



## ALTERNATIVE REPORT

# COALITION OF HUMAN RIGHTS ORGANIZATIONS OF BOLIVIA'S CIVIL SOCIETY

Concerning the third periodic report of the Plurinational State of Bolivia for the 68<sup>th</sup>  
Session of the United Nations System's Committee against Torture

**BOLIVIA – 2021**

## **CIVIL SOCIETY ORGANIZATIONS PRESENTING THE REPORT**

ADESPROC Libertad

Alianza Libres sin Violencia

Católicas por el Derechos a Decidir – CDD/Bolivia

Comité de América Latina y El Caribe para la Defensa de los Derechos de la Mujer -  
CLADEM Bolivia

Comité Impulsor de la Agenda Política y Legislativa desde las Mujeres

Comunidad de Derechos Humanos - CDH

Coordinadora de la Mujer

Fundación Construir

Ipas Bolivia

Instituto de Terapia e Investigación sobre las Secuelas  
de la Tortura y la Violencia de Estado - ITEI

Libertades Laicas

## **SIGNING AND SUPPORTING THE REPORT**

Centre for Civil and Political Rights (CCPR Centre)

International Rehabilitation Council for Torture Victims (IRCT)

World Organization Against Torture (OMCT)

**ALTERNATIVE REPORT FROM THE COALITION OF CIVIL SOCIETY'S HUMAN RIGHTS ORGANIZATIONS TO THE COMMITTEE AGAINST TORTURE OF THE UNITED NATIONS SYSTEM**

1. In February 2019, the Plurinational State of Bolivia presented its Third Periodic Report to the Committee against Torture, making public the measures taken between 2014 and 2018 in compliance with the provisions of the Convention and the recommendations issued by the Committee against Torture regarding the Second Periodic Report of June 14, 2013.
2. This "Alternative Report" has been prepared by a coalition of Bolivian civil society organizations, and in it, the human rights situation in relation to the obligations arising from the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) is presented. Its composition started with the evaluation of compliance with the recommendations received by Bolivia from the Committee in the previous review, through a participatory process in which the main and systematic deficiencies that allow torture to continue and that, at the same time, avoid recognition and reparation for victims, were identified. We formulate specific recommendations to improve this situation.
3. During the implementation period of the "Committee's" recommendations, the crime of torture has not been adapted in accordance with international instruments. It has to be stated that torture is still used as a method of investigation, intimidation and punishment in detention centers and that it is recurrent in the army. Cases of torture and other ill-treatment have also been reported in the context of protests, particularly those that took place in October and November 2019. There is frequent use of pre-trial confinement, which is considered a form of torture itself; overcrowding and the lack of minimal conditions in prisons constitute cruel and inhumane treatment. There have been reports of cases of sexual violence committed by police officers in jails where women were held in pre-trial custody. Likewise, abortion continues to be criminalized, despite the United Nations Committees' recommendations define that forcing people to conceive in certain circumstances is a form of torture.

**Articles 1 and 4**

**Legal framework on torture, cruel, inhuman and degrading treatment**

4. The Constitution, promulgated in 2009, establishes an important protection framework against torture. In its article 15.I, it refers to torture, cruel, inhuman and degrading treatment such as violations of the right to physical, psychological and sexual integrity. In its article 114.I., it prohibits these acts by establishing that the public servants or authorities that apply or instigate them, or consent to them, will be dismissed, sanctions determined by law notwithstanding. It also determines that statements, actions or omissions obtained or made through the use of torture, coercion, exaction or any form of violence, are null and void. Despite this important constitutional improvement, criminal legislation still does not conform to the standards established in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

(“Convention”), which was already indicated by the Committee against Torture in 2013 (para. 8).

5. Article 295 of the Bolivian Penal Code<sup>1</sup> defines the crime of “humiliation and torture”, establishing a prison sentence of six (6) months to two (2) years for officials who harass, order or allow the harassment of an inmate. The sentence will be increased to between two (2) to four (4) years if any kind of torment or torture has been inflicted. If these have caused injuries, imprisonment is raised to a maximum of six (6) years; and if they cause death, a prison sentence of ten (10) years is applied. The articles also penalizes the criminal organization for the purposes of humiliation and torture, with prison sentences of one (1) to three (3) years. This criminal definition has several deficiencies, among which: i) it does not describe the acts constituting the harassment, torment and torture to which it refers, ii) it does not include the purpose pursued in either the basic crime (humiliating a detainee) or in the aggravating circumstance established as torture, iii) it does not contemplate the acts committed by a person other than a public official, in the exercise of public functions, at his instigation, or with his consent or acquiescence, which prevents various forms of torture from being established as this type of crime, iv) sanctions are not proportional to the seriousness of the conduct, also taking into account that other crimes such as very serious injuries and homicide carry prison sentences of up to 12 and 25 years, respectively.
6. On December 20, 2017, the national government passed the Penal System Code<sup>2</sup> (Law No. 1005). Such a rule would mean a very important change in judicial procedures. However, the Code was repealed on January 25, 2018 by Law No. 1027<sup>3</sup>, after mobilizations by some unions and political and social actors that questioned some of the offences defined. The health sector especially demanded to eliminate the crime of medical negligence. This decision meant that several improvements that the norm proposed beside the observed articles were postponed. Regarding the crime of “torture”, the abrogated rule included it in its article 81, paragraph I, as a crime against humanity, in accordance with the Rome Statute ratified by Bolivia, in cases of generalized and systematic attacks against civilians. In the same way, Article 87 defined the legal figure of Torture and Cruel, Inhuman or Degrading Treatment as crimes against human dignity and freedom, the description of which was more in accordance with international standards and increased sanctions. After the repeal of the Penal System Code of 2017, the penal figure of humiliation and torture described above was maintained.
7. As described, despite the efforts detailed in the State's response report to the Committee against Torture (“CAT”), there are currently no legislative initiatives under way that are aimed at establishing torture as a type of crime in compliance with the provisions of article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; nor are there any specific measures adopted by the State to guarantee that

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<sup>1</sup> Code of Criminal Procedure passed into law by Supreme Decree No. 10426 of August 23, 1972. Available at: Disponible en: <http://www.gacetaoficialdebolivia.gob.bo/normas/buscar/10426>

<sup>2</sup> Penal Code of December 20, 2017. [https://www.lexivox.org/norms/BO-L-N1005.xhtml?dcmi\\_identificador=BO-L-N1005&format=xhtml](https://www.lexivox.org/norms/BO-L-N1005.xhtml?dcmi_identificador=BO-L-N1005&format=xhtml)

<sup>3</sup> Official Gazette of Bolivia. Law No. 1027 of Abrogation of the Penal System Code. Available at: <http://www.gacetaoficialdebolivia.gob.bo/normas/buscarg/CODIGO%20PENAL>

these crimes are punished with penalties proportional to their gravity, in accordance with the provisions of Article 4, paragraph 2 of the Constitution. A real change in Bolivia requires the approval of a new law in accordance with international standards, which must be accompanied by a great deal of institutional capacity development, as otherwise it cannot be properly implemented.

### **Armed Forces Act**

8. After the recognition of the New Constitution in Bolivia in 2009, a group of low-ranking military officers initiated working groups to promote reform of the Armed Forces Act. The aim was to bring the law in conformity with the new Constitution to address issues of discrimination and other derived human rights violations within the Armed Forces, such as torture, ill treatment, racism and inequality of rights, for example the fact that low ranking military officers can complete only technical studies but not university. But when the representatives handed the project of a new Armed Forces Act over to the President Evo Morales Ayma on the 29<sup>th</sup> of March 2014, they met with strong opposition by higher ranking military officers who accused the leaders of the initiative of mutiny, sedition and other illegal actions. So they decided to demonstrate publicly in La Paz and El Alto. There were about 900 sergeants and sub-officers manifesting peacefully in the streets. They were handed sanctions and till now, there is no adaptation of the law to the Constitution.

### ***Recommendations:***

9. **Adopt a comprehensive law against torture and modify the definition of the crime of torture in the Penal Code so that it encompasses all the elements contained in article 1 and 4 of the “Convention”. This should be accompanied, at the national level, by training in accordance with the law among justice operators, the police and the armed forces, politicians and civil society.**
10. **Ensure that the Armed Forces Act is in line with the constitution, international human rights standards and national legislation.**
11. **Guarantee the full enjoyment of human rights, including protection against reprisals for those who work to promote this reform in the Armed Forces.**

## **Article 2**

### **Basic procedural guarantees**

12. There are worrying reports indicating that detainees do not always have access to a lawyer in the first hours of detention and have been forced to testify without his or her presence, particularly in the context of documented human rights violations between September and December 2019<sup>4</sup>. Likewise, the report prepared by the Office of the United Nations

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<sup>4</sup> Interdisciplinary Group of Independent Experts for Bolivia (GIEI), Report on the acts of violence and violation of human rights that occurred between September 1 and December 31, 2019, 2021, p. 128. Available at: <https://gieibolivia.org/informes/>

High Commissioner for Human Rights (OHCHR) in the wake of the events of September - December 2019, highlights the shortcomings in the official arrest registration system<sup>5</sup>. Many incidents were also documented in which detainees were unable to use the telephone to inform family or friends about the arrest<sup>6</sup>. In recent arrests related to the production and commercialization of coca, violations of the basic guarantees that protect against violations of the right to personal liberty and the right not to be mistreated or tortured have also been documented, including the isolation detainees during several days without observing the most basic safeguards and needs.

### **Torture Prevention Mechanism and the situation of torture cases**

13. By Law No. 474, of December 30, 2013, the Service for the Prevention of Torture (SEPRET) was created. This instance, which depended on the Executive Organ, did not comply with the criteria of independence established for this type of mechanism in the Optional Protocol. Law No. 474, which created the SEPRET, did not establish key aspects of the national preventive mechanism, such as its mandate, powers, the process and criteria for the appointment of its members, financing and accountability, among others. For this reason, the Subcommittee Against Torture commented, during its visit to Bolivia in 2017, that the gaps in the legal framework of SEPRET as a national preventive mechanism had direct consequences on its work, since it was not perceived as an independent body. However, the State systematically refused to strengthen the independence of the SEPRET and comply with the recommendations received. Even though the recommendations in this regard were renewed in 2019 within the framework of the Universal Periodic Review, they did not receive the government's support, and they were noted.
14. In the present government, the Interdisciplinary Group of Independent Experts (GIEI), in the "Report on the acts of violence and violation of human rights that occurred between September 1 and December 31, 2019", recommended to the Bolivian State the "strengthening of the Service for the Prevention of Torture (SEPRET), including more guarantees of independence and more autonomy" and to comply with the recommendations of the Subcommittee Against Torture. On September 14, 2021, the Legislative Assembly approved the bill that designates the Ombudsman's Office as the National Mechanism for the Prevention of Torture of Bolivia, assuming the functions of the Service for the Prevention of Torture – SEPRET. This was welcomed by human rights organizations<sup>7</sup>.
15. In this sense, it is essential that the SEPRET be able to carry out visits and monitoring actions in prison facilities without restrictions and obstacles. The Interdisciplinary Group of Independent Experts (GIEI) documented restrictions on SEPRET personnel, for example,

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<sup>5</sup> OHCHR, The situation of human rights after the general elections of October 20, 2019 in Bolivia, para. 18. Available at: <https://www.ohchr.org/Documents/Countries/BO/OACNUDH-Informe-Bolivia-SP.pdf>

<sup>6</sup> See, for example, facts and behaviors described in: GIEI, Report on the acts of violence and violation of human rights that occurred between September 1 and December 31, 2019, 2021, p. 126. Available at: <https://gieibolivia.org/informes/>

<sup>7</sup> Law No. 1397. Law of September 29, 2021.

in the case of people arrested on November 11, 2019 in El Alto and tortured in police facilities in El Alto and La Paz<sup>8</sup>.

### **Gender-based violence against women**

16. Article 115 of the Constitution establishes that all people, particularly women, have the right not to suffer physical, sexual or psychological violence, both in the family and in society. It also establishes the duty of the State to adopt the necessary measures to prevent, eliminate and punish gender and generational violence. However, this has not been fully guaranteed to girls, adolescents and women who were victims of violence.
17. According to the 2016 Survey on the Prevalence and Characteristics of Violence against Women<sup>9</sup>, in Bolivia, out of every 100 women in marriages or couples, aged 15 years or more, 75 declared having suffered some type of violence by their partner in the course of their relationship. Despite the promulgation of the Comprehensive Law to Guarantee Women a Life free from all Forms of Violence, Law No. 348, in 2013, the figures for violence against women have remained high. Also, the measures adopted by the authorities in charge of prevention, care, punishment and reparation have not been enough. There is a very large gap between the provisions of the law and its implementation.
18. 761 cases of feminicides<sup>10</sup> have been registered from 2013 to October 2020. On average, a femicide occurs every three and a half days, and only 31% have resulted in a sentence. According to data from the Public Prosecutor's Office reported in 2019, women between 21 and 30 years of age are the main victims of femicide. According to a 2020 study<sup>11</sup>, 90% of the cases are classified as intimate (77%) and family (15%) femicides. On the other hand, several cases (16%) have occurred after filing a complaint<sup>12</sup>, which demonstrates that the protection systems are deficient. The cause of death in most cases (blow / trauma, suffocation, knife and strangulation) shows the violent way in which the femicides were committed.
19. According to data from the Anti-Violence Special Task Force (FELCV), in the period 2015-2020, 229,016 complaints of acts of violence against women were registered, an average of 38,169 yearly and 105 daily complaints. During the strict quarantine due to COVID-19, obstacles to filing complaints increased. In addition, services for victims of violence were not declared essential.
20. Regarding the most frequent crimes, family or domestic violence, is the most recurrent, not only among crimes of violence against women, but also in relation to the other crimes

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<sup>8</sup> GIEI Report. 2021, p. 372.

<sup>9</sup> National Institute of Statistics (INE) and the Ministry of Justice. Survey of Prevalence and Characteristics of Violence against Women 2016. Available at: <https://www.ine.gob.bo/index.php/encuesta-de-hogares-seguridad/>

<sup>10</sup> Los Tiempos. With 116 feminicides, 2019 is one of the most fatal years. Available at: <https://www.lostiempos.com/actualidad/cochabamba/20191229/116-feminicidios-2019-es-uno-anos-mas-fatales#:~:text=La%20tipificaci%C3%B3n%20del%20feminicidio%20se,2018%20y%20116%20el%202019.>

<sup>11</sup> Comunidad de Derechos Humanos. 2021. Study on the characteristics of femicide cases and the response of the justice system in the nine capital cities and El Alto. UNFPA. Bolivia. p. 36. Available at: <https://comunidad.org.bo/assets/archivos/publicacion/59e91e32f3b9901492c67b76126d4622.pdf>

<sup>12</sup> Comunidad de Derechos Humanos. 2021. Study on the characteristics of femicide cases and the response of the justice system in the nine capital cities and El Alto. UNFPA. Bolivia. p. 42. Available at: <https://comunidad.org.bo/assets/archivos/publicacion/59e91e32f3b9901492c67b76126d4622.pdf>

reported in the country. Next in line are robbery, serious and minor injuries, theft, fraud, aggravated robbery and finally threats<sup>13</sup>.

21. There is limited coverage of care services, especially in rural areas. The reduced staff must be highlighted; they are oftentimes unskilled and change frequently. In addition, many services are inadequate. This also results in the transfer of costs to the victims. Only 27 courts and tribunals have been created in capital cities and El Alto, which are over-saturated by the procedural burden. Also, they are not exclusive in cases of violence against women since they also deal with corruption cases<sup>14</sup>. Furthermore, gender biases are widespread, which is why the reported events are usually minimized, especially in the family and household, and are not investigated with due diligence. The vast majority conclude with rejections based on the justification of abandonment or lack of procedural action on the part of the victims. Victims of violence also face re-victimization, poor or no information, failure to comply with procedural deadlines, gender biases, lack of interdisciplinary support for victims and comprehensive reparation for damage, which ultimately translate into impunity. The investment percentages of subnational governments are not met<sup>15</sup>. The lack of a sustained violence prevention strategy prevents addressing the structural bases of violence.

### Human trafficking

22. In the reporting period, the approval of Law No. 263 against Human Smuggling and Trafficking and of July 31, 2012<sup>16</sup> and the Multisectoral Comprehensive Development Plan for the fight against Human Smuggling and Trafficking and 2016-2020<sup>17</sup> stand out. The Regional Action Guide for the early detection of situations of Human Trafficking at border crossings of MERCOSUR and Associated States was approved<sup>18</sup>. The Special Anti-Crime Force (FELCC) created the Human Smuggling and Trafficking Division<sup>19</sup>. Information and education activities have also been developed<sup>20</sup>.
23. However, there are limitations executing national regulations, which, in turn, creates a gap in complying with the obligations and commitments assumed by the State in the Conventions, Protocols and Recommendations of International Organizations in this regard.
24. From 2012 to 2016, 2,591 cases were registered. Of these, in only 44 cases (less than 10%) a verdict has been reached<sup>21</sup>, which corresponds to 1.7%. According to data from the

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<sup>13</sup> Comunidad de Derechos Humanos. 2021. Human Rights Progress Monitoring System.

<sup>14</sup> In the remaining 330 municipalities, ordinary courts have competence to resolve these cases. Law No. 1173 promulgated in May 2019, indicates that the Judicial Branch must adopt a Plan for the Reorganization of Courts and Tribunals in order to guarantee the specialty required by the Law No. 004, "Law to Fight Corruption, Illicit Enrichment and Investigation of Fortunes 'Marcelo Quiroga Santa Cruz'", and Law No. 348, "Comprehensive Law to Guarantee Women a Life Free of Violence", in accordance with the possibilities and existing procedural burden.

<sup>15</sup> Coordinadora de la Mujer. Departmental governments allocate insufficient budgets to gender. Available at:

<http://www.coordinadoradelamujer.org.bo/observatorio/index.php/tematica/2/destacado/2/registro/75>

<sup>16</sup> Available at: <https://tsj.bo/wp-content/uploads/2019/11/ley-263-integral-contra-la-trata-y-tra%C3%81fico-de-personas.pdf>

<sup>17</sup> Plurinational Council against Human Smuggling and Trafficking. Report on the Plurinational Policy to combat Human Smuggling and Trafficking 2016. La Paz, 2016.

<sup>18</sup> Cambio, <http://www.cambio.bo/?q=node/41622>

<sup>19</sup> Ministry of Justice and Institutional Transparency. National Plan to Fight Human Smuggling and Trafficking, 2015-2019. La Paz, 2015.

<sup>20</sup> Idem

<sup>21</sup> <https://www.paginasiete.bo/seguridad/2017/7/31/2591-denuncias-trata-llegaron-sentencia-anos-146578.html>



Special Anti-Crime Force (FELCC), in 2017 there were 464 complaints related to crimes related to human smuggling and trafficking; seven out of ten victims in Bolivia are women and girls<sup>22</sup>. During the first six months of 2020, 149 cases of trafficking (labor exploitation, sex trafficking, among others) were reported in the country, a majority being minors<sup>23</sup>.

25. The Comprehensive Multisectoral Development Plan to Combat Human Trafficking has not been fully implemented, service at migration posts is not adequate, and border control posts are scarce. There are no specialized personnel, and neither are there sufficient shelters.
26. The care and protection of victims is poor and the adoption of prevention measures that is limited to training and dissemination, without direct impact on the structural causes of the problem. According to the Ombudsman's Office, "The centers responsible for providing services for victims have not developed institutional capacities to provide a service that comprehensively safeguards the rights of victims, where they are provided with psychological services, medical care, legal advice and continuous support in the recovery and reintegration process. (...) These limitations, in many cases, cause re-victimization and an misguided approach to the protection of the victims' human rights of the victims, (...) the mechanisms that guarantee the reparation of the victims for the damages caused to them are insufficient and they do not necessarily contemplate short, medium and long term criteria related to guaranteeing the recovery of their life projects<sup>24</sup>."
27. There is a small number of shelters specialized in human smuggling and trafficking; similarly, the infrastructure of these does not provide a comprehensive service (social, psychological, legal and even training in technical branches) that helps in the recovery processes of the victims' life projects and their integration into society. with dignity"<sup>25</sup>. The care, protection and reintegration into the family, educational and work environment of victims of human smuggling and trafficking as well as related crimes has its limitations.
28. According to the authorities<sup>26</sup>, the cases of labor exploitation increase in accordance with the demand in certain areas. For example, when harvest season begins in Santa Cruz, minors are mostly transferred to mining centers and Cochabamba's tropics, where they are exploited by pimps. The authorities showed that in the tropics there's a lot of illegal procuring of services, making this sector one of the vulnerable areas for minors. According to reports, many victims of trafficking are transferred from La Paz to Santa Cruz or from Santa Cruz to the Chapare, a sector where the sale of illegal sexual services grew considerably. According to activists, there are laws, but also the lack of will on the part of the authorities to implement a real program, particularly one that makes social networks safer and prevents them from being used by human trafficking networks.

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<sup>22</sup> <http://www.lostiempos.com/actualidad/opinion/20180929/columna/contra-trata-traffic-personas>

<sup>23</sup> <https://www.lostiempos.com/actualidad/pais/20200910/redes-trata-operan-3-regiones-apuntan-jovenes-13-18-anos>

<sup>24</sup> Ombudsman's Office, 2020. Ombudsman Report: Compliance with the Creation of Specialized Reception Centers for Victims of Human Smuggling and Trafficking, and Related Crimes, p. 46.

<sup>25</sup> Idem

<sup>26</sup> Los Tiempos newspaper. Trafficking networks operate in three regions and target young people between the ages of 13 and 18. Available at: <https://www.lostiempos.com/actualidad/pais/20200910/redes-trata-operan-3-regiones-apuntan-jovenes-13-18-anos>

***Recommendations:***

- 30. Guarantee the strengthening of the capacities of the Ombudsman's Office to carry out its new functions as the National Mechanism for the Prevention of Torture once the respective norm is promulgated.**
- 31. Generate periodic statistical information on acts constituting torture and other cruel, inhuman or degrading treatment or punishment, including gender violence, and follow up on cases that involve different populations in situation of vulnerability so that the corresponding authorities act immediately.**
- 32. Ensure that the maintenance of public order is reserved exclusively for civil police forces, who under no circumstances should intervene during demonstrations and other actions exercising the right to freedom of assembly and expression.**
- 33. Ensure the proper functioning of the official detention record so that it includes all cases of deprivation of liberty and considers the identity of the detained person, the time, place, circumstances of the arrest, the authority that participated in it, the chain of custody, the cause of the arrest and the places where the person has been deprived of liberty.**
- 34. Guarantee all arrested persons access to legal assistance in the first hours of detention and strengthen the Plurinational Public Defense Service, providing it with greater independence and greater financial and human resources.**
- 35. Increase the human and financial resources of the State institutions in charge of combating violence against women and gender stereotypes, both in terms of prevention and access to justice. Comply with the duty to investigate all complaints of violence against women with due diligence until achieving a sanction for those responsible and comprehensive reparation for the victims.**
- 36. Assign resources for the creation of state programs that promote the economic empowerment of women and the assistance of victims so that they can get out of the cycle of violence.**
- 37. Strengthen the training of the police force, prosecutors, forensic doctors, judges and other justice operators from a human rights and gender perspective to eradicate discrimination based on gender stereotypes and overcome the lack of awareness about the situation of women who suffered violence.**
- 38. Adopt specific measures to ensure the formation, specialization, sensibilization and training of personnel who provide care and protection to victims of human smuggling and trafficking, and related crimes.**
- 39. Manage the institutional strengthening of reception centers specialized in the care and reintegration of victims of human smuggling and trafficking, particularly in the Autonomous Territorial Entities, in order to guarantee physical and psychological care, as well as the social, economic and cultural reintegration of these victims.**
- 40. Strengthen border control through the expansion of services in the General Directorate of Migration, given that despite the cooperation agreements, the care provided at migration posts does not respond to the need of the population (number of personnel**

and hours of operation), and border control posts are insufficient. In addition, staff should adopt mechanisms for early identification of potential victims of human trafficking.

## Article 11

29. In 2019, eighty (80) percent of the torture cases that were investigated by SEPRET targeted police officers and had been committed in cells or prisons. According to the report of the Ombudsman's Office "Voltar la Mirada a Las Cárceles"<sup>27</sup>, in police cells or prisons people are tortured by placing bags on their heads and drowning them with spray, immersing them in water (submarine) or applying the prod (electric shocks), in addition to administering blows to the head. Women and girls are particularly exposed to torture and ill-treatment in situations of deprivation of liberty, both in criminal justice systems and in other settings. Some cases that have been reported in media in the last period:

- **A woman reported sexual abuse and torture by three police officers in Santa Cruz**<sup>28</sup>: The woman reported that two officers and a sergeant of the anti-crime force sexually abused her, threatened and tortured her after being arrested on the suspicion that she participated in the robbery of a pharmacy.
- **Three alleged cases of torture inside a police station**:<sup>29</sup> Cochabamba's Ombudsman's Office received complaints of ill-treatment and torture to which teenagers in street situations were subjected, all carried out by police personnel. In one of the cases, four young men were taken in a police van to a distant place, where they were shot with rubber bullets, beaten with sticks, and left abandoned.
- **Brazilian inmate victim of rape by police in Rurrenabaque**<sup>30</sup>: A Brazilian citizen, Eva C. A., held in the prison of Rurrenabaque, Beni, was raped and physically assaulted by the policemen who carry out the registration. This case was followed up by the Ombudsman's Office, which issued Ombudsman Resolution No. DP/RD/2/2019<sup>31</sup> in which it establishes a series of recommendations to carry out a process that guarantees the rights of the victim and avoids impunity.

30. Currently, pre-trial detention continues to be applied excessively (65.41% of detainees), it is the rule and not the exception as stipulated by international standards. The investigation stage should not exceed six months, but justice operators prolong it, causing economic, social, physical and psychological suffering in individuals and families to force a confession, regardless of whether the person is guilty or not. This method is usually used against people which crimes don't justify the application of pre-trial detention. This presents

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<sup>27</sup> Press release. Opinión. "The police committed 80 percent of the torture cases being investigated." April 29, 2019. Available at: <https://www.opinion.com.bo/articulo/cochabamba/polic-iacute-cometi-oacute-80-ciento-casos-tortura-investigan/20190429061100648196.amp.html>

<sup>28</sup> Press release. La Razón. "A woman denounces sexual abuse and torture by three police officers in Santa Cruz." August 12, 2020. Available at: <https://www.la-razon.com/ciudades/2020/08/12/una-mujer-denuncia-abusos-sexuales-y-tortura-de-parte-de-tres-policias-en-santa-cruz/>

<sup>29</sup> Press release. El Deber. "They are investigating three alleged cases of torture inside a police station." September 16, 2019. Available at: <https://m.eldeber.com.bo/bolivia/indagan-tres-presuntos-casos-de-tortura-dentro-de-una-estacion-policia-150197>

<sup>30</sup> Press release. El Diario. "Brazilian inmate was raped by police in Rurrenabaque." March 9, 2019. Available in:

[https://www.eldiario.net/noticias/2019/2019\\_03/nt190309/sociedad.php?n=35&-reclusa-brasilenia-era-violada-por-policias-en-rurrenabaque](https://www.eldiario.net/noticias/2019/2019_03/nt190309/sociedad.php?n=35&-reclusa-brasilenia-era-violada-por-policias-en-rurrenabaque)

<sup>31</sup> Resolución Defensorial N° DP/RD/2/2019. Disponible en: <https://www.defensoria.gob.bo/uploads/files/resolucion-defensorial-no-dp-rd-2-2019-celdas-policiales-beni.pdf>

problems related to access to justice, but also increases the risk of ill-treatment of those who suffer from it.

31. The justice system has as an "attractive" offer for the alleged culprits: "the abbreviated process", in which, the person who confesses having committed a crime can receive a lesser penalty compared to the sentence that could result from an ordinary trial<sup>32</sup>.
32. ITEI has registered in its database, that in the cases attended from the beginning of 2019 to September 2021, of the 97 people who were victims of the lack of respect for the Due Process, 43 are men and 54 are women.
33. According to the "Report on the State of Justice in Bolivia 2020" regarding the situation of people deprived of liberty, Bolivia currently has 46 prisons, 20 urban and 26 rural prisons with a capacity of 6,567 people. But as of May 2021, a total of 17,833 people were interned, which implies an occupancy level of 264%. With this rate, Bolivia ranks third in overcrowding compared with the 35 countries belonging to the Organization of American States, and eleventh worldwide according to a comparison of data from the Prison Observatory of the International Center for the Study of Prisons.
34. According to data from the Ministry of Economy and Public Finance, the budget destined to the administration of the 46 prisons between 2018 and 2020 ranged from \$US 1,372,663 (BS 9,558,730) to \$US 1,373,380 (BS 9,553,730), being insufficient to provide adequate conditions of infrastructure and basic services to people in confinement. For 2021, the General State Budget applied a reduction of 14% to this budget, remaining at \$US 1,052,575 (BS 7,325,920), which is particularly serious and worrying, considering the extraordinary needs and challenges that the penitentiary system is facing to guarantee the rights of the people deprived of liberty in the context of the global pandemic.

### **Decongestion measures have not been effective**

35. The measures adopted by the State to decongest the prisons have not been sufficient or structural, because in the last 14 years, prison capacities increased by 2065 people, from 4700 people estimated in 2007 to 6,765 people estimated at 2021. However, the prison population increased by 10,150 people, from 7,683 (2007) to 17,833 (2021). In the 19 years that have passed since the reform of the accusatory system took full effect (in 2001) and even though one of the premises that underpinned this transition also consisted in the reduction of the use of prisons, the prison population increased to 12,256 people. On the other hand, of the 46 prisons that Bolivia currently has, only five (5) were built to house exclusively women, the rest underwent adaptations to separate men and women.
36. The 1,075 women deprived of liberty counted in the statistics as of March 2020, represent on average 6.03% of the prison population. This figure may seem lower, but the rate of incarceration of women is higher than the world average, as warned by international organizations. Apparently, this figure has prevented the State to develop efforts to

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<sup>32</sup> Most of the offences in the Penal Code have a minimum and a maximum penalty between which the penalty may fluctuate.

incorporate the gender approach in the penitentiary system, in what corresponds to women in conflict with the criminal law.

### **LGBTIQ+ people deprived of liberty and hate crimes**

37. According to the study presented by the Trans Documentation and Situation Center of Latin America and the Caribbean (Cedostalc), other sectors that discriminate and mistreat trans people are the health sector, as well as public officials and unknown civilians who commit aggressions on the street. According to the same report, LGBTIQ+ people inside prisons are physically and psychologically assaulted by the inmates themselves who do not accept diverse people.
38. A study<sup>33</sup> conducted by the Network of Trans People of Bolivia in 2019 showed that in the Palmasola prison in Santa Cruz there are transsexual and transgender inmates who are locked up with heterosexual men. In that space, they are victims of abuse and aggression. This situation is similar in other prisons. On January 9, 2020, the Plurinational Constitutional Judgment 0003/2020-S4 was issued, which confirms the guardianship granted to a homosexual person detained in Palmasola prison, who was transferred from the open regime, where he was permanently sexually harassed, to the closed regime. This decision is an important positive precedent.
39. According to the 2015 Report on the Human Rights of the Lesbian, Gay, Bisexual, Transsexual and Transgender Population in the Plurinational State of Bolivia<sup>34</sup>, eighty-four (84) percent of the people surveyed belonging to this population consider that justice operators, judges, prosecutors, and others are not sensitized about the condition due to sexual orientation and gender identity. The same report highlights that 89% observe that prison officials have not raised awareness regarding LGBTIQ+ issues and 62% say that the human rights of LGBTIQ+ people are violated in prisons. Regarding the violation of their fundamental rights, 5% claim to have had forced sterilization, 15% have been part of forced and genital examinations and 35% have been part of involuntary medical and psychological treatments. This 2020 report states: "(...) it can be inferred that although the majority of the people surveyed report knowing the complaint procedure in cases of violation of the right to life and personal security (89%), they prefer not to do it, possibly due to the lack of credibility in the justice system"<sup>35</sup>.
40. According to the Ombudsman's Office, in the period 2006 to 2016 there were 64 murders of LGBTIQ+ people in Bolivia; only 14 of them reached the investigation process and none obtained sentence. Not to mention cases of discrimination and violence not reported or abandoned for fear of reprisals, or those that are not accepted for investigation. In 2017, a man was sentenced by a court to 30 years in prison. This man had tortured and slit the back of a young transgender woman. This case is considered emblematic for the lesbian, gay, bisexual, transgender and intersex community for being the first to reach a sentence.

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<sup>33</sup> Press release. Opinión. 7 out of 10 assaults on LGBT people are committed by police. Available at:

<https://www.opinion.com.bo/articulo/policial/7-cada-10-agresiones-personas-lgbt%E2%80%88son-policias/20191130223950739145.html>

<sup>34</sup> Training and Citizen Rights. Human Rights Report of the lesbian, gay, bisexual, transsexual and transgender population in the Plurinational State of Bolivia. 2015. Available at: <http://www.observatoriolgbt.org.bo/assets/archivos/biblioteca/566dffcae32928a5cc259400b6e8cf3b.pdf>

<sup>35</sup> ADESPROC Libertad. 2021. Annual Report on the Situation of Human Rights of LGBTI Persons in Bolivia 2020, p. 43.

In 2021, the author and accomplices of the murder of Litzy Hurtado were convicted. The instances of administration of justice do not have official data on cases of LGBTI people who were victims of crimes against their life and their personal security because of their sexual orientation and gender identity, nor do they have data on the status of the processes.

***Recommendations:***

- 46. Intensify efforts to prevent cases of excessive use of force, arbitrary detention, torture, and other ill-treatment against people deprived of liberty.**
- 47. In view of the high risks of vulnerability of women and the principle of the best interests of the child, apply widely alternative penalties to deprivation of liberty, in line with the United Nations Standard Minimum Rules for Non-Custodial Measures (Tokyo Rules) and the Bangkok Rules, including for offences related to Act No. 1008 (coca and controlled substances regime). Therefore, the exclusions established in criminal law based on the type of crimes should be reviewed.**
- 48. Specialize justice operators in the investigation and punishment of crimes committed for discriminatory reasons and apply the general aggravating circumstance that are provided in the Criminal Code when any criminal act is committed by such motives. In particular, to end the prevailing impunity of hate crimes for homophobia, lesbophobia, biphobia and transphobia through opportune and thorough investigations. Consider the inclusion of special circumstances in crimes against the lives of LGBTIQ+ people when it comes to hate crimes.**
- 49. Conditions of detention in judicial cells, police cells and prisons must comply with the rules and principles laid down by international instruments. Pre-trial detention should be reduced to cases where it is strictly necessary. That is why it is necessary to establish the control of a joint commission (international and national) on forms of detention and cases of irregular use of pre-trial detention, considering the inability of the police to guarantee detention without torture and of the Bolivian justice system to reduce pre-trial detention.**

**Articles 12 – 14**

**Failure to investigate and prosecute allegations of torture (obstruction of justice in cases of complaints)**

- 50. The Bolivian justice system consistently fails to document, investigate, and prosecute when the victim files complaints of torture. The authors of this report are not aware of any cases of torture that have led to the prosecution of the perpetrators. One of the key problems identified by civil society includes the lack of independence and expertise in investigating torture; victims are intimidated and prevented from filing complaints and, when complaints are filed, the competent authorities refuse to investigate.**

51. The Institute of Forensic Investigations (IDIF), that could have an important role in documenting and investigating individual allegations of torture, is subordinate to the Public Prosecutor's Office and therefore lacks institutional independence from those who are often accused of being the perpetrators. In addition, IDIF staff do not have the necessary expertise to document torture under the Istanbul Protocol. When invited to visit a case of torture in prison, they usually wait until the external symptoms have disappeared.
52. While it is possible under the law, in practice, courts and prosecutors do not admit or rely on medico-legal evidence produced by independent experts, such as civil society organizations. The case of Juan Bascopé is exemplary. Instead of accepting expertise from an independent organization, the courts wanted the expertise to be carried out by a forensic psychologist from the IITCUP (Institute of Technical scientific Research) who reports to the police.
53. When victims seek to file complaints, Public Defender's attorneys actively discourage them from doing so, arguing that this will prolong their detention time or house arrest. This trend was documented by international organizations and civil society organizations regarding the victims of torture in November 2019, but it is a behavior that precedes these facts.
54. In the few cases where complaints are filed, the police and courts ignore them and actively refuse to act upon them. When torture victims made their statement to police investigators in November 2019, they said, "This can't be written." In cases where this was denounced in court, it was rejected or ignored by the courts. Even when the representative of the United Nations High Commissioner intervened before prosecutors, the cases were not investigated.
55. When victims show clear physical signs of torture during hearings, as in the case of Juan Bascopé, the complaint is notified in the file, but ignored in the resolutions of the hearing.
56. There is the case of Lorgia Fuentes, who denounced the ill-treatment she suffered in 2019 and 2020. The GIEI reported on this case: The damage she suffered was qualified by the GIEI as mistreatment<sup>36</sup>, but the Bolivian justice system rejected the complaint, stating: "In the specific case, the constituent elements of the present crime of ONSLAUGHT AND TORTURE do not concur ..." (September 2021).
57. The case of Juan Bascopé, that was already mentioned, is illustrative because it is one of the few cases in Bolivia in which the torture suffered is being denounced and shows what awaits a person denouncing torture. He is a beekeeper by profession, who has recently been sentenced to 30 years in prison for allegedly being the murderer of a military man, without any evidence. In Bolivia, the maximum duration of pre-trial detention should not exceed three years<sup>37</sup>, however, Bascopé has been in pre-trial detention for more than seven years without a final sentence. The first instance sentence, convicting him, was issued this year 2021. On two occasions the complaint of torture was obstructed: In the first hearing of July 2014, when he denounced the aggressions suffered showing the

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<sup>36</sup> GIEI. 2021, p.271.

<sup>37</sup> Code of Criminal Procedure, Art. 133. (Maximum duration of the process). Any process will have a maximum duration of three years, counted from the first act of the procedure, except in the case of default.

bruises. On that occasion, the fact was notified in the act, but in the resolutions, it was ignored. Subsequently, the prosecutor refused to initiate the proper investigation. A complaint is currently being filed with the Interamerican Commission on Human Rights.

### Comprehensive reparation for victims

**58.** Although Bolivia has ratified the CAT, victims of torture have never benefited from reparation measures made by the State, since, in the absence of an investigation into the facts and the criminal responsibilities of the perpetrators, the possibility of requesting full reparation is impossible. Thus, the victims of torture in September/October 2003 and November 2019 have not received any reparation, even partial, unlike the relatives of the dead and injured. This year, for the first time, the Ministry of Health contacted ITEI to request medical and psychological attention for the victims of Sacaba and began a joint work in favor of relatives of the dead, wounded and tortured. But so far there is no state-funded rehabilitation program. For the cases before the Interamerican Court of Human Rights, regarding psychological care, the Attorney General's Office has requested support from ITEI, but has refused to finance this professional activity. As there is no code or law against torture, there is no regulation that defines the procedure to be followed in case of torture and with respect to the reparations that the State must assume, nor the care services for the victims.

### Torture and ill-treatment in the context of the 2019 post-electoral conflicts

- 59.** After the dismissal of the government of Evo Morales, there was a massive increase in torture and ill-treatment in detention. The Police and the Armed Forces were summoned by the transitory government for the preservation of public order, after violent acts against public and private property, and in the face of possible new clashes between civilians. However, within a few days they resorted to repression, the most serious cases being against the demonstrations of the coca growers of the Chapare in Sacaba and against the population of El Alto, particularly around Senkata. The racist connotation was preminent<sup>38</sup>. Civilians were killed (more than 30 people), wounded (more than 1000) and tortured. The ITEI registered 129 cases of torture, visited detainees in police cells in La Paz (96 cases), in women's prisons (Obrajes, 2 cases), men's prisons (San Pedro, 9 cases), in the Youth Center (SEDEGES, 3 cases), in Villa Tunari (Cochabamba) (4 cases) and in its office (15 cases).
- 60.** All cases of torture recorded by the ITEI involved physical assaults, for example, beatings on sensitive parts of the body. The burning of the Wiphala, a national symbol and of the indigenous people, by members of the police provoked demonstrations in El Alto, resulting in the burning of police centers. In reaction, the police resorted to brutal repression against the population of El Alto. Those arrested on 11 November in El Alto

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<sup>38</sup> GIEI.2021, see recommendations 28 to 30 of the aforementioned report (p.469).



were tortured in the Police Regiment No. 3 of El Alto. The other people were tortured in police cells, the vast majority unfoundedly accused of terrorism and sedition. The violent police repression in the cases mentioned, , as well as the acts of torture, were directed against the indigenous population. In this way, a 16-year-old boy not only suffered blows, he also witnessed how an officer was loading his pistol in front of him in a threatening way as if he was going to kill him. The second case concerns a young woman that was looking for her brothers. She was arrested and endured a night of torment in Regiment 3, while being pregnant: *"they punched me, kicked me (she gets excited when she tells it). They hit me in the face with helmets, they made my nose bleed (I still keep bleeding and there is a bone that keeps moving). With the helmet they punched me in the right eye (which swelled in the cells of the FELCC, my eye was totally swollen), with their knees they hit me in the stomach, punched me in the back and, with the edge of their hands, hit my neck, which made me faint. They pulled me by the hair. They took my backpack. They shouted: "You thugs, masistas, have burned the FELCC." They took pictures of me. A policeman tasered me on both sides of the body, and my breasts. They checked my whole body, groping me, a policeman grabbed my breasts, twisting them. It hurt a lot. The police were very angry."*

61. Of the 18 cases that ITEI is aware of in which torture was reported, none have been dealt with by the courts for investigative purposes. There has been no reparation by the State in any case to date. The government has not taken any initiative to have the cases taken care of. The civil society organizations Comunidad de Derechos Humanos, Fundación Construir and Coordinadora de la Mujer made requests for a report to the Public Prosecutor's Office on the situation of women in pre-trial detention who reported violations of their rights, which were not addressed by the authorities.
62. In its report, the GIEI documented acts of torture or ill-treatment committed by State agents, or committed by private individuals with the acquiescence and tolerance of State agents, and recalled that the State has the obligation to investigate any act of torture and ill-treatment and guarantee the absolute prohibition of such conduct. The State also must ensure that acts of torture and ill-treatment are not subject to any statute of limitations and strengthen capacities of the institutions responsible for conducting investigations.<sup>39</sup>

***Recommendations:***

63. **The creation of a civil and political commission under the Ombudsman's Office that reviews cases reported for police obstruction and obstruction of justice in torture cases.**
64. **Take the necessary measures to guarantee a real, effective, and safe possibility for detainees to file complaints and claims without risk of reprisals. Ensure thorough investigations in all allegations of torture and ill-treatment at the hands of law enforcement and prison services.**
65. **The creation of a Specialized Human Rights Prosecutor's Office, the establishment of mechanisms to increase access to information and the participation of victims and their**

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<sup>39</sup> GIEI.2021, p.382.

families in investigations, and the enhancement of capacities for the implementation of the Istanbul Protocol and the Minnesota Protocol.

66. Strengthen the technical capacities and technological tools of the Institute of Forensic Investigations, increasing its human and financial resources, and guaranteeing its institutional autonomy vis-à-vis the Attorney General's Office.
67. Create a section specialized in public defense with professionals specialized in the defense of victims of torture and other ill-treatment. The training in international standards that regulate the absolute prohibition of torture and other ill-treatment is fundamental, as well as the documentation of torture and other ill-treatment of public defenders.
68. Ensure that all victims of torture have access to comprehensive reparation, with a specific focus on rehabilitation and implementation of the decisions of regional and international human rights bodies.
69. Properly investigate all allegations of torture related to the 2019 election. Establish an independent process to determine violations that occurred. Establish accountability for perpetrators, providing reparation to the victims.

## Article 16

### Torture and ill-treatment by members of the Armed Forces

70. As indicated above, the Armed Forces have not adapted their Armed Forces Act to the 2009 State Constitution, particularly in the area of human rights. Torture and ill-treatment appear to be a major problem in the military, but because there is no transparency or investigation of allegations, it is difficult to determine the extent of the problem.
71. The ITEI supports several victims who were tortured in the military and, according to their testimonies, their experiences reflect practices that are common in the military. In this regard, at the request of the Ombudsman's Office, the ITEI carried out an evaluation of an officer and a conscript who were tortured in the army:
72. The first case involves an officer who was tortured to obtain a confession of the theft of a computer and a microwave. From the first night he was forced to stand in the yard all night without a coat, in the cold of La Paz, and he was regularly woken up with a flashlight causing him sleep disorders: "*They did not let me sleep. There was also a German shepherd that was in attacking position barking at me.*" In the second week he rebelled and sat down: "*The dogs also came to wake me up. Even today I get nervous when I hear a dog barking. Once a dog attacked me and bit me. I stood for two nights and sat for three nights.*" "*The third week, officers and sergeants took me to the showers, drowned me in a barrel. In that week, I had symptoms of schizophrenia. The fourth week, I was put in a barrel. In the morning I was already talking to myself.*"
73. The second case involves a young conscript who dared to denounce torture and ill-treatment in the Armed Forces and was abandoned by his comrades: "*My friend who*

*witnessed what happened, denied everything. Now I feel cornered on all sides. Everyone tries to hurt me. My classmates threatened me: 'Faggot, you just hat to stand it like a man.'*" This case reveals the codes of silence, the tolerance towards the acts of torture and the taboo of non-denunciation.

- 74.** As the GIEI report reminds us, it is essential that public security institutions, that is, the Bolivian Police and the Armed Forces, act under the control of civil society.<sup>40</sup>

***Recommendations:***

- 75. The State must create a control system through the Office of the Ombudsman to ensure compliance with human rights and the prohibition of torture and ill-treatment in the Armed Forces.**

**Access to legal, safe and free abortion**

- 76.** Although abortion is legal in Bolivia when it is the result of rape, statutory rape or incest; and when the life and health of women is in danger, as established by the Criminal Code, and does not require judicial authorization or the initiation of criminal proceedings, as ordered by the Plurinational Constitutional Court (Plurinational Constitutional Judgment 206/2014), more and more health service providers are collectively appealing to conscientious objection; in breach of Resolution No. 0027 of the Ministry of Health and Sports",<sup>41</sup> which states that "conscientious objection is a personal decision, it is not an institutional decision"<sup>42</sup>; In addition, the Directors and / or Heads of Health Services, in this situation are not guaranteeing the legal interruption of pregnancy within 24 hours as stipulated in the previously mentioned norm; which is an obstacle for women in this situation that are forced to resort to unsafe abortions, with the consequent risks to their health and life.
- 77.** Despite the Constitutional Judgment that guarantees the Legal Interruption of Pregnancy - ILE in the cases provided for by law, the Ombudsman's Office and IPAS Bolivia through the Report "Situation of the legal interruption of pregnancy as a Human Right of Women"<sup>43</sup>, show the obstacles and impediments to access to this service by the competent state bodies to comply with this obligation. That is, the refusal to provide a copy of the complaint for the crimes described as a requirement to proceed with the realization of the ILE; as well as by health providers, since patients who come to a health facility with a pregnancy resulting from rape, are subjected again and again to questions and pressure from medical personnel about their decision, by signing informed consent, either due to prejudice, lack of knowledge of the rule or arbitrary decisions.

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<sup>40</sup> GIEI. 2021, p. 448.

<sup>41</sup> Technical Procedure for the Provision of Health Services within the Framework of the Plurinational Constitutional Judgment 0206/2014.

<sup>42</sup> Idem

<sup>43</sup> Ombudsman's Office. 2020. Adjunct for the Validity and Exercise of Human Rights of Children, Adolescents, Women and Populations in Vulnerable Situations with the technical and financial support of: Ipas Bolivia.

- 78.** The aforementioned Report has identified the following obstacles: lack of infrastructure, equipment, supplies and medication; ignorance of the current national regulations by the competent authorities; failure to comply with the deadline to carry out the procedure (24 hours after requesting the service); arbitrary demands for additional requirements to those legally established; lack of privacy and confidentiality in the care and performance of the ILE; non-observance of the minimum rules for the filing of conscientious objection, among others<sup>44</sup>. Although neither the Criminal Code nor the Constitutional Sentence 0206/2014 establish a certain gestational time to access the ILE, some doctors use this justification to deny it. All these problems imply non-compliance with the technical procedure approved by the Ministry of Health through RM 027/2015 of January 29, 2015 and the Comprehensive Care Model for Victims of Sexual Violence, thus putting the woman's health and safety at risk. Only 8 percent of 277 health providers in 44 health centers nationwide who were consulted in the Report on the ILE<sup>45</sup> know in which cases the ILE is applicable, which results in violations of the rights of women, girls and teenagers.
- 79.** In the period between 2014 and 2021, the NGO IPAS has registered 72,606 cases of incomplete abortion due to the remains in the uterus of women, that usually lead to intense bleeding, and a total of 687 cases of legal abortions in public health facilities. The main causes of legal abortions were: fetal malformation incompatible with life 17.90% (123 cases), maternal illness 6.11% (42 cases), preservation of maternal life 10.04% (69 cases), rape 37,12% (255 cases) and other causes/incomplete data 28.82% (198 cases)<sup>46</sup>.
- 80.** Unsafe abortions are responsible for 13% of maternal mortality in the country (direct causes). The characteristics of women undergoing abortion, according to the study carried out by the IPAS in 35 public health services in Bolivia in 2016, are: users under 30 years of age, who attend secondary or university level, are married or in a stable relationship, and who demand early care (before 10 weeks of pregnancy).
- 81.** In cases of sexual violence, according to the Technical Procedure of the Ministry of Health, it is required to submit to the health services a copy of the complaint made to the Police, the Public Prosecutor's Office, or original and indigenous authorities to access the legal abortions. Some institutions deny them a copy of the complaint, particularly when they are women who seek treatment, with a pregnancy resulting from a crime or reporting that this is the case, despite the fact that the Code of Criminal Procedure establishes that the authorities must deliver a copy of the complaint in all cases. Thus, these women do not fulfil this requirement and are prevented from requesting the legal abortion.
- 82.** In other cases, the hospital's psychology or social work staff, instead of providing relevant information to the girls, adolescents and women who request the legal abortion because they are victims of sexual violence, try to convince them not to go through with the procedure, using a wide range of re-victimizing resources, in other cases it is the medical personnel who deny access or unjustifiably delay it. The forced continuation of pregnancy,

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<sup>44</sup> Ombudsman's Ombudsman. 2020. Adjunct for the Validity and Exercise of Human Rights of Children, Adolescents, Women and Populations in Vulnerable Situations with the technical and financial support of: Ipas Bolivia.

<sup>45</sup> Ombudsman's Office and IPAS. 2020. Report on Legal Abortion. Available at: [https://www.defensoria.gob.bo/uploads/files/situacion-de-la-interrupcion-legal-del-embarazo-como-derecho-humano-de-las-mujeres.pdf?fbclid=IwAR0x5\\_s2pKSnsR0rGP935LqvMov88cXqVxxFvzsQ5KuCcpb9Bft05xc4Fo](https://www.defensoria.gob.bo/uploads/files/situacion-de-la-interrupcion-legal-del-embarazo-como-derecho-humano-de-las-mujeres.pdf?fbclid=IwAR0x5_s2pKSnsR0rGP935LqvMov88cXqVxxFvzsQ5KuCcpb9Bft05xc4Fo)

<sup>46</sup> Ipas. Bolivia.

as well as abuse and mistreatment could in several cases be classified as torture, cruel, inhuman and degrading treatment. All these acts also constitute gender-based violence, as referred to by the CEDAW Committee in General Recommendation No. 35<sup>47</sup>.

- 83.** There are known cases where the content of the informed consent form has been modified in some hospitals, with warnings especially aimed at discouraging women seeking access to legal abortion. Additionally, family members were required to authorize the procedure, the woman's authorization no being enough; This is in breach of Constitutional Sentence 0206/2014 and especially art. 12; 8 c), d), e) and j) of Ministerial Resolution 0027/2015; being acts also contrary to General Resolution No. 35, and the jurisprudence of the Inter-American Court developed in case IV vs. Bolivia.
- 84.** According to statistical data<sup>48</sup>, there is an increase in cases of legal abortions in health facilities. Although this seems to show that there is access to the procedure of legal abortions in the cases provided by law, it should be understood that there is still a social and legal penalty for voluntary abortion without grounds that forces many adolescents and women not considered within the legal grounds to resort to places where unsafe abortions are performed.
- 85.** There is no official information on legal abortions at the national level, since the National Health Information and Epidemiological Surveillance System is not receiving data from reports of the "Monthly Notification for Epidemiological Surveillance - 302" by department, which to date includes the indicator on legal abortions.
- 86.** Regarding the knowledge and use of contraceptive methods, according to the 2016 Demographic and Health Survey (EDSA)<sup>49</sup>, 98% of women between the ages of 15 and 49 know about modern contraceptive methods, but only 45.1% use them. The use of modern contraceptive methods reaches 58% of women who are not in a relationship and who are sexually active. And in the case of women in relationships, it does not reach 50%. Access to information and contraceptive methods is very scarce, especially in rural and indigenous populations.
- 87.** Regarding public policies, plans on sexual education such as the Plurinational Plan for Comprehensive Sexuality were not applied in the reported period due to pressure from anti-rights and religious groups; The 2016-2020 Strategic Plan for Sexual Health and Reproductive Health did not come into force either, nor is there a Law on Sexual and Reproductive Rights or an alternative regulation.
- 88.** In times of pandemic, sexual and reproductive health services were suspended, ignoring the provisions of Consideration 53 of Resolution 001/2020 of the Rapid and Integrated Response Coordination Unit of the Inter-American Commission on Human Rights, which states that *availability and continuity of sexual and reproductive health services must be guaranteed during the pandemic crisis*, thereby giving rise to complications for the life and health of women, especially those in the pregnancy stage.

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<sup>47</sup> Committee for the Elimination of Discrimination against Women. Available at:

<https://www.acnur.org/fileadmin/Documentos/BDL/2017/11405.pdf>

<sup>48</sup> The Ministry of Health, through Technical Report MS/VMSyP/DGSS/URSSyC/ACONT/IT/75/2019, reported that the Perinatal Information System - Abortion (SIP-A) discriminates the information on legal abortions from spontaneous ones in all departments. However, this system is in the testing phase.

<sup>49</sup> National Statistics Institute. 2017. EDSA 2016 Demographic and Health Survey, Prioritized Indicators. La Paz, Bolivia.

- 89.** According to the Bolivia report "Reproductive Health is Vital: Monitoring of reproductive health during the COVID-19 pandemic in Latin America" (2020), the obstacles and unnecessary requirements to access the legal abortions during the health emergency increased due to COVID-19, especially on the grounds of sexual violence, since the services for victims of violence against women were not guaranteed either<sup>50</sup>.
- 90.** Conservative, religious and fundamentalist groups mobilize against the advance in legislation and public policies on sexual and reproductive rights - in particular of the LGBTI population and women. They seek to criminalize women, medical personnel and companions and encourage reporting women who go to health centers for unsafe abortions. The possibility of religious intervention and influence in the design and implementation of public policies that affect the areas of education and health threatens the path to secular education, access to comprehensive sexuality education, as well as access to sexual health services and reproductive in accordance with international human rights standards. There are groups that for days settle in front of some hospitals with megaphones and loudspeakers, intimidating the staff and women who seek care.

### Sexual violence, pregnancy and forced motherhood in children

- 91.** Criminal legislation covers the crime of rape of an infant, girl, boy or adolescent (under 14 years of age) and the figure of statutory rape that implies carnal access with minors under 18 and over 14 years of age, in which the penalty is less than that in the case of rape because it is not committed with violence or intimidation but through seduction and deception to obtain the consent of the victim. The construction of the crime of rape is discriminatory and ignores the unequal power dynamics between adolescents and adults and causes adolescents to be especially vulnerable to be victims. It is based on gender stereotypes, evidencing that the typical instruments required for committing a crime assume the body of people, especially women, girls and adolescents, as an object of seduction, using a patriarchal logic. At the same time it is evident that the central core of this criminal type, within the framework of the jurisprudence of the Inter-American Court, is the need to protect children up to the age of eighteen - even when the aggressor does not use coercion, force or threat- thus assuming what is expressed in the Lanzarote Convention. This Convention maintains that sexual activities carried out by abusing a position of trust, authority or influence over the victim, even within the family, have to be classified as a crime.
- 92.** The figures for sexual violence against minors are quite high. According to data from the State Attorney General's Office, in 2019 1,020 cases were registered for crimes of sexual violence against girls, boys (36%) and adolescents (64%), of which 90% were girls and female adolescents. In 2020, 2,091 complaints of sexual violence against girls, boys (38%) and adolescents (62%) were filed, of which 93% were women. Between the months of January and September 2021, 1,340 open cases were reported for the rape of an infant,

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<sup>50</sup> Mendoza, G. (2020). Reproductive Health is Vital: Monitoring Reproductive Health during the COVID-19 pandemic in Latin America. *Católicas por el Derecho a Decidir*. Bolivia.

children and adolescent and 1,045 for the crime of statutory rape<sup>51</sup>,, which without completing the year already exceeds the previous years. Despite the high number or registered complaints few cases have concluded with a sentence. According to International Justice Mission, a sample carried out in 2018 shows that only 2.5% of cases of sexual violence against girls, boys and adolescents reach a sentence through common procedure and 4.5% through an abbreviated trial<sup>52</sup>. The elevated figures of sexual violence have an impact on child and adolescent pregnancy, aggravated by forced maternity.

- 93.** When it comes to pregnancies among children, there are no official data. Therefore, they are part of the “off-the-record” numbers, since the data generally include children under fourteen (14) years of age. Child pregnancy<sup>53</sup> is the result of sexual violence, a situation that is aggravated by not guaranteeing access to comprehensive and basic public services for girls and adolescents in situations of violence. In many cases, they also suffer re-victimization, to a great extent a type of torture that is not punished.
- 94.** The official data on pregnancies among girls and adolescents that official bodies have, that is among others, the National Institute of Statistics and the Ministry of Health, are focused on age groups 15 years and older. This is a violation of article 58 of the Constitution, which determines that girls and adolescents are recognized in the Magna Carta; considering that article 66 of the supreme rule, which establishes that the exercise of sexual and reproductive rights is guaranteed to all Bolivian women, would not be respected.
- 95.** According to the National Health Information System (SNIS) of the Ministry of Health, from January 2016 to September 2018, a total of 9,552 girls under 14 years of age were pregnant. Specifically, the SNIS reported that in 2018, prenatal care was provided to a total of 2,949 pregnant girls under 15 years of age; 2,591 in 2019 and 2,170 in 2020. However, the 2020 data is considered as a sub-registry, considering the limitations to identify infant pregnancies due to the restrictions caused by the COVID-19 pandemic.
- 96.** The 2016 Demographic and Health Survey included, as a reference, that 427 14-year-old women were already mothers; that they were pregnant for the first time and that they have ever been pregnant.<sup>54</sup>
- 97.** According to the Census-based Maternal Death Study carried out in 2015, in Bolivia, maternal deaths in children under 14 years of age represent 10.7% of all maternal deaths.<sup>55</sup>
- 98.** A Report on Maternal Mortality in Bolivia from the Ministry of Health indicates that 2% of the 538 maternal deaths registered in 2011 are cases of women under 14 years of age. Both forced child motherhood and early marriages are considered acts of violence that violate the rights of girls, constituting acts of torture.
- 99.** These data are essential to establish the situation of girls who have suffered sexual assault and, as a consequence, forced pregnancies, which leads to a reality in which these victims

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<sup>51</sup> Available at: <https://www.fiscalia.gob.bo/index.php/estadisticas/137-violencia-familiar-o-domestica/5373-delitos-de-la-ley-348-13-07-2021>

<sup>52</sup> International Justice Mission 2018. Performance Study of the Bolivian Justice System.

<sup>53</sup> The Convention of Belém do Pará - an OAS mechanism to prevent, punish and eradicate violence against women -, to which Bolivia is a party, determines that all pregnancies of girls under the age of 14 must be considered the product of sexual violence.

<sup>54</sup> National Statistics Institute (INE) and the Ministry of Health. Demographic and Health Survey 2016. Prioritized Indicators of the Demographic and Health Survey.

<sup>55</sup> National Statistics Institute (INE) and the Ministry of Health. Census-based Maternal Death Study, Bolivia, 2016.



have not been guaranteed specialized care and access to a legal abortion. These conditions force them to carry the pregnancy to term against their will.

**100.** Despite the reduction in the maternal mortality rate (160 per 100,000 women), it continues to be one of the highest in the region. Linked to this, it should be noted that 2% of maternal mortality are cases of girls under 14 years of age<sup>56</sup>. According to a UNFPA study on adolescent pregnancy in fourteen (14) municipalities of Bolivia, published in 2016, 27% of pregnancies in children under fourteen (14) years of age end in abortion. In the vast majority of these cases, no complaints or legal actions are filed against the aggressors. Most of the rapes are committed by a man from the immediate family or trusted environment; but there are also cases in public spaces, in education and work environments, and the street. These circumstances condemned the girls to continue a pregnancy that they did not want, many times due to delays caused by the personnel who should guarantee their access to health services. In 2019<sup>57</sup>, a total of 1,007 girls under fourteen (14) years of age were pregnant and came to a medical center for their first prenatal checkup. Another thirty (30) were treated for hemorrhages that ended in abortions and six (6) showed up at the hospitals with severe pre-eclampsia. Due to age, these pregnancies are considered the result of sexual violence. In the event that the victims and their family have decided to opt for the legal interruption of pregnancy, this right has been violated by the different levels of care services.

**101.** There are cases that have become public due to the lack of attention to the emergency situation of girls and adolescents who have been forced to continue with their pregnancy despite the fact that their lives were at risk and their fundamental rights were being violated. These cases are characterized by tortuous processes to access essential services and the failure to facilitate their immediate access to abortion, which led to forcing them to become mothers in questionable and reprehensible circumstances.

**102.** The CAT defines forced pregnancy as a particularly severe, intentional ill-treatment that produces severe pain and suffering in the person, committed or tolerated by an agent of the State, and as a form of cruel, inhuman and degrading treatment. However, there is evidence that state representatives, health staff, officials and justice operators fail to comply with procedures and protocols established in order that victims have timely access to care. Also, they feel comfortable violating the rights of the victims and force girls to carry their pregnancies to term. According to the Report of the Ombudsman's Office, Law No. 1152, on Comprehensive Health Service Provisions of the Plurinational State of Bolivia of February 20, 2019, which came into effect after the specific regulations for the provision of the ILE (Legal Interruption of Pregnancy) establishes that only the second level of care has, among health care products, those corresponding to legal abortion. This situation could be considered a limitation for the full exercise of rights and for compliance with the Technical Procedure, which is contrary to international standards of accessibility of services for sexual and reproductive health benefits.

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<sup>56</sup> National Maternal Mortality Study 2011, Bolivia.

<sup>57</sup> Press release. Página Siete "So far this year, the Ministry of Health registered 1,007 pregnancies in girls under 14 years old." August 5, 2019. Available at: <https://www.paginasiete.bo/sociedad/2019/8/5/en-lo-que-va-del-ano-salud-registro-1007-embarazos-en-ninas-menores-de-14-anos-226443.html>



**103.** Child pregnancy and maternity are acts of torture that violate girls' fundamental rights. Unfortunately, there is no official data by the state on how many girls suffer from this situation, whether complaints were filed, if they go into labor or end up undergoing legal abortions. Furthermore, this problem is related to structural circumstances that force girls to find themselves situations that are against their will, such as unwanted pregnancy.

### Child marriages and forced early unions

**104.** Paragraph 39 of the State Report, referring to the abuse of children and adolescents, lists the most recurrent cases faced by this population. However, forced marriages are not referred as one of the collateral causes of sexual abuse, especially in rural areas where it is most recurrent. According to the results of the UNFPA/Plan International study on "Girls and adolescents in child marriages and forced early unions, in selected municipalities of Bolivia"<sup>58</sup>, there is no marriage mediated by legal or ritual recognition, but early unions and often forced cohabitation when there is a pregnancy because it presents issues of "honor". It is also a response to poverty and lack of income, which creates very strong incentives for early unions of girls, particularly in rural and indigenous areas. The concept of "forced" is used in these unions to highlight the structural inequalities that drive this type of marriage, where girls have no choice to decide. Among the results, sexual violence and pregnancy stood out as causes and consequences of forced marriages and relationships at an early age. In addition, the early onset of sexual relations in most communities, the high exposure to abuse by older men and men of the same age mainly from the family environment, the scarce access to information and comprehensive sexual education from family members, schools, and health services, are factors, among others, that evidence a control of female sexuality as a basis for exposure to this problem.

**105.** There is a very close relationship between the naturalization of sexual violence against girls, forced child pregnancies and early relationships: girls and adolescents become pregnant without having sought or wanted it, especially because of sexual violence, and families forcing girls into a relationship to "solve" the dishonor that comes with an unplanned pregnancy.<sup>59</sup>

**106.** Although, the article 139. (Age) of the Code of Families and Family Procedure (CFPF), establishes that the person may freely enter marriage or civil union, once they have reached the age of majority (18 years); and exceptionally at the age of 16, with a written authorization of those exercising parental authority or guardianship, or in the absence of these the Office of the Ombudsman for Children and Adolescents, this aspect is considered to violate the rights to a full, free and informed consent and the right to self-determination on the part of the child/adolescent, as they are contrary to the General Recommendation No. 31 of the Committee on the Elimination of Discrimination against

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<sup>58</sup> The study is part of a regional research on child marriages and forced early unions, promoted by UNFPA and Plan International Inc. The study was conducted in 2018.

<sup>59</sup> UNFPA and Plan International. Study: girls and adolescents in child marriages and forced early unions, in selected municipalities of Bolivia.

Women and The General comment No. 18 of the Committee on the Rights of the Child on harmful practices, adopted jointly.

- 107.** Likewise, the previously mentioned legal precepts are contrary to the Joint Declaration of the United Nations Committee on the Elimination of All Forms of Discrimination against Women and the United Nations Committee on the Rights of the Child "Protecting and Empowering Girls and Demanding Equality", adopted in Geneva, October 11, 2019<sup>60</sup>, states that marriages of girls under the age of 18 are "harmful practices that constitute a serious violation of the human rights of girls and jeopardize their right to education, health and to live free from violence".
- 108.** As well, the article 122 (Right to Opinion) of the CFPF, which establishes that girls and adolescents, according to their age and characteristics of the stage of their development, have the right to freely express their opinion in matters of their interest and to have their opinions considered, is a violation of the international instruments referred to in paragraphs 81 and 82.
- 109.** With respect to article 170 (Minority) of the Child and Adolescent Code, Law No. 548, which determines that marriage or civil union between persons under the required age will be legalized by the time necessary for the spouses to reach the age determined by this Code, if they were pubescent and had lived together during that period, or if they had conceived; this being an ambiguous legal figure in its interpretation; in addition to violating sexual and reproductive rights, non-discrimination and a life free of violence for girls and adolescents; as well as the Recommendation and Declaration referred to in paragraphs 107 and 108.

***Recommendations:***

- 110.** Urge the instances defined by law to generate public policies that determine that the declaration of institutional objection of conscience that denies access to the legal interruption of pregnancy is a form of torture to girls, adolescents and women, as well as the revictimizing actions or their delay, which thereby violate the rights to life and health.
- 111.** Permanently train the Bolivian Police and the Public Ministry on current legislation, Constitutional Judgment 0206/2014 and the Technical Procedure for the Provision of Health Services within the framework of Plurinational Constitutional Judgment 0206/2014; especially on their obligation to immediately provide a copy of the complaint of sexual violence to the survivor to proceed with the request of the health service to the ILE.
- 112.** Train and permanently update health service operators on the regulations of legal abortion to guarantee effective care for women who, when their life or health is in danger, whether they are victims of rape or statutory rape, or whether the fetus presents lethal congenital malformations.

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<sup>60</sup> [https://reliefweb.int/sites/reliefweb.int/files/resources/INT\\_CRC\\_STA\\_8981\\_E.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/INT_CRC_STA_8981_E.pdf)

113. Include the guidelines stipulated in the General Recommendation No. 35 on gender-based violence against women in public policies, which updates the General Recommendation No. 19 of the CEDAW Committee; to determine that denying or postponing abortion, forced continuation of pregnancy, as well as abuse and mistreatment of girls and adolescents, shall be classified as torture, cruel, inhuman, and degrading treatment.
114. Generate official data by the National Institute of Statistics, the Ministry of Health, and other instances on: pregnancies of girls and adolescents under 15 years of age, in compliance with articles 58 and 66 of the Constitution.
115. Approve the Protocol for Pregnancy Care for Girls Under 15 Years of Age by the Ministry of Health without gestational limit, providing safe access mechanisms to legal abortion.
116. Amend articles 139, 168 and 170 of the Family and Family Procedure Code; including the right of girls and adolescents to exercise their right to a full, free and informed consent in order to enter marriage or civil union or, in fact, in compliance with the General Recommendation No. 31 of the Committee on the Elimination of Discrimination against Women and general comment No. 18 of the Committee on the Rights of the Child on harmful practices; and the Joint Statement of the United Nations Committee on the Elimination of All Forms of Discrimination against Women and the United Nations Committee on the Rights of the Child "Protecting and Empowering Girls and Demanding Equality", adopted in Geneva, 11 October 2019, determining 18 as the minimum age for marriage/civil union.
117. Implement specific public policies to guarantee the personal, physical and psychological integrity related to the reproductive system, that includes the ability to decide on their own body and the guarantee of their fundamental rights.
118. Develop and implement the National Plan for Sexual and Reproductive Health with sufficient technical and economic resources, which can counteract and /or reduce the mortality rates of women due to clandestine abortions in order to protect life from the intercultural vision in the State.
119. Promote the right to decide, as well as the leadership and empowerment of girls and adolescents for their life projects free of violence. Involve children and young people in awareness and advocacy campaigns against forced marriages and unions at an early age and forced pregnancy in girls.
120. Engage, educate and mobilize parents, families and community leaders to create an environment where girls and boys grow up free from forced marriages and unions at an early age, in order to improve their capacity for a more informed dialogue with children about sexuality and how to prevent pregnancy. In addition, work with municipal governments to include technical, material and financial resources in operational plans to ensure educational actions and the availability of supplies, including contraceptive methods within the integral sexual and reproductive health program.

## ANNEX I

### CASES OF OBSTRUCTION OF ACCESS TO THE LEGAL INTERRUPTION OF PREGNANCY

- i. At the “Hospital Obrero” N°6 Jaime Mendoza in the city of Sucre, access to was obstructed to a woman in her fifth month of pregnancy, with the fetus suffering from a malformation incompatible with life (anencephaly). This physician denied her the performance of the abortion with the support of a Medical Board that, in addition, decided to give her three options: a) Present a court order, b) Request a medical discharge, or c) Continue with the pregnancy and wait for the fetus to die naturally and induce its expulsion. The pregnant woman chose to request medical discharge and went to another health center where the procedure was performed in a timely, safe and unhindered manner.<sup>61</sup>
- ii. In 2019, a 14-year-old pre-adolescent who was approximately 26 weeks pregnant, as a result of rape, went to the Percy Boland Maternity Hospital in the city of Santa Cruz where - together with her family - she requested a legal abortion. It was applied incorrectly, prescribing medications that produced a premature birth, thus forcing the minor to give birth. The hospital staff argued that the Plurinational Constitutional Decision has a gap regarding gestational age for the application of abortion in cases of sexual violence, thereby displaying ignorance that said legislation does not specify the gestational age in cases of sexual violence<sup>62</sup>.
- iii. A girl that recently turned 12 years old, was a victim of rape from the age of nine by her stepfather and stepbrother, who was also a minor, in the Municipality of Monteagudo. As a result of the rapes, the girl became pregnant and requested the ILE at 23 weeks of gestation.<sup>63</sup> The girl was revictimized, considering that conscientious objections were presented by health providers; more than two medical board meetings were held, among other obstacles, before the legal abortion was carried out, by this delay endangering the girl’s life and health.<sup>64</sup>
- iv. A 10-year-old girl who was raped by her stepfather gave birth after seven months of pregnancy because her life and that of the baby were in danger<sup>65</sup>.
- v. A 14-year-old girl had a premature birth after being denied access to a legal abortion<sup>66</sup>: The victim and her relatives sought treatment at the hospital with documentation to request the legal abortion, but the gynecologists of each shift presented their "conscientious objection". Due to this, the procedure was postponed between three to four days.

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<sup>61</sup> Ombudsman's Office (2019). Ombudsman's Resolution No. RD/CHU/1/2019. Bolivia.

<sup>62</sup> Data extracted from the virtual version of the newspaper El Deber, available at: [https://www.lasexta.com/noticias/sociedad/una-menor-violada-pide-abortar-y-la-intervencion-acaba-en-un-parto-prematuro\\_201906055cf7c2e20cf2414740a157d5.html](https://www.lasexta.com/noticias/sociedad/una-menor-violada-pide-abortar-y-la-intervencion-acaba-en-un-parto-prematuro_201906055cf7c2e20cf2414740a157d5.html)

<sup>63</sup> <https://www.atb.com.bo/seguridad/interrumpen-el-embarazo-de-una-ni%C3%B1a-de-12-a%C3%B1os-v%C3%ADctima-de-violaci%C3%B3n-en-monteagudo>

<sup>64</sup> <https://www.paginasiete.bo/sociedad/2021/4/7/junta-medica-demora-decision-sobre-el-aborto-de-nina-violada-289953.html>

<sup>65</sup> News in the press. Los Tiempos. "A 10-year-old girl gives birth and the Ombudsman's Office defines the future of minors." February 14, 2019.

Available at: <https://www.lostiempos.com/actualidad/pais/20190214/nina-10-anos-da-luz-defensoria-define-futuro-menores>

<sup>66</sup> Press release. Página Siete. "Baby born alive after a legal termination of pregnancy to her 14-year-old mother." June 4, 2019. Available at: <https://www.paginasiete.bo/sociedad/2019/6/4/bebe-nace-viva-despues-de-una-interrupcion-legal-del-embarazo-su-madre-de-14-anos-220087.html>