



In Brief



Bolivia: Adoption and Hard labour

Sectors of Child trafficking

- Commercial sexual abuse
Prostitution, for e.g. in bars and nightclubs, Pornography,
- Work / Hard labour
Agriculture, housework, craft, and industries/small-scale industries
- International adoption
- Organ transplantation

Forms of Child Trafficking

- Parents, relatives, acquaintances, neighbours as well as persons unknown to the child can be involved in trafficking in children for the purpose of exploitation through work.
- The children are placed with an employer by their parents, relatives, friends or by professional agents.
- Recruitment by the employer.
- Abduction and handing over the children to a third party
- "Own decision"

Factors that favour child trafficking

- There are no statistics on child trafficking maintained in Bolivia by the state, municipal authorities or private parties. The lack of statistical data and disinterest in this theme as well as a barely discernible collaboration between the various authorities and institutions encourages child trafficking and at the same time hinders a widespread public thematisation.
- Due to the lack of a functioning registration system, an overview of the number of children in the individual communes cannot be obtained.
- Lack of statistics about families, migration movements or infant mortality rates.
- Illegal or clandestine children's homes which could offer a setting for trafficking in children and young persons.
- Lack of security precautions in the public health services buildings (hospitals, maternity homes, health centres, etc.) and in schools and the resultant opportunities to abduct children.
- The poor economic situation of the children's families. As a result, the defenceless children are forced to enter into an employment relationship early in life and are exposed to the tyranny of agents and employers.
- The increasing demand for adoptive children in the industrial nations.
- The unwillingness exhibited by the authorities to use the available legal remedies to prosecute the persons involved in the trafficking in children.
- Unwanted pregnancies and the lack of support by the family or the society.
- Lack of information about the causes and backgrounds of child trafficking. Child trafficking is often perceived as an illegal practice only in connection with other offences such as abduction, baby-snatching, drug trafficking or trading in organs.



Routes of the national and international child trafficking

Bolivia is the country of origin of the children. They are trafficked via the following routes:

- From Bolivia to Argentina (work in clothes factories)
- To Brazil (work / hard labour)
- For the purpose of adoption in the USA and in the West European countries
- Within Bolivia from the highlands for the harvest in the sugarcane regions

Work / Hard labour

(Source: *Tráfico de niños, niñas y adolescentes con fines de explotación laboral en Bolivia*)

The information about the work / hard labour of children in Bolivia is the result of a survey conducted among 337 children and young persons (up to the age of 18) in the cities of La Paz, Cochabamba, Oruro, Santa Cruz and El Alto as well as a comprehensive newspaper research.

This study looks at child trafficking and child labour together since the two are often directly connected.

- Children and young persons work in households (cleaning, cooking, shopping, doing the laundry, baby-sitting), in agriculture, as street traders as well as in skilled trade and in the industrial sector.
- The working hours sometimes amount to more than 12 hours a day. A complete work-free day is not always provided.
- The children and young persons are exposed to punishment, beatings, verbal abuse, psychological abuse or sexual abuse by their respective “employer”.
- Attending a school is often made difficult or completely impossible for the children even if this was a part of the agreement.
- The children are either not allowed to contact their parents or are only allowed to contact them on rare occasions.
- Within Bolivia, one of the destinations of child trafficking is the sugarcane region in Santa Cruz. Children between the ages of 12 and 16 years, mainly from the Ketchua- speaking rural population, are recruited for the sugarcane harvest and have to put in heavy labour from dawn to dusk.

Socio-Economic environment of the children and young persons

(Source: *Tráfico de niños, niñas y adolescentes con fines de explotación laboral en Bolivia*)

- 54% of the surveyed children and young persons were below the age of 14, of these, about 8.1% were less than 10 years old.
- Over 60% of the affected children and young persons have no education or have only a rudimentary education at best. The majority of the children without any kind of formal education (82.9%) are girls.
- Over 50% of the children and young persons come from the rural areas. They come from families that have 6 children on average but have only a low income. Hence working children ease the burden on the family finances, whether by earning money or by the simple fact that they no longer live at home.

Legal and illegal adoptions

- The legal procedure for national and international adoptions is regulated by the Código del Niño, Niña y Adolescente (CNNA) since 1999.
- This Act stipulates the requirements that have to be fulfilled by the Bolivian or foreign adoptive parents (such as minimum age, proof of health, visa or entry permit for the child in case of international adoptions)
- The procedure for each adoption is also stipulated (this includes the official enquiry at the competent court, the processing of the applications by the judge, a hearing of the child if necessary and the final legalisation of the adoption by the judge)



- However, these legal regulations can be circumvented (for e.g., by bribery, false proof of parentage, falsified legal documents). A widely used method is the registration of the adoptive mother as the birth mother after the child is born. In this way the complete adoption procedure is circumvented.
- Another example of illegal international adoption is illustrated by a trial held in the year 2000 against a German couple, an employee of an adoption agency, a Member of Parliament and former head of the Social Welfare Office and the head of the guardianship department of the Social Welfare Office. The accused were charged with having handed over children from State children's homes against a payment but without complying with the adoption procedure stipulated in the law. This example gives an insight into the method, extent and involvement in the illegal adoptions.
- At present, international adoptions have been suspended in Bolivia for two years (as of: February 2001) in order to negotiate bilateral agreements with various destination countries, in particular, the USA.
- In Cochabamba a total of 464 children were adopted legally between 1995 and 2000. 80% were international adoptions and only 20% were national adoptions.
- Cochabamba has a total of 45 legally registered children's homes run by private institutions or NGOs in which 3,200 children are looked after. National and international adoptions are also placed through these institutions. (The *Albergue Madre de Dios* children's home for instance placed 56 international adoptions in 1999 and 30 international adoptions in the year 2000)
- Exact figures on adoptions, legal/illegal or national/international, cannot be quoted owing to various reasons including lack of statistics.

Factors that favour illegal adoptions

- Involvement of attorneys, judges and employees of the local governments in the illegal adoptions. Collaboration among members of these three professions facilitates the issuing of false identity papers thus ensuring that there are no problems in the adoption process and in leaving the country. Thus, for instance, abducted children are provided with false passports in the name of the abductors by the employees working in the government offices.
- Involvement of employees from the public health field in illegal adoptions by pointing out pregnant women or young mothers who wish to give up their children for adoption.
- Tolerance of the social environment for the decision to give up children for adoption or to send them to relatives, acquaintances or to unknown employers via agents for the purpose of employment.
- Potential adoptive parents from the industrial nations are held in high esteem and it is hoped that they will provide a better future for the children.
- All the parties involved consider the legal adoption process to be lengthy, difficult and tiring and hence illegal adoption methods are preferred.
- Intolerance of the society to teenage and adolescent pregnancies.
- Increasing poverty in large parts of the population as well as the decline in neighbourly solidarity.
- The existing widespread and daily violence against (young) women including sexual abuse and rape.

Potential reasons for a mother to "hand over" her child

(Source: Mama, cuánto pagaste por mí? Una aproximación a los factores psicosociales e institucionales facilitadores del tráfico de niños y niñas en Cochabamba)

Various reasons influence the decision of the mother to abandon her child, give it up for adoption or give it over to a third party.

- Lack of support from her own family.
- Rejection by her own family in case of out-of-wedlock pregnancies or pregnancies of young girls.



- The situation as a single mother after she has been abandoned by the child's father. This situation is always linked with financial difficulties since job opportunities are restricted for a woman with a child.
- Very young mothers sometimes abandon their child as soon as they enter into new relationships, if the child is not accepted by the new partner.

Strategies, Suggestions and Requirements to Combat Child Trafficking

- Initiating a widespread public debate about child trafficking and setting up an extensive national and international campaign against child trafficking.
- Advocating the rights of the child through public relations work or attempting to influence politicians and political parties.
- Setting up a local campaign for the purpose of information about the causes, backgrounds, accompanying factors and extent of child trafficking. Here, information should be provided about the rights of the child and about the involvement of attorneys and employees of the administrative sectors in the illegal adoptions.
- Information campaigns for young persons, in particular, for girls and young women. This campaign should include both sex education as well as information about child trafficking and its psychological and physical consequences for all the persons involved.
- Setting up an overall collaboration between public and private institutions (local governments, public health officials, ministries, NGOs etc.) aimed at a preventive effect on mothers and families.
- Increased surveillance in hospitals, children's homes and other public buildings in order to prevent abductions.
- Reorganisation of the local governments and the administration flow to make it difficult to falsify documents.
- Compiling public and private statistics regarding trafficking in children. It should be ensured that all known cases of child trafficking are recorded in the police statistics.
- Sensitising the legal institutions and persons to this theme in order to combat child trafficking through an effective criminal prosecution as well.
- Assistance in reporting the agents, employers or other participants involved in the trafficking with children to the police.
- Inspection of work places

Sources:

Tráfico de niños, niñas y adolescentes con fines de explotación laboral en Bolivia (Trafficking in Girls, Young Persons and Adolescents with the aim of Exploitation through Work in Bolivia) by Defensa de los niños internacional, sección Bolivia., 2001 and *Mama, cuánto pagaste por mí? Una aproximación a los factores psicosociales e institucionales facilitadores del tráfico de niños y niñas en Cochabamba*. (Mama, how much did you pay for me?) by Infante / terre des hommes Deutschland, 2001

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STOP CHILD TRAFFICKING

Contact & further Information

terre des hommes Deutschland e.V.
Hilfe für Kinder in Not
Bundesgeschäftsstelle
Internationale Kampagne gegen
Kinderhandel
Ruppenkampstr. 11a
Postfach 4126
D-49031 Osnabrück

Telefon: 0541/7101-182
Telefax: 0541/707233
Internet: www.tdh.de
e-mail: kinderhandel-kampagne@tdh.de