



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the seventh periodic report of the Plurinational State of Bolivia*

1. The Committee considered the seventh periodic report of the Plurinational State of Bolivia ([CEDAW/C/BOL/7](#)) at its 1896th and 1898th meetings ([CEDAW/C/SR.1896](#) and [CEDAW/C/SR.1898](#)), held on 23 and 24 June 2022. The list of issues and questions raised by the pre-sessional working group is contained in [CEDAW/C/BOL/Q/7](#), and the responses of the Plurinational State of Bolivia are contained in [CEDAW/C/BOL/RQ/7](#).

A. Introduction

2. The Committee appreciates the submission by the State party of its seventh periodic report. It also appreciates the State party's follow-up report to the previous concluding observations of the Committee ([CEDAW/C/BOL/CO/5-6/Add.1](#)) and its written replies to the list of issues and questions raised by the pre-sessional working group. It welcomes the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally and in writing by the Committee during the constructive dialogue.

3. The Committee commends the State party on its high-level delegation, which was headed by the Minister of the Presidency, María Nela Prada Tejada, and included representatives of the Ministry of Justice and Institutional Transparency, the Ana María Romero Plurinational Service for Women and for Dismantling the Patriarchy, the Ministry of Government, the Ministry of the Presidency and the Permanent Mission of the Plurinational State of Bolivia to the United Nations Office and other international organizations in Geneva.

B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2015 of the State party's combined fifth and sixth periodic reports ([CEDAW/C/BOL/CO/5-6](#)) in undertaking legislative reforms, in particular the adoption of the following:

(a) Supreme Decree No. 4589 (2021), which regulates Law No. 2450 (2003), on the affiliation of domestic workers to the National Health Fund;

* Adopted by the Committee at its eighty-second session (13 June–1 July 2022).



(b) Law No. 1309 (2020), which provides for complementary measures within the framework of the coronavirus disease (COVID-19) emergency, including the prohibition of dismissals or layoffs;

(c) Law No. 1173 (2019), on summary criminal procedure and strengthening measures to combat violence against children, adolescents and women;

(d) Law No. 1152 (2019), on the universal and free Single Health System to provide access to sexual and reproductive health care, with priority given to women, children, adolescents, older adults, persons with disabilities, and members of indigenous campesino and Afro-Bolivian communities;

(e) Law No. 1096 (2018), on political organizations, which requires such organizations to establish a system to dismantle the patriarchy within their rules, with a view to promoting parity, equal opportunities and affirmative action;

(f) Law No. 977 (2017), on employment and financial assistance for persons with disabilities, and its regulation through Supreme Decree No. 3437 of 20 December 2017;

(g) Law No. 807 (2016), on gender identity;

(h) Supreme Decree No. 2935 (2016), which regulates Law No. 243 (2012) on harassment of and violence against women in politics;

(i) Law No. 848 (2016), which declares the Decade for Bolivian People of African Descent.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption or establishment of the following:

(a) Supreme Decree No. 4650 of 5 January 2022, which declares 2022 as the Year of Cultural Revolution for Dismantling the Patriarchy: for a Life Free of Violence against Women;

(b) The National Commission for Monitoring Cases of Femicide, in 2021;

(c) Ministerial Decision No. 196/2021 of 8 March 2021, which approves the procedure for handling complaints of harassment and sexual harassment of women in the workplace, in 2021;

(d) Resolution No. FGE/JLP/DAJ/2017/2020 of 27 November 2020, which approves a standardized protocol for the specialist care of victims of human trafficking and smuggling;

(e) Supreme Decree No. 4399 of 26 November 2020, which strengthens the mechanisms for the prevention of violence against women and care and protection of women who are victims of violence;

(f) Supreme Decree No. 4401 of 26 November 2020, which approves measures for equal opportunities in access to employment and remuneration;

(g) Ministerial Decision No. 0282 of 28 May 2020, which approves the protocol for the treatment of pregnant women during the COVID-19 pandemic;

(h) Ministerial Decision No. 154/2019 of 31 December 2019, which approves the inter-institutional protocol for the care and protection of children, adolescents and women victims of violence;

(i) The Special Cabinet to Combat Violence against Women and Children, which declared the fight against femicide and violence against women and girls to be a national priority through the publication of a list of 10 key areas for action, in 2019;

(j) Supreme Decrees Nos. 3980 and 3981, which approve strategies to promote compulsory training on preventing violence against women for public servants, military personnel and public sector enterprises, in 2019;

(k) The Adela Zamudio Registry and Early Warning System and the promotion of the specialization of the Genoveva Ríos Special Anti-Violence Force, approved by Supreme Decree No. 3834 of 13 March 2019;

(l) The Ana María Romero Plurinational Service for Women and for Dismantling the Patriarchy, approved by Supreme Decree No. 3774 of 16 January 2019;

(m) Ministerial Decision No. 2709/2017 of 17 October 2017, which approves the regulation to guarantee the right to education for pregnant students;

(n) Regulations for receiving complaints and resignations linked to harassment of and violence against women in politics, approved by Decision TSE-RSP-ADM No. 0158/2017 of 3 May 2017;

(o) The Inter-Institutional Commission, with a mandate to implement a comprehensive public policy for a decent life for Bolivian women, approved by Supreme Decree No. 3106 of 8 March 2017;

(p) The Multisectoral Plan to Promote the Dismantling of the Patriarchy and Women's Right to Live Well (2016–2020), approved by Inter-Ministerial Decision No. 02/2016;

(q) The protocol for mainstreaming a gender perspective in court judgments, approved by the Supreme Court of Justice, through Full Chamber Agreement No. 126/2016 of 22 November 2016, Plenary Chamber of the Agro-Environmental Court Agreement No. 23/2016 of 23 November 2016 and Agreement No. 193/2016 of 16 November 2016;

(r) The technical procedure for providing health services in the framework of Plurinational Constitutional Court Ruling No. 206/2014, including legal and safe abortions, approved by Ministerial Decision No. 027/2015 of 29 January 2015.

6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party has ratified or acceded to the following international and regional instruments:

(a) Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean, in 2019;

(b) Inter-American Convention on Protecting the Human Rights of Older Persons, in 2017;

(c) Paris Agreement on climate change, in 2016.

C. Sustainable Development Goals

7. **The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the**

driving force of the sustainable development of the Plurinational State of Bolivia and to adopt relevant policies and strategies to that effect.

D. Plurinational Legislative Assembly

8. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites the Plurinational Legislative Assembly, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.

E. Principal areas of concern and recommendations

Constitutional and legal framework

9. The Committee commends the State party on the inclusion of the principle of non-discrimination and gender equality in the Constitution, and the progress achieved in adopting a legislative and policy framework for the elimination of discrimination against women. It also notes that international human rights instruments ratified by the State party form an integral part of Bolivian law. However, the Committee remains concerned about:

(a) Challenges to the effective implementation of legislation and policies to protect women's rights;

(b) Insufficient visibility and awareness of the Convention, the Optional Protocol thereto and the Committee's general recommendations;

(c) The lack of information in the replies of the State party concerning court cases in which the provisions of the Convention have been directly invoked or applied.

10. **In line with article 1 of the Convention and general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention, the Committee recommends that the State party:**

(a) **Strengthen the enforcement of legislation and policies aimed at eliminating discrimination against women in all areas covered by the Convention;**

(b) **Strengthen the adoption of appropriate measures to ensure the application of the Convention, the Optional Protocol thereto and the Committee's jurisprudence, including by organizing systematic capacity-building programmes for the judiciary, prosecutors, law enforcement officers, members of the Plurinational Legislative Assembly and other officials responsible for its implementation;**

(c) **Reinforce efforts to raise awareness of women's rights and the means to enforce them, targeting specific groups such as indigenous women, Afro-Bolivian women, women living in rural and remote areas, migrant, asylum-seeking and refugee women and women with disabilities, including by facilitating access to information on the Convention in indigenous languages and accessible formats, in cooperation with civil society and the media.**

Women's access to justice

11. The Committee notes the efforts made by the State party to reform its judicial system and improve access to justice for women, including the adoption of the protocol

for mainstreaming a gender perspective in court judgments, the Justice and Gender Observatory of the Plurinational Constitutional Court, and competitions for judicial decisions with a gender perspective. Nevertheless, the Committee notes with concern:

- (a) The lack of a gender approach in the justice system, including negative attitudes towards women reporting violations of their rights;
- (b) Allegations related to corruption, lack of independence of the judiciary and the Public Prosecutor's Office, and the high number of provisional judges and prosecutors;
- (c) Financial, linguistic, physical and geographical barriers to accessing justice faced by indigenous women, Afro-Bolivian women and women with disabilities;
- (d) Social and cultural stigma, which deter women and girls from registering their complaints, particularly with regard to gender-based violence, and limited access to information on the mechanisms and procedures for seeking remedies for violations of their rights, especially in rural areas.

12. The Committee, in line with its general recommendation No. 33 (2015) on women's access to justice, recommends that the State party:

- (a) Strengthen systematic capacity-building for judges, prosecutors, lawyers and law enforcement officials on the direct application of the Convention, or the interpretation of national legislation in the light thereof, in judicial and administrative proceedings, and adopt indicators to ensure that cases brought by women are managed in a gender-sensitive manner;**
- (b) Enhance efforts to investigate and prosecute cases of corruption of justice personnel, punish the perpetrators adequately, and ensure the independence of the judiciary and the Public Prosecutor's Office, including by institutionalizing their appointments;**
- (c) Allocate the necessary human, technical and financial resources to the justice sector, in particular in rural and remote areas, to enable all women, especially those from disadvantaged and marginalized groups, to claim their rights and to strengthen the Plurinational Public Defender Service;**
- (d) Continue to enhance women's awareness of their rights and disseminate information on the remedies available to claim violations of their rights, and ensure the availability of legal remedies, including procedural accommodations, that are expeditious and accessible to all women.**

National machinery for the advancement of women

13. The Committee welcomes the creation of the Ana María Romero Plurinational Service for Women and for Dismantling the Patriarchy. However, it is concerned about:

- (a) Insufficient coordination among the Deputy Minister for Equal Opportunities at the Ministry of Justice, the Unit for Dismantling the Patriarchy and Decolonization at the Ministry of Cultures, Decolonization and Dismantling the Patriarchy and the Plurinational Service for Women and for Dismantling the Patriarchy to implement public policies on gender equality at all levels of government, and the insufficient budgetary allocations to enable the national machinery to fulfil its mandate;
- (b) The lack of an updated plan for the advancement of women, and specific and disaggregated information on the investment in and implementation and particular results of public policies related to women's rights;
- (c) Insufficient funding and delays in the appointment of the Ombudsperson.

14. Recalling the guidance provided in the Beijing Platform for Action, in particular regarding the conditions necessary for the effective functioning of national machineries, the Committee recommends that the State party:

(a) Strengthen efforts aimed at ensuring coordination between the Deputy Minister for Equal Opportunities, the Unit for Dismantling the Patriarchy and Decolonization, and the Plurinational Service for Women and for Dismantling the Patriarchy, and consider the establishment of a dedicated Ministry of Women's Affairs to coordinate all public policies and strategies for gender equality and the advancement of women, with relevant units operating at the subnational level;

(b) Increase the human, technical and financial resources allocated for the aforementioned entities and enhance the gender-specific expertise among its staff to promote gender equality, mainstream gender across government policies and introduce gender-responsive budgeting;

(c) Design and implement a comprehensive plan for gender equality and the advancement of women that includes an indicator system to improve the collection of disaggregated data and an effective monitoring, evaluation and accountability mechanism, and ensure that sufficient resources are allocated for its implementation;

(d) Expedite the evaluation of the Multisectoral Plan to Promote the Dismantling of the Patriarchy and Women's Right to Live Well (2016–2020) and the National Equal Opportunity Plan (2009–2020);

(e) Provide the Office of the Ombudsperson with the resources necessary to carry out its women's rights mandate and ensure its independence, in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and expedite a transparent and participatory selection and appointment process for the Ombudsperson.

Gender stereotypes

15. The Committee welcomes the efforts made by the State party to eliminate patriarchal attitudes and harmful practices, including the Being a Girl campaign for equality. It notes with concern, however, the persistence of stereotypes concerning the roles and responsibilities of women and men in the family and in society, which perpetuate discrimination against women in areas such as political participation, education, employment and health, as well as gender-based violence and the disproportionate burden of unpaid domestic and care work shouldered by women.

16. **The Committee recommends that the State party:**

(a) Strengthen its efforts to implement a comprehensive strategy, targeting girls, boys, women and men, in particular teachers and religious leaders, to eliminate discriminatory stereotypes regarding the roles and responsibilities of women and men in the family and in society;

(b) Continue to raise awareness on women's rights and gender equality among journalists and media workers, and promote positive images of women as active agents of development and positive and non-violent masculinities.

Gender-based violence against women

17. The Committee notes the measures in place in the State party to respond to gender-based violence against women, including the establishment of the Special Mixed Commission for the Investigation of Delays in Handling and Resolving

Femicide Cases, and the Gender Unit of the Bolivian Police. It also notes Constitutional Court Ruling No. 01/2022 of 31 March 2022, by which different public entities are urged to adopt effective measures to combat gender-based violence. Nevertheless, the Committee notes with concern:

(a) The absence of specialized courts dedicated exclusively to hearing cases of gender-based violence against women;

(b) The high incidence of gender-based violence, in particular femicide and sexual violence, as well as widespread impunity for perpetrators;

(c) That the definition of rape and statutory rape in the Criminal Code is incompatible with human rights standards and that girls can file a complaint of sexual violence only with parental authorization or the assistance of a service organization or ombudsperson;

(d) The lack of coordination between the authorities involved in addressing cases of gender-based violence, despite the existence of a single complaint form, and barriers for reporting these cases during the COVID-19 pandemic;

(e) The insufficient and ineffective protection from reprisals for women who are survivors of gender-based violence who seek justice;

(f) The failure to comply with due diligence in the investigation and prosecution of cases of gender-based violence, including revictimization of survivors, lack of enforcement of protection orders and the high number of cases that are withdrawn during the preliminary investigation phase or resolved by alternative methods;

(g) The limited support services for survivors of gender-based violence, including the lack of psychosocial counselling, legal assistance, adequate shelters and the lack of resources for the comprehensive municipal legal services.

18. Recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the Committee recommends that the State party:

(a) Establish specialized courts with exclusive competence to hear cases of gender-based violence and appoint more prosecutors specialized in this area;

(b) Amend article 308 of the Criminal Code to base the definition of rape on lack of consent rather than the use or threat of use of force, and repeal article 309 of the Criminal Code on statutory rape, which implies, in practice, impunity for cases of rape and sexual abuse of girls;

(c) Encourage reporting of gender-based violence against women and girls and repeal the requirement of parental authorization or the assistance of a service organization or ombudsperson for girls to report cases of gender-based violence, including sexual and domestic violence;

(d) Ensure the timely and effective issuance, enforcement and monitoring of protection orders, including, where appropriate, expulsion orders, in cases of domestic violence, and impose adequate deterrent penalties for non-compliance with such orders;

(e) Ensure that all cases of gender-based violence are thoroughly investigated, that perpetrators are prosecuted and adequately punished and that survivors receive comprehensive redress;

(f) Ensure the provision of adequate victim support services and that survivors of gender-based violence against women have adequate access to medical treatment, including medical examination certificates free of charge, psychological counselling, legal assistance and shelters, in particular in rural areas.

Trafficking and exploitation of prostitution

19. The Committee takes note of the new plurinational policy to combat human trafficking and smuggling (2021–2025), protocols aimed at assisting victims, bilateral agreements and the campaign entitled “An informed person is one less victim”. It is nevertheless concerned about:

(a) The fact that the Plurinational Council to Combat Human Trafficking and Smuggling is responsible for coordinating anti-trafficking efforts at the national level and, at the same time, for evaluating the progress made on anti-trafficking initiatives;

(b) Difficulties related to the enforcement of Law No. 263, on combating human trafficking and smuggling, especially in the departmental and municipal autonomous governments;

(c) Insufficient procedures for the early identification of victims of trafficking and their referral to appropriate services;

(d) Allegations concerning delays and the denial of humanitarian visas to foreign victims of trafficking if they do not cooperate with the authorities;

(e) The lack of information on measures taken to promote alternative income-generating opportunities and exit programmes for women who wish to leave prostitution.

20. With reference to its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, the Committee recommends that the State party:

(a) Eradicate any overlap of authorities in regard to the implementation, coordination and evaluation of efforts to combat trafficking in women and girls;

(b) Investigate, prosecute and adequately punish perpetrators of trafficking, ensure that victims obtain full redress, enhance international cooperation to prevent trafficking and harmonize legal procedures to prosecute traffickers;

(c) Provide systematic training for first responders, including law enforcement officers, border control personnel and health-care providers, on the early identification of victims and their referral to appropriate services for their protection and rehabilitation;

(d) Provide legal, medical and psychological assistance, including humanitarian visas to foreign victims of trafficking, despite their status as witnesses and their cooperation with authorities;

(e) Strengthen its efforts to improve data collection on victims of trafficking, disaggregated by sex, age, country of origin, nationality and form of exploitation;

(f) Increase the number and accessibility of State shelters, in both urban and rural areas, and allocate adequate resources to protection and rehabilitation programmes for women and girls who are victims of trafficking;

(g) Provide alternative income-generating opportunities and exit programmes for women who wish to leave prostitution.

Participation in political and public life

21. The Committee commends the State party for its legal framework to address harassment of and violence against women in politics and the measures taken to ensure parity and alternation, including the creation of the Gender Unit and the

Democratic Parity Observatory under the Supreme Electoral Court. It also notes that, despite a slight decrease in the proportion of women in the Chamber of Deputies, their representation still meets the parity target. The Committee notes with concern:

(a) The underrepresentation of women in decision-making positions in the Government and the judiciary, and the lack of information on measures taken to increase the representation of women in decision-making positions in the private sector;

(b) The lenient penalties in Law No. 243 on harassment of and violence against women in politics, and the low level of adaptation of regulations at the municipal level to comply with Law No. 243;

(c) The absence of regulations regarding the concept of “shared management”, the purpose of which is to alternate the position between the incumbent authority and the alternate authority, which has led to a series of resignations among women in political office;

(d) Insufficient follow-up on cases and resignations linked to harassment of and violence against women in politics, and high levels of impunity in this context.

22. Recalling its general recommendation No. 23 (1997) on women in political and public life, the Committee recommends that the State party:

(a) Adopt measures to increase the representation of women, including indigenous women and women of African descent, in decision-making positions in the Government, the judiciary and the private sector;

(b) Undertake an assessment, with broad participation of women’s organizations, of Law No. 243, including its penalties and the regulation of “shared management”, and reinforce monitoring of its implementation at the municipal level;

(c) Strengthen the Mechanism for Prevention and Immediate Response in Defence of the Rights of Women in Situations of Political Harassment and Violence, providing it with the necessary resources to fulfil its role;

(d) Ensure that complaints raised by women about political violence and harassment are investigated promptly, thoroughly and impartially; that those responsible are prosecuted and appropriately punished; and that victims receive adequate reparations, including reinstatement, public apologies and guarantees of non-repetition.

Education

23. The Committee welcomes the State party’s achievements in reducing school dropout rates and illiteracy, and the adoption of 26 regional intercultural curricula. It also notes the protocol for the prevention and response to complaints for the handling of cases of physical, psychological and sexual violence in schools and special education centres. It is nevertheless concerned about:

(a) The limited access to secondary education for rural girls, their lower retention rates due to excessive domestic work, in particular during the COVID-19 pandemic, early pregnancy, lack of digital skills and limited access to technology, and long distances to technical and vocational educational institutions and universities in rural areas;

(b) Gender-based violence against girls and women, including sexual violence, in educational settings;

(c) The underrepresentation of women and girls in non-traditional fields of study and career paths, in particular in the areas of science, technology, engineering and mathematics;

(d) The lack of age-appropriate comprehensive sexuality education at all levels of education;

(e) Insufficient implementation of regional intercultural curricula and of the 20 per cent quota for direct admissions to teacher training colleges of indigenous women and Afro-Bolivian women;

(f) The absence of an inclusive education policy, the low number of girls and women with disabilities enrolled in mainstream education and their high dropout rates.

24. Recalling its general recommendation No. 36 (2017) on the right of girls and women to education, the Committee recommends that the State party promote understanding of the importance of education at all levels for girls as a basis for their empowerment and:

(a) Ensure that disadvantaged and marginalized groups of girls, in particular indigenous girls, Afro-Bolivian girls, rural girls, girls with disabilities, refugee and migrant girls, have adequate access to good-quality education, as well as their retention in school, in particular at the secondary and tertiary levels and in rural areas, including by:

(i) Promoting the enrolment of girls from marginalized groups in educational institutions at all levels;

(ii) Ensuring the implementation of regional intercultural curricula and adopting a comprehensive inclusive education policy;

(iii) Launching literacy campaigns to reach adult and older women;

(b) Implement a zero-tolerance policy with regard to gender-based violence, including sexual violence, at school, ensure that perpetrators are adequately punished and collect disaggregated statistical data on such incidents;

(c) Promote the participation of women and girls in non-traditional fields of study and career paths, in particular in science, technology, engineering and mathematics and information and communications technology;

(d) Ensure that pregnant girls and young mothers are able to continue their education during and after pregnancy and compliance with the regulation approved for this purpose;

(e) Ensure the inclusion of gender-sensitive and age-appropriate education on sexual and reproductive health and rights, including responsible sexual behaviour and contraceptive use, in curricula at all levels of education with a view to preventing early pregnancies and sexually transmitted infections, and provide systematic training to teachers on sexual and reproductive health and rights.

Employment

25. The Committee notes the efforts made by the State party to promote equal access for women and men to employment and remuneration, including the “My first decent job” programme and the Employment Support Programme. However, it remains concerned about:

(a) The concentration of women in the informal economy, in precarious and temporary jobs, without access to social protection, in particular since the beginning of the COVID-19 pandemic;

(b) The persistent gender pay gap;

(c) Insufficient measures to protect women from sexual harassment in the workplace;

- (d) Insufficient monitoring of social protection and labour rights of domestic workers;
- (e) The lack of recognition of women's domestic and care work;
- (f) The high unemployment rates among women with disabilities and insufficient enforcement of quotas for their employment in the public and private sectors.

26. The Committee recommends that the State party:

(a) Adopt targeted measures to promote access for women to formal employment, including management positions and higher paid jobs in traditionally male-dominated professions, and to alleviate the impact of the COVID-19 pandemic on women in the labour market;

(b) Enforce the principle of equal pay for work of equal value and eliminate occupational segregation, both horizontal and vertical;

(c) Strengthen labour-related complaint resolution mechanisms to address sex-based discrimination, including sexual harassment in the workplace, impose appropriate penalties on perpetrators, and consider ratifying the Violence and Harassment Convention, 2019 (No. 190), of the International Labour Organization;

(d) Promote equal sharing of family and domestic responsibilities between women and men, increase the availability of affordable childcare facilities, introduce flexible working arrangements for women and men, and design a comprehensive national care policy;

(e) Recognize the value of unpaid care and domestic work, taking into account the contribution of such work to the economy and including it in national accounts;

(f) Monitor the conditions of employment of women domestic workers and ensure that they have access to social protection, including health insurance, and to effective confidential remedies to submit complaints about exploitation and abusive working conditions;

(g) Promote the employment of women with disabilities in both the public and private sectors, and provide them with reasonable accommodation in the open labour market.

Health

27. The Committee notes the measures taken by the State party to expand free sexual and reproductive health services to all women regardless of age through the Single Health System. It also welcomes the campaigns to promote the use of modern contraceptive methods, in compliance with the judgment of the Inter-American Court of Human Rights in the case of *I.V. vs. Bolivia*. However, the Committee notes with concern:

- (a) The lack of a law and a strategic plan on sexual and reproductive rights;
- (b) The high maternal and infant mortality rates in the State party, despite a slight decrease, and interruptions in access to skilled birth attendance and prenatal and postnatal care during the pandemic;
- (c) The criminalization of abortion and challenges to implement Plurinational Constitutional Court Ruling No. 206/2014, which eliminates the requirement of judicial authorization to access legal abortion, including the lack of knowledge of the ruling, lack of equipment, the high rate of conscientious objection of medical practitioners, and the request for additional requirements;

(d) Women's and girls' limited access to available and affordable modern contraceptives, in particular in rural areas, and the barriers that adolescent girls face in accessing information on sexual and reproductive health and rights;

(e) The high number of early pregnancies and the absence in school curricula of mandatory education on sexual and reproductive health and rights;

(f) The insufficient coverage of the Intercultural Family and Community Health Policy, barriers to accessing affordable health services in rural areas faced by indigenous women, including long distances, lack of access to information and culturally appropriate services, and intersecting forms of discrimination;

(g) The limited accessibility of health services for women with disabilities, lack of adequately trained health personnel and intersecting forms of discrimination against women with disabilities in the health system.

28. The Committee recommends that the State party:

(a) **Adopt a comprehensive law and strategic plan on sexual and reproductive health, with clear goals, indicators, a monitoring system and sufficient budgetary allocation;**

(b) **Intensify efforts to reduce the maternal mortality ratio, including by improving access to prenatal and postnatal care and emergency obstetric services provided by skilled birth attendants throughout the territory of the State party;**

(c) **Ensure compliance with the Constitutional Court order to abolish the requirement of judicial authorization for abortion, and guarantee effective access to abortion in cases of rape, incest and threats to the life or health of the pregnant woman; decriminalize it in all other cases; and ensure that the exercise of conscientious objection does not impede women's effective access to sexual and reproductive health services;**

(d) **Ensure that all women and girls, in particular those in rural areas, have access to free modern forms of contraception, including emergency contraception, and information and counselling on family planning;**

(e) **Strengthen the implementation of strategies to prevent early pregnancies, including the approval of a new plan for this purpose and comprehensive education on sexual and reproductive health and rights;**

(f) **Extend the coverage of the Intercultural Family and Community Health Policy and allocate the resources necessary to ensure access to affordable and culturally appropriate health services for rural women and girls, as well as indigenous and Afro-Bolivian women;**

(g) **Ensure the accessibility of health-care services and facilities for women and girls with disabilities and train health professionals on their specific health needs, including their sexual and reproductive health rights, and raise awareness about the intersecting forms of discrimination faced by them in the health system.**

Economic empowerment

29. The Committee welcomes the Productive Development Bank and similar initiatives for women, such as the Seed Capital Fund and the Women Heads of Household Credit. It further notes the Gender Strategy for the Empowerment of Women in the Productive, Industrial and Commercial Sector and the Project for Improving the Empowerment of Women in the Northern Amazon. However, the Committee is concerned about the low proportion of women among the economically

active population with access to some form of credit, and insufficient measures to ensure that indigenous and rural women benefit from the implementation of development projects within their territories. It also notes the lack of a gender perspective in programmes such as the Indigenous Development Fund.

30. **The Committee recommends that the State party:**

(a) **Increase the participation of women, including those employed in the informal economy, in the development of strategies to facilitate women's access to financial credit, such as low-interest loans, as well as to entrepreneurship and independent business opportunities;**

(b) **Strengthen the Indigenous Development Fund by incorporating gender equity policies and facilitate indigenous women's access to financial resources and sustainable productive projects for economic empowerment.**

Rural women and climate change

31. The Committee welcomes the progress made by the State party in granting land titles to rural women, as well as the water access, risk mitigation and climate change programmes that directly benefit rural women, including the My Water and More Investment for Irrigation Programmes. However, it remains concerned about:

(a) The feminization of poverty and rural women's limited access to and control over agricultural resources, including land, water, credit, financial services and agricultural inputs;

(b) Rural women's and girls' limited access to justice, support services for victims of gender-based violence against women, education, information and communications technology and health care;

(c) The underrepresentation of rural women in decision-making on agricultural policies and in leadership positions, including at the local level.

32. **In line with its general recommendations No. 34 (2016) on the rights of rural women and No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, the Committee recommends that the State party:**

(a) **Combat poverty among rural women by ensuring access to adequate water and sanitation, ownership and use of land, credit, financial services and agricultural inputs, as well as access to justice, victim support services, education, information and communications technology, formal employment and health care;**

(b) **Integrate a gender perspective into its agricultural policies and ensure the effective participation of rural women in decision-making on agricultural policies and in leadership positions, in particular at the local level.**

Indigenous and Afro-Bolivian women

33. The Committee notes with concern:

(a) The limited information on the outcomes of the Plan of Action for the Decade for Bolivian People of African Descent;

(b) That indigenous and Afro-Bolivian women face intersecting forms of discrimination based on race, ethnicity and gender, high levels of unemployment and barriers to participate in political and public life and to access employment, economic opportunities and adequate health-care services;

(c) The lack of a legal framework and effective mechanisms in place to ensure benefit-sharing and the prior, free and informed consent of indigenous and Afro-Bolivian women to mining activities and extraction of hydrocarbons in their territories;

(d) Reports of high levels of gender-based violence, as well as intimidation and reprisals, against indigenous and Afro-Bolivian women human rights defenders, including during the political crisis in 2019 and 2020.

34. The Committee recommends that the State party:

(a) **Ensure a gender and intercultural perspective in its policies concerning indigenous and Afro-Bolivian women, including the Plan of Action for the Decade for Bolivian People of African Descent;**

(b) **Strengthen its legal framework and establish effective mechanisms to ensure that activities of mining companies and extractive industries are subject to the free, prior and informed consent of and adequate benefit-sharing with affected indigenous, Afro-Bolivian and rural women;**

(c) **Investigate and prosecute all acts of gender-based violence, intimidation and reprisals against indigenous and Afro-Bolivian women human rights defenders, and provide effective remedies and reparations to victims of such acts.**

Women with disabilities

35. The Committee is concerned about:

(a) Restrictions on the legal capacity, access to justice, right to enter into marriage and parental rights of women with disabilities;

(b) The limited accessibility, for women with disabilities, of health-care facilities and services, in particular sexual and reproductive health services, in the State party;

(c) Segregation of women and girls with disabilities in special education institutions based on a purely medical approach to disability and the low school enrolment rate among girls with disabilities;

(d) Limited access for women with disabilities to employment opportunities and the lack of reasonable accommodation in the workplace.

36. The Committee recommends that the State party:

(a) **Remove restrictions on the legal capacity of women with disabilities and ensure their equal access to justice, marriage and parental rights;**

(b) **Ensure the accessibility of health-care facilities and services for women and girls with disabilities and ensure respect for their sexual and reproductive choices;**

(c) **Adopt and implement an inclusive education policy, promoting the enrolment of girls and women with disabilities and teacher training in inclusive education;**

(d) **Ensure the accessibility of workplaces and enforce the quota for labour market participation by women with disabilities;**

(e) **Collect data disaggregated by age and ethnic origin on the participation of women with disabilities in all areas under the Convention to inform the formulation of laws and policies and overcome the barriers that prevent women with disabilities from exercising their rights.**

Women facing other intersecting forms of discrimination

37. The Committee is concerned about the following:

(a) The limited access of women in detention to education, professional training and health care and the limited information on the use of alternative measures to detention;

(b) The prevalence of hate speech and online violence against lesbian, bisexual, transgender and intersex women, as well as reports of gender-based violence, arbitrary detention and violations of their right to privacy by law enforcement personnel.

38. **The Committee recommends that the State party:**

(a) **Ensure that women in detention have access to education, professional training and health care and promote the use of alternative measures to detention, especially for pregnant women and women with children;**

(b) **Investigate, prosecute and adequately punish hate speech and online violence against lesbian, bisexual, transgender and intersex women, as well as other forms of gender-based violence against them, arbitrary detention and violations of their right to privacy, including when committed by law enforcement officials.**

Marriage and family relations

39. The Committee notes the adoption of Law No. 807 (2016), on gender identity, which established an administrative procedure for changing the name, sex and photograph of transsexual and transgender persons. It welcomes the efforts to address the disparities in relation to land inheritance. However, it notes with concern:

(a) Article 11 (II) of Law No. 807, on gender identity, was declared unconstitutional, by Plurinational Constitutional Court Ruling No. 0076/2017 of 9 September 2017 and Plurinational Constitutional Order No. 0028/17 of 22 November 2017, which in effect deprives transsexual and transgender women of a number of rights;

(b) The denial of registration of free or de facto unions of same-sex couples, based on a decision that has been appealed to the Constitutional Court;

(c) The high prevalence of child marriages and forced unions among girls under the age of 15, especially in rural areas, often resulting from sexual violence, forced pregnancies, violent family contexts and poverty;

(d) The effects of child marriage and forced unions on the life chances of young women and girls and the need to provide direct and focused economic, educational and psychological support systems;

(e) The gap between the law on equal inheritance and the reality in certain autonomous territories.

40. **The Committee recommends that the State party:**

(a) **Review existing laws to ensure that lesbian, bisexual, transgender and intersex women have equal access to the rights under the Convention, including equal rights in marriage or family relations;**

(b) **Amend the Family and Family Procedure Code to set the minimum age of marriage and de facto unions at 18 years for both women and men, without exceptions, and conduct campaigns to raise awareness among parents, teachers and religious leaders about the harmful effects of child marriage on girls;**

(c) Introduce or strengthen focused measures to support young women and girls in marriage and de facto unions through childcare systems in rural and urban communities to facilitate their access to special programmes and employment opportunities;

(d) Ensure that women who may have been dispossessed of their inheritance can recover their rights, through civil action and the cadastral updating process carried out by the land entity.

Amendment to article 20 (1) of the Convention

41. The Committee encourages the State party to accept, as soon as possible, the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.

Beijing Declaration and Platform for Action

42. The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the realization of the rights enshrined in the Convention in the context of the 25-year review of the implementation of the Declaration and Platform in order to achieve substantive equality between women and men.

Dissemination

43. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official languages of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the Plurinational Legislative Assembly and the judiciary, to enable their full implementation.

Technical assistance

44. The Committee recommends that the State party link the implementation of the Convention to its development efforts and that it avail itself of regional or international technical assistance in this respect.

Follow-up to the concluding observations

45. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 18 (b) and (d), 24 (e) and 28 (d) above.

Preparation of the next report

46. The Committee invites the State party to submit its eighth periodic report, which is due in July 2026. The report should be submitted on time and cover the entire period up to the time of its submission.

47. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents ([HRI/GEN/2/Rev.6](#), chap. I).