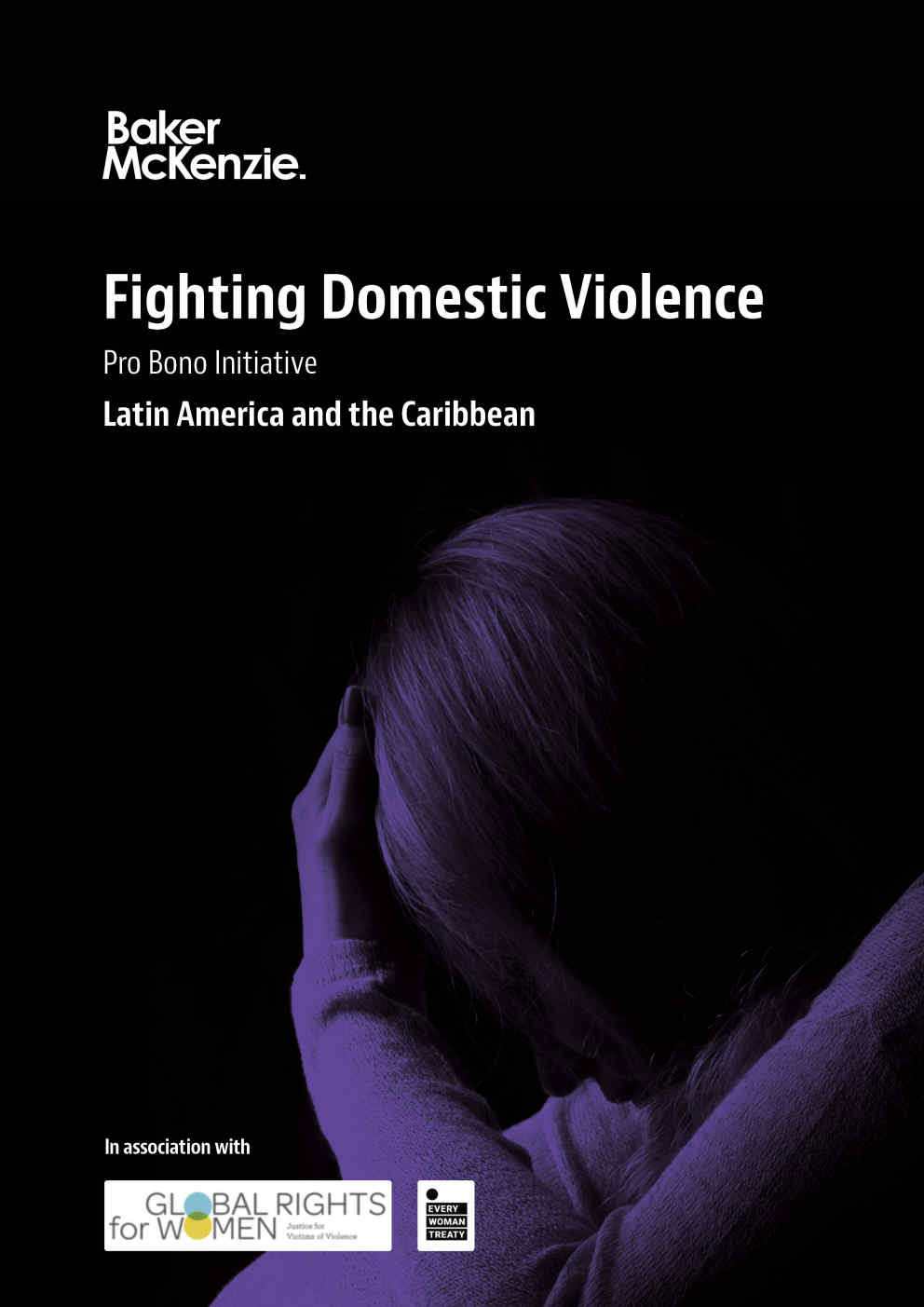
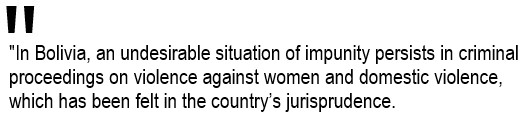
Fighting Domestic Violence - Bolivia

| Contents |
| --- |
| To generate table of contents, right-click here and select **Update Field.** |





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**How to use and navigate this report**

# 1. Legal provisions

## 1.1 What are the relevant statutes and codes?

With respect to the international and constitutional framework, the relevant legislation to counter the discrimination that women in Bolivia have historically faced can be structured as follows.[1]

First, **Article 15 of the Political Constitution of the Plurinational State of Bolivia** enshrines the rights of all individuals to life and to physical, psychological and sexual integrity.[2]

Regarding internal legislation, the Bolivian state has been incorporating specific rules relating to women’s rights:[3]

**Law 1674 of 1995 against Family or Domestic Violence**

Designed to prevent and eradicate violence against women in public and private spaces.

**Supreme Decree 25087 of 1998**

This regulates the aforementioned Law 1674 of 1995.

**Law 1779 of 1997 on the Reform and Complementation of the Electoral Regime**

The Bolivian government began its mission toward gender parity in 1997, with the passing of a law that requires 30% of political candidates to be women.

**Law 1768 of 1997 on Amendments to the Criminal Code**

This law changes the heading of crimes against “morals and good customs” to crimes against “sexual freedom.”

**Supreme Decree 24864 of 1997 on Equal Opportunities between Men and Women**

This provides for equality in the political, economic, social and cultural fields, and the mainstreaming of the gender perspective in public policies.

**Law 2033 of 1999 on Protection to Victims of Crimes against Sexual Liberty**

It defines and extends the penalty for the crimes of rape, statutory rape, corruption of minors and pimping. In addition to vaginal penetration, it considers anal and oral penetration to be rape and provides for multidisciplinary care for the victim.

**Law 243 of 2012 against Harassment and Political Violence against Women**

This aims to establish mechanisms for the prevention, attention and sanction against individual or collective acts of harassment and/or political violence against women, to guarantee the full exercise of their political rights.

**Law 348 of 2013, to Guarantee Women a Life Free of Violence**

It broadens protection of women against various forms of violence and establishes the eradication of violence against women as a priority of the state.

**Supreme Decree 2145 of 2014**

This regulates the aforementioned Law 348 of 2013.

**Law 1153 of 2019**

It amends paragraph one of Article 13 of Law 348.

**Supreme Decree 2610 of 2015**

It amends and complements Supreme Decree 2145.

**Supreme Decree 3106 of 2017**

This establishes the powers for the ministries of the executive branch at the national level of the state for the implementation of the Comprehensive Public Policy for a Dignified Life for Bolivian Women.

**Law 1173 of 2019 on Shortening Criminal Procedure and Strengthening the Comprehensive Fight against Violence against Children, Adolescents and Women**

This ensures the prompt and timely resolution of criminal disputes.

**Supreme Decree 3774 of 2019**

It creates the Plurinational Women’s and Depatriarchalization Service “Ana María Romero,” to establish its structure, organization and functions, and to set up the Special Cabinet to Combat Violence against Women and Children.

**Supreme Decree 3834 of 2019**

This creates the “Adela Zamudio” Registration and Immediate Alert System of the Special Force for the Fight against Violence (FELCV) and promotes the specialization of the FELCV.

**Supreme Decree 3981 of 2019**

This establishes mandatory training in violence prevention in the Plurinational State of Bolivia for public servants and staff of public enterprises.

**Additional laws on more general topics:**

**Law 2828 of 2004 on Municipalities**

It promotes women’s participation in the formulation, control and monitoring of municipal development plans.

**Law 3545 of 2006 on Renewal of the Agrarian Reform**

This guarantees and prioritizes women’s participation in the process of land regularization and distribution.

**With reference to the international standards on women’s rights:**

**United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)**

The state of Bolivia has been a party to this instrument since 8 June 1990, and to its Optional Protocol since 27 September 2000. By means of that protocol, Bolivia recognized the competence of the UN Committee for the Elimination of Discrimination against Women to hear complaints against individual violations of the rights enshrined in CEDAW.

**Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belém doPará)**

The State of Bolivia has been a party to this international instrument since 5 December 1994.

## 1.2 What is the controlling case law?

In Bolivia, an undesirable situation of impunity persists in criminal proceedings on violence against women and domestic violence, which has been felt in the country’s jurisprudence. The escalating number of violent female homicides committed by men over the last two decades has compelled many Latin American countries to classify the crime of gender-based homicide as “feminicide.”

According to the Public Prosecutor’s Office, Bolivia registered 113 cases of feminicide in 2020. Among these cases, 12 perpetrators have been sentenced, 10 cases have been dismissed due to the death of the aggressor, 65 are in the preparatory stage (with preventive detention of the aggressor), 20 are in the preliminary stage and six were rejected.[4]

As stated by the Coordinator of Women of the State of Bolivia in a study entitled “The Situation of Women in Bolivia” (updated March 2019), of the 113,269 complaints of violence against women prosecuted between 2015 and 2018 (January to March), only 1,284 cases received convictions, i.e., in only 1.13% of cases the perpetrator did not get off scot-free. Only 220 defendants in feminicide cases have been convicted, 324 are being prosecuted and 11 have been “reclassified or annulled.” Since the enactment of the Law against Human Trafficking and Human Smuggling, there was a record of around 3,000 cases (between 2012 and 2017), of which only 31 resulted in a conviction. On average, only 1.03% of the cases were solved, not taking into account acquittals.[5]

In July 2019, the Plurinational Women’s and Depatriarchalization Service reported that since 2013 there were 196 cases of feminicide in the country in the investigation stage (preliminary and preparatory). On paper, such investigations were supposed to conclude six months after filing the claim. Moreover, 139 cases were in trial, when they should have been carried out in a continuous and uninterrupted process of no more than three years. For instance, between 2013 and 2016 the Public Prosecutor’s Office registered 87,718 cases for infringing Law 348 (Law to Guarantee Women a Life Free of Violence). Of these, only 36% resulted in a sentence.[6]

The aforementioned data reveals the high level of impunity in cases of violence against women in Bolivia. Today, there is still an absence of the gender perspective in the adjudication of complaints of violence against women and domestic violence.

By way of illustration, in Judgment 41/2017 of 11 July 2017, the First Court of Anticorruption and Violence against Women of La Paz acquitted and released David Viscarra, who was accused of the death of his common-law wife María Isabel Pilco. Days earlier, the victim had reported to the police that her partner had brutally beaten and locked her up for four days.

## 1.3 What are the specific parts of the court system that address domestic violence?

Access to justice for victims of domestic violence in Bolivia is structured through the following bodies and services.

Specialized bodies for the protection of women in situations of violence

1. Bolivian police (FELCV)

Law No. 348 created the FELCV, a specialized agency of the Bolivian police in charge of the prevention, assistance, investigation, identification and apprehension of those allegedly responsible for acts of violence against women and the family. This body is under the functional direction of the Public Prosecutor’s Office, in coordination with public and private entities.

2. Public Prosecutor’s Office

The Public Prosecutor’s Office is made up of the prosecutor support team and advisers.

3. Forensic Research Institute (IDIF)

4. Judicial body

Integrated Plurinational Justice Services have the capacity to build articulated spaces to improve public and private services for the most vulnerable members of the population (women and children).

Judges in the field of violence against women are responsible for the following:

investigating magistrates in matters of violence against women

sentencing judges in matters of violence against women

sentencing courts in matters of violence against women

interdisciplinary team and ancillary auxiliary to the aforementioned

5. Ministry of Justice

The Plurinational Women’s Service and Depatriarchalization is a decentralized entity of the Ministry of Justice that operationalizes and develops all policies to prevent violence against women, to avoid feminicides.

6. Public and private health services

The following institutions and authorities can be approached in order to receive attention and to promote the complaint:

1. Municipal integral legal services provide free legal, social and psychological support services and medical assessment.

2. Ombudsman’s Offices for Childhood and Adolescence, when the person assaulted is underage, provide free legal, social and psychological services.

3. Integrated Plurinational Justice Services (SIJPLU) provide free legal advice and counselling.

4. Plurinational Service for the Victim’s Defense provides free legal counselling and psychological support to women in situations of violence who lack resources.

5. Indigenous and aboriginal farming authorities provide:

offenses falling into their jurisdiction: care and protection for woman and punishment of the aggressor according to their own rules and procedures

offenses that don’t fall within their jurisdiction: attention, protection and referral to the ordinary jurisdiction

6. Protection brigades, shelters and domestic violence prevention and care networks.

7. Shelters and temporary refuge that receive, protect and care free of charge for women in a situation of violence, their children or other dependents who are at risk of violence.

## 1.4 What are potential causes of action?

Regarding the procedure for offenses of violence against women in Bolivia, in general, criminal proceedings distinguish between three types of procedure:

Common/joint procedure: This procedure is followed in all crimes to investigate whether the crime actually occurred and who the perpetrator is in order to impose a sanction. It proceeds as long as the perpetrator has not been caught in the act of committing the crime of violence (*flagrante delicto*) and has not acknowledged that he or she has committed it and wishes to submit to the abbreviated process.

Immediate procedure: This applies in cases where the perpetrator is caught in the act of attempting to commit the offense of violence, in the act of committing the crime of violence or immediately afterward while being pursued by the police, the victim or bystanders (Article 230 of the Criminal Procedure Code).

Abbreviated/fast-tracked procedure: This involves a shorter procedure (mini trial) that proceeds when>

the offense of violence against women has been admitted by the accused and his or her participation in it

there is an agreement between the accused and his or her defense counsel (Article 373 Criminal Procedure Code)

# 2. Introduction: framework guiding domestic violence law

## 2.1 Are there civil and criminal legal remedies for domestic violence victims?

Yes, there are civil and criminal legal remedies for domestic violence. The fundamental pillars of Law No. 348, enacted in Bolivia on 9 March 2013, include the prosecution and criminal punishment of the aggressor, as well as the reparation to victims for the damages suffered.

Events involving violence, by acts or omissions, that have one or more individualized victims can be denounced and sued through different ways, which provide for the possibility of obtaining a sanction against the aggressor and reparation for the victim, including criminal, civil, administrative, constitutional and non-jurisdictional proceedings.

Thus, the legal actions that can be taken according to Law No. 348 are the following:

**Type of Event and Complaint Channel**

Crimes

There are facts that are offenses that can be can be reported in criminal proceedings, e.g., rape, serious injury, forced abortion, domestic violence, feminicide, etc.

Administrative or disciplinary offenses

There are facts that are misdemeanors that can be reported through administrative channels, e.g., mistreatment, harassment at work, discrimination, etc.

Infringement of fundamental rights

There are facts that imply restrictions to rights and that require constitutional actions if other avenues have been exhausted, e.g., denial of services affecting the right.

## 2.2 Is domestic violence identified in national law as a human right (noting that at a European level protection from domestic violence has not been explicitly identified as a human right but is indirectly captured by the other provisions)?

Law No. 348 of 2013, to Guarantee Women a Life Free of Violence, makes numerous references to human rights and the protection of women in situations of violence. Despite recognizing that all violence against women constitutes an infringement of their human rights, it doesn’t explicitly identify a life without domestic violence as a human right per se.

## 2.3 Has your country signed and ratified the Council of Europe's Istanbul Convention (2011) preventing and combating violence against women and domestic violence (CETS No. 210)?

No, Bolivia has neither signed nor ratified the Council of Europe’s Istanbul Convention (2011) preventing and combating violence against women and domestic violence. However, some of the international standards that regulate situations of gender-based violence in Bolivia are: CEDAW, Convention of Belén do Para, the Inter-American Convention on Human Rights (Pact of San José) and the Universal Declaration of Human Rights (UDHR).

## 2.4 If it has ratified the Istanbul Convention, how has this convention been implemented into national law?

N/A

## 2.5 If it has not ratified or signed the Istanbul Convention, is it envisaged that your country will do so?

Until now, there are no references or negotiations on the ratification of the aforementioned convention.

## 2.6 If it has ratified the 1979 Convention, how has the recommendations part of General Comment No. 35 been implemented into national law?

As previously mentioned, the Plurinational State of Bolivia is part of the CEDAW. It signed the convention on 30 May 1980.

In accordance with item 26 (a) of Recommendation 35 “States are required to adopt legislation prohibiting all forms of gender-based violence against women and girls,” a new set of laws has been implemented in Bolivia, being the most relevant legislation at a national level detailed on Section 1 (Legal provisions — What are the relevant statutes and codes?).

The most relevant legislation in this field is Law No. 1674, which establishes the policy against family or domestic violence, incorporating measures for prevention and the immediate protection of the victim.

On 17 December 2013, the Plurinational State of Bolivia issued a report ratifying compliance with the recommendations contained in CEDAW, highlighting the most relevant legislative milestones. The second part of the report deals with compliance with and analysis of the CEDAW articles. In this section, the entire legislative framework and the implementation of public policies in compliance with CEDAW have been developed. The legislative framework and the application of public policies in compliance with the commitment assumed as signatories to CEDAW.

Despite the progress achieved, the country continues working on the issue of gender-based violence, especially with reference to access to justice.

## 2.7 If the 1979 Convention has not been ratified or signed, is it envisaged that your country will do so?

N/A

# 3. Similarities and differences in terminology

## 3.1 Domestic violence

Article 4 of Law 1674:

Family or domestic violence is defined as physical, psychological or sexual aggression committed by: 1- The spouse or cohabitant; 2- Ascendants, descendants, siblings, civil or related relatives in direct and collateral line; 3- The guardians, curators or those in charge of custody.

Article 5 of Law 1674:

Acts of domestic violence are considered to be assaults committed between ex-spouses, ex-cohabitants or persons who have procreated legally recognized or not, even if they have not cohabited.

Article of Law 348 (Familiar Violence):

It is any physical, psychological or sexual aggression committed against a woman by her spouse or ex-spouse, cohabitant or ex-cohabitant, or his or her family, ascendants, descendants, sisters, brothers, civil or related relatives in direct and collateral direct and collateral line, guardians or those entrusted with custody or care.

## 3.2 Stalking

See harassment.

## 3.3 Harassment

Article 7 of Law 243 (Political Harassment):

Political harassment is understood to be the act or set of acts of pressure, persecution, harassment or threats, committed by a person or group of people, directly or through third parties, against women candidates, elected, appointed or in the exercise of a political-public function or against their families, with the purpose of shortening, suspending, preventing or restricting the functions inherent to their office, in order to induce or oblige them to carry out, against their will, an action or incur in an omission, in the fulfillment of their functions or in the exercise of their rights.

## 3.4 Victim

Article 4 of Law 464 (Scope of the definition of victim):

For the purposes of this Law, the term victim shall be understood to mean: (i) The natural person or persons directly offended by the commission of a crime, (ii) The spouse or cohabitant, relatives within the fourth degree of consanguinity or second degree of affinity, daughter or son, adoptive mother or father and heir, in crimes that result in the death of the victim and (iii) Family members or dependents who have an immediate relationship with the victim, for crimes of serious physical or psychological affectation.

Article 76 Bolivian Penal Procedimental Code (Victim):

It is considered a victim: (i) To the persons directly offended by the crime; (ii) The spouse or cohabitant, the relatives within the fourth degree of consanguinity or second degree of consanguinity or second degree of affinity, the child or adoptive parent and the testamentary heir, in crimes whose result is the death of the offended party; (iii) To juridical persons in crimes affecting them; and, (iv) To foundations and legally constituted associations, in those crimes that affect collective or diffuse interests, as long as they affect the collective or diffuse interests, provided that the purpose of the foundation or association is directly linked to these interests.

## 3.5 Abuser

There is no specific provision under Bolivian legislation that defines an abuser. However, the law provides a definition for a similar term, which is aggressor. According to Article 6 of Law 348, whoever commits an action or omission that implies any form of violence toward a woman or another person is perceived as an aggressor.

## 3.6 Civil protection order

The purpose of the protection measures is to interrupt and prevent an act of violence against women, or to guarantee, in the event that it has been consummated, that it will be investigated, prosecuted and sanctioned. These measures, according to the law, are of immediate application, imposed by the competent authority to safeguard the life, physical, psychological, sexual integrity, patrimonial, economic and labor rights of women in a situation of violence and those of their dependents.[9]

## 3.7 Causes of action

**A. Law 348 of 2013, to Guarantee Women a Life Free of Violence:**

1. Sanctioned forms of violence are:

physical violence

femicidal violence

psychological violence

sexual violence

media violence

violence against reproductive rights

violence against sexual rights and freedom

symbolic and/or covert violence

violence against dignity, honor and name

violence in the health services

economic and patrimonial violence

violence in the workplace

violence in the educational system

political violence

institutional violence

violence in the family

2. Governing body is:

Ministry of Justice

3. Cause of action is:

All acts of violence against women may be reported to:

Bolivian police

4.  Public Prosecutor’s Office:

institutions to issue the complaint:

Municipal integral legal services

Defenders of children and adolescents, when the assaulted person is under 18 years old

SIJPLU

Plurinational Service for the Defense of the Victim

indigenous and aboriginal farming authorities, when applicable

**B. Law 1674 against Family or Domestic Violence:**

1. Sanctioned forms of violence are:

physical violence

psychological violence

sexual violence

situations in which parents, guardians or custodians endanger the physical or psychological integrity of minor

2. Cause of action is:

a. The complaint may be filed orally or in writing, with or without the assistance of legal counsel, before the competent judge, the Public Prosecutor’s Office or the Bolivian National Police.

## 3.8 Marital rape

Spousal rape is defined as an act of violation in which the perpetrator is the spouse, cohabitant or with whom the victim maintains or had maintained an analogous relationship of intimacy (Article 310 of Law 348).

## 3.9 Are there any other important domestic violence terms defined in relevant domestic violence statutes and codes?

Law 348 contains the following definitions:

Depatriarchalization: The development of public policies based on a plurinational identity, to create a plurinational identity, to make visible, denounce and eradicate patriarchy, through the transformation of unequal structures, relations, traditions, customs and behaviors of power, domination, exclusion and of power, oppression and exploitation of women by men.

Gender equality: To eliminate inequality gaps for the full exercise of women’s and men’s rights and freedoms.

# 4. Protection for domestic violence victims and relief granted

## 4.1 Civil protection orders

## 4.1.1 Are there civil protection orders available to victims of domestic abuse?

Bolivia has introduced civil procedures for granting protection orders or other forms of protective measures for victims of domestic violence. These orders are designed to prevent future violence rather than to punish past violent behavior.

First, Law 348 includes a chapter that explicitly regulates the protective measures available to women in situations of violence (Chapter III, Articles 32 to 40). In particular, Article 35 contains an appraised list of the civil orders provided for by law. Some of these orders are: prohibit the aggressor from approaching, attending or entering the home, workplace or study center of the ascendants or descendants, or any other place frequented by the woman who is in a situation of violence; provide for the removal of the perpetrator of sexual harassment in the workplace; and provide measures to avoid discrimination in the selection, qualification, permanence and promotion in their labor source.

Principally, protective measure 18 (Article 35.18) declares: “Order any precautionary measure for the protection of women who find themselves in a situation of violence as provided for in the Bolivian Code of Criminal Procedure.”

In addition, Chapter V of Law 1674 is headed “Precautionary and provisional measures.” In such a way, Article 15 of the aforementioned chapter lists the precautionary measures legally provided, which include: temporarily prohibit or restrict the presence of the offender in the marital home; order the return of the victim to the home from which she was violently removed; authorize the victim to leave the common home and order the immediate delivery of her personal effects; arrange the inventory of the movable and immovable property owned by the community of property; and prohibit or limit the attendance of the accused at the victim’s workplace.

Furthermore, with Law 1173, 13 measures for the protection of children and adolescents and 15 measure for the protection of women are activated. It is clear from the text of this legislation that the special protection measures serve a purpose that is different than that for which the personal precautionary measures were designed.

Finally, Article 168 of the Children’s Code declares that protection measures are orders of obligatory compliance, issued by the public judge for children and adolescents in matters of childhood and adolescence, in the face of a threat or violation of the rights of children or adolescents.

## 4.1.2 Who can petition for civil protection orders?

As stated in Article 17 of Law 1674, in order to guarantee the safety and physical or psychological integrity of the victim, the judge, *ex officio* or at the request of a party or of the Public Prosecutor’s Office, may order the appropriate precautionary measures.

Additionally, Law 1173 declares that the judge may, *ex officio* or at the request of a party (the victim or his or her representative), without the need for him or her to become a plaintiff, apply the special protection measures contemplated in the law to the accused.

## 4.1.3 Are there temporary custody of a child or child support orders?

Yes, the following are among the protection measures envisaged in Article 35 of Law 348: provide for family assistance in favor of daughters, sons and wives; prohibit the aggressor from approaching, attending or entering the home, workplace or study place of the ascendants or descendants, or any other place frequented by the woman who is in a situation of violence; temporarily suspend the aggressor from visiting and cohabitation with his children; and order the immediate delivery of objects and personal documents of the woman and her children or dependents.

Furthermore, Law 348 incorporates a specific article that declares (Article 36 (Protection of children)):

If as a consequence of a crime of feminicide committed by the spouse or cohabitant, minor children are left orphaned, they shall be immediately placed under the custody of the grandparents or other close relative through the maternal line, with the accompaniment of the Office of the Ombudsman for Children and Adolescents until legal guardianship is established, the whole family must have access to the victim and witness protection system of the Public Prosecutor’s Office and to the system of attention that this Law foresees.

Ultimately, as previously mentioned, Law 1173 dispenses 13 specific measures to guarantee protection to children and adolescents undergoing a violence situation. Among them are: leaving or vacating the domicile where the victim lives, regardless of the ownership of the real estate; prohibition to enter the victim’s domicile, even if it is the family domicile; and prohibition to communicate directly or indirectly and by any means with the victim.

## 4.1.4 Is there a provision to order the abuser to move out or stay away from places that the victims frequent?

Currently, Bolivia has legislated protective measures for victims of intimate partner abuse that encompass strategies to guarantee the victim’s safety. For instance, measures aimed at impeding the contact between the victim and the aggressor (called protective or preventive), for example, denial of aggressor’s access to their shared residency or victim’s place of work, among others.

Among the measures declared in the aforementioned laws (Law 1674, Law 348 and Law 1173), there are multiple provisions prohibiting the aggressor from approaching the victim. Some of them are:

Article 35 of Law 348:

Order the aggressor to leave, vacate or restrict the aggressor from the marital home or the home where the woman in a situation of violence lives, regardless of the accreditation of ownership or possession of the property, and order the aggressor to undergo therapy.

Prohibit the aggressor from approaching, attending or entering the home, workplace or study place of the ascendants or descendants, or any other place frequented by the woman in a situation of violence.

Provide for the removal of the aggressor of sexual harassment in the workplace.

Article 18 of Law 1674:

Temporarily prohibit or restrict the presence of the accused in the conjugal home.

Authorize the victim to leave the common home and order the immediate delivery of her personal effects.

Prohibit or limit the attendance of the accused at the victim’s workplace.

Article 14 of Law 1173:

For children: leaving or vacating the domicile where the victim lives, regardless of the ownership of the real estate; prohibiting entry to the victim’s domicile, even if it is the family domicile.

For women: order the aggressor to leave, vacate or restrict from the marital home or the home where the woman in a situation of violence lives, regardless of proof of ownership or possession of the property, and to order the aggressor to undergo psychological therapy in a rehabilitation service.

## 4.1.5 Are there any other types of emergency, preventive and civil protection orders?

Article 37 of Law 348 states that if in an area or sector at the national level there is an alarming rate of violence, the executive branch, through the governing body, will declare an alert against violence. If this were to take place, all the competent authorities must activate emergency measures, actions and resources to address the problem of violence against women, preserving women’s rights.

## 4.1.6 Can these orders be requested by direct or indirect victims or legal representatives in children's cases?

Yes. Law 1173 declares that the judge, acting *ex officio*, or the party itself, either the victim or his or her representative, may request that the aggressor be charged with the corresponding special measures to safeguard the minor’s health (Article 14).

## 4.1.7 Are there different types of civil protection orders, e.g., for a short- term period?

The previous legislation outlined declares that protective orders are temporary, i.e., their duration depends on the special circumstances of each particular case and the subsistence of the motives that founded its application.

## 4.1.8 Are ex parte orders permitted without the aggressor being present?

The regulations described in the preceding paragraphs show that protection measures may be requested by a party, either the victim or his or her legal representative. However, the governing body determines the appropriateness of the measure.

## 4.1.9 Do emergency orders also extend protection for abuse and intimidation to family members of the victim?

Yes. Article 35 of Law 348 includes a special provision to guarantee the safety of the ascendants and descendants of the victims. Thus it is clear that the law doesn’t only protect the victim but also his or her close environment, especially when there are children and adolescents involved.

## 4.1.10 How long do the orders last?

Law 1674 includes a specific provision headed “Temporality of the Measures” (Article 19) which states: “The precautionary measures listed in the preceding article are essentially temporary in nature and may not exceed the duration of the proceeding.”

In addition, Law 1173 states that the special measures will last until the motives that founded them subsist.

Finally, a study, conducted in 2015 on the compliance of protective measures in situations of domestic violence, reported that in Bolivia, the authority determines the duration of the protective measures, contrary to other Latin American countries such as Costa Rica, Chile, Mexico and Honduras.

To sum up, the Bolivian legislation includes information on the duration of the measures, but there are no fixed periods, the legislator leaves this decision to the discretion of the issuing authority.

## 4.1.11 Please provide any data or hyperlinks to government or NGO websites that include information on how often civil protection orders are issued, and any relevant demographics information, e.g., police reports, convictions, etc.

Below is a link to a report on the status of compliance with measures for the care and protection of women under Law 348:

<https://www.defensoria.gob.bo/uploads/files/informe-defensorial-estado-de-cumplimiento-de-las-medidas-de-atencion-y-proteccion-a-mujeres-en-situacion-de-violencia-en-el-marco-de-la-ley-n-348.pdf>

## 4.2 Steps for receiving a protective order

## 4.2.1 What documentation is needed to obtain a civil protection order?

In Bolivia, judges share the capability to request a protective measure with the victim or even a third party. In such a way, the victim must issue a written or verbal request. Apart from the aforementioned, there is no specific requirement, however, all evidence is admitted in these procedures.

## 4.2.2 Does the victim need to attend a hearing?

Yes, as is established in Article 7 of Law 1173, the hearings will be conducted with the uninterrupted presence of the parties. Therefore, the victim must attend the hearing in which the evidence submitted to the process will be evaluated.

However, in certain crimes against sexual liberty, the victim has a series of rights set out in Law 2033, among which is the right to not appear as a witness, if he or she considers that the elements of evidence that he or she presents or that were presented are sufficient to prove the elements of the crime and the responsibility of the accused (Article 15.4, Law 2033).

## 4.2.3 Can you request remedies?

Bolivian legislation contains explicit references to remedies available to women subjected to domestic violence. Among them are measures in the fields of education, health, labor, communication and the media (Chapter I, Title III, Law 348). Moreover, victims can obtain the remedies as part of the procedure against a crime committed by an aggressor, contained in Law 1173.

In addition, as is established in Article 14 of Law 1173, more than one measure may be imposed, depending on the specific case and with due justification for each one. These measures are of immediate and obligatory compliance and may be carried out with the help of the public forces.

The following remedies are available:

Order the aggressor to leave the conjugal domicile or the place where the woman in a situation of violence lives, regardless of the accreditation of property or possession of the property. Additionally, it is possible to order the aggressor to undergo psychological therapy in a rehabilitation service.

Prohibit the aggressor from disposing, mortgaging or changing the ownership of common movable or immovable properties.

Provide for family assistance in favor of daughters, sons and wives.

Prohibit the aggressor from approaching, attending or entering the home, place of work or studies, or any other place frequented by the woman who is in a situation of violence. The aggressor must remain at a suitable distance to guarantee the victim’s safety and integrity.

Return the woman to the domicile from which she has been violently removed, with sufficient guarantees to protect her life and integrity. The woman/victim must request it.

Prohibit the aggressor from communicating with, intimidating or molesting the woman by any means. Third parties included.

Prohibit actions of intimidations, threats or coercing of witnesses.

Temporarily suspend the aggressor from the visitation and cohabitation regime with her children.

Carry out the inventory of the movable and immovable goods of common property or of legitimate possession.

Order the immediate delivery of objects and personal documents of the woman and her dependents.

Withhold the ownership documents of movable or immovable property. It must be requested while the reparation of the damage is being decided.

Order the tolerance or reduction of the work schedule of the woman who is in a situation of violence, without affecting her labor or work rights.

Order the preventive annotation of the aggressor’s assets subject to registration and the freezing of bank accounts. Aimed at guaranteeing the assistance obligations for the woman.

Watch over the inheritance rights of women.

Provide measures to avoid discrimination in the selection, qualification, permanence and promotion in their labor source.

Restrict, in the case of sexual harassment, all contact between the aggressor and the woman. The aggressor must remain at a suitable distance to guarantee the victim’s safety and integrity.

Protect all those that guarantee the integrity of women who find themselves in a situation of violence.

## 4.2.4 Are there time limits?

Bolivia is one of the few Latin American countries in which there is no waiting period between making the complaint and receiving the protection from the authorities. According to Law 348, the judge, immediately after hearing the case, must order protective measures to safeguard the life, physical, psychological and sexual integrity, as well as the patrimonial, economic and labor rights of women in situations of violence.

## 4.2.5 Are there different rules in emergencies?

As it is established in Article 14 of Law 1173, in cases of urgency or after establishing the risk situation in which the victim finds herself and when the circumstances of the case require the immediate protection of her integrity, the measures provided may be ordered by the prosecutor, the police officer or any other authority provided for the care of women in situations of violence and for the defense of the rights of children and adolescents. Within 24 hours after the measure has been imposed, the prosecutor, the police officer or the non-jurisdictional authority that ordered it, must inform the examining magistrate, for the control of legality and its subsequent ratification, modification or revocation. The judge, attending to the circumstances of the case, may resolve the matter in a public hearing following the procedure for the application of precautionary measures, or may resolve it without a hearing, in which case they will issue the resolution within 72 hours following the communication.

## 4.3 Judicial discretion

## 4.3.1 What discretion does a judge have in granting a civil protection order or other protective orders?

From the text of Law 1173, it is clear that there is a certain degree of discretion in the imposition of special protection measures in situations of violence against women. In this way, it can be read that the investigating judges are competent to order, ratify or modify special protection measures in favor of the victim and to impose sanctions in the event of noncompliance.

Likewise, Article 170 of the Children’s Code establishes a series of criteria to be followed by the judge in order to impose a protection measure. In this case, judicial discretion is limited by normative criteria.

## 4.3.2 Are there age limits on who can obtain orders?

There are no explicit references, neither in Laws 348 and 1173 nor in the Children’s Code, to age-based limitations on the imposed security measures.

## 4.4 Restitution and remedies available to victims

## 4.4.1 Can victims obtain reimbursement for costs and restitution paid?

From the commission of any crime, the victim is entitled a civil action for the reparation of damages and losses (Article 14 of the Bolivian Criminal Procedure Code and Article 12 of Law 1674). Additionally, Chapter II of the same legal text specifically regulates the civil action available to the injured party. Therefore, as we can see, restitution needs to be requested through the civil action of compensation.

Moreover, a study conducted in 2015 on the contrast within Latin American countries in the compliance with gender-based legislations and regulations, indicated that in Bolivia restitution penalties for domestic violence criminal and noncriminal convictions are mandatory.

## 4.4.2 Can they recover wages and profits lost?

Few countries in the region have expanded the notion of protective measures to incorporate policies aimed at reducing the economic dependency of victims — one of the most cited reasons for women recanting their initial complaint or not requesting help from the authorities at all. Bolivia aims to provide women with alternatives for housing and changing their location without losing their jobs, and priority for accessing economic assistance from the government. Because of this, the victims of violence will have the right to reduce or adjust their working hours or geographical mobility, to change the work location, to suspend the employment relationship they maintain, and to exceed such time in the terms determined.

## 4.4.3 Is a separate civil process required?

The reparation action may be brought jointly with the criminal action or independently in civil proceedings (Chapter II, Bolivian Criminal Procedure Code).

In accordance with Article 98 of Law 348, once the criminal sentence has been executed, the same jurisdictional body will proceed to qualify the civil liability. Therefore, it seems that it is not necessary for the civil and criminal actions to be substantiated in separate proceedings.

# 5. Prosecutorial considerations

## 5.1 Police procedures

## 5.1.1 When do the police get involved in domestic disputes or legal actions?

According to the law, any person can file a criminal complaint in a police station related to violence against a woman.[10] The authorities in charge of receiving, investigating and processing complaints must provide the women with support and dignified and respectful treatment, in accordance with their situation, facilitating as much as possible the steps they must take.

Furthermore, Article 53 of Law 348 introduces the Special Force for the Fight against Violence as a specialized agency of the Bolivian police in charge of preventing, assisting and investigating, identifying and apprehending the alleged perpetrators of acts of violence against women and the family, under the functional direction of the Public Prosecutor’s Office, in coordination with public and private entities. The obligations of this entity are the following:

Receive oral or written complaints from female victims of violence or third parties.

Identify the perpetrators and participants in cases of violence, apprehend them immediately in case of flagrante delicto and bring them before the Public Prosecutor’s Office within a maximum of eight hours.

Assist the assaulted persons and their children or other dependents, even when they are living inside the other dependents’ home.

Take minutes of the events that have occurred.

Gather and secure all evidence.

Confiscate the weapons and objects used to threaten and assault.

Guide victims on the remedies available to them under the law and on the existing care and protection services available.

Take the assaulted person to the health services, to give them immediate medical attention.

If the woman in a situation of violence requests it, accompany her and assist her while she removes her personal belongings from her home or another place and take her where she indicates or to a shelter or temporary refuge.

Follow up with the woman for 72 hours, in order to ensure the effectiveness of the protection provided to the woman and other persons at risk.

## 5.1.2 What circumstances effect law firm involvement?

No circumstances can affect the involvement of law firms in police procedures.

## 5.2 Standard of proof

## 5.2.1 Is proof required by any legal means?

Yes. Parties are free to file or request all the evidence that they think can give the judge a better understanding of the situation. However, it should be noted that in all criminal proceedings for acts that threaten the life, safety or physical, psychological and/or sexual integrity of women, the burden of proof will be on the Public Prosecutor’s Office.

## 5.2.2 Are there any requirements regarding evidence and documents?

Bolivian law refers to the legitimacy of evidence, stating that all legally obtained evidence and elements of conviction that may lead to discovering the truth, will be legitimate. Moreover, the judge will not request evidence, statements or expert opinions that could constitute revictimization.[11]

Article 95 of Law 348 presents a list of examples that, in addition to others established by law, will be admitted as documentary evidence.

## 5.2.3 Is proof "beyond a reasonable doubt" required?

Neither the Bolivian Criminal Code nor the Law to Guarantee Women a Life Free of Violence requires the proof beyond a reasonable doubt standard.

## 5.2.4 Is the standard of proof different for ex parte orders?

No, it is the same, as described above.

## 5.3 Affirmative defenses

## 5.3.1 Are affirmative defenses available to the accused?

Yes, according to Article 17 of the Bolivian Criminal Code.

## 5.3.2 Is willful intent required?

When the law does not expressly provide for the punishment of the crime of negligence, only the crime of willful misconduct is punishable.[12]

## 5.3.3 Are false accusations punishable for the victim?

Yes. According to Article 169 of the Bolivian Criminal Code, anyone who falsely attributes a punishable act to another will be punished with imprisonment from one to 15 months. If false testimony was committed in a criminal trial to the detriment of the accused, the penalty of deprivation of liberty will be from one to three years.

## 5.3.4 How is consent discussed in the law?

Consent is tacitly discussed in the law to determine the crimes of abduction of a minor or an incompetent person, suicide, rape, rape of minors, forced sterilization, sexually abusive acts and sexual harassment. The definition of sexual violence provides that the offense be crystalized if the perpetrator, by violence or threats, forces a woman to have unwanted sexual contact.

## 5.3.5 Is self-defense or insanity a defense?

Yes, according to Article 11.I.1) and Article 17 of the Bolivian Criminal Code. There is no special provision regarding this topic for acts of violence against women.

## 5.4 Witness status

## 5.4.1 What is a witness's duty to testify honestly and completely?

A witness is compelled to answer truthfully the questions that are asked, otherwise they may commit false accusations, punishable under the Bolivian Criminal Code. Furthermore, in the event that they refrain from testifying without just cause, they will be sentenced to one to three months’ imprisonment or a fine of 20 to 60 days’ wages for committing judicial disobedience.

With respect to this, Article 193 of the Bolivian Code of Criminal Procedure establishes the following: any person who is summoned as a witness will have the obligation to appear before the judge or court to declare the truth of what he or she knows and is asked, except for the exceptions established by law.

## 5.4.2 Who may abstain from testifying in certain situations?

According to Article 93 of Law 348, the woman in a situation of violence may decide whether to testify or to present evidence by alternative means, without having to go to court, or to give evidence without being obliged to meet the aggressor.

Furthermore, the Bolivian Code of Criminal Procedure establishes those situations in which individuals may abstain from testifying in the following articles:

Article 195:

The following are not obliged to appear before the judge or court: the President and Vice President of the Republic, Presidents of the Legislative Chambers, President of the Supreme Court, President of the Constitutional Court, Attorney General of the Republic, Ombudsman, representatives of diplomatic missions, Members of Parliament and Ministers of State, who shall testify at the place where they perform their duties, at their domicile or in writing.

Article 196:

They may abstain from testifying against the accused, his spouse or partner, his relatives by blood up to the fourth degree or by adoption and by affinity up to the second degree.

Article 197:

Persons shall refrain from testifying about facts that have come to their knowledge, by reason of their trade or profession, and which relate to legally established duties of secrecy and reserve. These persons may not refuse to testify when they are released by the interested party from the duty of secrecy.

Article 199:

When the witness does not reside in the judicial district where he/she is to give his/her testimony and it is not possible to have him/her present, his/her testimony shall be ordered by exhortative letter or order issued to the judicial authority of his/her residence.

## 5.4.3 What potential "excuses" can a witness raise to refuse to testify in a domestic violence action?

As it has been stated, if the witness is in a domestic violence situation herself, according to the Law to Guarantee Women a Life Free of Violence, she is not obliged to testify in court or present evidence in court, so that she does not meet with her aggressor. She may use alternative means to present the evidence of the case.

## 5.4.4 What is the impact of domestic violence on witnesses who are children?

Yes. According to Article 154 of Law 548 (Child and Adolescent Code), the Public Prosecutor’s Office through its specialized units and the Ministry of Justice through the Plurinational Victim Assistance Service System, within the framework of its competencies, will assist the child or adolescent who is a victim or witness of crimes, for his or her psycho-affective recovery, by providing:

respectful specialized treatment, with quality and warmth, under conditions of reserve, confidentiality, in their mother tongue or appropriate language, and with the assistance of a multidisciplinary team

the application of care protocols and official critical routes, also taking into account the anticipation of evidence to avoid revictimization

## 5.4.5 Can children be called upon to testify?

Yes, as stated in Article 228 of the Child and Adolescent Code.

## 5.4.6 What is the effect of a child victim on the charges against the offender?

Under the Bolivian Criminal Code:

In the crime of homicide, if the victim of the crime turns out to be a child or adolescent, the penalty will be increased by two-thirds.

In the case of very serious, serious and minor injuries, when the victim is a child or adolescent, the minimum and maximum penalty will be increased by two-thirds.

In the case of rape, if the crime is committed against a person of either sex under 14 years old, it will be punishable by deprivation of liberty for 20 to 25 years, even if there is no use of force or intimidation and consent is alleged.

Moreover, the fact of committing the crime against a minor constitutes an aggravating circumstance thus typified in the code.

In the case of sexual abuse, if the victim is a child or adolescent, the custodial sentence will be from 10 to 15 years.

In the crime of abduction, the minimum and maximum penalty will be increased by one-third, when the victim is a child or adolescent.

## 5.5 Penalties and sentencing; penalty enhancements

## 5.5.1 What are the penalties and sentencing laws for first-time domestic violence offenses?

Article 272-*bis* of the Bolivian Criminal Code includes the crime of domestic or family violence, for which it imposes a prison sentence of two to four years, if it does not constitute another crime, although it does not specifically mention first-time offenses.

## 5.5.2 Are there criminal penalties?

Yes, some actions have been classified as criminal penalties: abduction of a minor or incompetent person, homicide by violent emotion, homicide-suicide, forced abortion, very serious, serious and minor injuries, rape, child rape, sexual abuse, abduction, feminicide, forced sterilization, sexually abusive acts, sexual ailments, sexual harassment and domestic violence.[13]

## 5.5.3 What is the result of a violation of an existing order for protection?

Article 160 of the Bolivian Criminal Code outlines the crime of judicial disobedience, establishing that whoever disobeys an order issued by a public official or authority, given in the exercise of their functions, will be fined from 30 to 100 days wages.

## 5.5.4 What fines and other penalties are imposed besides incarceration and liberty restriction?

The law provides for some additional penalties, which include: (i) payment of a fine (up to 50% of salary), but that is not a substitute for reparation to the woman for the damage; (ii) weekend detention; (iii) community service; (iv) rehabilitation of the aggressor with psychological treatment in all cases; (v) temporary suspension or separation from the position or exercise of the profession; and (vi) a plan of conduct for the convicted person when alternative sanctions involving total or partial release are applied, under which he must comply with instructions that may not be degrading or likely to offend dignity or self-esteem.[14]

## 5.6 Post-release restrictions

## 5.6.1 Does the law notify the victim of the offender's release from custody?

No, but the victim, being part of the process, has the right to know all the procedural acts.

# 6. Special issues

## 6.1 Battered woman syndrome

## 6.1.1 Can lawyers present evidence of battered woman syndrome or other domestic abuse as an affirmative defense to crimes that the battered woman has committed? (Note: Battered Woman Syndrome is accepted by courts in certain jurisdictions to show that battered women can use force to defend themselves and sometimes kill their abusers due to abusive and life-threatening situations.)

Yes, they can present full evidence in any matter in order to support the case. There are cases in Bolivian jurisprudence in which battered women who have murdered their husbands had their sentences reduced considering that they have suffered previous mistreatment and abuses.[15]

## 6.2 Domestic violence in the workplace

## 6.2.1 Can courts issue orders to protect employees suffering from domestic violence?

Yes, the judge or prosecutor may agree to keep or reduce the working hours of the woman who is in a situation of violence, without affecting her labor and salary rights, and order the removal of the aggressor of sexual harassment from the workplace.

Notably, Law 348 includes workplace violence as a form of violence against women, defined as any action that occurs in any work environment by any person who discriminates, humiliates, threatens or intimidates women, who hinders or subordinates their access to employment, permanence or promotion, and who violates the exercise of their rights.

Article 21 of Law 348 includes the main measures to be implemented by the Ministry of Labor in relation to violence against women, highlighting its duty to protect them against all forms of sexual harassment or harassment in the workplace, and the adoption of internal and administrative procedures for reporting, investigating, service notice, prosecuting and punishing. Furthermore, a system of flexibility and tolerance needs to be adopted in the workplace for women in situations of violence, guaranteeing their labor rights.

On the other hand, in compliance with Supreme Decree No. 23425, of 15 March 1993, and Article 31 of Law 263, in coordination with the IOM, “Solidarity Scholarships” have been granted to victims of trafficking and smuggling for their educational and labor reintegration.[16]

## 6.2.2 Can departure be deemed "for good cause" if related to domestic violence?

As previously stated, the Ministry of Labor is responsible for issuing specific measures to ensure that no worker is dismissed for reasons related to acts of violence regulated by law; therefore, sanctioning the unjustified dismissal of women because of their marital status, pregnancy, violence situation, age, physical condition, number of children or any other form of labor discrimination.

## 6.2.3 Can family members of domestic violence victims take reasonable leave to help the victim seek treatment or obtain help and services?

Bolivian law does not include the option for family members of domestic violence victims to take reasonable leave to help victims seek treatment. However, the law states that the government supports the victims with special centers and adequate shelters for women.

## 6.3 Immigration

## 6.3.1 Does the law include provisions that are intended to prevent abusers who are citizens or permanent residents from using immigration laws to perpetrate domestic violence against their spouse?

No, the law does not include any specific provisions on this matter.

## 6.3.2 If battered immigrants cooperate with law enforcement in domestic violence, can they obtain immigration remedies?

No, the law does not include any specific provisions on this matter.

## 6.3.3 Does domestic violence law discuss asylum accessibility?

No, the law does not include any specific provisions on this matter.

The only references to issues related to gender discrimination are those contained in Law 370, the Migration Law, which specifically mentions the rights and obligations of migrant women. Among the principles that should govern migration policy are the principles of nondiscrimination and gender equity. However, no special protection or asylum is regulated in matters of migration due to domestic violence.

## 6.4 Armed forces

## 6.4.1 Can a victim seek a military protective order if the abuser is in active military?

Article 81 of Law 348 includes the possibility of imposing a disqualification sanction when the person punished for crimes of violence against women exercises a profession or occupation related, among others, to a military position. It has a time limit of 12 years, and restrictions on these rights cannot be imposed in a single sentence. Once half of the imposed term has elapsed, or a minimum of five years, rehabilitation may occur.

## 6.5 Child custody and child/spousal support

## 6.5.1 Do judges follow special rules to determine custody or visitation of children in domestic violence cases?

The law sets certain preventive and security measures to protect the women that have been victims of domestic violence. The judge or prosecutor hearing a complaint of violence against a woman has the obligation to issue protective measures in her favor in order to interrupt the situation of violence or to prevent new aggressions. The woman is entitled to ask, among others, to temporarily suspend the aggressor from visiting and cohabiting with his children (Article 35 of Law 348). Moreover, the woman may ask to prohibit the aggressor from communicating with, intimidating or bothering by any means or through third parties, the woman who is in a situation of violence, as well as any member of her family.

## 6.5.2 Can the judge consider the testimonies of the other spouse and the children when determining custody?

Yes, the judge in charge of issuing a ruling must attend the hearing and the incorporation of evidence based on which they will be able to pass their sentence. Consequently, the principle of equality of the parties before the judge implies that the parties to proceedings enjoy the exercise of their rights and procedural guarantees, without discrimination or privilege of one in relation to the other.[17]

Additionally, the child or adolescent is guaranteed participation in all proceedings in which they is a party and will be heard by the judicial authority, who will always take into account their age and the characteristics of their stage of development as stated in the Child and Adolescent Code, 23 July 2014.[18]

## 6.6 Housing rights of domestic violence victims

## 6.6.1 Does the law include any barriers to prevent landlords from forcing a tenant to move out because they are victims of domestic violence?

The law does not include any barriers to prevent landlords from forcing a tenant to move out. However, regarding protective measures that may be ordered by the competent authority (Article 36 of Law 348), the law allows to remove or restrict the aggressor from the marital home or the home where the woman in a situation of violence lives.

Furthermore, Section 5 of Article 36 allows for the woman to be returned to the home from which she was violently removed, when she so requests, with sufficient guarantees to protect her life and integrity.

## 6.6.2 Does the law allow a tenant to terminate his/her lease early due to domestic violence?

Under Section 19 of Article 36 (Law 348), the law allows for “any other measure that guarantees the integrity of women in situations of violence.” Accordingly, this law could be used to argue that the tenant’s termination of their lease is required as a measure to protect the victim’s family.

## 6.6.3 Can an order exclude the abuser from the residence?

Yes. As was previously mentioned, Section 1 of Article 36 of Law 348 includes the possibility to order the aggressor to leave or vacate, or to restrict the aggressor from, the marital home or the home where the woman in a situation of violence lives, regardless of proof of ownership or possession of the property, and order the aggressor to undergo psychological therapy in a rehabilitation service.

## 6.6.4 Can abusers be forbidden by court orders to alienate or mortgage the property in his/her name if it is the family domicile?

Yes, under Section 2 of Article 36 of Law 348, the law allows to prohibition the aggressor to alienate, mortgage, pledge, dispose or change the title of the ownership of common movable or immovable property.

# 7. Endnotes

[1]   <https://violentadasencuarentena.distintaslatitudes.net/portfolio/bolivia/>

[2]   Article 15 II: “All persons, in particular women, have the right to be free from physical, sexual and psychological violence, both within the family and in society.”

[3]   <https://evaw-global-database.unwomen.org/en/countries/americas/bolivia-plurinational-state-of>

[4]   <https://www.dw.com/es/bolivia-registr%C3%B3-113-v%C3%ADctimas-de-feminicidio-en-2020/a-56117971>.

[5] <http://www.coordinadoradelamujer.org.bo/observatorio/archivos/destacados/boletin8mcompressed_86.pdf>

[6] <http://www.coordinadoradelamujer.org.bo/observatorio/archivos/destacados/boletin8mcompressed_86.pdf>

[7]   <https://www.comunidad.org.bo/assets/archivos/herramienta/7b2e04d58bcff54e1cd9538409469613.pdf>

[8]   <https://www.refworld.org.es/pdfid/559e4bda4.pdf>.

[9]   <https://www.defensoria.gob.bo/uploads/files/informe-defensorial-estado-de-cumplimiento-de-las-medidas-de-atencion-y-proteccion-a-mujeres-en-situacion-de-violencia-en-el-marco-de-la-ley-n-348.pdf> page. 55.

[10]   Article 42 of Law 348.

[11]   Article 86 Law 348.

[12]   Article 13-*quater* of Bolivian Criminal Code.

[13]   Law 348.

[14]   Articles 77 to 82 of Law 348.

[15]   <https://www.opinion.com.bo/articulo/informe-especial/condena-mujer-apu-ntilde-oacute-120-veces-esposo-violento/20171119185800676273.html> /  [http://www.scielo.org.bo/scielo.php?script=sci\_arttext&pid=S0040-29152018000200006](http://www.scielo.org.bo/scielo.php?script=sci_arttext&amp;pid=S0040-29152018000200006)

[16]   <http://saludpublica.bvsp.org.bo/cc/bo40.1/documentos/588.pdf>

[17]   Article 30 of Law of the Judiciary, 24 June 2010.

[18]  Article 195.

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