

<sup>410</sup> U.S. Department of State, *U.S. Government Funds Obligated for Anti-Trafficking in Persons Projects, Fiscal Year 2007*, [online] February 2008 [cited February 2009]; available from <http://www.state.gov/g/tip/rls/rpt/101295.htm>.

<sup>411</sup> U.S. Embassy- La Paz, *reporting*, January 24, 2008. See also Desarrollo y Autogestión, *Combating Exploitive Child Labor through Education in Bolivia*, Technical Progress Report, Santa Cruz, September 2008, 7.

<sup>412</sup> CRIN, *MERCOSUR*, [online] 2009 [cited February 16, 2009]; available from <http://www.crin.org/espanol/RM/mercosur.asp>. See also Government of Argentina, *Iniciativa Niñ@SUR*, [online] 2009 [cited February 16, 2009]; available from

<http://www.derhuman.jus.gov.ar/direcciones/asistencia/ninosur.htm>.

<sup>413</sup> Brazilian Ministry of Tourism, *Equador Assume Direção de Grupo Latino-Americano para a Proteção Infanto-Juvenil*, November 26, 2008; available from [http://200.143.12.85/turismo/opencms/institucional/noticias/arquivos/Equador\\_assume\\_direcao\\_de\\_grupo\\_latino-americano\\_para\\_protecao\\_infanto-juvenil.html](http://200.143.12.85/turismo/opencms/institucional/noticias/arquivos/Equador_assume_direcao_de_grupo_latino-americano_para_protecao_infanto-juvenil.html)

<sup>414</sup> Desarrollo y Autogestión, *Combating Exploitive Child Labor through Education in Bolivia*, Cooperative Agreement, Washington, DC, September 2007.

## Bosnia and Herzegovina

### *Selected Statistics and Indicators on Child Labor<sup>415</sup>*

Population, children, 5-14 years, 2006:	496,613
Working children, 5-14 years (%), 2006:	8.9
Working boys, 5-14 years (%), 2006:	9.9
Working girls, 5-14 years (%), 2006:	7.9
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	15
Free public education:	Yes*
Gross primary enrollment rate (%), 2007:	97.8
Net primary enrollment rate (%):	-
School attendance, children 5-14 years (%), 2006:	83.7
Survival rate to grade 5 (%):	-
ILO Convention 138:	6/2/1993
ILO Convention 182:	10/5/2001
CRC:	9/1/1993**
CRCOPAC:	10/10/2003
CRCOPSC:	9/4/2002
Palermo:	4/24/2002
ILO-IPEC participating country:	No

\*In practice, must pay for various school expenses

\*\*Succession

### **Incidence and Nature of Child Labor**

Children in Bosnia and Herzegovina (BiH) work on construction sites. They also clean cars and work on the streets.<sup>416</sup>

There have been reports of ethnic Roma children being trafficked to serve in begging rings.<sup>417</sup> The majority of Roma children who live or work in the streets are under 14 years and do not attend school.<sup>418</sup>

Bosnia and Herzegovina is reported to be primarily a source of trafficking for women and girls trafficked within the country for commercial sexual exploitation and, to much lesser extent for forced labor.<sup>419</sup> Victims of trafficking have been reported as young as 13 years.<sup>420</sup>

### **Child Labor Laws and Enforcement**

The 1995 Dayton Agreement established two distinct entities within BiH: the Federation of Bosnia and Herzegovina (FBiH) and Republika Srpska (RS). Later, an international arbitration tribunal established Brcko District (BD) as a self-governing territory.<sup>421</sup> Laws at both the national level and entity level regulate issues related to exploitive child labor, with primary responsibility for labor laws being at the entity level in compliance with the Constitution.<sup>422</sup>

The minimum age for work in FBiH, RS, and BD is 15 years. Minors aged 15 to 18 years are prohibited from working at night; night work in the industrial sector is from 7 p.m. to 7 a.m.<sup>423</sup> For FBiH and RS, night work in the non-industrial sector is from 10 p.m. to 6 a.m. Minors are also prohibited from performing work that endangers their health or development.<sup>424</sup> Further, minors need to provide a health certificate to work.<sup>425</sup> Minors in FBiH and RS are prohibited from working overtime.<sup>426</sup> The penalty for violating labor laws is a fine.<sup>427</sup> Government officials state that limited funding and capacity make it difficult to enforce these laws.<sup>428</sup>

Forced labor is prohibited by law.<sup>429</sup> The BiH Criminal Code dictates a minimum 5-year prison term for actions that place or keep a minor in slavery with the intent to exploit labor and engage in other illegal activities.

Mandatory conscription into the armed forces was abolished in 2006, and BiH does not permit voluntary recruitment of individuals younger than 18 years of age.<sup>430</sup> In FBiH, a parent or guardian who forces a minor to work in occupations unsuitable for his or her age, to engage in excessive work, or to beg may be punished by a prison term of 3 months to 5 years.<sup>431</sup> In RS, the crime of involving minors in the production, sale, or transporting of drugs is punishable by a prison term of 3 to 15 years.<sup>432</sup>

The BiH Criminal Code outlaws international procuring for prostitution and increases penalties to 1 to 10 years of imprisonment if the victim is a minor.<sup>433</sup> The Criminal Codes of FBiH, RS, and BD all prohibit inducing, luring, or enabling another to offer sexual services, with punishments of a maximum of 12 to 15 years of imprisonment if the victim is a minor.<sup>434</sup> FBiH, RS, and BD penalize the production and distribution of child pornography with a prison term of 3 to 5 years.<sup>435</sup>

Trafficking of minors for the purpose of exploitation is punishable by 5 to 10 years of imprisonment.<sup>436</sup> The Government has established standards of protection and aid to victims and witnesses of trafficking who are citizens of BiH.<sup>437</sup> Provisions for children include mandatory and immediate reporting of

exploitative incidences to the appropriate authorities.<sup>438</sup> The BiH State Prosecutor's office has sole jurisdiction over all trafficking cases and has the authority to decide whether the cases will be prosecuted at the State level or at the entity level.<sup>439</sup> The Ministry of Security coordinates the enforcement of anti-trafficking laws at all levels of government. According to USDOS, there were reports of public officials' involvement in trafficking, but these officials were not indicted.<sup>440</sup>

### **Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor**

In May 2008, the Council of Ministers adopted the State Coordinator's National Action Plan to Combat Human Trafficking and Illegal Migration in Bosnia and Herzegovina for 2008-2012.<sup>441</sup> This plan establishes measures for victim services, prosecution, and international cooperation.<sup>442</sup>

The Government has continued its anti-trafficking efforts by working with NGOs to provide services to victims; producing an anti-trafficking manual; and providing training for police, prosecutors, and social workers.<sup>443</sup>

The Government of BiH participated in a USD 2.2 million regional program, funded by the Government of Germany and implemented by ILO-IPEC, to combat the worst forms of child labor. The project was completed in June 2008.<sup>444</sup>

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<sup>415</sup> For statistical data not cited here, see the Data Sources and Definitions section. For ratifications and ILO-IPEC membership, see the Introduction. For minimum age for admission to work, see Government of Bosnia and Herzegovina, *Labor Law of Federation of Bosnia and Herzegovina (FBiH)*, (2003), article 15. See also Government of Bosnia and Herzegovina, *Labor Law of Republika Srpska (RS)*, (2003), article 14. See also Government of Bosnia and Herzegovina, *Labor Law of District of Brcko (BD)*, (2005), article 10. For age to which education is compulsory and free public education, see U.S. Department of State, "Bosnia and Herzegovina," in *Country Reports on Human Rights Practices- 2008*, Washington, DC, February 25, 2009, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2008/eur/119071.htm>. See also Government of Bosnia and Herzegovina, *Federation BiH Basic Laws and By-Laws Governing the Activity of Education*, (2003).

<sup>416</sup> Ministry of Human Rights and Refugees official, Interview with USDOL consultant, May 5, 2008, 7. See also Federal Ministry of Interior official, Interview with USDOL consultant, June 11, 2008, 129. See also Ministry of Civil Affairs official, Interview with USDOL consultant, May 6, 2008, 22.

<sup>417</sup> U.S. Embassy- Sarajevo, reporting, March 3, 2008, section 2. See also U.S. Embassy- Sarajevo, reporting, March 23, 2009.

<sup>418</sup> Ministry of Human Rights and Refugees official, Interview, May 5, 2008, 7 and 9. See also Ministry of Civil Affairs official, Interview, May 6, 2008, 23. See also Federal Ministry of Interior official, Interview, June 11, 2008, 130. See also UN Committee on the Rights of the Child, *Concluding Observations on the Rights of the Child, Bosnia and Herzegovina*, CRC/C/15/Add.260, September 21, 2005, para 65; available from [http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/dd9baddc520d9878c1257018002db47e/\\$FILE/G0544039.pdf](http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/dd9baddc520d9878c1257018002db47e/$FILE/G0544039.pdf).

<sup>419</sup> U.S. Department of State, "Bosnia and Herzegovina," in *Trafficking in Persons Report- 2008*, Washington, DC, June 4, 2008, 74; available from <http://www.state.gov/documents/organization/105501.pdf>. See also U.S. Department of State, E-mail communication to USDOL official, July 10, 2009.

<sup>420</sup> Macro official, E-mail communication to USDOL official, February 27, 2009.

<sup>421</sup> U.S. Department of State, *Background Note: Bosnia and Herzegovina*, [online] May 2008 [cited December 17, 2008]; available from <http://www.state.gov/r/pa/ei/bgn/2868.htm>.

<sup>422</sup> Jasminka Dzumhur, *A Desk Top Research Into the Current State of Affairs of the Labor Market in Bosnia and Herzegovina*, UNIFEM, Sarajevo, September 30, 2007, 5; available from [www.unifem.sk/uploads/doc/Labor%20research1.doc](http://www.unifem.sk/uploads/doc/Labor%20research1.doc). See also Government of Bosnia and Herzegovina, *Constitution of Bosnia and Herzegovina (BiH)*, (December 14, 1995), article II, section 3c and article III, section 3; available from [http://www.ohr.int/print/?content\\_id=372](http://www.ohr.int/print/?content_id=372).

<sup>423</sup> Government Bosnia and Herzegovina, *Labor Law of Republika Srpska (RS)*, (2003), articles 14 and 45. See also Government Bosnia and Herzegovina, *Labor Law (BD)*, articles 10 and 28. See also Government of Bosnia and Herzegovina, *Labour Law (FBiH)*, articles 15 and 36.

<sup>424</sup> Government of Bosnia and Herzegovina, *Labour Law (FBiH)*, articles 15, 36, 51. See also Government of Bosnia and Herzegovina, *Labour Law (RS)*, articles 14, 46, 69. See also Government Bosnia and Herzegovina, *Labor Law (BD)*, articles 10 and 41.

<sup>425</sup> Government of Bosnia and Herzegovina, *Labour Law (FBiH)*, article 15. See also Government of Bosnia and Herzegovina, *Labour Law (RS)*, article 14. See also

Government of Bosnia and Herzegovina, *Labor Law of District of Brcko* (2005), article 10.

<sup>426</sup> Government of Bosnia and Herzegovina, *Labour Law (FBiH)*, article 32. See also Government of Bosnia and Herzegovina, *Labour Law (RS)*, article 42.

<sup>427</sup> Government of Bosnia and Herzegovina, *Labour Law (FBiH)*, article 140. See also Government Bosnia and Herzegovina, *Labour Law (RS)*, article 150. See also Government Bosnia and Herzegovina, *Labor Law (BD)*, 111.

<sup>428</sup> Ministry of Human Rights and Refugees official, Interview, May 5, 2008, 15-16. See also Ministry of Civil Affairs official, Interview, May 6, 2008, 26-27. See also U.S. Embassy- Sarajevo, reporting, March 3, 2008, section 2d.

<sup>429</sup> Government of Bosnia and Herzegovina, *Constitution of Bosnia and Herzegovina (BiH)*, (December 14, 1995), article II, section 3(c); available from [http://www.ohr.int/print/?content\\_id=372](http://www.ohr.int/print/?content_id=372).

<sup>430</sup> Government Bosnia and Herzegovina, *BiH Defense Reform Law*, (October 5, 2005), article 79. See also Coalition to Stop the Use of Child Soldiers, "Bosnia - Herzegovina," in *Child Soldiers Global Report*, 2008; available from [http://www.childsoldiersglobalreport.org/files/country\\_pdfs/FINAL\\_2008\\_Global\\_Report.pdf](http://www.childsoldiersglobalreport.org/files/country_pdfs/FINAL_2008_Global_Report.pdf).

<sup>431</sup> Government of Bosnia and Herzegovina, *Criminal Code of the Federation of Bosnia and Herzegovina (FBiH)*, (August 1, 2003), article 219; available from <http://www.legislationline.org/download/action/download/id/1661/file/5863a4917995d1a282d020fb2715.htm/preview>.

<sup>432</sup> Government of Bosnia and Herzegovina, *Criminal Code of the Republika Srpska (RS)*, (2003), article 224.

<sup>433</sup> Government of Bosnia and Herzegovina, *Criminal Code of Bosnia and Herzegovina (BiH)*, (2003), article 187; available from <http://www.ohr.int/ohr-dept/legal/oth-legist/doc/criminal-code-of-bih.doc>.

<sup>434</sup> Government of Bosnia and Herzegovina, *Criminal Code (FBiH)*, article 210. See also Government of Bosnia and Herzegovina, *Criminal Code (RS)*, article 198. See also Government of Bosnia and Herzegovina, *Criminal Code of the Brcko District of Bosnia and Herzegovina (BD)* 65 (May 28, 2003), article 207; available from [http://www.tuzilastvobih.gov.ba/files/docs/zakoni/BD\\_Criminal\\_Code\\_10\\_03\\_45\\_04\\_eng\\_web.pdf](http://www.tuzilastvobih.gov.ba/files/docs/zakoni/BD_Criminal_Code_10_03_45_04_eng_web.pdf).

<sup>435</sup> Government of Bosnia and Herzegovina, *Criminal Code (FBiH)*, article 211. See also Government of Bosnia and Herzegovina, *Criminal Code (RS)*, articles 199 and 200. See also Government of Bosnia and Herzegovina, *Criminal Code (BD)*, articles 186 and 208.

<sup>436</sup> Government of Bosnia and Herzegovina, *Criminal Code (BiH)*, articles 185 and 186.

<sup>437</sup> State Coordinator for Combating Trafficking in Human Beings and Illegal Immigration, *The Rules on*

*Protection of Victims and Witnesses of Human Trafficking who are citizens of Bosnia and Herzegovina*, [online] [cited December 22, 2008]; available from <http://www.anti-trafficking.gov.ba/?otvori=vijest&id=29&lang=eng>.

<sup>438</sup> Ministry of Human Rights and Refugees of Bosnia and Herzegovina, *First Report Under Article 12, Paragraph 1 of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography*, May 2008, 12; available from [www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC.C.OPSC.BIH.1.doc](http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC.C.OPSC.BIH.1.doc).

<sup>439</sup> U.S. Embassy- Sarajevo, *reporting, March 3, 2008, 2c*.

<sup>440</sup> U.S. Department of State, "Country Reports- 2008: Bosnia and Herzegovina."

<sup>441</sup> Commission of the European Committees, *Bosnia and Herzegovina 2008 Progress Report*, Brussels, May 11,

2008, 58; available from [http://ec.europa.eu/enlargement/pdf/press\\_corner/key-documents/reports\\_nov\\_2008/bosnia\\_herzegovina\\_progress\\_report\\_en.pdf](http://ec.europa.eu/enlargement/pdf/press_corner/key-documents/reports_nov_2008/bosnia_herzegovina_progress_report_en.pdf). See also U.S. Department of State, "Trafficking in Persons Report- 2008: Bosnia and Herzegovina," 75. See also Ministry of Human Rights and Refugees of Bosnia and Herzegovina, *Ministry of Human Rights and Refugees Report on CRCPSC*, 12.

<sup>442</sup> U.S. Embassy- Sarajevo, *reporting, March 3, 2008*, section 5f.

<sup>443</sup> *Ibid.*, sections 3g and 4i. See also U.S. Department of State, "Country Reports- 2008: Bosnia and Herzegovina," section 5.

<sup>444</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 19, 2008.

## Botswana

### *Selected Statistics and Indicators on Child Labor*<sup>445</sup>

Population, children, 5-14 years:	-
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	14
Compulsory education age:	15
Free public education:	No
Gross primary enrollment rate (%), 2005:	107.0
Net primary enrollment rate (%), 2005:	84.0
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2004:	83.0
ILO Convention 138:	6/5/1997
ILO Convention 182:	1/3/2000
CRC:	3/4/1995*
CRCOPAC:	10/4/2004
CRCOPSC:	9/24/2003*
Palermo:	8/29/2002
ILO-IPEC participating country:	Yes

\*Accession

### **Incidence and Nature of Child Labor**

Children in Botswana work in agriculture, predominately in subsistence farming, and as street vendors, car washers, and scrap metal collectors.<sup>446</sup> Children also work in domestic service, the performing arts, and family businesses.<sup>447</sup> Boys and girls tend to engage in different types of work. Boys herd cattle and other livestock, and girls are employed in restaurants, nightclubs, and grocery stores.<sup>448</sup> Reports indicate that some children are exploited in prostitution, particularly in bus and railway stations, truck stops, and near hotels.<sup>449</sup> In addition, there are unconfirmed reports that Botswana is a country of transit for East African children trafficked into South Africa.<sup>450</sup> Some children are also employed in liquor stores.<sup>451</sup>

### **Child Labor Laws and Enforcement**

The law sets the minimum age for basic employment at 14 years and for hazardous work at 18 years.<sup>452</sup> Under the law, children not attending school who have reached 14 years may be employed by family members or, as approved by the Commissioner of Labor, in light work that is not harmful to their health and development for no more than 6 hours per day and 30 hours per week.<sup>453</sup> Children, defined as those under 15