

Committee on the Elimination of Discrimination against Women

REFERENCE: BN/follow-up/Plurinational State of Bolivia/89

13 November 2024

Excellency,

In my capacity as Rapporteur on follow-up on concluding observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honor to refer to the examination of the seventh periodic report of the Plurinational State of Bolivia, at the Committee's eighty-second session, held in June 2022. At the end of that session, the Committee's concluding observations ([CEDAW/C/BOL/CO/7](#)) were transmitted to your Permanent Mission. You may recall that in paragraph 45 on follow-up to the concluding observations, the Committee requested the Plurinational State of Bolivia 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) of the concluding observations.

The Committee welcomes the follow-up report ([CEDAW/C/BOL/FCO/7](#)) received on time in July 2024 under the CEDAW follow-up procedure. At its eighty-ninth session, held in October 2024, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 18 (b)** of the concluding observations that the State party “**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**”:

The Committee welcomes the proposed bill to amend article 308 of the Criminal Code, amending the definition of rape to be based on a lack of consent and therefore removing intimidation or violence as requirements to proving rape has occurred. It also notes with appreciation the proposed repeal of article 309 of the Criminal Code on statutory rape, currently under consideration by the Human Rights Commission of the Chamber of Deputies. The Committee also acknowledges the proposed amended definition of rape to include statutory rape.

The Committee considers that the State party has taken steps to implement the recommendation. It therefore considers that the recommendation has been **substantially implemented**.

H.E Ms. Maira Mariela Macdonal Alvarez
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The Committee considers that the information provided by the State party is thorough and extensive, and that it relates directly to the recommendation. It thus considers that the quality of the information provided is **satisfactory**.

In relation to the recommendation made in **paragraph 18 (d)** that the State party “**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**”:

The Committee notes with interest the implementation of the Central Register of Violence, particularly its alert system and collation of registered cases of violence, including protection measures and expulsion orders. The Committee, however, regrets the Plurinational Legislative Assembly’s decision to archive the bill on strengthening measures for the prevention of violence and the protection of, and full reparation for, women in situations of violence. It further regrets the resulting lack of action by the State party to ensure the timely and effective issuance of protection orders, including the imposition of adequate penalties for non-compliance with such orders.

The Committee considers that the action taken by the State party has not directly implemented the recommendation. It therefore considers that the recommendation has **not been implemented**.

The Committee considers that the information provided by the State party is thorough and extensive, and that it relates directly to the recommendation. It thus considers that the quality of the information provided is **satisfactory**.

The Committee recommends that, in relation to **paragraph 18 (d)** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

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.

In relation to the recommendation made in **paragraph 24 (e)** that the State party “**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**”:

The Committee welcomes the incorporation of comprehensive sexuality education in school curriculum by the Ministry of Education, as well as the educational activities introduced at the community level. It notes with interest the aims of the education in preventing sexual violence and early pregnancy, as well as its focus on topics including sexual and reproductive rights, contraceptives and sexually transmitted infections. The Committee notes the State party’s efforts on the systematic training of teachers regarding these subject matters. The Committee regrets, nevertheless, the lack of information on the gender-sensitivity and age-appropriateness of these comprehensive sexuality educational programmes.

The Committee considers that the recommendation has been **implemented**.

The Committee considers that the information received from the State party is thorough and extensive, but that it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

In relation to the recommendation made in **paragraph 28 (d)** that the State party “**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**”:

The Committee welcomes the enacted Act. No 1152 on the provision of comprehensive health services, to ensure timely access to health-care services, particularly with respect to the provision of cost-free guidance and contraception (including emergency contraception) to women and adolescent girls. It notes with interest the implementation in 2022 of a pilot scheme for the introduction of new contraceptive methods across the country. It further notes with interest the training provided to medical staff of public health-care facilities on modern contraceptive methods and new contraceptive technologies with the aim of enabling them to provide information and advice on family planning and the proper contraception use. While noting the aim to have a unified health system, the Committee regrets the lack of information on measures to ensure access of women and girls in rural areas to these services.

The Committee considers that the State party has taken steps to implement the recommendation. It therefore considers that the recommendation has been **substantially implemented**.

The Committee considers that the information received from the State party is thorough and extensive, but that it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



Natasha Stott Despoja
Rapporteur on follow-up
Committee on the Elimination of Discrimination against Women