

158e.pdf. For free public education, see U.S. Department of State, "Bhutan," 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/sca/119133.htm>.

<sup>365</sup> U.S. Department of State, "Country Reports- 2008: Bhutan," section 6d.

<sup>366</sup> U.S. Embassy- New Delhi, *reporting*, September 17, 2004.

<sup>367</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>368</sup> UNICEF, *Report of Assessment of Protection*, 65.

<sup>369</sup> Government of Bhutan, *Labour and Employment Act of Bhutan 2007*, articles 170, 171. See also U.S. Department of State, "Country Reports- 2008: Bhutan," section 6d. See also U.S. Embassy- New Delhi official, E-mail communication to USDOL official, March 10, 2007.

<sup>370</sup> UN Committee on the Rights of the Child, *Second Periodic Reports: Bhutan*, section 408.

<sup>371</sup> Government of Bhutan, *Labour and Employment Act of Bhutan 2007*, article 9.

<sup>372</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>373</sup> U.S. Department of State, "Country Reports- 2008: Bhutan," section 6d.

<sup>374</sup> U.S. Embassy- New Delhi, *reporting September 17, 2004*. See also UN Committee on the Rights of the Child, *Written Replies By the Government of Bhutan*, August 29, 2008, section 94; available from <http://daccessdds.un.org/doc/UNDOC/GEN/G08/438/03/PDF/G0843803.pdf?OpenElement>. See also U.S. Department of State, "Country Reports- 2008: Bhutan," sections 5, 6c. See also Government of Bhutan, *Labour and Employment Act of Bhutan 2007*, article 6.

<sup>375</sup> Government of Bhutan, *Penal Code of Bhutan*, (August 11, 2004), para 3(a), sections 228, 230.

<sup>376</sup> *Ibid.*, para 380.

<sup>377</sup> Coalition to Stop the Use of Child Soldiers, "Bhutan," in *Child Soldiers Global Report 2008*, London, 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>378</sup> UN Committee on the Rights of the Child, *Written Replies By the Government of Bhutan*, paras 73, 76.

## Bolivia

### Incidence and Nature of Child Labor

In Bolivia, many children work with their families in subsistence agriculture. Children work in the production of sugar cane and Brazil nuts, especially in Santa Cruz and Tarija.<sup>379</sup> The harvesting of these products often requires the work of entire families, many of whom are indigenous and become indebted to those industries.<sup>380</sup> Additionally, many indigenous Guarani families live and work on ranches in debt bondage in the Chaco region.<sup>381</sup> Children also work in the production of cotton and mine gold, silver, and tin.<sup>382</sup> Children engage in activities such as street vending, shining shoes, and assisting transport operators.<sup>383</sup> Additionally, children work in industry, construction, small

business, personal services, hotels, and restaurants.<sup>384</sup> Children are also being used to transport drugs.<sup>385</sup> Some children are brought or sent by 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>386</sup>

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.<sup>387</sup> Through organized networks, children are trafficked from Paraguay for the purpose of commercial sexual exploitation in Santa Cruz and La Paz.<sup>388</sup> The internal trafficking of Bolivian children for the purposes of

prostitution, domestic service, mining, and agricultural labor, particularly on sugar cane and Brazil nut plantations, also occurs.<sup>389</sup> Children are also trafficked to neighboring countries for forced labor.<sup>390</sup> Bolivian children have been reported to be involved in the forced production of garments in Argentina.<sup>391</sup>

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>396</sup> The law prohibits forced or compulsory labor. The law also prohibits any kind of labor without consent and fair compensation.<sup>397</sup> The minimum age for 1-year compulsory military service for males is 18 years. The law allows children 15 years and older with basic secondary education to volunteer for certain military activities.<sup>398</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.<sup>399</sup>

There are 260 municipal Defender of Children and Adolescence offices to protect children's rights and interests.<sup>400</sup> Childhood and Adolescence Courts are empowered to resolve issues involving children and apply sanctions for violations of the law.<sup>401</sup> USDOS reported that the Government of Bolivia did not enforce child labor laws throughout the country, but noted a steady progress in the Government's increased resolve to enforce trafficking laws.<sup>402</sup> According to USDOS, Bolivian police have been conducting raids on brothels and other sites that have resulted in a number of exploited children being rescued from prostitution.<sup>403</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>404</sup> The National Commission for the Progressive Eradication of Child Labor implements action programs under three subcommittees, each dedicated to one sector.<sup>405</sup>

The Vice Ministry of Gender and Adolescence 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>406</sup> The Government has made efforts to

| <i>Selected Statistics and Indicators<br/>on Child Labor<sup>392</sup></i> |             |
|--|-------------|
| Population, children, 7-14 years, 2002:                                    | 1,783,061   |
| 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 (%), 2006:                                   | 108.9       |
| Net primary enrollment rate (%), 2006:                                     | 94.9        |
| School attendance, children 7-14 years (%), 2002:                          | 93.5        |
| Survival rate to grade 5 (%), 2003:  | 84.8        |
| ILO Convention 138:  | 6/11/1997   |
| ILO Convention 182:  | 6/6/2003    |
| CRC:   | 6/26/1990   |
| CRCOPAC:   | 12/22/2004* |
| CRCOPSC:   | 6/3/2003    |
| Palermo:   | 5/18/2006   |
| ILO-IPEC participating country:  | Yes         |

\*Accession

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

Bolivian law sets the minimum age for employment at 14 years.<sup>393</sup> Apprenticeship for children ages 12 to 14 years is permitted with various restrictions.<sup>394</sup> Children 14 to 18 years must have the permission of their parents or of government authorities in order to work.<sup>395</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

increase public awareness of trafficking through education campaigns and working with NGOs and international organizations on prevention activities. The Bolivian Government has also increased resources and collaboration with local authorities and NGOs to aid trafficking victims, including children.<sup>407</sup> Additionally, a few municipalities have created temporary shelters or victims' units to provide services to child victims.<sup>408</sup>

The municipal Defender of Children and Adolescents offices assist victims of trafficking, sometimes in cooperation with NGOs.<sup>409</sup> The IOM is implementing a project that will train municipal government employees to address the reintegration of trafficking victims.<sup>410</sup> The Bolivian Government is implementing a cash subsidy program called Bono Juancito Pinto for all primary school students, conditioned on school attendance.<sup>411</sup>

The Government of Bolivia and other associates and member governments of MERCOSUR are carrying out 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>412</sup> Bolivia's Secretariat of Tourism is part of the Joint Group for the Elimination of Commercial Sexual Exploitation of Children in Tourism, which conducts prevention and awareness-raising campaigns to combat the commercial exploitation of children in Latin America. It was created in 2005 and includes the Ministries of Tourism from Argentina, Chile, Ecuador, Brazil, Colombia, Paraguay, Peru, Suriname, Uruguay, and Venezuela.<sup>413</sup>

The Government of Bolivia is participating in a USDOL-funded 3-year, USD 3.4 million project implemented by the NGO, Desarrollo y Autogestión (Development and Self-Management), 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>414</sup>

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<sup>379</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 [http://www.oit.org.pe/ipepec/boletin/documentos/zafra\\_final\\_bo.pdf](http://www.oit.org.pe/ipepec/boletin/documentos/zafra_final_bo.pdf). See also U.S. Department of State, "Bolivia," in *Country Reports on Human Rights Practices- 2008*, Washington, DC, February 25, 2009, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2008/wha/119149.htm>. See also ILO Committee of Experts, *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%23A NO%3D2007&highlight=&querytype=bool&context=0>. See also U.S. Embassy- La Paz, reporting, June 10, 2008. See also ILO, *Eganche y Servidumbre por Deudas en Bolivia*, January 2005, 3-4, 11, 29-38; available from [http://www.ilo.org/sapfl/Informationresources/ILOPublications/lang--es/docName--WCMS\\_082055/index.htm](http://www.ilo.org/sapfl/Informationresources/ILOPublications/lang--es/docName--WCMS_082055/index.htm).

<sup>380</sup> ILO, *Eganche y Servidumbre por Deudas en Bolivia*, 3-4, 11, 29-38. See also ILO Committee of Experts, *Solicitud directa individual sobre el Convenio sobre las peores formas de trabajo infantil*, 1999 (núm. 182) Bolivia (ratificación: 2003) Envío: 2007, para 2. See also U.S. Embassy- La Paz, reporting, June 10, 2008.

<sup>381</sup> ILO Committee of Experts, *Solicitud directa individual sobre el Convenio sobre las peores formas de trabajo infantil*, 1999 (núm. 182) Bolivia (ratificación: 2003) Envío: 2007. See also ILO Committee of Experts, *Individual Direct Request concerning Worst Forms of Child Labour Convention*, 1999 (núm. 182) Bolivia (ratificación: 2003) Submitted: 2008, 2008, para 2; available from <http://www.ilo.org/ilolex/english/newcountryframeE.htm>.

<sup>382</sup> ILO-IPEC, *Boletín Encuentros - Día del niño: erradicar el trabajo infantil*, [online] 2004 [cited February 15, 2009]; available from <http://white.oit.org.pe/ipepec/alcencuentros/interior.php?notCodigo=464>. See also U.S. Embassy- La Paz, reporting, June 10, 2008. See also UNICEF and ILO, *Buscando la luz al final del túnel: niños, niñas y adolescentes en la minería artesanal en Bolivia*, 2004, 9-11; available from [http://www.oit.org.pe/ipepec/boletin/documentos/mineria\\_final\\_bo.pdf](http://www.oit.org.pe/ipepec/boletin/documentos/mineria_final_bo.pdf).

<sup>383</sup> U.S. Department of State, "Country Reports- 2008: Bolivia," section 6d.

<sup>384</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 ILO-IPEC, *Boletín Encuentros*.

<sup>385</sup> U.S. Department of State, "Country Reports- 2008: Bolivia," section 6d.

<sup>386</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 and 51.

<sup>387</sup> UNICEF, *La niñez clausurada: La explotación sexual comercial de niñas, niños y adolescentes en Bolivia*, La Paz, 2004, 15; 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- 2008: Bolivia," section 5. See also ILO Committee of Experts, *Solicitud directa individual sobre el Convenio sobre las peores formas de trabajo infantil, 1999 (núm. 182) Bolivia (ratificación: 2003) Envío: 2007*, article 8. See also UNICEF, *La niñez clausurada*, 16.

<sup>388</sup> Martha Casal Cacharrón, *Un Día te Dejan de Mirar y Te Perdés: Verdades y Desafíos de la Explotación Sexual Comercial de la Infancia y Adolescencia*, ILO-IPEC, Asunción, 2007, 84; available from [http://white.oit.org.pe/ippec/documentos/verdades\\_desafios\\_py.pdf](http://white.oit.org.pe/ippec/documentos/verdades_desafios_py.pdf).

<sup>389</sup> U.S. Department of State, "Country Reports- 2008: Bolivia," section 5. See also U.S. Department of State, "Bolivia (Tier 2)," in *Trafficking in Persons Report- 2008*, Washington, DC, June 4, 2008; available from <http://www.state.gov/g/tip/rls/tiprpt/2008/>

<sup>390</sup> U.S. Department of State, "Country Reports- 2008: Bolivia," section 5. See also U.S. Department of State, "Trafficking in Persons Report- 2008: Bolivia."

<sup>391</sup> Ignacio Arana Araya, "Prolifera la exportación de trabajo esclavo boliviano," *El Mercurio* (Santiago), August 27, 2006. See also Ismael Bermúdez, "Trabajo esclavo: dicen que las marcas son responsables igual que los talleres," *Clarín* (Buenos Aires), September 13, 2006. See also Tanja Bastia, *Child Trafficking or Teenage Migration? Bolivian Migrants in Argentina*, IOM, Oxford, 2005, 65-66; available from [http://www.childtrafficking.com/Docs/bastia\\_2005\\_teenage\\_migration\\_0108.pdf](http://www.childtrafficking.com/Docs/bastia_2005_teenage_migration_0108.pdf).

<sup>392</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 Bolivia, *Ley del Código del Niño, Niña y Adolescente*, Ley No. 2026, (October 27, 1999), articles 108 and 144; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/55837/68387/S99BOL01.htm>. For age to which education is compulsory and free public education, see Government of Bolivia, *Nueva Constitución Política del Estado*, (October 2008), articles 78 and 81; available from <http://www.presidencia.gob.bo/download/constitucion.pdf>.

<sup>393</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), article 8; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/46218/65057/S92BOL01.htm#t4c6>.

<sup>394</sup> U.S. Department of State, "Country Reports- 2008: Bolivia," section 6d.

<sup>395</sup> Government of Bolivia, *Ley General de Trabajo*, article 8.

<sup>396</sup> Government of Bolivia, *Ley del Código del Niño, Niña y Adolescente*, 134, 146, 147.

<sup>397</sup> Government of Bolivia, *Nueva Constitución Política del Estado*, article 46.

<sup>398</sup> *Ibid.*, articles 108 and 144. See also Coalition to Stop the Use of Child Soldiers, "Bolivia," in *Child Soldiers Global Report 2008*, London, 2008; available from <http://www.child-soldiers.org/regions/country?id=26>.

<sup>399</sup> Government of Bolivia, *Ley 3325: Trata y Trafico de Personas y Otros Delitos Relacionados*, (January 18, 2006), article 281; available from <http://www.monografias.com/trabajos-pdf/trafico-de-personas/trafico-de-personas.pdf>.

<sup>400</sup> U.S. Department of State, "Country Reports- 2008: Bolivia," section 5.

<sup>401</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>402</sup> U.S. Department of State, "Trafficking in Persons Report- 2008: Bolivia." See also U.S. Department of State, "Country Reports- 2008: Bolivia," section 6d.

<sup>403</sup> U.S. Department of State, "Trafficking in Persons Report- 2008: Bolivia."

<sup>404</sup> ILO Committee of Experts, *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (núm. 182) Bolivia (ratificación: 2003) Submitted: 2008*.

<sup>405</sup> ILO Committee of Experts, *Solicitud directa individual sobre el Convenio sobre las peores formas de trabajo infantil, 1999 (núm. 182) Bolivia (ratificación: 2003) Envío: 2007*. See also ILO Committee of Experts, *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (núm. 182) Bolivia (ratificación: 2003) Submitted: 2008*.

<sup>406</sup> Noel Aguirre Ledezma, *Plan Nacional de erradicación progresiva del trabajo infantil: Evaluación externa de medio término, informe preliminar*, May 2005, 22 and 31.

<sup>407</sup> U.S. Department of State, "Trafficking in Persons Report- 2008: Bolivia."

<sup>408</sup> *Ibid.* See also U.S. Department of State, "Country Reports- 2008: Bolivia," section 5.

<sup>409</sup> U.S. Department of State, "Country Reports- 2008: Bolivia," section 5.

<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 Infante-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>