," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, Sections 5 and 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78881.htm>.

⁵⁰⁷ U.S. Embassy- La Paz, *reporting*, August 30, 2005. See also U.S. Department of State, "Country Reports- 2006: Bolivia," Section 6d.

⁵⁰⁸ 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 ILO-IPEC, *Phase II: Prevention and Progressive Elimination of Child Labor in Small-scale Traditional Gold Mining in South America*, project document, RLA/02/P50/USA, Geneva, September 3, 2002, 6-7.

⁵⁰⁹ U.S. Department of State, "Country Reports- 2006: Bolivia," Section 6d.

⁵¹⁰ *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 and 51.

⁵¹¹ UNICEF, *La niñez arrebatada: La explotación sexual comercial de niñas, niños y adolescentes en Bolivia*, 2004, 11. See also U.S. Department of State, "Country Reports- 2006: Bolivia," Section 5.

⁵¹² U.S. Department of State, "Country Reports- 2006: Bolivia," Section 5. See also U.S. Department of State, "Bolivia (Tier 2 Watch List)," in *Trafficking in Persons Report- 2006*, Washington, DC, June 5, 2006; available from <http://www.state.gov/g/tip/rls/tiprpt/2006/65988.htm>. See also Roth U. and Erik Fernandez R., *Evaluación del tráfico de mujeres*, 51-52. See also U.S. Embassy- La Paz official, E-mail communication to USDOL official, April 2, 2007.

⁵¹³ U.S. Department of State, "Country Reports- 2006: Bolivia," Section 5.

⁵¹⁴ Roth U. and Erik Fernandez R., *Evaluación del tráfico de mujeres*, 47.

⁵¹⁵ 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/WBTEXT/55837/68387/S99BOL01.htm>. See also Government of Bolivia, *Ley General de Trabajo*, (December 8, 1942), Article 58; available from <http://www.ilo.org/dyn/natlex/docs/WBTEXT/46218/65057/S92BOL01.htm#t4c6>.

apprenticeships.⁵¹⁶ Children 14 to 18 years must have the permission of their parents or of government authorities in order to work.⁵¹⁷ The law prohibits children 14 to 17 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.⁵¹⁸ The law prohibits forced or compulsory labor.⁵¹⁹ The law also prohibits any kind of labor without consent and just compensation.⁵²⁰ Bolivian men who have reached 18 are required to perform military service for 1 year. The law allows children 15 and older to volunteer for certain military activities if they have completed 3 years of secondary education.⁵²¹

The law prohibits the prostitution of minors and imposes penalties of 4 to 9 years of imprisonment if the victim is under 18 years of age.⁵²² The Bolivian Congress has criminalized all types of trafficking, setting penalties at 8 to 12 years of imprisonment.⁵²³

The Ministry of Labor is responsible for enforcing child labor provisions. The ministry has 15 labor inspectors working throughout the country. Questions regarding child labor have been incorporated into the inspection checklists they use. Municipal Defender of Children and Adolescents offices, the Public Ministry, and the police also work to protect children's rights.⁵²⁴ Childhood and Adolescence Courts are empowered to resolve issues involving children and apply sanctions for violations of the law.⁵²⁵ The U.S. Department of State reported, however, that during 2006 the government did not enforce child labor laws, including those related to health and safety conditions in the workplace, school completion requirements, the legal minimum age, and the maximum hours allowed for child workers.⁵²⁶

The government has established special anti-trafficking police and prosecutor units in the major cities of Santa Cruz and Cochabamba.⁵²⁷ The Bolivian National Police command has issued the Technical Judicial Police Unit (PTJ) jurisdiction to investigate trafficking in persons, corruption

⁵¹⁶ ILO, *Report of the Committee of Experts on the Application of Conventions and Recommendations, Minimum Age Convention, 1973 (No. 138) Bolivia (ratification: 1997)*, ILO Conference, 75th session, Geneva, 2004; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/index.cfm?lang=EN>.

⁵¹⁷ Government of Bolivia, *Ley General de Trabajo*, Article 8.

⁵¹⁸ Government of Bolivia, *Ley del Código del Niño*, 134, 146, 147.

⁵¹⁹ U.S. Department of State, "Country Reports- 2006: Bolivia," Section 6d.

⁵²⁰ Government of Bolivia, *Constitución Política del Estado*, Article 5.

⁵²¹ 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.

⁵²² 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>.

⁵²³ U.S. Department of State, "Trafficking in Persons Report- 2006: Bolivia."

⁵²⁴ U.S. Embassy- La Paz, *reporting*, August 30, 2005, 1-2. See also Vice Minister of Labor, Interview with USDOL official, September 13, 2005. See also U.S. Embassy- La Paz official, "E-mail communication to, April 2, 2007.

⁵²⁵ 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.

⁵²⁶ U.S. Department of State, "Country Reports- 2006: Bolivia," Section 6d.

⁵²⁷ U.S. Department of State, "Trafficking in Persons Report- 2006: Bolivia."

of minors, torturous corruption, pimping, publications and public showings of obscenity, and slavery.⁵²⁸

The U.S. Department of State noted progress in the government's increased resolve to combat trafficking and a heightened awareness of the problem. However, it also noted the government's failure to improve its capacity to prosecute traffickers and provide protection services to victims.⁵²⁹

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 2000-2010.⁵³⁰ A 3-year sub-plan (2006-2008) to combat child labor prioritizes the elimination of the worst forms of child labor, the development of national policy against child labor, the participation of child and adolescent workers, and inter-institutional and inter-ministerial coordination. The sub-plan will focus its efforts on children working in the mining, sugarcane, and urban sectors of the country.⁵³¹ An independent evaluation conducted on the implementation of the first half of the National Plan found that financing has been lacking.⁵³²

The government has engaged in a public information campaign against child prostitution and has promoted some educational efforts to combat trafficking, including the enactment of a decree that requires international airports to air a television segment on trafficking.⁵³³ 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.⁵³⁴ The government has introduced systems to reduce corruption in the authorization of

⁵²⁸ U.S. Embassy- La Paz, *reporting*, February 23, 2006.

⁵²⁹ U.S. Department of State, "Trafficking in Persons Report- 2006: Bolivia."

⁵³⁰ Inter-Institutional Commission for the Eradication of Child Labor, *Plan de erradicación progresiva del trabajo infantil: 2000-2010*, Ministry of Labor, La Paz, November 2000, 35, 55. See also U.S. Embassy- La Paz official, "E-mail communication to, April 2, 2007.

⁵³¹ Ministry of Labor, *Plan trienal nacional de erradicación progresiva del trabajo infantil 2006-2008*, La Paz, October 2005, p 5-6 and Sections 7.3.1., 7.3.2., and 7.3.3.; available from http://www.oit.org.pe/ipecc/documentos/plan_triennial_bol.pdf. See also Government of Bolivia, *Convenio de Cooperación Interinstitucional e Interministerial entre el Ministerio de Relaciones Exteriores y Culto, Ministerio de Trabajo, Ministerio de Salud y Deportes, Ministerio de Educación, Ministerio de Desarrollo Sostenible, Ministerio de Minería y Metalurgia, Ministerio de Asuntos Campesinos y Agropecuarios, Confederación de Empresarios Privados de Bolivia y Central Obrera Boliviana.*, (December 9, 2005); available from http://www.oit.org.pe/ipecc/boletin/documentos/convenio_marco_bol_eti.pdf.

⁵³² Aguirre Ledezma, *Plan Nacional de erradicación progresiva del trabajo infantil: Evaluación externa*, 36.

⁵³³ U.S. Department of State, "Trafficking in Persons Report- 2006: Bolivia." See also U.S. Department of State, "Bolivia," in *Trafficking in Persons Interim Assessment*, Washington, DC, January 19, 2007; available from <http://www.state.gov/g/tip/rls/rpt/78948.htm>.

⁵³⁴ Aguirre Ledezma, *Plan Nacional de erradicación progresiva del trabajo infantil: Evaluación externa*, 22, 31.

travel abroad by unaccompanied by minors.⁵³⁵ The government also operates a telephone hotline to report trafficking in children.⁵³⁶

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 trafficking.⁵³⁷ The IOM has identified child labor and teenage female sexual exploitation as a serious problem in Bolivia, and 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.⁵³⁸

The government participated in a USDOL-funded USD 1.5 million 4-year project, which ended in September, to improve the quality of and access to basic education for children engaged in mining in Bolivia. The project withdrew 101 children from exploitive labor in small-scale mining and prevented an additional 29 from becoming engaged in such activities.⁵⁴¹

In October 2006, the government announced a cash subsidy program for all primary school students conditioned on school attendance. The government intends to promote access to education and prevent children from entering work situations by providing their families with a stipend at the beginning of the school year and again at the end if the child completes the school term.⁵⁴²

⁵³⁵ U.S. Department of State, "Country Reports- 2006: Bolivia," Section 5. See also U.S. Department of State, "Bolivia," in *Country Reports on Human Rights Practices- 2005*, Washington, DC, March 8, 2005, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2005/61717.htm>.

⁵³⁶ U.S. Department of State, "Country Reports- 2006: Bolivia," Section 5. See also U.S. Department of State, "Trafficking in Persons Report- 2006: Bolivia."

⁵³⁷ U.S. Department of State, "Country Reports- 2006: Bolivia," section 5.

⁵³⁸ International Organization for Migration, *Bolivia*, [online] [cited October 17, 2006]; available from <http://www.iom.int/jahia/page447.html>.

⁵⁴¹ CARE, *Combating Child Labor in Bolivia Through Education*, project document, 2002. See also CARE, *Combating Child Labor Through Education: Technical Progress Report*, April 22, 2006.

⁵⁴² U.S. Embassy- La Paz official, "E-mail communication to, April 2, 2007.