



# BOLIVIA

## MODERATE ADVANCEMENT

In 2023, Bolivia made moderate advancement in efforts to eliminate the worst forms of child labor. As part of the Regional Platform Against Human Trafficking and Smuggling, Bolivia and Argentina signed an agreement that included 35 coordinated actions to combat human trafficking, migrant smuggling, and related crimes.

In addition, the government, in collaboration with a civil society organization, Munasim Kullakita Foundation, and the police, released Alerta Juliana, a mobile application to help locate missing children, including some who could be vulnerable to human trafficking crimes, and refer them to authorities and protection services. In September, Ministerial Resolution No. 1444/23 which allows labor inspectors to conduct unannounced inspections at any time, was passed into law. However, despite these efforts, Bolivia's laws do not meet international standards on the prohibition against child trafficking because they require the use of threats, force, or coercion be proven for a crime of child trafficking to have occurred. Bolivian law also does not set a minimum age for participation in apprenticeships, and the government did not publicly release information on its labor and criminal law enforcement efforts in 2023.

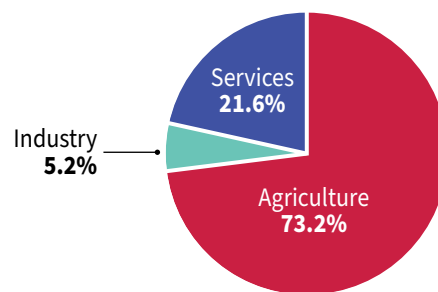


## PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

### Statistics on Children's Work and Education

Children	Age	Percent of Population
Working	5 to 14	8.3% (162,834)
Boys		8.2%
Girls		8.4%
Urban		2.1%
Rural		20.8%
Hazardous Work by Children	15 to 17	25.5% (171,369)
Boys		25.1%
Girls		25.9%
Urban		12.6%
Rural		54.4%
Attending School	5 to 14	98.5%
Combining Work and School	7 to 14	7.7%

### Working Children by Sector, Ages 5-14



Children in Bolivia are subjected to the worst forms of child labor, including commercial sexual exploitation, sometimes as a result of human trafficking, and forced begging. Children also perform dangerous tasks in agriculture, including in the harvesting of Brazil nuts, and mining.

### Overview of Children's Work by Sector and Activity



#### Agriculture

Harvesting Brazil nuts/chestnuts,† sugarcane,† and coca; planting and harvesting corn; and raising cattle.



#### Industry

Mining† of gold, silver, tin, lead, and zinc; construction, including heavy lifting and shoveling; and production of bricks.†



#### Services

Street vending, shoe shining, assisting transportation operators, working in small stores, and cleaning cemeteries (grave sites).



#### Categorical Worst Forms of Child Labor‡

Forced labor in domestic work, mining, ranching, in the production and harvesting of Brazil nuts and sugarcane, and begging. Commercial sexual exploitation, sometimes as a result of human trafficking. Use in illicit activities, including robbery and producing, transporting, or sale of drugs.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor per se under Article 3(a)-(c) of ILO C. 182.



## **SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR**

The suggested government actions below would close gaps USDOL has identified in Bolivia's implementation of its international commitments to eliminate the worst forms of child labor.

### **Legal Framework**

Raise the minimum age for work from age 14 to age 17 to align with the compulsory education age.

Remove the requirement of the use of threats, force, or coercion to be established for the crime of child trafficking to have occurred.

Prohibit children under the age of 14 from participating in apprenticeships.

Establish age 18 as the minimum age for compulsory recruitment by the state military, and criminally prohibit the recruitment of children under age 18 into non-state armed groups.

### **Enforcement**

Publish information on child labor law enforcement, including labor inspectorate funding, training, penalties imposed and collected, and whether routine and unannounced inspections were conducted.

Employ at least 443 labor inspectors to ensure adequate coverage of the labor force of approximately 6.6 million people.

Provide sufficient funding to increase the Ministry of Labor's capacity to adequately enforce child labor laws, including in the informal economy.

Maintain systematized records or a consolidated database on the number of violations found related to child labor.

Establish and maintain a Child Advocate Office in every municipality, allocating sufficient resources from municipal-level budgets to ensure that legal protections are extended to all children who are permitted to work and that parents are assisted in registering their children for work.

Publish information on criminal law enforcement, including training for criminal investigators and disaggregated numbers on investigations conducted, prosecutions initiated, convictions achieved, and sentences imposed for child labor crimes.

Address issues of high rotation among police, prosecutors, and judges, as well as the existing judicial case backlog, to ensure adequate prosecution of child labor crimes.

Direct sufficient resources to rural areas to address trafficking in persons crimes.

### **Coordination**

Ensure that the National Commission for the Progressive Eradication of Child Labor is active and able to carry out its intended mandate.

### **Government Policies**

Establish and implement a new national policy or national action plan to address child labor, including its worst forms.

### **Social Programs**

Increase availability of schools, teachers, and supplies to rural and indigenous areas to increase participation in secondary education, and facilitate access of migrant children to the requisite documents to enroll in school and to become eligible to receive academic credit and diplomas.

Establish programs for children displaced by droughts and floods to support their continued access to education.

Increase funding for social programs throughout the country for child labor victims, including for shelters for male victims of human trafficking, and ensure that victims are not cast prematurely out of shelters.

Implement programs to address the commercial sexual exploitation of children.



## CHILDREN AT HIGHER RISK

Children from indigenous communities, Venezuelan migrant children, and children with disabilities have increased vulnerabilities to child labor exploitation and human trafficking. In rural gold mining areas, girls are trapped in commercial sexual trafficking and prevented from leaving by private security in brothels, and research indicates that children are at risk of labor trafficking in mines if their families are in debt bondage. Additionally, children in rural indigenous communities in the north of La Paz Department and around the city of Rurrenabaque are vulnerable to child sex trafficking in the tourism sector.



## BARRIERS TO EDUCATION ACCESS

Attendance rates for secondary education remain low in rural areas. Additionally, the lack of teachers, schools, and textbooks in rural areas, especially in indigenous communities, create barriers to education. Venezuelan migrant families that have irregular status in Bolivia often face complications in obtaining proper documentation to enroll in the public school system, and some migrant children attending school do not receive credit and are prevented from receiving diplomas. Over two million children in Bolivia live in areas at high-risk of flooding, while an additional 600,000 live in areas at risk of droughts, disrupting their access to education and increasing their vulnerability to child labor. In 2023, 300 education systems in 21 municipalities were affected by droughts, causing temporary migration for work, with some areas reporting absence rates of 25 percent as a result.





## LEGAL FRAMEWORK FOR CHILD LABOR

Bolivia has ratified all key international conventions concerning child labor. However, Bolivia’s laws do not meet international standards on prohibitions against child trafficking, as they require that the use of threats, force, or coercion be proven for a crime to have taken place.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, <b>14 Years</b>		Articles 8 and 58 of the General Labor Law; Article 129 of the Child and Adolescent Code; Sentence 0025/2017 of the Plurinational Constitutional Tribunal; Article 3 of Law No. 1139
Minimum Age for Hazardous Work, <b>18 Years</b>		Articles 58 and 59 of the General Labor Law; Articles 5 and 136 of the Child and Adolescent Code
Identification of Hazardous Occupations or Activities Prohibited for Children		Article 136 of the Child and Adolescent Code
Prohibition of Slavery, Debt Bondage, and Forced Labor		Articles 15, 46, and 61 of the Constitution; Article 291 of the Penal Code; Article 34 of the Comprehensive Law against Human Trafficking and Smuggling
Prohibition of Child Trafficking		Article 15 of the Constitution; Articles 6, 34, and 35 of the Comprehensive Law against Human Trafficking and Smuggling
Prohibition of Commercial Sexual Exploitation of Children		Articles 34 and 35 of the Comprehensive Law against Human Trafficking and Smuggling; Articles 281 <i>bis</i> , 321, 321 <i>bis</i> , and 323 <i>bis</i> of the Penal Code
Prohibition of Using Children in Illicit Activities		Articles 47, 48, and 56 of the Law on Coca and Controlled Substances
Minimum Age for Voluntary State Military Recruitment, <b>16 Years</b> †		Article 2 of the General Directive of Pre-Military Recruitment; Articles 2 and 7 of the Law of National Military Service
Prohibition of Compulsory Recruitment of Children by (State) Military		Articles 108 and 249 of the Constitution; Article 1 of Supreme Decree No. 1875; Article 1 of Supreme Decree No. 21479

### Legal Framework for Child Labor (Cont.)

Child Labor Laws and Regulations	Meets International Standards	Legislation
Prohibition of Military Recruitment by Non-state Armed Groups		
Compulsory Education Age, <b>17 Years</b> <sup>‡</sup>		Article 81 of the Constitution; Articles 1, 8, 9, and 11–14 of the Avelino Siñani-Elizardo Pérez Education Law
Free Public Education		Articles 17 and 81 of the Constitution; Article 1 of the Avelino Siñani-Elizardo Pérez Education Law; Article 115 of the Child and Adolescent Code

\* The minimum age for combat is 18 per Article 36 of the Law of National Military Service.

<sup>‡</sup> Age calculated based on available information.

As the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. Furthermore, although Bolivian law specifies that education is compulsory through secondary school, it does not specify a start or end age. Bolivian law requires employers to allow apprentices time to attend school. However, it does not set a minimum age of at least 14 for participation in apprenticeships. In addition, prohibitions against child trafficking are insufficient because they require that the use of threats, force, or coercion be proven in order for a crime to have taken place. Articles 108 and 249 of the Constitution require Bolivian males to perform compulsory military service in accordance with national law. Article 1 of Supreme Decree No. 1875, passed in 2014, lowered the minimum age at which compulsory military service may begin, from age 18, as previously established, to age 17, which does not comply with international standards.



### ENFORCEMENT OF LAWS ON CHILD LABOR

In 2023, labor and criminal law enforcement agencies in Bolivia took actions to address child labor. However, insufficient financial resource allocation, including for prosecutors and judges, hindered enforcement efforts.

#### Agencies Responsible for Child Labor Law Enforcement

**Ministry of Labor (MOL):** Enforces child labor laws by conducting routine labor inspections and responding to complaints from the public. Also refers cases to the Labor Courts for adjudication of penalties and unpaid wages. If a child is discovered working in hazardous or illegal conditions during an investigation, the case is referred to the municipal Child Advocate Office. Carries out child labor specific inspections through its Special Unit for the Progressive Eradication of Child Labor. However, MOL did not provide any official data in 2023 to show evidence that routine inspections occurred.

**Prosecutor's Office:** Enforces criminal laws related to the worst forms of child labor at the departmental level, in coordination with the Attorney General's Office. Together with the municipal Child Advocate Office, provides legal support and lawyers to child labor victims. The Attorney General's Office oversees investigations and prosecutions at the national level, while regional prosecutors, in collaboration with the Bolivian National Police, pursue cases of human trafficking and maintain a database of these cases. However, research indicates that prosecutors and judges do not have adequate funding to carry out their work.

#### Enforcement Mechanisms and Efforts

Has a Labor Inspectorate	<b>Yes</b>	Has a Complaint Mechanism	<b>Yes</b>
Able to Assess Civil Penalties	<b>Yes</b>	Imposed Penalties for Child Labor Violations	<b>Unknown</b>
Routinely Conducted Worksite Inspections	<b>Unknown</b>	Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	<b>Unknown</b>
Unannounced Inspections Permitted	<b>Yes</b>	Imposed Penalties for Worst Forms of Child Labor Crimes	<b>No</b>

It is **unknown** how many labor inspectors conducted worksite inspections, or whether child labor violations were found. It is **unknown** whether investigations into suspected cases of the worst forms of child labor were conducted, prosecutions were initiated, or perpetrators were convicted.



## COORDINATION, POLICIES, AND PROGRAMS

<p><b>Key Mechanism to Coordinate Government Efforts on Child Labor</b></p> <p>Bolivia established a mechanism to coordinate its efforts to address child labor. However, a lack of public reporting on activities hinders the effective coordination of efforts to address child labor.</p>	<p><b>National Commission for the Progressive Eradication of Child Labor:</b> Coordinates national efforts on child labor issues. Led by MOL, and includes the Ministries of Justice, Education, and Planning, and several NGOs. Research was unable to determine whether the coordinating body carried out activities during the reporting period.</p>
<p><b>Key Policies Related to Child Labor</b></p> <p>Bolivia established policies related to child labor. However, Bolivia does not have a national action plan to address all worst forms of child labor in the country.</p>	<p><b>Plurinational Policy Against Trafficking in Persons, Smuggling of Migrants and Related Crimes (2021–2025):</b>† Developed with support from the International Organization for Migration, the UN Office of Drugs and Crime, and civil society, and aims to educate the population about human trafficking and smuggling, reintegrate survivors, train law enforcement officials, provide prompt and effective justice, promote mechanisms for international coordination, and build an institutional environment able to address human trafficking and smuggling. In December 2023, the Bolivian government organized the Eighth National Meeting of Departmental Councils Against Human Trafficking to coordinate national policy against trafficking with the nine departmental councils.</p>
<p><b>Key Social Programs to Address Child Labor</b></p> <p>Bolivia funded and participated in programs that may contribute to eliminating or preventing child labor. However, these social programs are inadequate to address the problem in all sectors and in all states in which child labor has been identified, including in commercial sexual exploitation.</p>	<p><b>Juancito Pinto Subsidy Program:</b>† Government program that provides a conditional cash transfer to all primary and some secondary school students to increase school attendance and reduce the dropout rate. In 2023, the program provided more than 2.3 million students with \$29 annually upon proving regular attendance in school.</p> <p><b>Market Spaces:</b> Program introduced by the Santa Cruz municipal government that trains over 300 university volunteers and reaches over 500 children between the ages of 3 and 12 in the 8 Santa Cruz markets. Children who previously worked with their parents in the market now receive mentorship and food, and abuse is monitored and reported. The concept was initially supported by the Government of Santa Cruz and UNICEF and costs about \$5,000 per year to maintain but is now self-sustaining through a small tax collected from each market vendor or parent.</p> <p><b>Bolivian Foreign Trade Institute’s Triple Seal Initiative:</b> Initiative of the Department of Santa Cruz’s MOL, in collaboration with the Bolivian Institute of Standardization and Quality, UNICEF, and ILO, to develop a voluntary certification program that recognizes companies that comply with Bolivian law and ILO conventions on child labor and forced labor issues. Active during the reporting period.</p>

† Program is funded by the Government of Bolivia.

For information about USDOL’s projects to address child labor around the world, visit [dol.gov/ILABprojects](https://dol.gov/ILABprojects)  
 For references, please visit [dol.gov/ChildLaborReports](https://dol.gov/ChildLaborReports)