




Review on child and forced  
labor and land rights in  
*Bolivia's sugar industry*

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Gestión Agropecuaria  
Profesional

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Sugarcane cutter in one of the visited fields

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GAP Consultores  
*All the photos shown in this report were taken while doing the study, with the agreement of people involved*

**Date:**  
October 2016



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Sugarcane cutters in one of the visited fields

### About GAP Consultores S.R.L.

GAP consultancy group started in 1979, providing technical assistance to farmers seeking to solve its major production problems, always supported by science, technology and experience.

Currently GAP is composed of a team that shares the initial philosophy, offering its expertise to local and international companies looking for sustainability in a continuous improvement system.

Team Leader: Andrés Sylvestre Begnis. 43 years. Agribusiness Magister, Agronomic Engineer.

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## Introduction

This study aims at knowing the state of affairs of child and forced labor and the land use right within The Coca Cola Company (TCCC) sugar supply chain in Bolivia. It is consistent with the international commitment made by TCCC to develop, together with the stakeholders in the region, mitigation strategies for any cases or risks that may be encountered.

For that purpose, TCCC commissioned GAP Consultores S.R.L. (an Argentine consultancy firm) to complete a study based on a review of the public literature available and the exchange with stakeholders of different organizations related to the sugarcane sector, through visits, meetings and/or interviews.

Additionally, a field research was conducted in the Department of Santa Cruz in July 2016. There, a representative sample of sugarcane growers, within the two sugarcane mills supplying the company was assessed.



Sugarcane cutters in one of the visited fields

# Executive summary

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This study provides an overview of the current state of affairs of child and forced labor and the land rights in the sugar sector in Bolivia, and specifically in the supply chain of The Coca-Cola Company (TCCC).

TCCC commissioned GAP Consultores to carry out a qualitative study based on the real facts seen during the 2016 sugarcane harvest in the Department of Santa Cruz, interviews with the stakeholders and an extensive bibliographic revision of the information available about the issues involved.

In order to meet this objective and following the methodology required by TCCC, the research team of GAP Consultores interviewed 37 stakeholders (NGO, Government, Industry experts, etc.), visited two sugar mills supplying TCCC, and a representative sample (depending on the volume of sugar cane delivered to the mill - Annex IV) of 70 cane growers that supply sugarcane for them. Also, 160 workers were surveyed during the harvest.

### The most important findings of the study are summarized below:



**Child labor** in Bolivia is a problem with cultural and economic origins. As a consequence of many factors, and, particularly, to the actions of national and international organizations, child participation in the sugarcane harvest was reduced during the last 10 years as it is considered hazardous work for them. In this shared commitment, TCCC's supplying mills were important players accompanying with training activities, awareness creation and education about the importance of child's schooling, health care and the total elimination of the worst forms of child labor. In spite of the progress observed, children have been found in the fields working in the cane harvest, as well as in urban jobs (masonry mainly) in related supply chain companies, showing that there is a long way to go before the problem is fully resolved.



The forms of **forced labor** in the sugarcane harvest have been mutating to adapt to the pressures exerted by the government and other organizations working on the issue for several years. While the general conditions of workers have significantly improved over time, GAP Consultores researchers have frequently found debt bondage situations among migrant sugarcane cutters. This up-front payments mean lack of freedom for the worker to choose where to work during the next harvest season. Besides, living conditions characterized by overcrowding and lack of sanitation, poor housing infrastructure combined with the informality in hiring practices were also verified in the harvest fields. Many local organizations and specially Mill A are trying to eradicate the figure of the contractor since these conditions evidenced a greater degree when the contractor was present. On the other hand, a significant increase of mechanical harvesting was observed in recent years, resulting in a decreased amount of labor hired per harvested hectare.



In Bolivia, **land titling** has been continuously updated and regulated by the government in the last 20 years. As from the 1996 Law on land reform, agricultural properties began a technical-legal process in which the government grants the land title. Most sugarcane producers in the Department of Santa Cruz have begun this process, demonstrating their legal possession of the land. Generally speaking, and according to the information gathered, no conflicts were observed over the use or possession of the land. The few mentioned were focused on small differences around the boundaries of each property and have mostly been resolved. Some infringements or temporary land occupations have been mentioned as a measure of political pressure against the companies owning the land. No cases of community complaints were observed in the area of study.

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# Methodology

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The methodology used to develop this country study in Bolivia is based on the “Country Sugar Study Scoping Document” dated November 2015<sup>1</sup>, developed by The Coca-Cola Company (TCCC). Such document describes the objectives, the study criteria, the stages to be followed and the tools to be used.

In order to structure this qualitative study, the steps described below have been carried out:

### Desk Research

#### 1. Study and review of the Information available

This initial phase was conducted in order to understand the general situation of the country and the specific situation of the industry prior to the site visit. To that end, public government documents were accessed, such as the national and departmental laws applicable to the topics of study, official reports released by organizations such as the National Institute of Agrarian Reform (INRA), the National Institute of Statistics (INE), the Ministry of Labor, the Autonomous Departmental Government of Santa Cruz and some other independent organizations, such as the Technical Organization of the Agricultural Industry (OTAI), the International Labor Organization (ILO), the United Nations International Children’s Emergency Fund (UNICEF), the United Nations Development Program (UNDP), the United States Department of Labor (USDOL), the International Finance Corporation (IFC), Solidaridad Network, Bonsucro and other stakeholders.

In **Annex I** can be found a list of definitions and abbreviations and glossary included on this study.

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In addition, reports of similar studies conducted in previous years in other countries were provided by TCCC.

In the bibliographical references, can be found in more detail the material read, analyzed and used in this report in more detail.

### Field Research

#### 2. Interviews with the Stakeholders

For a broader point of view on the study topics, several local, national and international organizations were contacted and then interviewed. Prior to the contact, a list of stakeholders was presented to TCCC for feedback and approval of the contacts to be established. By this exchange, information about the actions performed on child and forced labor and the land rights was collected. In some cases, it was possible to arrange a personal interview and in other cases, contact was made by phone calls. In all situations, a list of questions related to the topic of interest was used as a guide.

**Annex II** provides the consultants’ Interview material developed for this study and **Annex III** provides a detailed list of the organizations contacted (stakeholders).



Sugarcane cutter in one of the visited fields, having a Medical Brigade examination

<sup>1</sup> The Coca-Cola Company, November 2015. Country Sugar Study Scoping Document

### 3. Mills and sugarcane growers' field visits.

As a key part of this study, field visits were scheduled at two different times and during the 2016 harvest. The first trip was made during July winter school holidays. The purpose was to observe and evaluate the existence of child and/or forced labor both in the sugarcane manufacturing facilities and in the production sites; as well as to confirm the existence of purchase transactions and/or illegal use of the land for the past 15 years on an anonymous basis.

Thus, two mills supplying sugar to TCCC were contacted and were asked to provide information about their growers, in order to map and learn about the entire supply chain, and recognize the different types of cane suppliers for both cases. In order to establish a representative sample of the sugarcane producers to visit, the methodology described in the "Country Sugar Study Scoping Document" provided by TCCC was used, which determines the distribution and number of producers to visit depending on the population. Once on the field and together with the work teams of the mills, the final sample of sugarcane growers was established depending on their size (volume of sugar canes delivered) and whether they were active in the harvesting activity those days. Considering both mills, a total of 70 fully active sugarcane growers were visited and 160 workers were surveyed, the vast majority of them sugarcane cutters, who

were present at the harvest site (farm).

TCCC has carried out Supplier Guiding Principles Audits in both mills, every one to three years. In addition, they are working to achieve Bonsucro standard in a near future.

Annex IV provides the Selection table of visited sugarcane growers.



Mechanical harvester in one of the visited fields

### Additional comments on the methodology.

The different methods of data gathering in the field, among sugarcane growers and workers, are worth mentioning in order to clearly understand what kind of interaction GAP Consultores achieved in each case:

#### **OBSERVATION**

Data visually observed by the researchers during field visits. In these cases, an interview with the person involved was not possible because they did not belong to the selected fields.

#### **INTERVIEW**

Verbal exchange conducted by researchers with people during field visits. The data collected were recorded for later use but did not have a formal or predetermined structure of questions.

#### **SURVEY**

A document with predetermined questions that was previously prepared and was used to collect information from mills, sugarcane growers and sugarcane cutters or workers. The aim of this tool is not to disclose statistical information, but to structure the data collected. (Annex II).

As an additional factor to the visits coordinated by both mills, GAP Consultores visited 4 sugarcane growers in an independent agenda without the coordination or intervention of neither Mill A nor Mill B.

Image 1: Bolivia location

The 4 visited farmers were located in the same area of the ones visited with the mills. These 4 farmers sell their sugarcane to both mills studied in TCCC supply chain.

The results of the visits are also explained in the Field Study Findings section of this report.

Most sugarcane growers work their fields together with another family member (brothers, parents, etc.). They usually perform common tasks and they even share teams of workers (for sowing, spraying and cutting). Faced with this situation, mills consider all of them as a single family group, but when the time comes to enter the cane to the mill, it is individually accounted for by using each of the growers' code. For the purpose of this study, these family groups were considered as a single sugarcane grower.

So as to gather data for the Study, workers were classified according to the nearness/remoteness of their place of residence in the moments where they were not working and were classified as:

- **Locals:** workers who live within a short distance from where they work (within a 20-30km radius).
- **Migrant:** workers who come from a faraway population, more than 30km from their workplace.



Boy looking at his father cutting cane in one of the visited fields





Sugarcane cutter in one of the visited fields.

# Desk Research

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Bolivia is a landlocked country located in central-western South America, bordered to the north and northeast by Brazil, to the northwest by Peru, to the west and southwest by Chile, to the south by Argentina and to the southeast by Paraguay.

It has an area of 1,098,581 km<sup>2</sup> and is divided into nine departments. The Bolivian territory has a wide variety of climates due to its geography; it is divided into three distinct regions: the highlands (Altiplano), the mountain range and the valleys.

According to the information from the last census conducted in 2012, the population of Bolivia was composed of 10,027,254 inhabitants, with a population density of about 10 inhabitants per km<sup>2</sup>, being one of the least populated nations in South America.

A substantial part of the population is engaged in small-scale agriculture (highlands and valleys), supplying potato, quinoa, corn, wheat and several vegetables for the domestic market. Fruits of various kinds are also produced in the area of the Yungas of La Paz and Cochabamba.

Bolivia has very high poverty rates as compared to the rest of the world, mainly in rural areas, although these rates have declined in recent years according to government data.

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## The Sugar Sector in Bolivia

In line with National Institute of Statistics (INE) estimates, the poverty rate in rural areas was 55% in 2015.<sup>2</sup>

The country's gross domestic product (GDP) at market prices was 32.7 billion dollars in 2015, according to the data provided by INE. In the same study, it is mentioned that the share of agriculture, forestry, hunting and fishing is 13.5% of GDP, being the contribution of Industrial Agricultural Products 2.6% of the national GDP. Traditionally, Bolivia has been a mining country, an oil producer and mainly exporter of natural gas, of which they have significant reserves.

The country has little industrial development and a remarkable growth of the agricultural industry in the east. Santa Cruz Department is located in the eastern part of the country, being its largest area (370,621 km<sup>2</sup>), the department that has grown more in population during the 2002-2012 inter-census interval and which has contributed the most to the national GDP, 28%. Its most important city on the lowlands is Santa Cruz de la Sierra.

The Bolivian sugar industry is fifty-years old and has generated significant contributions to the development of the country. The industry is primarily located in the departments of Santa Cruz and Tarija.

Between 2003 and 2013 the area of sugarcane production in the department of Santa Cruz has been increasing at an annual average rate of 3.67%<sup>2</sup> and currently covers more than 140,000 hectares of sugarcane.

Expansion of sugar cane has occurred mainly into other extensive crops area, without negative social impacts. Generally, there is no sugar cane land expansion on deforested areas. There are five (5) sugar mills in Santa Cruz department: La Bélgica, San Aurelio, Guabira, Unagro and Aguaí, with a production of 500,000 tons of sugar, currently being 89% of national production.

The other production region, located in the district of Bermejo, Tarija Department, processes around 12,000 hectares of sugarcane in 2 mills: Industrias Agrícolas de Bermejo (IABSA) and Ingenio Azucarero del Bermejo.

Currently, the National Government is developing a new production area, with

<sup>2</sup> INE. 2015. Unidad de difusión y comunicación del Instituto Nacional de Estadística en Santa Cruz de la Sierra. Nota de prensa. INE. 2015-2016. Notas de prensa

1,300 hectares planted in 2016 and through the installation of a new state-owned mill called San Buenaventura (Easba), in the Department of La Paz.

Of the total sugar production of Bolivia, approximately 65% is used for domestic consumption, being a fully self-supplying country with a surplus of about 180,000 tons of sugar annually, available for export. In addition to sugar, this industry generates other by-products such as alcohol, molasses, electricity, fertilizers and animal feed.

Sugarcane growers organized themselves into labor unions and/or associations which then evolved to form “sugarcane growers’ federations” that gather producers within the same area. Such federations, in turn, get together into powerful “sugarcane grower’s unions” linked to different mills, which provide market strength and negotiating capacity to this primary production sector, and protect the rights and interests of cane farmers against the government and the mills.

According to a 2002 International Labor Organization (ILO) report<sup>3</sup> “Bolivia, trabajo infantil en la caña de azúcar: Una evaluación rápida” (Bolivia, Child Labor in Sugarcane Harvest - A Rapid Evaluation), during the May-October period around 30,000 people moved in family groups from their home area to work in the harvest in Santa Cruz. These

groups transported about 7,000 children and teenagers under 18 years old who participated directly or indirectly in the harvest.

One of the most commonly used options for hiring migrant workers is the mode of bondage as a way of recruiting them in their places of origin, which in turn is transformed into a system of debt servitude and, thus, forced labor. Fifty per cent (50%) of this migrant workers comes from areas of the department itself and the remaining 50% primarily from the departments of Chuquisaca and Potosí (according to the same 2002 ILO report).

Currently, mechanized harvesting accounts for 60% of the cane area, resulting in a sharp decline in the sugarcane harvest workforce in the Department of Santa Cruz.

At the Sugarcane Growers’ Federation, they indicated that the 2013 harvest hired 9,200 sugarcane cutters and during the 2014 season, this figure fell to 8,700 sugarcane cutters. This is an indication that mechanization is increasing its participation in the sugarcane harvest in the Department of Santa Cruz.



Boy under 18 working as a sugarcane cutter in one of the visited fields.

## Child Labor

### Legal Framework

The Bolivian legislation on child labor has undergone some changes in recent years, which have generated conflicts with the international conventions to which the Government had acceded in the past.

Prior to these changes, Bolivia had prohibited work of children under 14 years old through its General Labor Act passed in 1939. After that, in 1990, by Law No. 1152 Bolivia ratified the Assembly of the United Nation’s Convention on the Rights of the Child, which compels the country to “protect children from economic exploitation and from performing any work that is likely to be hazardous, or to interfere with their education, or to be harmful to their health or their physical, mental, spiritual or social development.”

Subsequently, between 1997 and 2004<sup>4</sup>, the country ratified the ILO international conventions on the minimum age for work, the

<sup>3</sup> ILO - IPEC. 2002. *Bolivia, Trabajo infantil en la zafra de la caña de azúcar: Una evaluación rápida*.

<sup>4</sup> Vicepresidencia del Estado. *Presidente de la Asamblea Legislativa Plurinacional. 27/10/1999. Ley N° 2026. Código del Niño, Niña y Adolescente. Aprobación convenio 138 ILO. Vicepresidencia del Estado. Presidente de la Asamblea Legislativa Plurinacional. 28/11/2002. Ley N° 2428. Aprobación convenio 182 ILO.*

prohibition of the worst forms of child labor and the immediate action for its elimination (ILO Conventions 138 and 182). The government established regulations under the Law No. 2026<sup>5</sup> called “Código del niño, niña y adolescente” (The Code of Children and Teenagers), which regulates the system of prevention, protection and comprehensive care that the Government and the society must provide to all Bolivian girls and boys.

In that period, they also approved the “Plan Nacional de Erradicación Progresiva del Trabajo Infantil” (National Plan for the Progressive Eradication of Child Labor) and the following year, they created the “Comisionado de Erradicación Progresiva del Trabajo Infantil” (Commission for the Progressive Elimination of Child Labor).<sup>6</sup>

In contrast to the progress made so far at legislation level, in 2014 the government enacted Law No. 548 “The Code of Children and Teenagers” (Código Niño, Niña, Adolescente), which mentions that exceptionally the Ombudsmen for Children and Teenagers may authorize the self-employment activity of girls, boys or teenagers of ten (10) to fourteen (14) years old, and the

employed activity of teenagers of twelve (12) to fourteen (14) years old, provided it does not interfere with their right to education, it is not hazardous, unhealthy, or imply a threat to their dignity and integral development, or is expressly prohibited by law.

By reducing the minimum working age, Bolivia contradicted the provisions of the ILO conventions to which it had acceded years ago, that is why many international organizations, such as UNICEF and ILO, have publicly expressed their concern.

It is worth mentioning that at departmental level, in 2012 the Government of Santa Cruz Department passed Law No. 46 “Act for the eradication of child labor and teenage worker protection” (Ley de erradicación del trabajo infantil y protección del adolescente trabajador y trabajadora) the purpose of which was to establish basic guidelines for the progressive elimination of child labor. In Santa Cruz Department, this law prevails over the National Law because it rises the minimal age to 14.<sup>7</sup>

<sup>5</sup> Vicepresidencia del Estado. Presidente de la Asamblea Legislativa Plurinacional. 27/10/1999. Ley N° 2026. Código del Niño, Niña y Adolescente.

<sup>6</sup> Vicepresidencia del Estado. Presidente de la Asamblea Legislativa Plurinacional. 26/07/2012. Ley Departamental N° 0046. Ley de Erradicación del Trabajo Infantil y Protección del Adolescente Trabajador y Trabajadora.

<sup>7</sup> Vicepresidencia del Estado. Presidente de la Asamblea Legislativa Plurinacional. 26/07/2012. Ley Departamental N° 0046. Ley de Erradicación del Trabajo Infantil y Protección del Adolescente Trabajador y Trabajadora.

## Context

The incorporation of children and teenagers in the sugarcane harvest is often done by hiring the “block” (cuadra) which involves the entire family group. In these cases, there is generally a verbal agreement between the sugarcane producer and the adult sugarcane cutter, being the parent the one receiving a single payment for all the work done by the family. This way, the work of those under 18 years old is hidden (and therefore vulnerable) because they are “not employed” but they are just helpers for adults.

The report “Bolivia, Trabajo infantil en la zafra de la caña de azúcar: Una evaluación rápida” (Bolivia, Child Labor in Sugarcane Harvest - A Rapid Evaluation) introduced by the ILO’s International Programme on the Elimination of Child Labour (IPEC) in 2002, showed the vision of the sugarcane cutters and the parents of children and teenagers engaged in the harvest of sugarcane. Parents have a double perception about the consequences involved in this activity for children. On one hand, they noted that the work contributes to the life learning and family income, while, on the other hand, they recognize exploiting conditions, the risk and school exclusion to which the children are exposed when they are incorporated into the harvest.

This report reveals that child labor in Bolivia is a problem with cultural and economic origins.

It is rooted in society that children should work to become strong and help be breadwinners for the family, especially after becoming 12 years old.

In 2008, the Child Labor Survey conducted by the National Institute of Statistics (INE)<sup>8</sup> determined that a considerable number of children and teenagers were working in Bolivia. The results showed that 27.9% of children between 5 and 17 years old participated in productive economic activities of some sort (paid or unpaid).

In the same study it was found that 50.2% of working children did so in agriculture-related activities. In the cultivation of sugarcane, child labor was observed during the harvest, mainly teenagers from 15 to 17 years old. In other production tasks, instead, an adult workforce was prevalent and there was almost no participation of children under 18 years old.

It is necessary to mention here the classification of the 9 hazardous jobs in which child labor is not allowed according to the Minister of Labor of Bolivia:

### **Sugarcane harvest and sugar mill process**

- Mines and its entry
- Load and unload of heavy weight
- Heavy machinery

<sup>8</sup> INE. 2008. Encuesta de trabajo infantil.

- Contact with dangerous substances like insecticides, paints, etc
- Ironworks
- Explosive materials contact jobs
- Exposure to very high or very low temperatures
- Where dust, gases or vapors make respiration difficult

One of the most disturbing aspects of the study was the conditions of employment and housing in which children were found. Since, throughout the whole harvesting process, children and teenager migrants live in overcrowded squatter camps in the company of their parents and other adults.

The greatest risks and injuries they are exposed to -both boys and girls- are cuts with a machete and snake bites. Only 9% of workers in the study stated that they received medical care in the camp, and that is was essentially just first aid.

It is worth noting that the methodology to gather the survey information used in the Child Labor Survey conducted in 2008 by INE was based on the recommendations of the ILO for such studies, taking statements from children themselves as direct informants. After the study, the Bolivian National Government never again monitored child labor directly,

despite the insistence of the ILO. Ultimately, all subsequent information was obtained through the measurements taken by population censuses.

ILO recognizes Bolivia's efforts to strengthen public education, health, employment and social protection, but sharply criticizes the new Code of Children and Teenagers.

Besides, the 2012 report "Findings on the worst forms of child labor" by United States Department of Labor (USDOL)<sup>9</sup> mentions that Bolivia experienced minimal progress in their efforts to eliminate the worst forms of child labor, since the enactment of the Code of Children and Teenagers made them recoil sharply in the progress made up so far for the elimination of child labor.

According to the Bolivian Institute for Foreign Trade (IBCE) work in 2013, "Child labor: From Commitment to Action"<sup>10</sup>, child labor in Bolivia is one of the most worrying realities today.

According to the National Federation of Workers in University Education, government actions were never enough in the true protection of children due to the structural poverty problem that affects Bolivia's families, whom, facing different basic needs allow their children to work looking for an increase in resources. This is an endemic problem and is mostly visible in urban areas.

<sup>9</sup> USDOL. 2012. *Bolivia. 2012 Findings on the worst forms of child labor*

<sup>10</sup> IBCE. 2013. *Trabajo Infantil: del compromiso a la acción.*



Sugarcane cutter's camps in one of the visited fields

## Forced Labor

### Legal Framework

Bolivia is a country with a long history on legal issues regarding forced labor. Ever since its Political State Constitution and in subsequent executive decrees, Bolivia has protected its population from any type of servitude and established that no one may be compelled to render personal services without his full consent and fair compensation.

In accordance with the Executive Decree No. 20255 (1984), "Law of the Sugarcane Cutters"<sup>11</sup>, all the employers who hire workers at the place of origin are required to sign a contract in that place before the transfer is verified, paying for the transport costs and travel expenses of the worker, his wife and children suitable for work.

By Law No. 1119 (1989)<sup>12</sup>, Bolivia approved and acceded to the following International Labor Organization (ILO) conventions (160, 162, 105 and 172 recommendations), thus assimilating the regulations and safety standards applicable to all the activities that workers are exposed to, and to the collection, compilation and publication of basic labor statistics and to everything regarding the elimination of forced or compulsory labor.

<sup>11</sup> Vicepresidencia del Estado. *Presidente de la Asamblea Legislativa Plurinacional. 24/05/1984. Decreto Supremo N° 20255. Ley de Trabajadores Zafreiros.*

<sup>12</sup> Vicepresidencia del Estado. *Presidente de la Asamblea Legislativa Plurinacional. 01/11/1989. Ley N° 1119. Convenio No. 160*

During the 90s, they also joined various international initiatives such as the Pact of San José de Costa Rica in 1993 and the International Labor Conference in 1998, where it was established that no one shall be held in slavery or servitude, as are the slave trade and traffic in women; slavery and the slave trade are prohibited in all their forms; and assuming the commitment to respect, promote and fulfill the right of association and the right to collective bargaining, the elimination of all forms of forced labor, the abolition of child labor, and the eradication of discrimination regarding employment and occupation.

In 2005 and by Law No. 3031, the Convention No. 29 of the International Labor Organization concerning forced or compulsory labor was ratified<sup>13</sup>; this rule provides that “any work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.”

Later, in 2007, the Government created the Inter-Ministry Council for the Eradication of Servitude, Forced Labor and Other Similar Arrangements, providing as one of its responsibilities the promotion of the updating, improvement, expansion and deepening of current legislation, in order to guarantee freedom, dignity and human rights for the

individuals, their families and communities that may be at risk of this type of relations.

Subsequently and through various Executive Decrees, the Government grants the power to the National Institute of Agrarian Reform (INRA) to verify and issue technical provisions and regulations, manuals, guides and create other internal rules in order to ensure the speed, economy, simplicity, efficiency and effectiveness in agricultural procedures.

### Context

According to several reports issued in the past, the number of harvest cutters involved in the sugarcane harvest has been declining over time. In the report “Bolivia, Trabajo infantil en la zafra de la caña de azúcar: Una evaluación rápida” (Bolivia, Child Labor in the Sugarcane Harvest - A Rapid Evaluation) prepared by the ILO in 2002, from a total of about 17,000 sugarcane cutters, 50% were from Santa Cruz Department itself, being the remaining from the distant departments of Chuquisaca, Potosí, etc.<sup>14</sup>

This report refers to the camps provided by the sugarcane landowners to the sugarcane cutters and their families, some of which were poorly constructed (roof of palm leaves, mud walls and earthen floors); but even

more serious was the extreme degree of overcrowding and the absence of sex/family separation in which almost all the families lived in these camps.

Also in November 2001, the ILO Governing Body established a program to promote the eradication of all forms of forced or compulsory labor, from which a research work focusing on the specific activity of the sugarcane harvest in the Department of Santa Cruz was developed, that was published as “Enganche y Servidumbre por Deudas en Bolivia” (Debt Servitude and Bondage in Bolivia) in January 2005.<sup>15</sup>

The above study revealed that in Bolivia there was a large number of workers, mostly indigenous, subject to various practices of debt bondage or servitude. This system consisted of the use of intermediary contractors to recruit workers for the harvest. The contractor, also called bondman or “negrero” (slave driver), received money from companies in Santa Cruz to recruit workers in other regions of the country (Chuquisaca, Potosí and others) and, to a lesser extent, in other areas of Santa Cruz Department. With that money, the recruiting agent gives the sugarcane cutter an amount of money as a sort of “advance payment” that will be deducted on future income that the worker

will get in a distant future. To pay for this debt, the person who receives the advance payment has no choice but to work in the place determined by the bondman—in this case, a sugar plantation in the region of Santa Cruz. The worker cannot return the advance payment mentioned with money, nor can he find another recruiter to give him more money, nor is he in a position to find another job in Santa Cruz. Therefore, according to the study, bondage is considered a system to capture manpower which involves the loss of freedom of the worker.

<sup>13</sup> Vicepresidencia del Estado. Presidente de la Asamblea Legislativa Plurinacional. 29/04/2005. Ley N° 3031. Aprobación Convenio 29 ILO.

<sup>14</sup> ILO - IPEC. 2002. Bolivia, Trabajo infantil en la zafra de la caña de azúcar: Una evaluación rápida.

<sup>15</sup> ILO - Eduardo Bedoya Garland, Alvaro Bedoya, Silva Santisteban. Oficina Internacional del Trabajo Ginebra. January 2005. Working Paper Enganche y Servidumbre por Deudas en Bolivia.



## Governmental and non governmental actions taken to stop child and forced labor in Bolivia

A quick review emphasizes the 2000-2002 diagnostic study conducted by UNICEF and ILO on child labor in the sugarcane harvest, which is classified as one of the worst forms of child labor in Bolivia. The study results encouraged the formation of a pilot project of direct care in 2003 funded by UNICEF and the creation of the Subcommittee of Santa Cruz Department for the Eradication of Child Labor in the cane harvest.

In 2008 the Government of Santa Cruz took over the leadership of the Departmental Plan for the Eradication of Child Labor as a policy of protection to children, and since 2013 this Plan is part of the Autonomous Government of the Department structure, with its own resources and qualified technical staff.

In 2006, through the collaboration of the Swiss Secretariat of Economic Affairs (SECO), an initial diagnosis of the social aspects to improve in Bolivia was reached. It triggered the “Desarrollo Exportador con Inclusión Social” (Export Development with Social Inclusion) program to which several private companies adhered. These companies, committed to improve some aspects of interest in their

production chains, through the implementation of a set of Good Labor Practices in the sugarcane harvest.

After a trial period, it was determined that there was a need to focus on child labor, forced labor and discrimination, as common issues to the productive sector. In addition to the need of thinking how the business community could contribute to address them. The solution was creating the “Triple Seal Certification” (Triple Sello) and the IBCE’s Management of Corporate Social Responsibility (CSR) office on a permanent basis.

From that moment on, they worked in the development of the Free of Child Labor, Free of Discrimination and Free of Forced Labor standards (Triple Seal - Triple Sello), by involving prestigious organizations such as United Nations International Children’s Emergency Fund (UNICEF), International Labor Organization (ILO), the Bolivian Government (through its Ministry of Labor), the Institute for Standardization of Bolivia (IBNORCA) and other private organizations, with the outstanding participation of Mill A (an industry surveyed in this study, as part of the TCCC supply chain).

Sugarcane cutters in one of the visited fields



The result came out in 2009 with the launching of the Triple Seal Certification as a voluntary certification to differentiate products and gain a competitive marketing advantage by identifying CSR aspects that are internationally recognized and go beyond the Bolivian law, thus demonstrating the commitment of the companies to improve their social capital.

In 2010, a campaign was launched called “Hagamos Equipo Hacia el Triple Sello” (Let’s Team Together - Towards the Triple Seal), as a coalition between the departmental state, private companies and the civil society. It aimed at finding and implementing public policies to eradicate child labor and to protect teenagers, by changing the mindset of society towards one more inclusive and protective of children.

In 2013, the first certification came to Mill A and in 2015 Mill B reached its own one, on a path of continuous improvement that will enable year after year re-certifications and the increase in their production rates through the compliance to the established requirements.

IBCE was able to capitalize many actions and wills of other institutions, align them behind a shared goal, and take the lead with enough openness and receptivity with other stakeholders, so as to involve and engage them into action.

Other organizations have developed activities of containment, education and society protection regarding child and forced labor. Many of which had a strong presence in other areas or regions of the country, as well as in other productive activities where these problems occurred, and have not been specifically mentioned in this report.



Field fire before cutting in one of the visited fields.

## Land Rights

### Legal Framework and Context

According to the 2005 USAID report called “Estudio sobre el Catastro en Bolivia”<sup>16</sup> (Study on Cadastre in Bolivia), property, as a universal category, is protected in Bolivia by the State Political Constitution as part of the fundamental rights of the people in that country. It is understood as the right or faculty to enjoy and dispose of a thing without any other limitations than those provided by the law; in the case of urban and rural property, it is linked to the fulfillment of the social function. In addition, it is also mentioned that property can be owned privately, individually or collectively. Similarly, Principle 5 of the IFC<sup>17</sup> mentions the state as a fundamental part in everything related to these rights.

According to the same USAID report, the State Political Constitution establishes that “the land is within the original domain of the Nation, and the State has the distribution, regrouping and redistribution of the land ownership in accordance with the economic and social needs, and rural development.” Under this principle, it establishes that work is the main source for the acquisition and conservation of land ownership. Article 175 provides that “The National Agrarian Reform

<sup>16</sup> USAID. 2005. *Estudio sobre el Catastro en Bolivia*. [http://pdf.usaid.gov/pdf\\_docs/PNADF484.pdf](http://pdf.usaid.gov/pdf_docs/PNADF484.pdf)

<sup>17</sup> IFC webpage. “Performance Standards” [http://www.ifc.org/wps/wcm/connect/c8f524004a73daeca09afd998895a12/IFC\\_Performance\\_Standards.pdf?MOD=AJPERES](http://www.ifc.org/wps/wcm/connect/c8f524004a73daeca09afd998895a12/IFC_Performance_Standards.pdf?MOD=AJPERES)

Service has jurisdiction throughout the entire territory of the Republic. Title deeds are final, because a state and do not apply for further appeal, establishing perfect and full property rights for final registration in the Register of Real Estate Rights.”<sup>25</sup>

The document also mentions that under this constitutional provision, the rule governing this Service is the Law No. 1715 (1996)<sup>18</sup>, enshrining it as the ultimate authority to define land ownership throughout the Republic. It is chaired by the President of the Republic and its operating arm is the National Institute of Agrarian Reform (INRA).

In this Act, compliance with the Social Function (FS, its acronym in Spanish) and the Socio-Economical Function (FES, its acronym in Spanish) of the land is also defined, whereby it is determined that: “Peasant farmer lots, small-scale properties, commune property and the original community lands have a social role when they are destined to achieve family welfare and the economic development of their owners, indigenous, peasant and native communities and peoples, according to the greater capacity of permissible use of the land. Being understood as greater capacity of permissible use, livestock, agricultural and/or environmental suitability of the land resource.” The socio-economical function, then, is fulfilled by the agricultural company when a sustainable land use is demonstrated in the

development of productive activities using for such aim a Land Use Planning (POP), paid-employment staff contracts, registration of cattle, authorization of forestry or conservation activities, accreditation of improvements, and so on.

In accordance with the provisions of the said original Law (No. 1715), land title regulation “is the transitional technical legal procedure to regularize and refine the right to land ownership and is executed ex officio or at the request of one of the parties” according to the INRA. Also, according to the USAID report mentioned above, the procedure aims at land titling of the lands that have a socio-economic function or a social function, legal registering of the agricultural land ownership, reconciling conflicts related to the possession and ownership of the agricultural land, obtaining the title in pending agricultural processes, canceling titles rendered null and void, and validating titles relating to relative invalidity proceedings.

The same law authorizes the INRA (National Institute of Agrarian Reform) to “execute and complete the regulation of land ownership in a maximum period of ten years counting from the publication of this Act.” This task should have been carried out in the 1996-2006 period, but that did not happen.

Regulation usually begins with the request by the person concerned. There are administrative and field steps where the measurement is performed, as well as the review of the social or socio-economic functions, and the background history. At the end of the procedure the property title is issued.

A particular item determined by the Political Constitution of the Bolivian State that deserves special mention is the limitation of 5,000 ha maximum tenure of the land by the owner, an extension that may not be individually exceeded.

Subsequently, by Law No. 3545 (2006)<sup>19</sup> and its Regulations, the INRA assumed until 2013 the implementation and completion of the titling of land ownership, the distribution and redistribution of public land, with efficiency, transparency, equity and social justice for the benefit of the rural population, in general, for businessmen and small (less than 50 has) and medium farmers (between 50 and 1000 has), the properties of which comply with the socio-economic function.

The land reform efforts made by the INRA between 1996 and 2016 have titled 775,998 properties from 1,922,880 beneficiaries and a total surface of 77,777,450 hectares according to INRA’s webpage.

By Act No. 429 (2013)<sup>20</sup> the time available to complete the regulation process was extended, aiming at reaching 100% of the land nationwide. Nowadays, the regulation plan is still in process.

Annex V provides an overview of Land ownership regulatory process and types of regulation in Bolivia.

<sup>18</sup> Vicepresidencia del Estado. Presidente de la Asamblea Legislativa Plurinacional. 18/10/1996. Ley N° 1715. Servicio Nacional de Reforma Agraria.

<sup>19</sup> Vicepresidencia del Estado. Presidente de la Asamblea Legislativa Plurinacional. 28/11/2006. Ley N° 3545. Modificación de la Ley N° 1715 Reconducción de la Reforma Agraria

<sup>20</sup> Vicepresidencia del Estado. Presidente de la Asamblea Legislativa Plurinacional. 31/10/2013. Ley N° 429. Ley de ampliación del plazo para el saneamiento.



# Field research overview

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The field study involved two different working methodologies:

- **Interviews with the Stakeholders.**
- **Site visits to mills and sugarcane growers.**

Face-to-face meetings, teleconferences and/or communications via e-mail with 20 local stakeholders and 18 national and international organizations were conducted from May to September 2016.

The purpose of this exchange was to have access to their own information, to the actions taken in the past and the current initiatives being carried out by each of the institutions contacted, regarding the topics of interest.

Two field visits were organized during July 2016 in order to visit the mills, the sugarcane farmers and their workers.

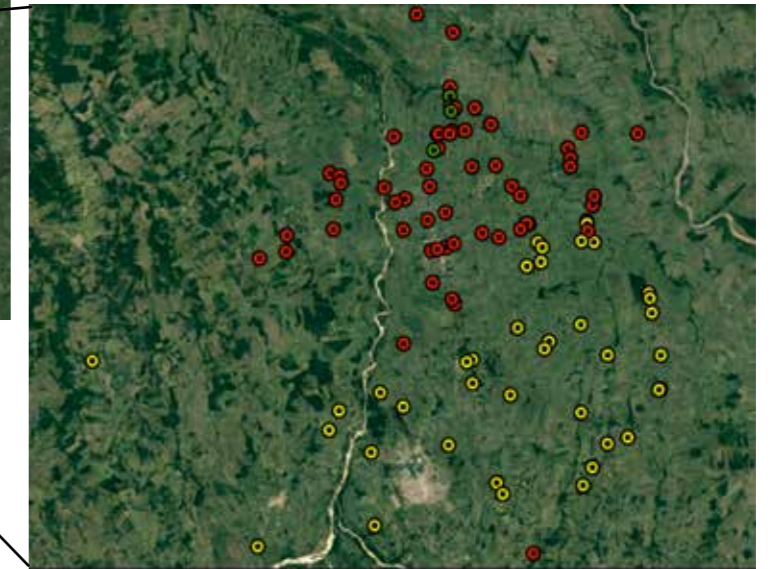
These site visits were planned at two different times, the first visit was held in the period of school winter holidays and the second one after the resumption of classes, with the aim to assess whether students participated in the harvest during their holidays.

There are 8 mills throughout the country, 5 of which are located in the Department of Santa Cruz. GAP Consultores researchers visited two mills of the said Department, both produce sugar and belong to The Coca-Cola Company (TCCC) supply chain.

During the field visits to the mills and sugarcane growers, the policies and actions of the



Map 1: GAP Consultores study area in the Department of Santa Cruz.



Map 2: Farms surveyed by GAP Consultores.

mills related to the 3 topics of concern were reviewed: child labor, forced labor and land rights.

With the field teams of both mills, focus work-groups were formed, in order to learn and understand the specific actions carried forward to improve the compliance of the supplying farmers.

Most of the farmers of both mills are grouped in the so-called Family Groups, who hire regular employees, perform production work with common machinery and personnel, share infrastructure and the marketing of cane. For the purpose of this study, these family groups are considered as sugarcane growers.

The mills visited have 500-600 family groups as cane providers, and only mill B has its own area for the production of raw materials, where 18% of the total production of sugarcane processed by the mill is produced.

Seventy sugarcane growers were visited and surveyed, with inspections being coordinated together with the mills, and 4 additional farmers

were visited independently. The interviewed sugarcane growers reported that they employed a total of 1,136 workers, of which 160 were surveyed, in this study, with the following distribution:

- 116 temporary workers (only 1 female) and 44 permanent workers (none female).

The objective of the surveys was to collect first-hand information from the farmers, as well as from the workers and their families. It is noteworthy that in the field visits not only surveys were carried out, but also interviews and general observations.

Considering an average of total sugarcane processing between the two mills, the farmers surveyed declared to be producing about 900 thousand tons of sugarcane per year, representing a little above 20% of the total production.

The maps showed above in this page, detail the study area of Santa Cruz Department and the specific location of the sites where field visits were conducted.



Sugarcane cutter in one of the visited fields.

# Field study findings

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### General Information

An important aspect found in the field was the challenging competition between the mills to source the production of sugarcane growers. In a not too large area, five mills coexist, only some of which work on aspects of corporate social responsibility together with their supplying growers. According to The Coca Cola Company's (TCCC) supplying mills interviews and sugarcane growers' statements, the other mills do not demand any sort of requirement or action on child and forced labor nor do they require any evidence of land ownership. In this sense, the alternatives available for farmers to deliver their cane, affect or slow down the cultural change proposed by the TCCC supplying mills.

Both mills visited have written and public policies regarding the prohibition of recruitment of minors and the protection against forced labor. These policies are strictly communicated, implemented and monitored within the mills and their properties.

As regards their supplying sugarcane growers, they did not have formal policies on these issues, but it was observed some significant advances in mills regarding sensitivity, training and awareness, although not all of these initiatives reached workers.

As to the policies regarding the land rights, none of the mills had formally put into practice the requirements and conditions necessary for proper land acquisition or land use restrictions,

so as to avoid negative environmental and/or social impacts.

In the case of mill B, that is the only company that owns farms, they declared that the acquisition of lands was carried out in a legal and fair way to their former owners. Currently these lands have the corresponding titles, thus evidencing a legal tenure process.

The providers of both mills neither have formal policies regarding the land right, but they have stated that it is rare to see abnormalities in the process of property acquisition in the study area. No grievance or claim mechanisms were observed in any case.

According to the interviews with stakeholders, the Government has not taken concrete actions to promote a direct improvement on the study topics. In recent years, the rule of law was nonexistent in the monitoring, control and surveillance of child and/or forced labor.

This absence of public control in the field was ratified by most of the cane growers and cane cutters surveyed. Only in cases of large growers where there are official inspections, looking for cases of social injustice, being observed that in both mills, large sugarcane growers were generally the ones in better condition and therefore their workers were in better condition too.

Mechanical harvesting has grown considerably in the last ten years. As reported by the staff in both mills responsible for receiving the

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cane, mechanized harvesting accounts for about 60% of the current total harvest. This finding is consistent with the percentage of "short cane" (mechanical or integrated harvest) versus the "long cane" (manual harvest) processed by mills during the harvest.

In the surveys, this trend was widely confirmed, since 19% of the growers reported that they performed 100% of the harvest mechanically, 66% performed it in a mixed manner (70% mechanically and 30% manually), and only 15% performed the harvest entirely manually with cutters.

It was also found in the field, the figure of the contractor, mainly in Mill B since Mill A is trying to eradicate it. The contractor is the person who recruits workers all over the country to secure cutters for sugarcane harvest. Farmers who like to deal with this figures, do not have to worry to get cutters to his field.

Regarding migrant workers who carry out cane cutting, most of them spend the night in the camps provided by their employers. Half of them live with their families, although very few move with their school-age children, as these children stay at home to attend school under the guard of their grandparents or some other family member.

Of the total number of local workers, only half spends the night in the camps during the harvest. The rest of the year out of the harvest season, they return home and perform jobs such as masonry, journeyman, sales, etc.

For almost all the workers, there was drinking water available either at the camp or provided by the sugarcane grower at the harvest field. In neither case the farmer verified that the water they drank was safe.

Most of the workers surveyed declared they had not signed any contract, even when this is a legal obligation for both temporary (sugarcane cutters or journeymen) and permanent staff.



Sugarcane cutter in one of the visited fields

## Child Labor

Both mills have a specific work team designed to help and support sugarcane growers, in line with Triple Seal certification. Specially in the case of MILL A, frequent visits from these social workers for training sessions, awareness workshops, medical brigades, radio spots, etc. are some of the actions that they have been carrying out for many years.

According to statements by various stakeholders, the reduction of child labor in the harvest of sugarcane in the last 10 years, is related to awareness actions carried out by both mills, government support programs to education and schooling incentive, international cooperation projects, etc.

In all the interviews conducted in the field, there was found consensus in the preference that children attend school. Nevertheless, it is evident that child labor is not fully eradicated.

In this study field work, 160 surveys were carried out for the workers, the great majority being cane cutters. From that total, 11 declared to be under 18 years old and were mainly found (80%) in MILL B.

Most of the minors surveyed and interviewed were migrants and their educational level was very low. Four reported to be working during the holidays in order to save money, while they kept school activity, but the rest (9) had dropped out of school.

In the city were is MILL B, at least 4 children were also observed in masonry activities in companies related to this mill supply chain.

## Forced Labor

About 60% of the workers surveyed lived in the area of influence of work and were considered "local" in this study. The rest of the sugarcane cutters, who came from distant populations (Chuquisaca, Potosí, etc.), were considered "migrants". Many of these are subsistence farmers in their places of origin.

With regard to this last group of workers, two important aspects are worth mentioning:

Over 55% of the migrants surveyed, reported having received money in the form of an advance payment during the summer in MILL B; against 27% in case of the MILL A.

In very few cases, the workers mentioned having received payment for transportation and/or signed a prior contract to offer their harvesting services. Only a minority of sugarcane cutters (23%) signed a contract with the farmer, thus leaving evidence of the heterogeneity of the agreements and the lack of controls in the sector.

Housing conditions in the camps visited varied. For about half of the workers, very precarious conditions were evidenced, with unsatisfied basic needs; for example the absence of toilet and/or latrine, walls of wooden boards or canvas, no room differentiation (including

the kitchen), earthen floors, roofs of palm leaves or a canvas tent, no mattresses, etc. Additionally, overcrowding and absence of sex/family separation was observed, as well as lack of sanitation and hygiene, etc.

The rest of the farms met the minimum requirements of providing basic housing, although there was always some deficiency. These conditions included: concrete floor and walls, individual or at least one-family rooms, Windows and separate kitchen. It is noteworthy that in many cases, the sugarcane growers themselves lived in similar conditions to those offered to their sugarcane cutters. On the other hand, in several cases where the sugarcane grower offered toilets for the cutters' houses, they did not use them owing to lack of habit (in their own homes in their regions of origin, they do not have toilets).

It is important to note that in most of the areas where social workers from mill A frequently visited farmers, improvement actions were and are more evident in various aspects such as infrastructure (bathroom, kitchen, rooms) and living conditions (food, health, breaks, etc.).

During field work in Mill B, the camps of three contractors where workers lived were visited, and in all cases, the housing conditions of the cane cutters were very poor. The role of the contractor had a clear retraction in the last 20 years, since according to interviews with the staff of the mills and the words of sugarcane growers and cutters; it used to be

the most common form of recruitment. Mill A is working very hard to eliminate the role of the contractor, and there is no evidence that they still exist.

With regard to the health insurance offered to workers, Mill A provides sugarcane growers and their registered workers and families a health insurance that consists of free care at a local clinic and regular visits to the camps of a medical brigade. In the case of Mill B, the sugarcane grower is responsible for the health costs of workers and their families, if necessary.

### Land rights

In connection to the rights of land use, 39% of farmers reported to have their properties correctly titled and 56% said they were in process.

Mill A reported that out of the 1,109 farms providing them, 18% had not yet updated their title under the new regulation, 48% was duly entitled and the rest (34%) was in process.

No conflicts over land tenure were evident during the field visits. None of the sugarcane growers reported to know any claims for land tenure or use between neighbors, apart from some small differences about the boundaries of the properties during the regulation process.

In Mill B there was a situation three years ago (2013), when a group of people took illegal possession of a portion of one of its fields, claiming to have fundamental rights over it.



Sugarcane cutter loading a truck in one of the visited fields

After a few days, the demonstration was dissolved peaceably without the use of public forces and so far they have not come back for any claims. According to a field manager of the mill, the situation was related to political pressure against the mill. Today the mill has completed the regulation process for all its properties.

In the cases visited and based on the information collected in stakeholders' interviews, there was no evidence of any breach of policies regarding principles 5 and 7 of the IFC. Additionally, no evidence of formal mechanisms for complaints and claims and knowledge of FPIC was found. All land acquisition procedures mentioned, were in line with current legislation.

According to surveys, if land ownership is divided by gender of owners, 11% (8) were women. It is very usual to find women owners and managers in Bolivia.

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# Conclusions

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Bolivia has high poverty rates and high rates of informal employment. In vast regions, the main economic activity is subsistence agriculture, which promotes poverty conditions conducive to large migrations in search of better job opportunities on a temporary basis. The sugarcane manual harvest is an activity that, during May to October each year, attracts thousands of migrant workers from other regions of the country.

As a result of this internal migration, there is disagreement in the role of the contractor, who recruits work teams who migrate to Santa Cruz Department for the sugarcane manual harvesting. To recruit work teams, the contractor gives financial advances that are identified as a debt bondage, since workers are then required to pay their debts back exclusively by harvesting sugarcane in the place indicated by the contractor.

In one of the mills (B), the role of the contractor is still allowed—and in effect—, right in those places where precarious housing conditions were found, as well as lawlessness and lack of formality in the hiring process of sugarcane harvester, which shows the absence of governmental control in such situations. Normally contractors fail to comply with the law, by not providing the payment of transportation from their place of origin to the place of harvest, by not signing formal contracts with the sugarcane harvester, by not providing them with decent living conditions

in the camps where they inhabit during the winter, during the harvest season.

Additionally, many sugarcane harvester travel with their families, exposing their women and children to precarious conditions with overcrowding and promiscuity, lack of hygiene and cleanliness, lack of medical coverage and, in many cases, a premature entry of their children to the informal labor market by helping their parents in the sugarcane harvesting, which is an activity identified as one of the worst forms of child labor. In most cases this means dropping out of school, limiting their future economic growth and development possibilities.

Thanks to the actions of national and international organizations, however, child participation in the sugarcane harvesting was reduced during the last 10 years. In the mills visited, there were policies and concrete plans of action for raising awareness, educating and training cane growers and sugarcane harvesters about child labor. There are economic and cultural conditions, however, that lead them to remain in their traditional position of learning the job from their parents. During field visits, 18 children (6.8% of respondents) were found harvesting, most of whom came from other cities and their educational level was very low.

Whereas it is considered that the general conditions of workers have significantly improved over time through active programs

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Review on child and forced labor and land rights in *Bolivia's sugar industry*

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promoted by both mills visited, GAP Consultores researchers have found situations of debt bondage with a relatively high frequency, precarious living conditions in the camps, combined with poor infrastructure and high informality on the recruitment process.

In general and according to the assessments, there have been very few property claims and they have mostly been solved, since they were slight differences in the geographical limits of the properties. Mills do not have or apply specific policies as to the requirement for their suppliers to evidence the legality of land tenure, but they work with the sugarcane Unions in the process of land regulation, by entering in their databases the progress each cane grower.

Finally, the degree of commitment and concrete action of mills, mainly from mill A, should be noted, although both mills work to reduce child and forced labor among their sugarcane suppliers.



Sugarcane cutter in one of the visited fields.

# Annex I

Review on child and forced labor and land rights in *Bolivia's sugar industry*

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### Definitions and Abbreviations / Glossary

#### **BONSUCRO**

Bonsucro's vision is a sugarcane sector with thriving, sustainable producer communities and resilient, assured supply chains. Bonsucro's mission is to ensure that responsible sugarcane production creates lasting value for the people, communities, businesses, economies and eco-systems in all cane-growing origins. Bonsucro's strategy builds a platform to accelerate change for the largest agricultural commodity in the world – sugarcane.<sup>21</sup>

#### **CHILD LABOR**

According to ILO, it is first necessary to clarify what is not meant by the term child labor. Children's or teenagers' participation in work that does not affect their health and personal development or interfere with their schooling is generally regarded as being something positive. This includes activities such as helping their parents care for the home and the family, assisting in a family business or earning pocket money outside school hours and during school holidays. It contributes to children's development and to the welfare of their families; it provides them with skills, attitudes and experience, and helps to prepare them to be useful and productive members of society during their adult life.

In no way can such activities be equated with child labor. Child labor refers to work that is mentally, physically, socially or morally dangerous and harmful to children; and interferes with their schooling:

- by depriving them of the opportunity to attend school;
- by obliging them to leave school prematurely; or
- by requiring them to attempt to combine school attendance with excessively long and heavy work.

In its most extreme forms, it involves children being enslaved, separated from their families, exposed to serious hazards and illnesses and/or left to fend for themselves on the streets of large cities - all of this often at a very early age.

Therefore, Child labor is work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. But it is difficult to give a precise dictionary definition of the term "child labor" applicable to all situations and all countries. How can a line be drawn between "acceptable" forms of work by children on the one hand and child labor on the other? Whether or not particular forms of work can be called child labor depends on the child's age, the types of work performed, the conditions under which it is performed and the objectives pursued by individual countries. The answer varies from country to country, as well as among sectors within countries.

<sup>21</sup> Bonsucro webpage. "About" <http://bonsucro.com/site/about/general-faqs/>



Sugarcane cutter's precarious houses in one of the visited fields.



Living conditions improvement for sugarcane cutters, in one of the visited fields.

Worst Forms of Child Labor Convention, 1999 (No. 182) - [ratifications]: This fundamental convention defines as a "child" a person under 18 years of age. It requires ratifying states to eliminate the worst forms of child labor, including all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict; child prostitution and pornography; using children for illicit activities, in particular for the production and trafficking of drugs; and work which is likely to harm the health, safety or morals of children. The convention requires ratifying states to provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labor and for their rehabilitation and social integration. It also requires states to ensure access to free basic education and, wherever possible and appropriate, vocational training for children removed from the worst forms of child labor.<sup>22 23</sup>

<sup>22</sup> ILO webpage. "Child labor" <http://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/child-labour/lang-en/index.htm> [http://www.ilo.org/moscow/areas-of-work/child-labour/WCMS\\_249004/lang-en/index.htm](http://www.ilo.org/moscow/areas-of-work/child-labour/WCMS_249004/lang-en/index.htm)

<sup>23</sup> ILO webpage. "About ILO" <http://www.ilo.org/global/about-the-ilo/lang-en/index.htm>

### **DYA - FUNDACIÓN DESARROLLO Y AUTOGESTIÓN BOLIVIA**

Development and self managing Foundation (DyA) is a non-governmental organization created in Ecuador with current programs in Peru and Bolivia, where it carries out actions to support development processes and initiatives for indigenous peoples, peasant groups and marginalized social groups with special needs and socio-economically disadvantaged through the execution of development projects.<sup>24</sup>

### **FORCED LABOR**

According to ILO Forced labor refers to situations in which persons are coerced to work through the use of violence or intimidation, or by more subtle means such as accumulated debt, retention of identity papers or threats of denunciation to immigration authorities.

Forced labor, contemporary forms of slavery, debt bondage and human trafficking are closely related terms though not identical in a legal sense. Most situations of slavery or human trafficking are however covered by ILO's definition of forced labor.<sup>25</sup>

<sup>24</sup> USDOL and DyA. 2010. Technical cooperation project summary. *Ñaupaqman Puriy Kereimba: Combating exploitive child labor through education in Bolivia.*

<sup>25</sup> ILO webpage. "Forced Labor" [http://www.ilo.org/global/topics/forced-labour/news/WCMS\\_237569/lang-en/index.htm](http://www.ilo.org/global/topics/forced-labour/news/WCMS_237569/lang-en/index.htm)

### **IBCE – INSTITUTO BOLIVIANO DE COMERCIO EXTERIOR**

The Bolivian Institute of Foreign Trade (IBCE) is a technical institution that promotes trade, whose work is part of the fulfillment of the national objectives for economic growth and social development. IBCE's economic objective is to contribute to the productive development of the country; its social objective is to generate increased employment opportunities through the consolidation of Bolivian foreign trade.<sup>26</sup>

<sup>26</sup> IBCE webpage. "Perfil Institucional" <http://ibce.org.bo/conocer-ibce-perfil-institucional.php>

### **IFC- INTERNATIONAL FINANCE CORPORATION**

IFC is a member of the World Bank Group. It is the largest global development institution focused exclusively on the private sector in developing countries.<sup>27</sup>

Established in 1956, IFC is owned by 184 member countries, a group that collectively determines its policies. Through a Board of Governors and a Board of Directors, its member countries guide IFC's programs and activities. Its mission is to fight poverty with passion and professionalism, for lasting results.<sup>28</sup>

IFC helps to improve the lives of more poor people in the developing world.<sup>29</sup>

<sup>27</sup> IFC webpage. "About IFC governance" [http://www.ifc.org/wps/wcm/connect/corp\\_ext\\_content/ifc\\_external\\_corporate\\_site/about+ifc\\_new/ifc+governance/ourgovernance](http://www.ifc.org/wps/wcm/connect/corp_ext_content/ifc_external_corporate_site/about+ifc_new/ifc+governance/ourgovernance)

<sup>28</sup> IFC webpage. "About IFC, Leadership" [http://www.ifc.org/wps/wcm/connect/CORP\\_EXT\\_Content/IFC\\_External\\_Corporate\\_Site/About+IFC\\_New/Leadership/](http://www.ifc.org/wps/wcm/connect/CORP_EXT_Content/IFC_External_Corporate_Site/About+IFC_New/Leadership/)

<sup>29</sup> IFC webpage. "Performance Standards" [http://www.ifc.org/wps/wcm/connect/c8f524004a73daeca09afd998895a12/IFC\\_Performance\\_Standards.pdf?MOD=AJPERES](http://www.ifc.org/wps/wcm/connect/c8f524004a73daeca09afd998895a12/IFC_Performance_Standards.pdf?MOD=AJPERES)

### **ILO – INTERNATIONAL LABOR ORGANIZATION**

The only tripartite U.N. (United Nations) agency, since 1919 the ILO (International Labor Organization) brings together governments, employers and workers representatives of 187 member States, to set labor standards, develop policies and devise programs promoting decent work for all women and men. It was founded in the wake of a destructive war, to pursue a vision based on the premise that universal, lasting peace can be established only if it is based on social justice. The ILO became the first specialized agency of the UN in 1946.<sup>30</sup>

### **INE – INSTITUTO NACIONAL DE ESTADÍSTICAS**

The National Institute of Statistics (INE) from Bolivia is an executive body that has the following functions: survey, classification, codification, compilation and dissemination of official statistical information in the country.<sup>31</sup>

### **INRA – INSTITUTO NACIONAL DE REFORMA AGRARIA**

The National Agrarian Reform Institute (INRA) from Bolivia is a decentralized public entity of the Ministry of Rural Development and Land, with national jurisdiction, legal status and its own capital. It is the technical executive body responsible for directing, coordinating and implementing the policies established by the National Agrarian Reform Service (Law No. 1715, Section 17).

It is the entity responsible for planning, implementing and consolidating the process of land reform nationwide.<sup>32</sup>

### **LAND RIGHTS**

It refers to the tenure of the land. IFC (International Finance Corporation) Performance Standard 5 recognizes that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons that use this land. Involuntary resettlement refers both to physical displacement (relocation or loss of shelter) and to economic displacement (loss of assets or access to assets that leads to loss of income sources or other means of livelihood) as a result of project-related land acquisition and/or restrictions on land use. Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in physical or economic displacement.<sup>33</sup>

### **SOLIDARIDAD**

It is an international network organization with offices across the globe. The network consists of nine regional expertise centers located in South and South-East Asia, South America, Southern Africa, East and Central Africa, West Africa, China, Central America, North America, and the Netherlands — each with their own specific expertise and focus.<sup>34</sup>

### **TCCC – THE COCA-COLA COMPANY**

It is the world's largest beverage company, refreshing consumers with more than 500 sparkling and still brands and more than 3,800 beverage choices.<sup>35</sup>

<sup>30</sup> ILO webpage. "About ILO" <http://www.ilo.org/global/about-the-ilo/lang--en/index.htm>

<sup>31</sup> INE webpage. "Acerca de" [http://www.ine.gob.bo/html/visualizadorHtml.aspx?ah=ACerca\\_del\\_INE.htm](http://www.ine.gob.bo/html/visualizadorHtml.aspx?ah=ACerca_del_INE.htm)

<sup>32</sup> INRA. Webpage "Misión y visión" <http://www.inra.gob.bo/InraPb/paginaController.jsessionid=3CD11101F41F23C1DCAF6B3D3848186F?cmd=contenido&id=5009>

<sup>33</sup> IFC webpage. "Performance Standards" [http://www.ifc.org/wps/wcm/connect/c8f524004a73daeca09afd998895a12/IFC\\_Performance\\_Standards.pdf?MOD=AJPERES](http://www.ifc.org/wps/wcm/connect/c8f524004a73daeca09afd998895a12/IFC_Performance_Standards.pdf?MOD=AJPERES)

<sup>34</sup> Solidaridad Network webpage. "Organization" <http://www.solidaridadnetwork.org/organization>

<sup>35</sup> The Coca-Cola Company webpage. "Coca-Cola at a glance" <http://www.coca-colacompany.com/our-company/infographic-coca-cola-at-a-glance>



### **TRIPLE SELLO (Triple Seal Certification)**

In an effort to promote Corporate Social Responsibility, the IBCE developed and registered certification mark called “Triple Seal” as a unique global initiative of its kind, is a distinctive placed in the container, packaging or wrapping products whereby companies declare that their products throughout its production chain free of child labor, free from discrimination and free of forced labor, allowing gain space in world trade with products considered socially responsible.

The Bolivian Institute for Foreign Trade, motivated to boost the competitiveness of enterprises and improve working conditions and lives of people has developed the Triple Seal with the support of the Bolivian Institute of Standardization and Quality (IBNORCA), UNICEF Bolivia, International Labor Organization (ILO) and the Ministry of Labor, Employment and Social Security and many more companies that collaborated in this process.

The aim of the Triple Seal, is to allow companies to gain space in world trade certified as socially responsible products, while protecting the rights of children, teenagers, women and workers in general.

This certification helps to promote human rights, promoting corporate social responsibility (CSR) principles and promoting responsible consumption.<sup>36</sup>

### **UNDP – UNITED NATIONS DEVELOPMENT PROGRAM**

UNDP works in nearly 170 countries and territories, helping to achieve the eradication of poverty, and the reduction of inequalities and exclusion. It helps countries to develop policies, leadership skills, partnering abilities, institutional capabilities and build resilience in order to sustain development results.

UNDP focuses on helping countries build and share solutions in three main areas:

- Sustainable development
- Democratic governance and peacebuilding
- Climate and disaster resilience.<sup>37</sup>

### **UNICEF – UNITED NATIONS INTERNATIONAL CHILDREN'S EMERGENCY FUND**

UNICEF is a leading humanitarian and development agency working globally for the rights of every child. Child rights begin with safe shelter, nutrition, protection from disaster and conflict and traverse the life cycle: pre-natal care for healthy births, clean water and sanitation, health care and education.

UNICEF has spent nearly 70 years working to improve the lives of children and their families. Working with and for children through adolescence and into adulthood requires a global presence whose goal is to produce results and monitor their effects. UNICEF also lobbies and partners with leaders, thinkers and policy makers to help all children realize their rights—especially the most disadvantaged.<sup>38</sup>

<sup>36</sup> Triple Sello webpage. <http://www.rsebolivia.org/Triple-Sello.php?smid=1>

<sup>37</sup> UNDP webpage. “About us” [http://www.undp.org/content/undp/en/home/operations/about\\_us.html](http://www.undp.org/content/undp/en/home/operations/about_us.html)

<sup>38</sup> UNICEF webpage. “About” <http://www.unicef.org/about/>

# Annex II:

## Gap consultants interview material



### USAID - UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

It is the lead U.S. Government agency that works to end extreme global poverty and enable resilient, democratic societies to realize their potential.<sup>39</sup>

### USDOL – UNITED STATES DEPARTMENT OF LABOR

The United States Department of Labor mission is to foster, promote, and develop the welfare of the wage earners, job seekers, and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights.<sup>40</sup>

<sup>39</sup> USAID webpage. <https://www.usaid.gov/who-we-are>

<sup>40</sup> USDOL webpage. "About DoI" <https://www.dol.gov/general/aboutdol/mission>



### PROYECTO: EVALUACION DE LA CADENA DE AZUCAR EN BOLIVIA TRABAJO RESPONSABLE v USO DEL TERRENO ENCUESTA 2016 a PRODUCTORES RURALES del DEPARTAMENTO SANTA CRUZ (BOLIVIA)

Fecha:    Latitud:  Longitud:

Campo / Productor	<input type="text"/>	MASC	FEM	Nivel Educativo	Primaria	<input type="checkbox"/>	Completo	<input type="checkbox"/>
Responsable/puesto	<input type="text"/>	MASC	FEM	Secundaria	<input type="checkbox"/>	Incompleto	<input type="checkbox"/>	
				Terciario	<input type="checkbox"/>	No lee/escrbe	<input type="checkbox"/>	

Vive en el campo? Nunca  A veces  Siempre  Con quien? Mujer  Hijos  Otros

Tiene hijos? Si  No  Si - Sus hijos colaboran en las tareas? Si  No  Si - Cuales? Corte  Apilado  Deshojado  Domésticos  Otras

< 10  10 a 14  14 a 17  Si - Otras

Si - Van a escuela? Si  No  Si - Cuando?

No - Por qué?

Tipo de relación con ingenio  Independiente  Asociado  Superficie del chaco (has):  Producción de caña  Total producción: Total de has  Total Caña

Desde cuando posee este chaco?  Posee documentos? Si  No  Cuál/es:

Es propiedad individual o comunitaria? I  C  Está saneado? Si  No  Título  PS/FES  PAT  Otro

Tiene políticas sobre Derecho de Uso de la Tierra? Si  No  Si - Las tiene escritas? Si  No  Si - Propias o del ingenio? P  I

**Observaciones:**

El ingenio lo capacitó o informó al respecto de dichas políticas? Si  No  Hay conflictos en la zona? Si  No  Si - Cuáles?

Posee listado del personal propio? Si  No  Controlan hs de ingreso y egreso? Si  No  Le entregan recibo de sueldo? Si  No

Qué documentos exige para contratar personal propio? No  CI  C Nacim.  Otros

De qué zonas/paises son los trabajadores? SCZ  Sucre  Potosi  Otro:

Hablan español? Si  No  NO - Cómo se comunica con ellos?

	Permanente				Temporal			
	Mayores	10 a 12	12 a 14	14 a 17	Mayores	10 a 12	12 a 14	14 a 17
Oficina	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Producción	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Zafra	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Doméstico	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Filar no paga	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Otros	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

H M H M H M H M

Si trabaja algún menor: Tiene autorización de los padres? Si  No  Cumplen la jornada escolar? Si  No

Cómo cosecha la caña en %? Manual  Mecánica  Zafra - Contrata Ud o un tercero? Usted  Cuántos?  Tercero  Cuántos?

Nombre contratista/Datos:

**Observaciones:**



Recibió entrenamiento? Triple sello Seguridad e Higiene Ambiente Otras

Duerme en el campamento? SI NO NO - Donde?

Está con su familia? SI NO NO - Donde esta la flia?

SI - Cuántos duermen en la misma habitación?  Sexos / familias separados? SI NO Hay baños para cada sexo/familia? SI NO

SI - Tiene agua para consumo? SI NO SI - Les proveen comida? SI NO SI - Le cuesta caro o sale lo mismo que en el pueblo? = / - +

Sus hijos colaboran en las tareas? SI NO SI - Cuales? Corte Apilado Deshojado Domésticos Otras

Sus hijos van al colegio? SI NO SI - Cuando?

No - Porqué?

Conoce si hubo/hay conflictos por el uso de la tierra? SI NO Aumentó el tamaño del chaco en los últimos diez años SI NO

SI - Sabe si existe alguna forma de quejarse o reclamar por estos temas? SI NO

Existe un sindicato o agrupación de trabajadores? SI NO SI - Es usted miembro? SI NO NO - porqué no es miembro?

SI - Ante un problema, se puede comunicar con ellos? SI NO

SI - Le resuelven sus problemas? SI NO

Reciben visitas del gobierno (salud/trabajo)? SI NO Hay forma de asentar quejas en forma anónima? SI NO

SI - Quién? Cada Cuánto?

Observaciones:

Qué políticas tiene respecto del trabajo forzoso?

La tiene por escrito? SI NO SI - Aplica a los productores y contratistas? SI NO SI - Los capacita o informa al respecto de dichas políticas? SI NO

SI - Controlan? SI NO SI - Qué hacen cuando encuentran un caso?

Exigen mecanismos de quejas y reclamos a los productores? SI NO Y dentro de su empresa (vecinos, empleados, trabajadores rurales)? SI NO

Qué políticas tiene respecto de los menores?

La tiene por escrito? SI NO SI - Aplica a los productores y contratistas? SI NO SI - Los capacita o informa al respecto de dichas políticas? SI NO

SI - Controlan? SI NO SI - Qué hacen cuando encuentran un caso?

Qué políticas tiene respecto al derecho de uso de las tierras?

La tiene por escrito? SI NO SI - Aplica a los productores abastecedores? SI NO SI - Los capacita o informa al respecto de dichas políticas? SI NO

SI - Controlan? SI NO SI - Qué hacen cuando encuentran un caso?

Existen casos de reclamos o conflictos en la zona? SI NO SI - Cuales?

Qué volumen de caña procesa por año?  Cual es la producción de azúcar?  Y de etanol?

Aumentó la superficie del ingenio alguna vez? SI NO Cuando hizo la/las compra/s de terreno?  Hizo análisis de impacto? SI NO

Observaciones:



**PROYECTO: EVALUACION DE LA CADENA DE AZUCAR EN BOLIVIA.**  
**TRABAJO RESPONSABLE y USO DEL TERRENO**  
**ENCUESTA 2016 a INGENIOS del DEPARTAMENTO SANTA CRUZ (BOLIVIA)**

**Información General del ingenio:**

Fecha:    Ingenio:  Responsable/puesto:

Año creación:    Vencimiento de la licencia:    Otorgada por?

El ingenio posee algún certificado? ISO 9001 Triple S Bonsucro Otros

Búsqueda SI NO Datos

Utiliza servicios externos? Contratación SI NO Datos

Pago de sueldos SI NO Datos

Gestión del personal SI NO Datos

	Permanentes	Temporales	Oficinistas
Cuantos empleados tuvo el año pasado? Alta temporada	<input type="text"/>	<input type="text"/>	<input type="text"/>
Cuantos empleados tuvo el año pasado? Baja temporada	<input type="text"/>	<input type="text"/>	<input type="text"/>
Cuantos empleados tendrá este año? Alta temporada	<input type="text"/>	<input type="text"/>	<input type="text"/>
Cuantos empleados tendrá este año? Baja temporada	<input type="text"/>	<input type="text"/>	<input type="text"/>

Hablan todos español? SI NO

NO. Como se maneja?

Observaciones:

Compró todo a un solo dueño o fueron varios? U V Tuvo conflictos en la adquisición de esos terrenos? SI NO SI - Se resolvieron? SI NO

SI - Cómo?

De cuántos productores se abastecen?  De cuántas has se componen sus campos propios?  Poseen documentación legal pertinente? SI NO

Proveen servicios de asesoramiento/actualización legal para los productores? SI NO Exigen que designen responsable legal, de políticas, etc. en los productores? SI NO

Capacitan a los productores / trabajadores rurales? SI NO SI - Cómo son?

SI - Formalizados?

Tienen esquemas de producción mixtos (alquiler, mano de obra, etc.)? SI NO SI - Cuantos trabajadores involucra?

SI - Cuando hizo la/las compra/s de terreno?

Aumentó la superficie de sus campos propios alguna vez? SI NO SI - Compró todo a un solo dueño o fueron varios? U V

SI - Tuvo conflictos en la adquisición de esos terrenos? SI NO

A qué asociaciones/comunidades está afiliado el ingenio?

Qué tipo de relacionamiento tienen?

Participan en organizaciones / proyectos en alguno de los 3 temas? SI NO SI - Cuales?

Observaciones:

# Annex III:

## Stakeholders national and international list

Review on child and forced labor and land rights in *Bolivia's sugar industry*

**GAP**  
Gestión Agropecuaria  
Profesional

### Stakeholders List - Bolivia

Category	Organization name	Office location
Union	Camara Agropecuaria del Oriente (CAO)	Santa Cruz
Union	Asociación de Productores de Soya y Trigo (ANAPO)	Santa Cruz
Private sector	Instituto Boliviano de Comercio Exterior (IBCE)	Santa Cruz
ONG	Asociación Para la Erradicacion de la Pobreza (APEP)	Montero
Union	Federación de Maestros Rurales	Montero
Community members	Colegio Benjamin Banegas Vaca	Mineros
Government	Defensoría de la niñez Saavedra	Saavedra
Government	Defensoría de la niñez Montero	Montero
Government	Defensoría de la niñez Mineros	Mineros
Government	Distrital del Ministerio de Trabajo, Empleo y Previsión Social.	Mineros
Government	Distrital del Ministerio de Trabajo, Empleo y Previsión Social.	Montero
Government	Gobierno Autonomo de SCZ / Hagamos equipo	Santa Cruz
Private sector	ISO Nova	Santa Cruz
Union	Federación Sindical de Trabajadores Zafreros	Montero
Union	Comité Nacional de Productores Cañeros de Bolivia	Santa Cruz
Union	Asociación de cañeros	Santa Cruz
Union	Union Agroindustrial Cañeros de UNAGRO	Mineros
Private sector	Ingenio Roberto Babery (UNAGRO)	Mineros
Union	Unión Cañeros de Guabira	Montero
Private sector	Ingenio Guabira	Montero

Type of communication	Name and position
Physical meeting in Santa Cruz (July)	<b>James Cabrera</b> Former General Manager
Physical meeting in Santa Cruz (July)	<b>Jaime Hernandez</b> Planification Manager <b>Dra. Vargas</b> Legal Departament
Physical meeting in Santa Cruz (July)	<b>Diana Sabillon</b> Social Responsibility Manager
Physical meeting in Montero (July)	<b>Javier de Rodrigo</b> Director
Physical meeting in Montero (July)	Secretary
Physical meeting in Mineros (July)	Teacher
Physical meeting in Saavedra (July)	Children Programs Responsible
Physical meeting in Montero (July)	Lawyer
Physical meeting in Mineros (July)	Coordinator
Physical meeting in Mineros (July)	Sub Director
Physical meeting in Montero (July)	Secretary
Physical meeting in Santa Cruz (July)	<b>Lidia Mayser</b> Child Labor Manager
Physical meeting in Santa Cruz (July)	<b>Rodrigo Jemio</b> General Manager of ISO NOVA External Auditor of IBNORCA
Physical meeting in Montero (July)	<b>Valerio Carbajal</b> Sugarcane Grower Federation officer
Physical meeting in Santa Cruz (July)	<b>Piedades Roca</b> President
Physical meeting in Santa Cruz (July)	<b>Roberto Arce</b> President
Physical meeting in Mineros (July)	<b>Renato Barja Campos</b> President
Physical meeting in Mineros (July)	<b>Marcelo Fraija</b> General Manager <b>Enrique Montemuro</b> Comercial Manager
Physical meeting in Montero (July)	<b>Maximiliano Rupp Hurtado</b> General Manager
Physical meeting in Montero (July)	<b>Jaime Gareca</b> Administrative Manager <b>Mariano Aguilera</b> President

### Stakeholders List - Bolivia

Category	Organization name	Office location
ONG	United Nations International Children's Emergency Fund (UNICEF)	La Paz
ONG	International Labor Organization (ILO)	Lima
ONG	Bonsucro Sudamérica	Buenos Aires
ONG	Solidaridad Sudamérica	Buenos Aires
ONG	Caritas Colombia	Colombia
ONG	Save the Children Bolivia	La Paz
ONG	LANDESA (Rural development Institute)	USA
ONG	U.S. Department of Labor (USDOL)	USA
ONG	Fundación Amigos de la Naturaleza (FAN)	Santa Cruz
ONG	Oxfam International	Oxford (UK)
Union	Confederación Nacional de Maestros de Educación Rural de Bolivia (CONMERB)	Santa Cruz
Private sector	Peterson	Buenos Aires
Private sector	Control Union	Buenos Aires
Union	Federacion Nacional de Trabajadores Universitarios (FNTUB)	Oruro
Government	Autoridad de Fiscalización y Control Social de Bosques y Tierras (ABT)	Santa Cruz
Government	Organización de Técnicos de la Agro-Industria (OTAI)	Santa Cruz
Government	Instituto Nacional de Estadísticas (INE)	La Paz
Government	Ministerio de Trabajo, Empleo y Previsión Social	La Paz
Government	Instituto Nacional para la Reforma Agraria (INRA)	La Paz

Type of communication	Name and position
E-mail (June)	Child and Adolescent Protection Manager
E-mail / Telephone conversation (June)	<b>María Olave Berney</b> Program Officer <b>Teresa Torres</b> Andes' Countries ILO officer
Physical meeting in Buenos Aires (June)	<b>Miguel Hernández</b> South America Director
Physical meeting in Buenos Aires (June)	<b>Alex Ehrenhaus</b> Country Manager for Argentina
Audio conference (September)	<b>Andres Vera</b>
Audio conference (September)	<b>Augusto Costas</b>
Audio conference (September)	<b>David Bledsoe</b>
Audio conference (June)	U.S. Department of Labor's Office of Child Labor, Forced Labor, and Human Trafficking
Physical meeting in Santa Cruz (July)	<b>Natalia Calderón</b> Director / <b>Carlos Pinto</b> Assistant
E-mail (August / September)	-
E-mail / Telephone conversation (June to September)	<b>Freddy Mamani Laura</b> National officer Profesor <b>Eber Santa Cruz</b> officer
E-mail / Telephone conversation (June to September)	<b>Josefina Eisele</b> Consultant
Physical meeting in Rosario (July)	
Telephone conversation (September)	<b>Victor Lopez</b> National officer <b>Santos Frias Cabrera</b> Santa Cruz officer
Physical meeting in Santa Cruz (July)	-
E-mail (June)	-
E-mail (June)	-
E-mail (June)	-
Audio conference (June)	-

NATIONAL - INTERNATIONAL

## Annex IV: Selection table of visited sugarcane Growers

### GAP

Gestión Agropecuaria  
Profesional

Detail of visits to Mill A:

Range	No. of groups	Volume %	Sample %	No. of farmers	Objective	Surveys
< 0.5%	431	57.08%		20 minimum	26	26
0.5 - 1%	34	22.78%	5%	2	2	3
1 - 5%	14	20.14%	10%	2	2	4
5 - 10%	0		25%	0	0	0
10-25%	0		50%	0	0	0

Detail of visits to Mill B:

Range	No. of groups	Volume %	Sample %	No. of farmers	Objective	Surveys
< 0.5%	648	53.51%		20 minimum	25	27
0.5 - 1%	14	9.96%	5%	1	2	3
1 - 5%	9	18.42%	10%	1	2	3
5 - 10%	0	0.00%	25%	0	0	0
10-25%	1	18.11%	50%	1	1	1
<b>Contractors</b>						<b>3</b>

## Annex V: Modality of land regulation

The certification process of land ownership can be done through the following modalities: Simple Regulation (SAN SIM); Regulation Integrated to the Legal Cadastre (CAT-SAN); and Regulation of Indigenous Community Lands (SAN-TCO). (USAID, 2005)<sup>48</sup>

### Simple Regulation (SAN-SIM)

The simple "regulation is the methodology executed at the request of a party, in areas that are not registered, or when a conflict of rights is detected in agrarian properties, national parks, public resources, biodiversity resources and other legally classified areas"(INRA).

Given the slow process and its characteristics, an internal harmonization job was found to be much more effective in order to solve conflicts over boundaries among its members. This resulted in what is called the internal land regulation: the INRA establishes a section area for regulation, the community develops it and the INRA recognizes and certifies the work done (INRA).

### Regulation Integrated to the Legal Cadastre (CAT-SAN)

The CAT SAN is executed at the government's initiative in registered areas. "It is understood by legal cadastre, the public information of the registering system in which the relevant data on land ownership and its rights are registered, as well as their areas, locations, common boundaries and limits. (Section 71) (INRA).

### Regulation of Indigenous Community Lands (SAN-TCO)

The SAN TCO is executed either at the government's initiative or at the request of a party in the areas covered by the communal indigenous lands. It is entirely intended to attend the claims of the indigenous peoples; it ensures their participation in the process execution, identifies third-party properties within the limits of the claimed land and recognizes them if they fulfill the Socio-Economic Function (FES), by titling the surface areas free of other property rights in favor of the complainants and committing to identify other areas in order to compensate for those areas recognized by the Government (INRA).

<sup>48</sup> USAID. 2005. Estudio sobre el Catastro en Bolivia. [http://pdf.usaid.gov/pdf\\_docs/PNADF484.pdf](http://pdf.usaid.gov/pdf_docs/PNADF484.pdf)

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# Annex VI: Revision history

Review on child and forced labor and land rights in *Bolivia's sugar industry*

## GAP

Gestión Agropecuaria  
Profesional

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### Version N° 1

28th October, 2016. Completion of final report following round of internal and external review.

### Version N° 2

11th November, 2016. Final report with internal review comments verified.

### Version N° 3

7th December, 2016. Final report with additional comments.

### Version N° 4

25th July, 2017. Final report with sugar mills feedback.

Sugarcane cutters in one of the visited fields.





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Review on child and forced labor and land rights in *Bolivia's sugar industry*

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Gestión Agropecuaria  
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