

**REPORT OF THE COALITION OF ORGANIZATIONS OF CIVIL  
SOCIETY ON HUMAN RIGHTS OF WOMEN UNIVERSAL  
PERIODIC EXAM (EPU)**

*Bolivia, february 2019*

## REPORT OF THE COALITION OF ORGANIZATIONS OF CIVIL SOCIETY ON HUMAN RIGHTS OF WOMEN UNIVERSAL PERIODIC EXAMINATION (EPU)

1. The Coalition of Civil Society produced this report for the effectiveness of the human rights of women, evaluating the compliance of such with the recommendations accepted by Bolivia in the Universal Periodic Review conducted in 2014, through a participatory process at a national level where progress, obstacles and challenges were identified to propose recommendations to be extended to the Bolivian State during the review.
2. **2. GENDER EQUALITY AND RIGHTS OF WOMEN (Recommendations 114.82 – 114.87- 114.83- 114.84 – 114.85 – 114.86 – 114.107 - 114.113 y 114.8 - 114.82 – 114.87).** An important normative framework was developed in the last ten years that recognizes the rights of women, from the Political Constitution of the State to specific norms that were reported in the earlier Bolivian examination. The "Multi sectoral Plan to end patriarchy and for "Women's Right to Live Well" was elaborated based on the previous Equal Opportunities Plan and by the guidance of Law No. 777 of the Comprehensive State Planning System (SPIE). However, during the 2014-2018 period, the weak institutional structure of the National Mechanism continued. The Vice Ministry of Equal Opportunities (VIO) concealed by the Ministry of Justice has, under its tuition the General Directorate of Prevention and Elimination of All Forms of Violence on the Basis of Gender and Generational, both instances lack the human and economic resources sufficient to fulfill their functions and execute the plans and programs of its competence. At the departmental and municipal level, there are also gender mechanisms with similar limitations that translate into low management capacity.

Regarding the fight against violence, in 2017, by means of Supreme Decree No. 3106, the Interinstitutional Commission was created, made up of eight ministries and responsible for the implementation of the Comprehensive Public Policy for a Dignified Life of Bolivian Women, although the degree of implementation or investment is not known.

In January 2019, by Supreme Decree No. 3774, the Plurinational Service for Women and the process of depatriarchalizing was created, a decentralized entity of the Ministry of Justice with autonomy of administrative, financial, technical, legal and own patrimony management, in charge of monitoring and evaluating the compliance with public policies in favor of women's rights and promote the eradication of violence and discrimination against women. The Special Cabinet to Combat Violence Against Women and Children was also created, consisting of seven ministries headed by the President of the State.

3. ***SUGGESTED RECOMENDATIONS. - Social and civil society organizations should be part of the design and implementation of the new monitoring and promotion mechanism created by the Government, which should have sufficient human and financial resources to fulfill its legal mandate and guarantee its autonomy. It is expected to be an articulator of the different levels of the State and public and private actors, having to have mechanisms of consultation and permanent dialogue with social organizations and civil society. Subnational gender mechanisms should be strengthened, allocating sufficient***

**human, technical and budgetary resources. As well as executing sectoral and multi sectoral policies and plans adopted with sufficient budget to respond to women's demands and be accountable at all levels regarding their implementation.**

4. According to employment policies and poverty reduction, the "Survey of Households" of the Statistics National Institute (INE<sup>1</sup>) indicates that in 2015 69.95% of men had a job, while in the case of women the percentage reached 48.24%. The tendency to informality in employment has not had significant changes. In the "Statistics with a Gender Approach" of the INE, it is indicated that according to the 2012 census, four out of every ten women are in poverty, although in the last decade, Bolivia has experienced a process of poverty reduction, the gap between men and women continues, as well as the gap between urban and rural areas<sup>2</sup>. In the construction sector, the monthly income gap by sex and category is 37, 83%<sup>3</sup> this means that for every 100.00 BOB that men receive in the sector, women receive only 62.00 BOB for the same work.
5. The organization of family work and specifically the care of the family, continue to be considered tasks performed almost exclusively by women. The definition of specific roles for women, make them subordinate and destined for reproduction, raising children, domestic tasks and the provision of pleasure, at the same time generate a system of constant and growing discrimination by denying them the full access to political, economic, educational and even cultural spaces<sup>4</sup>.
6. Regarding wage labor for housemaids, women workers cannot access short and long-term social security because the law that regulates their trade (Law No. 2450) enacted 15 years ago still does not have a regulation. Of the total number of female workers (109,321), only 5.3% have an employment contract that gives them security of having their work source for the established time and receiving benefits that correspond to them, showing the enormous deficit in the formalization practice of the contractual relationship<sup>5</sup>, increasing job insecurity.
7. Another sector that suffers discrimination and mistreatment are the sex workers, who are in a situation of greater vulnerability. Arbitrarily, the police perform operations in which they are treated in a criminal manner, violence is exercised, they confiscate personal objects, they are linked to cases of trafficking and sometimes they even reach detention.
8. **SUGGESTED RECOMENDATIONS. - Create job opportunities programs on gender equality that are sustainable to ensure women decent and full employment, including rural women, reducing gender gaps. Law No. 2450 must be regulated and must guarantee domestic workers access to social security and avoid the precariousness of their work. Eradicate**

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<sup>1</sup>INE, "Household Survey", Bolivia, <http://www.cedla.org/obess/52466>

<sup>2</sup>INE, "Statistics with a Gender Approach", Bolivia, 2017, Page. 109.

<sup>3</sup>ILO Office for the Andean Countries, Mogrovejo, Rodrigo & Rodríguez, Marisol, "Women in the construction sector in Bolivia: With a special look at the cities of La Paz and El Alto", Peru, 2017, Page 5.

<sup>4</sup>Ombudsman's Office, [http://www.defensoria.gob.bo/archivos/boletinMUJERES\\_4\\_21x28cm.pdf](http://www.defensoria.gob.bo/archivos/boletinMUJERES_4_21x28cm.pdf)

<sup>5</sup>Sociodemographic and Economic Profile of Domestic Workers in Bolivia - ILO.

***discrimination and stigma towards sex workers. It is necessary to promote a public care policy, which makes it possible to reconcile work and family life for the exercise of the full right of women to work and education on equal terms<sup>6</sup>. Promotes the co-responsibility of men with care tasks, to reverse inequalities and poverty in women. Implement a "public policy of care"<sup>7</sup> that allows to overcome the tensions between work and family life.***

9. With reference to the political participation of women as electors and eligibility, several national laws include the principle of democratic parity and mechanisms for their operationalization in electoral processes. The advance in the participation of women in the State Bodies and especially at the municipal level is one of the most important achievements<sup>8</sup>. The creation of the Observatory of Democratic Parity in the Plurinational Electoral Body is also highlighted. However, in the political field, most actions are focused on equal opportunities, not to generate conditions to combat structural inequalities that prevent participation on equal terms, especially in organizations and political parties.
10. Despite the percentage progress in public positions, women continue to witness how their rights are not exercised, a clear example is the harassment and political violence they face in the public service. Between January and November of 2018, ACOBOL<sup>9</sup> registered 113 complaints of harassment and political violence against female councilors. Between January and September of the same year, 90 complaints and resignations were filed for harassment and political violence before the Plurinational Electoral Body<sup>10</sup>, which were brought to the attention of the Public Prosecutor's Office. There is no known case with a conviction. Most women don't report these cases for fear of reprisals. On the other hand, an appropriate scenario for these acts, as identified by the Electoral Body itself, are the illegal agreements to alternate their mandates with their male deputies, thus affecting the equal composition of the bodies that comprise them<sup>11</sup>.
11. **SUGGESTED RECOMENDATIONS. - *Adopt measures aimed at modifying patriarchal practices in the political sphere, to guarantee equality of conditions and sufficient protection of the rights of women who hold public office and women of social organizations. Guarantee the exercise of the Law against Harassment and Political Violence against Women and implement an inter sectoral strategy that contributes to the elimination of prejudices and gender discrimination in the political sphere and the public function. Strengthen legal support services for victims and protection mechanisms and urgent action provided for Law No. 243 and its regulations.***

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<sup>6</sup> Public policy oriented to the transformation of the social organization of care based on the principle of co-responsibility between family, society and State.

<sup>7</sup>Public policies oriented to the transformation of the social organization of care, based on the principle of co-responsibility between family, society and State.

<sup>8</sup> UN Women Activity report 2016. La Paz, Bolivia, 2016.

<sup>9</sup>Boletín Informativo, Centro de Atención y Monitoreo de Acoso y Violencia Política, ACOBOL, noviembre de 2018

<sup>10</sup>Report of the Observatory of Democratic Parity in the Plurinational Electoral Body, Bolivia, page 2.

<sup>11</sup>Ibidem, page. 4.

12. Permanent attacks are prosecuted on the rights conquered by women from anti-fundamentalist and conservative rights groups that include political leaders, now campaigning for national elections, who handle the discourse of the existence of a supposed "gender ideology" that would go against social and moral values, totally distorting gender issues and stigmatizing both the feminist movement and LGBTI community, which encourages discrimination and violence towards them.
13. **SUGGESTED RECOMENDATIONS.** - *The State must guarantee compliance with its constitutional precepts and other current norms that criminalize acts of discrimination and incitement to hatred and violence, identifying and sanctioning conservative and / or religious fundamentalist sectors that promote such acts. Campaigns should be promoted to socialize the secular nature of the State, which generates a peaceful coexistence that respects the right to religious freedom. Public institutions must refrain from using religious criteria and precepts in the preparation and application of public policies, guaranteeing the secular character of the State established in art. 4 of the Political Constitution of the State, which states: "The State is independent of religion."*
14. **PREVENTION AND FIGHT AGAINST VIOLENCE TOWARDS WOMEN** (113.29 – 114.79 – 114.89 – 114.90 – 114.91 – 114.95 – 114.97 – 114.102 – 114.106 - 113.31 - 114.68. The Comprehensive Law to Guarantee Women a Life Free of Violence (Law No. 348) establishes prevention, attention, sanction and reparation mechanisms and although they have made institutional efforts to respond to the mandates of the law, they are still insufficient to face this serious problem. According to the Survey of Prevalence and Characteristics of Violence against Women (EPCVcM), conducted in 2016 by the Ministry of Justice and the INE for every 100 women, 75 reported having suffered some type of violence by their partner in the course of their relation.
15. According to data from the Attorney General's Office, every three and a half days a femicide is reported in Bolivia. In 2016, there were 104 femicides, in 2017 they reached 109 and in 2018 there were 128 cases nationwide with a rate of 2.0 per 100,000 women, the third highest in South America. There is no policy or assistance mechanism for the children of the victims.
16. In 2016, the Special Force to Combat Violence (FELCV) dealt with 36,470 complaints; in 2017, 38,075 cases were registered and in 2018 there were 38,111 complaints, an average of 102 complaints a day. The rate of complaints of violence is 650 per 100,000 women (SIMOPREDH)<sup>12</sup>. Within the crimes of violence based on gender, the crime of family or domestic violence is the most frequent and represents 85% of the complaints received by the FELCV in 2018, being also the most prevalent crime in the country.
17. The number of processes registered by the Public Ministry since the enactment of Law No. 348 to December 2017 amounts to 149,513, of which 99,486 would have been closed and

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<sup>12</sup>System for Monitoring Progress in Human Rights -SIMOPREDH -. Statistics prepared by the Human Rights Community based on official data. La Paz, Bolivia, 2017

47,389 would be active processes. The causes that ended with a sentence in the period (2013-2017) reached 994, that is, 0.66%. Therefore, of the cases closed (99.486) only concluded with a sentence of 0.99%, the rest are understood to have ended with alternative exits, rejections and dismissals<sup>13</sup>, the latter are often based on the lack of momentum of the victims, omitting the official investigation, without taking into account that both resolutions, in addition to promoting impunity, encourage legal action against whistleblowers for alleged false reporting.

18. Violence against women continues to be installed as one of the country's main problems, the biggest obstacles to confronting it are linked to the lack of access to justice translated into impunity as a result of the limited coverage of health care services, the lack of adequate infrastructure and equipment, the lack of psycho-socio-legal support for the victims, the complexity of the criminal proceedings and delays in justice, and the lack of specialization and instability of the personnel serving the victims, who often relativize the violence and re victimizes women.
19. The lack of timely protection for women who denounce acts of violence is due to: 1) There are gaps in Law No. 348 that result in discretionary actions on their application; 2) The risk assessment is not carried out in the majority of cases, this being essential to provide adequate measures and prevent new acts of violence and even femicides, 3) The accompaniment of women to health services and to places of refuge insurance is often not fulfilled due to lack of personnel or vehicles for their transfer, 4) In less than half of the cases the Office of the Prosecutor provides protection measures and the judges do not carry out a judicial control over said measures, 5) In many cases there is no monitoring of the situation of the victims or action is taken against non-compliance with the protection measures.
20. The actions of prevention do not stop being isolated and punctual actions. Many do not address the central knots of violence, focus on the complaint mainly, leaving aside the need to deconstruct the patriarchal structures of society. Although for the short period of validity of Law No. 348 and it is not possible to claim that society has undergone a drastic transformation, it is also evident that the actions carried out so far are not aimed at that objective nor do they have the necessary scope and continuity.
21. Regarding the investment that they have made, the governorates have programmed for the 2016 management BOB 33,686,096; and executed BOB 10,301,422.45, that is, 30.58%. The municipal governments executed 61.28% of the programmed budget. These data show the little political will of these authorities to eliminate gender inequalities and reflects that it is not a priority for them to develop actions that guarantee and protect the rights of women on an equal basis with men<sup>14</sup>.

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<sup>13</sup>Alliance - Free without Violence, "Balance on the Implementation of the Integral Law to Guarantee a Life for Women without Violence 2013 - 2018", Bolivia, 2018

<sup>14</sup>Center for the Promotion of Women "Gregoria Apaza". Resources of the municipalities and departments for the fight against violence against women. Budget and execution 2015 - 2016 Budget. La Paz, Bolivia, 2016. Page 140

- 22. SUGGESTED RECOMENDATIONS. - A comprehensive and sustained national strategy of prevention, awareness and information is needed for the deconstruction of patriarchal structures with sufficient allocation of resources, including inter sectoral policies, plans and prevention programs, with a gender and intercultural approach, campaigns for mass media to inform and raise awareness about the causes, forms and impact of violence against women. It is necessary to promote the change of the unequal model of relations between men and women, emphasizing how this negatively affects the development of people and how it can be modified, based on awareness, prevention and early detection of violence.**
- 23. At the municipal level, dissemination and awareness-raising actions on all the components of Law No. 348 must be strengthened in coordination between public institutions, communities and civil society, which reverse the obstacles identified from a qualitative evaluation on the application of Law No. 348 in indigenous and Afro-Bolivian communities<sup>15</sup>.**
- 24. The Ministry of Justice must be guaranteed as the Governing Body, according to Law No. 348, the continuity and complete functioning in all its components of the Plurinational Integral System of Prevention, Attention, Punishment, Eradication of Gender-Based Violence (SIPPASE ), ensuring the necessary human and financial resources for this purpose, since at present it runs the risk of stagnation or closure due to lack of budget.**
- 25. Prioritize the implementation of the Single Registry of Victims of Violence that integrates the databases of all the services of the chain of attention to victims, which is not reduced to the registry of complaints, but must show the response that the victims receive from the system of justice during the process in all its stages. This registry should allow integrating the information produced by each of the institutions (promoters of the complaint, Police, Public Prosecutor's Office and Judicial Branch), based on uniform criteria and indicators established for this purpose, which would allow the generation of official, timely and reliable response; but, in addition, it is necessary that the institutions are interconnected so that the records made by each one of them within the same process are cumulative and are not repeated. Therefore, it is necessary to overcome the lack of generalized coordination of the systems of collection and production of institutional information that coexist in the State.**
- 26. The technical capacity of the national and subnational mechanisms responsible for budget execution assigned for equality and gender equity should be strengthened, with emphasis on public investment and budget execution determined in Supreme Decrees 2145/2014<sup>16</sup>**

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<sup>15</sup>Alliance for Solidarity Qualitative assessment on the application of Law No. 348 in indigenous and Afro-Bolivian communities. La Paz, Bolivia, 2015

<sup>16</sup>The Supreme Decree 2145 of October 14, 2014 that regulates the Law No. 348. establishes that the departmental autonomous governments must use 30% of the total resources of the IDH of citizen security, for the construction and equipment of shelters and temporary shelters for women in situations of violence and their dependents; and that the autonomous municipal governments will use 10% of the total resources of the IDH for citizen security for maintenance and attention in the Municipal Integral Legal Services.

*and 2610/2015<sup>17</sup> regarding the strengthening of services for women in situations of violence for departmental governments and municipal governments of department capitals<sup>18</sup>. Infrastructure, vehicles, equipment and office equipment must be provided for their operation, including Gesell cameras and laboratories. , both in urban and rural areas.*

**27. Apply rigorous criteria for the selection of personnel and designation of authorities of the institutions that are part of the chain of attention to victims, passing through processes of awareness, training and specialization with a gender perspective, be institutionalized and not eventual personnel.**

**28. Promote the model of comprehensive assistance to victims in adequate infrastructures that can accommodate all the institutions responsible for care and that have a decentralized nature to be more accessible to women, especially in the Comprehensive Police Stations, as well as implement mobile units to reach rural areas where services does not yet exist.**

**29. Expand the coverage of the Special Force to Combat Violence, Municipal Integral Legal Services, Defenders of Children and Adolescents and Forensic Services for the attention to girls and women, especially in rural areas and small municipalities, continue with the implementation of shelters, guaranteeing the safety and protection of the victims. Create Specialized Courts and Tribunals with exclusive competence in matters of violence against women.**

**30. The Bolivian Police should implement a human resources policy in the FELCV that guarantees the permanence of the two-year staff as established by its norms and three years for researchers according to Law No. 348, especially those who have been trained. . It is also essential to strengthen the specialized training in the police institutes but also to ensure that the destinies of the personnel respond to that specialization. The personnel of the FELCV, especially the researchers, should not fulfill extraordinary services unrelated to their duties to assume other tasks.**

**31. Regularly Investigate all allegations of violence against women, complying with the standards of due diligence and preventing these facts from being left in impunity, as well as reinforcing the mechanisms of informing users about their rights and services for complete exercise, making the amendments legislative measures necessary to shorten criminal proceedings, prevent delays in justice, implement measures to protect victims, punish aggressors and repair the damage suffered.**

**32. HEALTH – SEXUAL AND REPRODUCTIVE RIGHTS (Recommendations 114.21 - 114.11).** Sexual Rights and Reproductive Rights (DSyDR) are recognized as fundamental rights and are linked

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<sup>17</sup>Supreme Decree No. 2610 of November 25, 2015 that modifies and complements the D.S. N°2145. It establishes that of the total resources assigned to citizen security by the autonomous territorial entities, the Bolivian Police will request these at least five percent (5%) for the strengthening of the Special Force to Combat Violence - FELCV.

<sup>18</sup>Center for the Promotion of Women Gregoria Apaza. Public Investment of Municipalities and Governments to fight against violence against women (2016 management). Bulletin. La Paz, 2016.

to health, education, non-discrimination and interculturality. This translates into an important number of norms and policies that, from the formality, could be considered important advances.

33. Although the maternal mortality rate has dropped to 160 per 100,000 live births, it continues to be one of the highest in the region, which on average is 70 per 100,000 live births. These deaths are still linked to the complications of pregnancy, childbirth and puerperium, in relation to multiple causes that need to be analyzed and addressed when developing inter sectoral<sup>19</sup> policies. 2% of maternal mortality corresponds to girls up to 14 years old.
34. The birth rate in women between 15 to 19 years of age is 116 births per 1,000. (Report: State of World Population, UNFPA, 2016) The unmet need for contraception is higher among adolescents (38%) and young women 20 to 24 years of age (27%) than the national average (20%) (National Plan for the Integral Health of Adolescents and Youth 2009). The level of knowledge of adolescents in Bolivia on the various contraceptive methods exceeds 90%, but the percentage of young people who use some type of contraceptive method reaches only 13%, being much lower in adolescents (Ministry of Health, 2016). According to the data of the SNIS in 2016, a total of 13,332 births of girls under 15 years of age<sup>20</sup> have been recorded. The lack of information and access to modern contraceptive methods persists, which limits the prevention of unwanted pregnancy and adolescent abortion, mainly in rural areas. Adults, influenced by groups of anti-rights, are opposed to their children having access to information; In addition, geographic and socio-cultural barriers limit access to sexual and reproductive health services, mainly of indigenous women and young people, persist.

**35. SUGGESTED RECOMENDATIONS. - A Law on Sexual and Reproductive Rights must be debated, approved and promulgated, establishing responsibilities and actions for all state bodies at different levels. Its objective should be focused on reversing the maternal mortality rate. The Strategy for the Reduction of Maternal Mortality of the Ministry of Health should be applied as a priority.**

**36. The Strategic Plan for Sexual Health and Reproductive Health 2016-2020 should respond to the unmet needs of contraception for adolescents<sup>21</sup>, unwanted pregnancy in adolescents and forced pregnancy in girls, ensure the provision of Emergency Contraception, antiretroviral for HIV, rapid treatments for Hepatitis B and Sexually Transmitted Infections. As well as to influence the decrease of Cervical Uterine Cancer that by 2015 was reported 80 per 100,000 women, being Bolivia the first country with the highest incidence in the Latin**

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<sup>19</sup> National Study of Maternal Mortality 2011 Bolivia. Ministry of Health. 2016

<sup>20</sup> National Health Information System - SNIS, 2016.

<sup>21</sup> According to the National Plan for the Integral Health of Adolescents and Youth (2009) the unmet need for contraception is higher in adolescents (38%) and young women 20 to 24 years (27%), with the national average (20 %). And according to data from the Ministry of Health (2016) only 13% of young people use any contraceptive method, being much lower in adolescents. And, according to the Demography and Health Survey. (INE 2016) The use of Modern Contraceptive Methods (MAC) reaches 58% of unattached and sexually active women, and in the case of women in union it does not reach 50%.

**American region<sup>22</sup>. Ensure the execution and measure the results of the Plurinational Prevention Plan of Pregnancies in Adolescents and Youth 2015-2020, by the Ministry of Justice and the subnational levels.**

37. **ABORTION (114.76 – 114.112 - 114.77 - 113.30).** Constitutional Judgment 0206/2014 guarantees legal interruptions of pregnancy (ILE) in cases of rape and incest; and, when there is a health and life risk for women. The current Penal Code admits these causes. Since the issuance of the regulations, in 35 hospitals of the public health system of 6 departments, only 258 Legal Interruptions of Pregnancy (ILEs) have been made up to February 2019, of which 126 were under 19 years of age. In the last year of 2018, 54 ILEs were performed, 59% was due to rape, 17% due to health and life, 11% due to fetal malformations and 13% without cause data.
38. The Ministry of Justice made a diagnosis in 21 municipalities of the country in which the following limitations were detected for compliance with SCP 206/2014: 68.19% of the respondents did not know the sentence and 44.8% did not know what were the necessary requirements to access the ILE; lack of coordination or linkage between institutions and health services; the institutions do not have adequate consultation material and logistical limitations; high turnover of personnel or personnel with little motivation; and, personal prejudices and social stigmatization persist for women who abort. The cases of pregnancy and forced maternity of girls under 14 years of age are of particular concern, and in many cases they remain hidden until the pregnancy is advanced, cases in which the ILE is debated if it is totally lost sight of Pregnancies are the result of violations.
39. **SUGGESTED RECOMENDATION. - *The State must guarantee at all levels compliance with Sentence 0206/2014, socializing its content and all its causes, as well as the Technical Procedure for the Provision of Health Services within the Framework of the Plurinational Constitutional Judgment 0206/2014 of the Ministry of Health and the "Model of Integral Attention to Victims of Sexual Violence" (Ministerial Resolution No. 1508/2015) of the SIPPASE / Ministry of Justice.***
40. According to the study: "When abortion is a crime: the threat to vulnerable women in Latin America<sup>23</sup>," in Bolivia "it is almost always poor women who are reported to the police. Generally, the complaints are presented by a provider of health services, a relative, a couple or the public prosecutor's office."<sup>24</sup> Criminal prosecution continues to be systematically used to control and protect women's bodies, a mechanism that induces women to perform unsafe abortions, which increases the risks to their health and life. The high rate of unsafe and

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<sup>22</sup> In: <http://www.eldeber.com.bo/especiales/bolivia-ocupa-primer-lugar-casos.html>(consultado 14/10/2016)

<sup>23</sup>IPAS. When abortion is a crime: the threat to vulnerable women in Latin America. (Third edition) Chapel Hill, North Carolina. 2013 - 2015.p. 5

<sup>24</sup> Same

clandestine abortions in precarious conditions is the third cause of maternal mortality in Bolivia.<sup>25</sup>

41. In December 2017, the Criminal System Code was passed, in which progress was made in reducing restrictions on legal and safe abortion in Bolivia. Although it did not totally decriminalize abortion, it broadened the cases in which women could access it, guaranteed individual conscientious objection, and punished abortion without the consent of women with higher penalties. Throughout the legislative process anti-rights groups promoted by religious organizations promoted a campaign, which through an alleged speech "for life", object all forms of decriminalization of abortion, even in cases of pregnancies resulting from violations, risks to life and women's health and fetal malformations incompatible with life. The extension of the grounds was not applied due to the decision to repeal the Penal System Code, on January 26, 2018, in response to comments on other articles of the law, so the Legislature should work, again, this body legal in future legislatures.

**42. SUGGESTED RECOMENDATION. – Decriminalization of voluntary abortion, ensuring public policies that guarantee access to specialized health services for the completion of safe, free, legal pregnancy interruptions, guaranteeing professional secrecy and the confidentiality of women in cases that reach centers of Health. As well as guarantee access to health services with quality care to address the complications of abortions.**

43. **HUMAN SMUGGLING AND TRAFFICKING (Recommendations 114.48 - 114.49 – 114.51 – 114.53 – 114.55 - 114.50 - 114.52 - 114.53).**The advances to be highlighted are the approval of a regulatory framework and adoption of public policies, however, the level of execution is low due to the lack of budget, there is weakness in the care and protection of victims and the adoption of prevention measures are restricted to training and dissemination, without affecting the structural causes of the problem. To date, the application of protection measures is insufficient<sup>26</sup> for victims of trafficking in people and related crimes. There are flaws in the criminal process, it is also noted that no effective measures are taken for reintegration in the educational, labor and family<sup>27</sup>.

44. The statistics published by the Bolivian Police show that since the adoption of Law No. 263 the cases of trafficking in people and related crimes have increased from 386 in 2012 to 454 in 2017. According to the data of the Special Force to Fight Crime (FELCC), in 2017 there were 464 complaints related to crimes linked to human smuggling and trafficking; seven of every 10 victims in Bolivia are women and girls.<sup>28</sup>

45. The Public Ministry<sup>29</sup> received 312 complaints about smuggling and trafficking in 2012 and 701 in 2016. Of the 701 complaints received in 2016, 494 were accepted by the Office of the

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<sup>25</sup><https://www.minsalud.gob.bo/2347-el-aborto-es-la-tercera-causa-de-muerte-materna-en-el-pais>

<sup>26</sup> Same

<sup>27</sup> Same

<sup>28</sup><http://www.lostiempos.com/actualidad/opinion/20180929/columna/contra-trata-trafico-personas>

<sup>29</sup> <https://www.eldeber.com.bo/bolivia/Bolivia-registro-701-casos-de-trata-y-trafico-en-2016-20170729-0019.html>

Prosecutor with valid indications 2,920 people were reported missing throughout the country in 2016. That same year, 2,200 appeared for various reasons. Between January and August of 2018, it received 265 complaints for the crime of human smuggling and trafficking throughout the country. According to the Vice Ministry of Justice<sup>30</sup> between 2012 and July 2017, 2,591 cases were registered, of which only 44 (1.7%) have reached sentencing.

- 46. SUGGESTED RECOMENDATIONS. - The personnel, budget and specialization processes must be increased for the attention of cases in the different institutions that operate and administer justice and guarantee the permanence of their personnel. Implement protocols for the classification of crimes with technical criteria to separate the search for missing people from the investigation of the crime of trafficking people and related crimes.**
- 47. In the case of the Public Prosecutor's Office, a greater number of prosecutors must be assigned to deal with trafficking people and related crimes in order to reduce procedural overload; it is necessary to appoint personnel from the FELCC - Smuggling and Traffic Exclusive Divisions for these crimes, freeing them from the search for missing people.<sup>31</sup> All necessary measures must be taken to ensure that victims of trafficking have their rights guaranteed for access to justice.**
- 48. For the protection of victims, specialized reception centers should be available, as established in Law No. 263, training to avoid re victimization. As well as mechanisms and resources necessary to provide protection to victims of human trafficking and related crimes, and concrete measures that make reintegration feasible for victims in the educational, labor and family environment. It is also necessary to adopt preventive information and awareness measures that contemplate impact measurement and intercultural and generational<sup>32</sup> approaches.**
- 49. Strengthen border control through the expansion of services in the General Directorate of Migration because, despite the cooperation agreements, the attention provided in the migration posts does not respond to the needs of the population (number of staff and working hours) attention and border control posts are scarce, in addition, personnel must adopt mechanisms for the early identification of potential victims of human trafficking. The Armed Forces must be involved in border control, as established by Law No. 263<sup>33</sup>. The Citizen Security Observatory in its Human Trafficking module must register information and provide data permanently, of public access, as well as implement an Integral system of all the instances that work in the data registry. The absence of controls on the roads of transfer of minors in interprovincial transport and private vehicles within the country and in the so-**

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<sup>30</sup>[https://elpotosi.net/nacional/20170801\\_registran-271-casos-de-trata-y-traffic-durante-el-primer-semestre-de-2017.html](https://elpotosi.net/nacional/20170801_registran-271-casos-de-trata-y-traffic-durante-el-primer-semestre-de-2017.html)

<sup>31</sup> <http://www.paginasiete.bo/seguridad/2017/7/31/2591-denuncias-trata-llegaron-sentencia-anos-146578.html>

<sup>32</sup> Multi sectoral Plan for Integral Development for the Fight Against Human Trafficking, 2016 - 2020

<sup>33</sup> Ministry of Justice and Institutional Transparency. Analysis of the Smuggling and Traffic situation in Bolivia. La Paz, 2014.

*called 'blind spots' at the borders, are taken advantage of by smuggling and trafficking networks to transfer victims<sup>34</sup>.*

**50. Promote greater inter-institutional coordination between public bodies at the central level and sub-national bodies to combat human smuggling and trafficking. Evaluate the institutional work of the Plurinational Council and the Departmental Councils against Human Smuggling and Trafficking by increasing the participation of civil society, to redirect and implement concrete actions regarding the smuggling and trafficking situation in Bolivia.**

**51. EDUCATION (Recommendations 114.9 - 114.23 – 114.27 - 114.24 – 114.25 – 114.26 – 113.45).** Despite the advances, there are still 260,000 people who still cannot read or write (2.7%), most of them women and older adults who have been excluded from the education system. "Of every three illiterate people in Bolivia, two are older adults and women." (Direction of the Literacy and Post-Literacy Program of the Ministry of Education).<sup>35</sup>

**52. SUGGESTED RECOMENDATIONS. - Develop evaluation actions on the quality of public education policies in current implementation, measure the real impact on educational quality. Improve and update the statistical system, dependent on the Ministry of Education. Evaluate the implementation of the Plurinational Plan of Human Rights Education and develop concrete actions for its total implementation and that the incorporation of gender equality, non-discrimination and non-violence in the educational curricula for the different levels is complied with.**

**53. Promote the inclusion of gender equity in the principles, axes, goals and objectives of the Avelino Siñani-Elizardo Pérez Education Law and reinforce the fulfillment of the elimination of patriarchal practices, decolonizing and intercultural approach to the elimination of gender stereotypes. As well as taking measures to reduce the gender gaps between different educational levels, which will promote the best effectiveness in the access, permanence and conclusion of the entire educational cycle of women.**

54. The Ministry of Education and Cultures worked for years on the Plurinational Comprehensive Sexuality Plan for the plurinational education system, however, it has not been carried out to date due to the pressure of anti-right groups.

**55. SUGGESTED RECOMENDATIONS.- Promulgate and implement the Plurinational Plan of comprehensive and secular Integral Sexual Education, which contributes to the exercise of the DSDR, the prevention of unwanted pregnancies, unsafe abortions, STIs and sexual violence, and promotes informed decision-making. Include training programs in sexuality for teachers. Guaranteeing the participation of civil society organizations that defend integral human rights in the educational field.**

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<sup>34</sup><https://www.ine.gob.bo/index.php/notas-de-prensa-y-monitoreo/itemlist/tag/TRATA%20Y%20TR%C3%81FICO%20DE%20PERSONAS>

<sup>35</sup><http://www.lostiempos.com/actualidad/nacional/20170909/tasa-analfabetismo-baja-27-bolivia>

- 56. Effective implementation of Law No. 045 Law Against Racism and All Forms of Discrimination in the educational field for the prevention and fight against discrimination, promoting education in human rights, modifying racist or discriminatory attitudes and behavior, counteracting sexism, prejudice, stereotypes and any practice that discriminates, throughout the educational system with emphasis on rural areas.***
- 57. Implement the educational inclusion of children with disabilities from the regular school, without restricting it to the subject of special education. Encourage information actions towards families on the right of children with disabilities to participate in school.***

**COALITION OF ORGANIZATIONS OF CIVIL SOCIETY ON HUMAN RIGHTS OF WOMEN  
UNIVERSAL PERIODIC EXAMINATION (EPU)**

1. Alianza Libres Sin Violencia
2. Alianza por la Solidaridad
3. Articulación de Mujeres por la Equidad e Igualdad- AMUPEI
4. Asociación Derechos Humanos Cochabamba
5. Casa de la Mujer
6. Católicas por el Derechos a Decidir - CDD
7. Centro de Promoción de la Mujer Gregoria Apaza - CPMGA
8. Centro de Promoción y Salud Integral – CEPROSI
9. Centro de Educación Técnico Alternativo – CETA CJA
10. Centro de Investigación y Apoyo Campesino - CIAC
11. Comité de América Latina y el Caribe para la Defensa de los Derechos de las Mujeres - CLADEM Bolivia
12. Fundación Colectivo Cabildeo - FCC
13. Colectivo Empoderate
14. Colectivo REBELDIA
15. Comité Adolescentes y Jóvenes para la prevención del embarazo en Adolescencia
16. Comité Impulsor – Sucre
17. Comité Impulsor de la Agenda Política y Legislativa desde las Mujeres - CIAPLM
18. Comunidad de Derechos Humanos - CDH
19. Coordinadora de la Mujer
20. DESAFIO
21. Equipo de Comunicación Alternativa con Mujeres - ECAM
22. Equidad
23. Fundación Esperanza Desarrollo y Dignidad - FEDD
24. FENATRAHOB
25. Fondo de Mujeres Bolivia
26. AMUPEI - Oruro
27. Foro Político Departamental de Mujeres Cochabamba
28. Gestoras Comunitarias en Derecho
29. ICW Bolivia Comunidad Mujeres con VIH
30. Red Nacional de Personas con VIH y Sida - REDBOL
31. Instituto de Investigaciones Médico Sociales - IIMS
32. Mujeres Por la Amazonia - MPA
33. Mujeres en Acción

34. Fundación ÑAÑOPE
35. Oficina Jurídica para la Mujer
36. OTB La Promotora
37. Sindicato de la Prensa
38. Plan Internacional Bolivia
39. Plataforma de la Mujer
40. Plataforma Derechos Aquí y Ahora
41. Plataforma por los Derechos de las Mujeres
42. Promotoras de Paz
43. Promoción de la Mujer Tarija
44. Punto Joven
45. Red Boliviana de Mujeres Transformando la Economía - REMTE
46. Red de Lucha Contra la Violencia Cbba.
47. Junta Vecinal San Felipe de Austria
48. Sirparispa
49. Estudiantes de U.E. José Manuel P.
50. Voluntarias San Lorenzo