

# **BOLIVIA 2018 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

Bolivia is a constitutional, multiparty republic with an elected president and a bicameral legislature. In 2014, in a process deemed free but whose fairness was questioned by international observers, citizens re-elected President Evo Morales Ayma, leader of the Movement Toward Socialism Party (MAS), for a third term. In 2016 the government held a referendum to allow the president to seek a fourth term in office. Citizens voted the measure down in a process that international observers deemed mostly fair and free. In November 2017 the Plurinational Constitutional Tribunal struck down the constitution's ban on term limits, in a controversial ruling that stated term limits violate an article of the American Convention on Human Rights that guarantees a right to political participation. On December 4, the Supreme Electoral Tribunal approved Morales' petition to run for a fourth consecutive term in 2019.

Civilian authorities maintained effective control over the security forces.

Human rights issues included reports of unlawful or arbitrary killings and torture by government officials; harsh and life-threatening prison conditions; lack of judicial independence; political prosecutions; arbitrary detention; reports of censorship and physical attacks on journalists by state security forces; substantial interference with the rights of peaceful assembly and freedom of association; corruption in all levels of government; trafficking in persons; crimes involving violence targeting lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons; mob violence; and forced labor and use of child labor.

The government took steps in some cases to prosecute members of the security services and other government officials who committed abuses, but inconsistent application of the law and a dysfunctional judiciary led to impunity.

### **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

#### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were reports that the government or its agents committed arbitrary or unlawful killings.

During May 24 protests to increase the university budget, Bolivian National Police Second Lieutenant Cristian Casanova Condori shot and killed Jonathan Quispe, a student at the Public University of El Alto. After initially denying government responsibility for the shooting and blaming protesters, Minister of Government Carlos Romero eventually acknowledged police culpability, stating the officer acted autonomously to modify his shotgun and introduced a marble as a projectile in the weapon. On June 1, Casanova Condori was dismissed from his police duties and detained under preventive detention. Many observers doubted the officer acted on his own accord.

In May the prosecution formally accused 16 miners and a lawyer of the 2016 murder of then vice minister of the interior Rodolfo Illanes, who was tortured and killed after an incident in which police killed four miners during a protest. In addition, two police chiefs were placed under house arrest after formal charges were brought against them for the deaths of the four miners. As of October neither case had a final sentence.

### **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution prohibits all forms of torture, coercion, and physical and emotional violence, but there were credible reports that government officials employed them. The penal code carries only minimum penalties for those found guilty of torture, but no public official had ever been found guilty of violating these provisions.

An antitorture nongovernmental organization (NGO) noted that 20 cases of state torture were reported to them from January to November. NGOs charged that the Ministry of Justice's Service to Prevent Torture failed to consistently denounce torture by police and military, where it occurred most frequently. NGO reports indicated police investigations relied heavily on torture to try to procure information and extract confessions. The majority of abuses reportedly occurred while officials were transferring detainees to police facilities or holding them in detention. According to reports from NGOs engaged with prison populations, the most common forms of torture for detainees included sensory deprivation, use of

improvised tear gas chambers, and the use of tasers, asphyxiation, verbal abuse, and threats of violence.

An NGO that works with prisoners reported that in August prison guards handcuffed five prisoners together, locked them in a small room without ventilation, and sprayed the room with teargas and pepper spray for hours. The NGO reported that weeks after the incident, the prisoners' eyes remained burned and that they suffered from chronic respiratory pain.

On September 17, Jorge Paz, the representative of the ombudsman in Santa Cruz, stated he had witnessed torture in the prison system.

As of September the case continued regarding a La Paz municipal guard accused of sexually assaulting two trafficking victims ages 11 and 17 in 2017. Also pending was the 2017 case regarding allegations that police officers employed torture as an "investigation technique" against a rape suspect to extract his confession.

Within the military, torture and mistreatment occurred both to punish and to intimidate trainees into submission. Military officials regularly verbally abused soldiers for minor infractions and perceived disobedience.

There were no reported developments in the investigation regarding the suspected hazing of a 17-year-old soldier in training in the city of La Paz in 2017.

A study released in March 2017 by the human rights ombudsman found that police officials sometimes abused sex workers. The study noted the rights of the sex workers were easy to violate because no specific law protects them, even though prostitution is legal.

### **Prison and Detention Center Conditions**

Prisons were overcrowded, underfunded, and in poor physical condition, resulting in harsh and life-threatening conditions. Violence was pervasive due to inadequate internal security.

Physical Conditions: The prison population was more than three times the capacity. According to the Ministry of Justice, as of June 19, there were 18,195 prisoners in facilities designed to hold 5,000 persons. For example, built to accommodate 70 individuals, Montero Prison held 430, including 33 women. The 430 inmates shared three bathrooms. Approximately 80 detainees slept in rotating

six-hour shifts in the open-air “patio” portion of the facility. Men and women shared sleeping quarters in some facilities.

Approximately 70 percent of all prisoners were being held in pretrial (preventive) detention. In Montero Prison, 85 percent of the detainees had yet to be tried. In addition, many prisoners remained incarcerated beyond the maximum sentence allowed for the crime for which they had been convicted.

Women’s prisons operated in La Paz (two), Trinidad, and Cochabamba. Men and women shared sleeping facilities in Morros Blancos Prison in Tarija, Montero Prison in Santa Cruz, Riberalta Prison in Beni, and Oruro Prison in Oruro. In other facilities men and women had separate sleeping quarters but comingled daily. Female inmates experienced sexual harassment and assault on a regular basis, mostly by other incarcerated persons, and some were forced to pay antirape extortion fees. While observers noted that violence against women reportedly was rampant, they reported a culture of silence that suppressed reporting of gender-based violence for fear of reprisal.

Although the law permits children up to the age of six to live with an incarcerated parent under “safe and regulated conditions,” children as old as 12 resided in detention centers with incarcerated parents, despite unsafe conditions, often because the parents lacked viable alternative living arrangements due to poverty or family constraints. According to the government, approximately 550 children were living in prison with their mothers; an independent news source indicated at least 1,000 children were living with one or both of their parents in prison. In May Deputy Minister of the Interior Jose Luis Quiroga announced that minors six years and under would be allowed only in women’s prisons. Due to repeated incidents of sexual violence, Quiroga stated minors were no longer allowed to live in male detention centers.

The law sets the juvenile detention age from 16 to 14 and requires juvenile offenders be housed in facilities separate from the general prison population in order to facilitate rehabilitation. Children younger than age 14 years are exempt from criminal liability but may be subject to civil liability. Adult inmates and police reportedly abused juvenile prisoners. Rehabilitation programs for juveniles or other prisoners remained scarce.

Violence was ubiquitous due to inadequate internal security. Abuses perpetrated by penitentiary officials included systematic intimidation, psychological mistreatment, extortion, torture, and threats of death. There were reports of rape

and sexual assault by authorities and other inmates. Corruption exacerbated these problems and hindered their exposure and resolution. Prisoner-on-prisoner violence was endemic. On March 14, police shot and killed eight persons during an operation to regain control of Palmasola Prison in Santa Cruz. According to media reports, police were conducting a search for contraband in the prison when prisoners began shooting at the police officers. Police responded with firearms, killing eight inmates during the confrontation.

The state budget allocated only eight bolivianos (\$1.17) per day per prisoner for meals. The ability to exercise varied greatly depending on the security situation in the prison. According to some contacts, prisoners may be arbitrarily confined to their cells for a long period of time or placed in solitary confinement by guards without explanation. Prisoners with independent means could purchase a transfer to the rehabilitation center, a newly built detention facility with better living conditions. One doctor attended to prisoners in each prison twice a month. Although medical services were free, prisons rarely had medications on hand. Skin disease and tuberculosis were widespread due to the cramped sleeping quarters and lack of medicine to manage contagion. Incarcerated women lacked access to obstetric services.

Corruption was persistent. A prisoner's wealth often determined his or her physical security, cell size, visiting privileges, ability to attend court hearings, day-pass eligibility, and place and length of confinement. Inmates and NGOs both alleged there were an insufficient number of police officers to escort inmates to their hearings, and prison directors often refused to intervene, exacerbating delays. Police sometimes demanded bribes in exchange for granting inmates the right to attend their own hearings.

On August 16, the director general of the penitentiary system, Jorge Lopez, announced that 36 prison security personnel were being prosecuted for acts of corruption. Independent media reported corruption complaints against police for collections inside were common. Prison inmates stated guards extorted money for the entry of goods.

Administration: Authorities generally did not conduct proper investigations of credible allegations of mistreatment. According to the UN Office on Drugs and Crime, prisoners could submit complaints to a commission of district judges for investigation, but due to fear of retaliation by prison authorities, inmates frequently did not do so.

Independent Monitoring: The government generally permitted prison visits by independent nongovernmental observers such as the International Committee of the Red Cross, local NGOs, judges, religious authorities, legislators, and media.

#### **d. Arbitrary Arrest or Detention**

The law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court, and the government generally observed these requirements.

The government sometimes used the judicial system for political purposes, taking legal action against several opposition members and critics of the government. For example, the government threatened charges against former president Carlos Mesa (2003-05) of “damage to the state” for the loss of \$42.6 million related to the arbitration won by the Chilean mining company Quiborax. During Mesa’s term as president, the government initiated the process of rescinding the mining concession with Quiborax. Mesa was accused of beginning the process improperly in 2004. The Quiborax case was still open during Evo Morales’ first term in office. During that time Quiborax representatives offered a settlement of three million dollars. In 2016 Quiborax again offered to settle the case, this time for \$27 million. The government rejected both offers, which led to prolonged international arbitration and ultimately a \$42.6 million dollar judgement against Bolivia. On July 26, the vice president announced that charges against Mesa would not proceed during the year but left open the possibility they would be renewed thereafter.

Criminal proceedings remained pending against various former government officials, which the Attorney General’s Office began in 2016. Media reported 40 open cases targeting the mayor of La Paz, Luis Revilla; 30 against Ernesto Suarez, the former prefect of Beni; and multiple cases against the governor of Santa Cruz, Ruben Costas; the governor of La Paz, Feliz Patzi; the mayor of El Alto, Soledad Chapeton; former presidents Jorge Tuto Quiroga and Carlos Mesa; the mayor of Tarija, Rodrigo Paz; and the leader of the National Unity opposition party, Samuel Doria Medina. In addition, on January 29, the government opened an investigation of the mayor of El Alto, Soledad Chapeton, for mishandling municipal land that was transferred to the private sector by the then mayor of El Alto in 1990. Although Chapeton was 10 years old at the time the land transfer occurred, her supposed transgression was the failure to recuperate the land from the private owner.

## **Role of the Police and Security Apparatus**

The national police, under the Ministry of Government's authority, have primary responsibility for law enforcement and the maintenance of order within the country, but military forces that report to the Ministry of Defense may be called to help in critical situations. Migration officials report to the Ministry of Government, and police and military share responsibilities for border enforcement.

The law to investigate and punish internal police abuse and corruption remained suspended and unenforced as a result of national police strikes in 2012, when the government agreed to revise it. There was no progress in negotiations between the Ministry of Government and the National Police Association on this problem. Congress did not act on the Constitutional Court's 2012 ruling to adjust the military criminal code and the military code of criminal procedure to stipulate that human rights violations be judged by the ordinary justice system, in compliance with the constitution. Inconsistent application of the laws and a dysfunctional judiciary further exacerbated the impunity of security forces in committing abuses.

As of September there were no developments in the case of five female police officers in the city of Potosi who filed a formal complaint in March 2017 of "psychological abuse and extreme work pressure."

## **Arrest Procedures and Treatment of Detainees**

The law requires that police obtain an arrest warrant from a prosecutor and that a judge substantiate the warrant within eight hours of an arrest. Police did not strictly adhere to these time restrictions, except in cases in which the government specifically ordered adherence. The law also mandates that a detainee appear before a judge within 24 hours (except under a declared state of siege, during which a detainee may be held for 48 hours) at which time the judge must determine the appropriateness of continued pretrial detention or release on bail. The judge is to order the detainee's release if the prosecutor fails to show sufficient grounds for arrest. The government allows suspects to select their own lawyers and provides a lawyer from the Public Defender's Office if the suspect requests one. The public defenders were generally overburdened and limited in their ability to provide adequate, timely legal assistance. While bail is permitted, most detainees were placed in pretrial detention or could not afford to post bail. Several legal experts noted pretrial detention was the rule rather than the exception.

Arbitrary Arrest: The law prohibits arbitrary arrest and detention, but the government did not always respect the law.

On August 28, following the shooting death of police lieutenant Daynor Sandoval during a skirmish with coca growers, police arrested Franclin Gutierrez, a coca grower leader in the Yungas region of the department of La Paz opposed to the government, and placed him in preventive detention. The Prosecutor's Office charged Gutierrez with five crimes--murder, attempted murder, attacks against public services, attacks against transportation services, and unlawful possession of arms--although numerous observers argued there was little evidence to support those charges. As of November the case against Gutierrez was pending.

Pretrial Detention: The law affords judges the authority to order pretrial detention if there is a high probability that a suspect committed a crime, if evidence exists that the accused seeks to obstruct the investigation process, or if a suspect is considered a flight risk. If a suspect is not detained, a judge may order significant restrictions on the suspect's movements.

The law states no one shall be detained for more than 18 months without formal charges. If after 18 months the prosecutor does not present formal charges and conclude the investigatory phase, the detainee may request release by a judge. The judge must order the detainee's release, but the charges against the detainee are not dropped. By law the investigatory phase and trial phase of a case cannot exceed 36 months combined. The law allows a trial extension if the delays in the process are due to the defense. In these circumstances pretrial detention may exceed the 36-month limit without violating the law.

Despite the legal limits on pretrial detention, denial of justice due to prolonged pretrial detention remained a problem. Complex legal procedures, large numbers of detainees, judicial inefficiency, executive interference, corruption, a shortage of public defenders, and inadequate case-tracking mechanisms contributed to trial delays that lengthened pretrial detention and kept many suspects detained beyond the legal limits for the completion of a trial or the presentation of formal charges. Many defense attorneys intentionally did not attend hearings in order to delay trial proceedings and ultimately avoid a final sentencing. According to the Ministry of Justice, approximately 70 percent of persons accused of a crime were being held under preventive detention. Some NGOs estimated 85 percent were in preventive detention.

### **e. Denial of a Fair Public Trial**

The law provides for an independent judiciary, but the judiciary remained overburdened, vulnerable to undue influence by the executive and legislative branches, and plagued with allegations of corruption. Authorities generally respected court orders, but on several occasions they pressured judges to change verdicts. Judges and prosecutors sometimes practiced self-censorship when issuing rulings to avoid becoming the target of verbal and legal harassment by the government.

Physician Jhiery Fernandez was detained and imprisoned in December 2014 for the alleged rape and death of “baby Alexander,” who died in November 2014 while at the hospital where Fernandez was on duty. On March 27, after nearly four years of preventive detention, during which he suffered from what local NGOs characterized as “biological torture” that included sensory deprivation and solitary confinement, a court sentenced Fernandez to 20 years in prison for rape, homicide, and failure to perform medical duties. The president of the court, Patricia Pacajes, admitted in secretly recorded audio, however, she had known Fernandez was innocent. Nevertheless, she convicted him to cover up a mistake made by the forensic doctor, Angela Mora. According to her own account, Pacajes knew the baby was never a victim of rape and that an incorrect autopsy was made public due to a forensic diagnostic error. After the president of the Permanent Assembly of Human Rights and other human rights groups called for an investigation of the case, the president of the Council of Magistrates, Gonzalo Alcon, stated there were indications of criminal responsibility against Pacajes. On September 24, Pacajes was dismissed from her duties as a judge, and on October 29, the Court of Anticorruption and Violence ordered that Pacajes be held in prison under preventive detention for discussing the Fernandez case with friends, which the court qualified as a breach of duty. On October 10, Fernandez was released from prison and placed under house arrest. On November 16, a sentencing court granted Fernandez “pure and simple liberty,” meaning his movement was not restricted and he was no longer under arrest. The court simultaneously stated the judges and prosecutors involved in the case were corrupt, but authorities had not announced official judicial punishment for their actions. Fernandez was to undergo a process to have the initial sentence annulled.

The judiciary faced a myriad of administrative and budgetary challenges. NGOs asserted the amount of funds budgeted for the judiciary was insufficient to guarantee equal and efficient justice and that underfunding overburdened public prosecutors had led to serious judicial backlogs. As a result, justice officials were

vulnerable to bribery and corruption, according to credible observers, including legal experts.

### **Trial Procedures**

The law provides for the right to a fair and public trial without undue delay. Defendants are entitled to be informed of charges promptly and in detail and to a presumption of innocence and trial by a panel of judges. They have the right to avoid self-incrimination and to consult an attorney of their choice, receive adequate time and facilities to prepare a defense and confront adverse witnesses, present witnesses and evidence, and file an appeal. Defendants who cannot afford an attorney have the right to a public defender or private attorney at public expense.

Corruption, influence by other branches of government, and insufficient judicial coverage undermined these constitutional rights. Free translation and interpretation services are required by law. Officials did not always comply with the law.

### **Civil Judicial Procedures and Remedies**

The law permits individuals and organizations to seek criminal remedies for human rights violations through domestic courts. At the conclusion of a criminal trial, the complainant can initiate a civil trial to seek damages. The human rights ombudsman can issue administrative resolutions on specific human rights cases. The ombudsman's resolutions are nonbinding, and the government is not obligated to accept his or her recommendations.

#### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The law prohibits such actions, and there were no reports that the government failed to respect these prohibitions.

There were credible reports that the ruling MAS party required government officials to profess party loyalty to the government or register formally as party members to obtain/retain employment or access to other government services.

### **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Expression, Including for the Press**

While the constitution provides for freedom of expression, including for the press, the government frequently carried out reprisals against media outlets that expressed dissenting opinions. Government actions to curb criticism created a climate of hostility towards independent journalists and media and resulted in self-censorship of many news sources. Some media sources reported the government pressured and intimidated them to report favorably about its policies, particularly by withholding of government advertising and imposing steep taxes.

Freedom of Expression: The government continued to denounce press critics and independent media sources. In February National Press Association President Marcelo Miralles Iporre told the Inter-American Court of Human Rights the country suffered from “censorship caused by state publicity, law, the financial asphyxiation of the media, and intolerance of those with critical points of view.” He said these factors put at risk “freedom of the press and expression, and democracy.”

In its 2017 annual report, the Office of the Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights highlighted several limitations placed by the government on media, including the use of the term “the Cartel of Lies” to discredit journalists or pressure journalists who criticized the government, in addition to the discriminatory use of state advertising. The report noted verbal attacks by national and local officials against the press. Progovernment demonstrators and security forces physically attacked journalists during protests, and the justice system allowed “preventive imprisonment” of journalists with little evidence.

Press and Media Freedom: According to the Inter American Press Association, the government regularly attempted to disqualify the independent press by claiming it acted on behalf of the political opposition and spread fake news to generate social tension. According to Supreme Decree 181, the government should provide goods and services to all media outlets in a nondiscriminatory manner, but in practice it did not purchase advertisements in media outlets considered adversarial.

Media outlets alleged the government pressured news organizations to report favorably on government policies and retaliated against news organizations that did not comply. The National Press Association (ANP) and several journalists alleged the government’s retaliatory tactics included withdrawing advertisements and conducting excessive tax audits, which forced companies to spend significant

time and resources to defend themselves. Government entities such as the National Tax Service, National Delivery Service, Business Authority, Telecommunications and Transport Regulation and Control Authority, Gaming Control Authority, Departmental Labor Directorates, and Vice Ministry for Communication Policies, which is responsible for monitoring free advertising, carried out inspections and applied fines many observers claimed were unwarranted. The ANP expressed concern that the government attacked independent news outlets and attempted to “economically suffocate” media entities that did not cater to the government. The allocation of state advertising often excluded media that questioned the actions of government, to the extent that some media fired several investigative journalists due to fear of losing official advertising.

Violence and Harassment: From 2010 to 2017, the ANP reported 136 physical aggressions against journalists and other media members, as well as 155 cases of verbal aggressions and threats.

On August 9, military security forces beat two female journalists during the inauguration of the new presidential palace in La Paz and prevented other reporters from entering the location where President Morales was speaking.

The Office of the Special Rapporteur for Freedom of Expression reported various cyberattacks against media outlets in 2017. For example, the websites of *Sol de Pando*, *Agencia de Noticias Fides*, *La Razon*, and *Pagina Siete*, which sometimes published articles critical of the Morales administration, were rendered unavailable by cyberattacks executed by unknown actors.

Censorship or Content Restrictions: The government censored journalists, and journalists practiced self-censorship due to fear of losing their jobs, fear of prosecution, and fear of losing access to government sources. Human rights organizations reported many reporters were dismissed for reporting on controversial topics that conflicted with the government.

## **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content. On November 28, in a widely circulated recording, purportedly of a briefing for President Morales, Police Commander Faustino Mendoza stated police officers systematically monitored journalist and opposition politicians on social networks. In the audio recording, Mendoza revealed that police had 84 social media accounts specifically used for this purpose. The National Association of the

Press of Bolivia, which represented the main print media of the country, expressed its “deep concern for the police control and surveillance of the informative work of journalists.” The government sharply criticized the release of the recording but did not deny its authenticity.

Government employees faced reprisal for expressing support for initiatives, ideas, and events critical of the MAS administration online and on social media. Reprisals included termination of employment.

The number of fake accounts on social media such as Facebook and Twitter sharply increased, particularly those favoring the government and ruling party, during the year. The accounts regularly criticized social media posts made by opposition leaders while expressing support for content produced by the government. The government openly admitted to funding “cyberwarriors” who targeted opposition leaders on social media through fake accounts.

According to the International Telecommunication Union, 44 percent of the population used the internet in 2017.

### **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom or cultural events, although political considerations allegedly influenced academic appointments.

### **b. Freedoms of Peaceful Assembly and Association**

Although the constitution provides for the freedoms of peaceful assembly and association, civil society groups, especially, but not limited to, those critical of the government, faced harassment from government officials.

### **Freedom of Peaceful Assembly**

While the law requires a permit for most demonstrations, the government rarely enforced the provisions, and most protesters demonstrated without obtaining permits. Most demonstrations were peaceful, but occasionally demonstrators carried weapons, including clubs, machetes, firearms, firecrackers, and dynamite. Security forces at times dispersed protest groups carrying weapons or threatening government and private facilities.

There were several demonstrations during the year defending the “21F” movement, which opposed Morales’ candidacy for president and rejected the constitutional change that ended presidential term limits. On May 29, during the South American Games in Cochabamba, a group of 21F supporters began shouting “Bolivia said no” and wore T-shirts with “21F” printed on the front. Police asked the protesters to cover their 21F shirts. After the incident the police subcommander, General Agustin Moreno, warned he would not allow 21F demonstrations during patriotic celebrations on the country’s national day in Potosi on August 6. In Potosi on August 6, police did not permit access to public space for those critical of the government. In September police in Santa Cruz and Cochabamba did not allow 21F supporters access to the main plaza and other public spaces.

On July 21, a small group of persons arrived at the Plaza Murillo in La Paz with 21F T-shirts. Within minutes a police contingent pushed the protesters out of the plaza and ended the protest.

According to the NGO UNIR Bolivia Foundation, on average there were approximately three different types of protests per day throughout the country between January and March. These demonstrations, radical protest actions, and confrontations with police resulted in one person dead and more than 100 injured.

### **Freedom of Association**

The constitution provides for freedom of association, but the government did not consistently respect this right. NGOs continued to be targets of government officials, including the president, vice president, and government ministers, if they operated in a manner perceived as adversarial to the government. Some NGOs alleged government registration mechanisms were purposefully stringent in order to deter an active civil society.

#### **c. Freedom of Religion**

See the Department of State’s *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

#### **d. Freedom of Movement**

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government cooperated with the Office of the UN High Commissioner for

Refugees and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, or other persons of concern.

In-country Movement: The law prohibits travel on election days and on census days and restricts foreign and domestic travel for up to three months as a penalty for persons who do not vote. A number of opposition politicians with legal cases against them were prohibited from leaving the country and were required to turn in their passports.

### **Protection of Refugees**

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees through the National Commission on Refugees. The country has a legal structure and framework to accommodate those seeking refuge and has a registry of refugees and stateless persons.

Employment: Refugees have the right to work once authorities grant their residency status but not while waiting on pending applications.

Durable Solutions: By law refugees have a path to naturalization, and the government assumes 90 percent of the fees associated with this process.

### **Section 3. Freedom to Participate in the Political Process**

The law provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

#### **Elections and Political Participation**

Recent Elections: In December 2017 the government held judicial elections for the Supreme Justice Tribunal, Plurinational Constitutional Tribunal, Magistrate Council, and Agroenvironment Tribunal. These elections were the second held under the 2009 constitution, and for the second time, more than 60 percent of voters cast nulo (spoiled) or blanco (blank) ballots. In 2016 the government held a referendum to allow the president to seek a fourth term in office. Citizens voted the measure down in a process that international observers deemed mostly free and fair.

Political Parties and Political Participation: On April 18, the UN Human Rights Committee found that Bolivia violated the human rights of two former members of parliament by disqualifying them as candidates for the positions of mayors of their respective cities in the 2015 subnational elections. The committee concluded that the political rights of former parliamentarians Rebeca Elvira Delgado Burgoa and Eduardo Humberto Maldonado Iporre were violated after examining the individual complaints they filed under the Optional Protocol to the International Covenant on Civil and Political Rights. Delgado and Maldonado were disqualified based on Circular 71/2014, issued by the Supreme Electoral Court, which establishes that national parliamentarians (deputies and senators) of the 2010-15 term may not run as candidates for various municipal and regional government positions, including that of mayor. The committee concluded the disqualification of the former parliamentarians constituted a “restriction of their political rights, which was not based on reasonable and objective criteria that were clearly established by law, in violation of article 25 of the International Covenant on Civil and Political Rights.”

In November 2017 the Plurinational Constitutional Tribunal struck down the constitution’s ban on term limits, in a controversial ruling that stated term limits violate an article of the American Convention on Human Rights that guarantees a right to political participation. On December 4, the Supreme Electoral Tribunal approved Morales’ petition to run for a fourth consecutive term in 2019.

Participation of Women and Minorities: No laws limit participation of women or members of minorities in the political process, and they did participate. The law mandates gender parity in the candidate selection process at national, regional, and municipal legislative level.

While women had a substantial amount of representation on the legislative level with 86 of 175 legislative seats, they remained significantly underrepresented in executive positions. Candidates for mayor, governor, vice president, and president were not chosen from party lists, and the majority of executive political positions remained male dominated. Women participating in politics faced violence and harassment (see section 6, Women). According to the Association of Female Mayors and Councilwomen, from January to June, there were 70 reported cases of political harassment against female politicians.

#### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively, and officials often engaged in corrupt practices with impunity.

Corruption: In April the opposition mayor of Cochabamaba, Jose Maria Leyes, was placed under house arrest and suspended from his official duties on charges of corruption. Authorities accused him of purchasing 91,300 backpacks for nearly \$1.8 million, when the backpacks were worth approximately \$300,000. Some media reports alleged the judicial system was processing corruption cases involving members of the political opposition such as this one much more quickly than cases involving MAS leadership. Leyes was suspended from office and brought to court within hours of being accused of corruption, whereas cases involving MAS authorities often took years to proceed.

Police corruption remained a significant problem, partially due to low salaries and lack of training. The Ministry of Anticorruption and Transparency and the Prosecutor's Office are responsible for combating corruption, but most corrupt officials operated with impunity. Since 2006 at least 12 former police chiefs were prosecuted for corruption, drug trafficking, and breach of duty, but as of September none had received a sentence.

Cases involving allegations of corruption against the president and vice president require congressional approval before prosecutors may initiate legal proceedings, and congress rarely allowed cases against progovernment public officials to proceed. The government ignored court rulings that found unconstitutional the awarding of immunity for corruption charges.

Financial Disclosure: The law requires public officials to report potential personal and financial conflicts of interest and to declare their income and assets. The law mandates that elected and appointed officials disclose their financial information to the auditor general, but their declarations are not available to the public. By law noncompliance results in internal sanctions, including dismissal.

## **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

A number of domestic and international human rights groups operated in the country, investigating and publishing their findings on human rights cases. NGOs and human rights groups working on problems deemed sensitive by the

government were subject to verbal attacks and criticism by the president, vice president, and government ministers.

Government Human Rights Bodies: The constitution establishes a human rights ombudsman subject to confirmation by both houses of the Legislative Assembly to serve a six-year term. The ombudsman is charged with overseeing the defense and promotion of human rights, specifically defending citizens against government abuses. The constitution also affords the ombudsman the right to propose new legislation and recommend modifications to existing laws and government policies. The ombudsman operated with adequate resources. Civil society groups and several political figures contended the ombudsman lacked independence from the central government, in part because the MAS supermajority in congress allowed for his confirmation without meaningful debate.

Both houses of congress have human rights committees that propose laws and policies to promote and protect human rights. Congressional deputies and senators sit on the committees for one-year terms.

## **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

### **Women**

Rape and Domestic Violence: The law establishes penalties of imprisonment for 15 to 20 years for the rape of an adult (man or woman). Domestic abuse resulting in injury is punishable by three to six years' imprisonment, and the penalty for serious physical or psychological harm is a five- to 12-year prison sentence. Despite these legal provisions, the NGO Community of Human Rights reported two-thirds of domestic violence cases were closed without action, and the conviction rate of the remaining cases was less than 1 percent.

In 2013 the government passed a law against domestic violence, but lack of training on the law and slow judicial processes, among other factors, continued to prohibit the law's full implementation, according to the UN Entity on Gender Equality and the Empowerment of Women (UN Women) and human rights groups. Domestic violence was the most frequently committed crime in the country, according to the National Observatory of Public Safety. According to a survey conducted by the local NGO Coordinator of Women, 50 percent of women were victims of a violent crime some time in their lives; two-thirds of these women suffered violence in their own home. A 2017 UN Women report affirmed that 92.7 percent of women suffered psychological abuse at some point in their lives.

The law criminalizes femicide, the killing of a woman based on her identity as a woman, with 30 years in prison. Activists said corruption, lack of adequate crime scene investigation, and a dysfunctional judiciary hampered convictions for femicide.

Victor Hugo Soria, director of a police unit, the Special Force of the Fight Against Violence, reported on a femicide that occurred in July in which a 19-year-old girl was raped and beaten to death by her partner in Coroico. Women's rights organizations reported police units assigned to the special force did not have sufficient resources and that frontline officers lacked proper training about their investigatory responsibilities. Women's organizations also reported domestic violence victims received poor representation from public defenders and generally abandoned their cases after they languished in the justice system for years. On average it took three years for a domestic violence case to conclude. Once the case was closed, the victim was often responsible for the legal fees. The lack of public services, lengthy judicial process, and financial burden discouraged most women from reporting domestic abuse by their spouses.

The law calls for the construction of women's shelters in each of the country's nine departments. The municipalities of La Paz and Santa Cruz both had temporary shelters for victims of violence and their children. Human rights specialists explained the shelters for domestic violence survivors were not well staffed, did not promise anonymity, and could not provide protection from abusers.

Sexual Harassment: The law considers sexual harassment a civil offense. There were no comprehensive reports on the extent of sexual harassment, but observers generally acknowledged it was widespread.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: The law provides for the same legal status and rights for women as for men, but women generally did not enjoy a social status equal to that of men. While the minimum wage law treats men and women equally, women generally earned less than men for equal work. Additionally, antidiscrimination laws were not uniformly or effectively implemented to protect women from harassment and political violence.

The rate of female participation in government was high, but there were reports female policymakers faced discrimination, violence, and harassment. According to a poll conducted by the Association of Female Mayors and Councilwomen of Bolivia, 59 percent of councilwomen polled had suffered some type of violence or political harassment in their municipality, and 39 percent did not complete their term due to the severity of the threats and hostility they received.

The Law of Political Organizations, passed in September, provides political organizations with the authority to punish political harassment. According to the law, each political party must have a member whose duty is to promote parity and follow up on complaints of harassment and political violence with appropriate sanctions.

## **Children**

Birth Registration: Citizenship is derived both through birth within the country's territory (unless the parents have diplomatic status) and from parents. The 2015 civil registry--the most recent available--indicated that 56 percent of citizens were registered within one year of their birth and 97 percent by age 12.

Child Abuse: Rape of a child younger than 14 carries a penalty of 20 to 25 years' imprisonment. The penalty for consensual sex with an adolescent 14 to 18 years old is two to six years' imprisonment. The Attorney General's Office reported at least 37 cases of infanticide between January and June. The penal code defines infanticide as the killing of a child younger than 13 years old.

Early and Forced Marriage: The minimum age for marriage is 14 for girls and 16 for boys. Minors' parents or guardians must approve marriages between adolescents younger than 18.

Sexual Exploitation of Children: Commercial sexual exploitation of children is punishable with 15- to 20-year prison sentences but remained a serious problem. The law also prohibits child pornography, punishable with 10- to 15-year sentences.

Displaced Children: UNICEF reported in 2015 that 20,000 to 32,000 minors lived in shelters after their parents abandoned them.

Institutionalized Children: Child advocacy organizations reported abuse and negligence in some government-run shelters. The La Paz Department Social Work

Service confirmed that, of the country's 380 shelters, including centers for abuse victims, orphans, and students, only 30 had government accreditation for meeting minimal standards.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html>.

### **Anti-Semitism**

The Jewish population numbered fewer than 500. Jewish leaders reported the public often conflated Jews with Israelis. There were no reports of anti-Semitism.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities. The law requires access for wheelchair users to all public and private buildings, duty-free import of orthopedic devices, and a 50 percent reduction in public transportation fares for persons with disabilities. The law also requires communication outlets and government agencies to offer services and publications in sign language and braille. The government did not effectively enforce these provisions.

A national law to protect the rights of persons with disabilities exists, but it lacked full implementation. No official action was taken to investigate or punish those responsible for violence against persons with disabilities.

Architectural and infrastructure barriers prohibited ease of movement in urban areas for individuals with physical disabilities. There were advances, however, in the public transportation sector in the city of La Paz. The city bus and gondola system was substantially expanded during the year and provided accommodations for persons with disabilities.

A 2017 law stipulates that persons with “serious and severe” disabilities are entitled to 250 bolivianos (\$37) per month. The law requires both public and private institutions to employ a certain percentage of workers with disabilities.

### **National/Racial/Ethnic Minorities**

The 2012 census established the existence of 23,300 Afro-Bolivians. Afro-Bolivians in rural areas experienced the same type of problems and discrimination as indigenous persons who lived in those areas. Afro-Bolivian community leaders reported employment discrimination was common and that public officials, particularly the police, discriminated in the provision of services. Afro-Bolivians also reported the widespread use of discriminatory language. The government made little effort to address such discrimination.

### **Indigenous People**

In the 2012 census, approximately 41 percent of the population older than the age of 15 self-identified as indigenous, primarily from the Quechua and Aymara communities. The government facilitated major advances in the inclusion of indigenous peoples in governmental posts and in society writ large.

Indigenous communities were well represented in government and politics, but they continued to bear a disproportionate share of poverty and unemployment. Government educational and health services remained unavailable to many indigenous groups living in remote areas.

Indigenous lands were not fully demarcated, and land reform remained a central political problem. Historically, some indigenous persons shared lands collectively under the ayllu system, which did not receive legal recognition during the transition to private property laws. Despite laws mandating reallocation and titling of lands, recognition and demarcation of indigenous lands were not completed.

On July 16, the indigenous people of Beni Department stated the government was unlawfully developing land they hold sacred. Persons from Trinidadcito, an indigenous community with 42 families in rural Beni, gave testimony regarding the negative effects of the construction of the road through Isiboro Secure Indigenous Territory and National Park. According to their complaint, the government was promoting policies that would lead to the dispossession of their ancestral lands and failed to respect the constitution.

## **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

The law prohibits discrimination based on sexual orientation and gender identity. The law allows transgender individuals to update their name, gender marker, and photograph to reflect their gender identity on all legal identity cards and birth certificates.

The human rights ombudsman reported in May 2017 that the government registered 64 killings of LGBTI individuals in the previous 10 years. Authorities investigated 14 cases, but the courts had not sentenced anyone for these crimes.

According to activists in the LGBTI community, violence against transgender persons decreased due in part to better community awareness of LGBTI issues. For example, the Santa Cruz police commander regularly received updates from LGBTI activists about the violence and social problems the community faced. Moreover, the commander allowed transgender individuals who were incarcerated to be held in areas in accordance with their gender identity.

LGBTI persons faced discrimination in the work place, at school, and when seeking to access government services, especially in the area of health care. Transgender individuals remained particularly vulnerable to abuse and violence. The Bolivian Coalition of LGBT Collectives reported in 2016 that 72 percent of transgender individuals abandoned their secondary school studies due to intense discrimination. Transgender activists said a majority of the transgender community was forced to turn to sex work because of discrimination in the job market and unwillingness on the part of employers to accept their identity documents and professional licensures. Activist reported police targeted transgender individuals who were sex workers.

Elderly LGBTI persons faced high rates of discrimination when attempting to access health-care services. There were no legal mechanisms in place to transfer power of attorney to a same-sex partner.

According to LGBTI activists, “biological women” often failed to include transgender women in advocacy efforts when fighting for greater rights for women in society.

On July 3, Minister of Communication Gisela Lopez presented a manual titled *Communicate to Live with Diversity*. According to LGBTI organizations, this was

created with the goal of generating dialogue between communicators and journalists on appropriate terminology when reporting on or discussing LGBTI issues to avoid bias or discriminatory language.

### **HIV and AIDS Social Stigma**

Although the law prohibits discrimination against persons with HIV/AIDS, pervasive discrimination persisted. Ministry of Health authorities reported discrimination against persons with HIV/AIDS was most severe in indigenous communities, where the government was also least successful in diagnosing cases.

Activists reported discrimination forced HIV-positive persons to seek medical attention outside the country.

### **Other Societal Violence or Discrimination**

Mob violence in lieu of justice was a consequence of an inefficient judicial system, among other factors. Supporters of mob violence claimed limited policing and lack of faith in the justice system properly to punish criminals justified their actions. Although official statistics did not exist, media reports suggested mob violence in lieu of justice led to 30-40 deaths each year. The government took no formal action to combat acts of mob violence couched as “vigilante justice.”

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law, including related regulations and statutory instruments, provides for the freedom of association, the right to organize and bargain collectively, and the right to strike. The law prohibits antiunion discrimination and requires reinstatement of workers fired for union activity. The constitution provides for protection of general and solidarity strikes and for the right of any working individual to join a union.

Workers may form a union in any private company of 20 or more employees, but the law requires that at least 50 percent of the workforce be in favor. The law requires that trade unions register as legal entities and obtain prior government authorization to establish a union and confirm its elected leadership, permits only one union per enterprise, and allows the government to dissolve unions by administrative fiat. The law also requires that members of union executive boards

be Bolivian by birth. The labor code prohibits most public employees from forming unions, including the military, police, and public security forces. Some public-sector workers (including teachers, transportation workers, and health-care workers) were legally unionized and actively participated without penalty as members of the Bolivian Workers' Center, the country's chief trade union federation. The government enforced applicable laws, but the enforcement process was often slow due to bureaucratic inefficiency.

The National Labor Court handles complaints of antiunion discrimination, but rulings took a year or more to be issued. The court ruled in favor of discharged workers in some cases and required their reinstatement. Union leaders stated problems often were resolved or no longer relevant by the time the court ruled. Government remedies and penalties--including fines and threats of prosecutorial action for businesses that violate labor laws--were often ineffective and insufficient to deter violations for this reason.

The ineffectiveness of labor courts and the lengthy time to resolve cases and complaints limited freedom of association. Moreover, the 20-worker threshold for forming a union proved an onerous restriction, since an estimated 72 percent of enterprises had fewer than 20 employees.

Labor inspectors may attend union meetings and monitor union activities. Collective bargaining and voluntary direct negotiations between employers and workers without government participation was common. Most collective bargaining agreements were restricted to addressing wages.

## **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor, yet they remained serious problems. Labor exploitation, forced labor, and other forms of servitude are punishable with 10 to 15 years' imprisonment for exploitation of adults, and 15 to 20 years' imprisonment for exploitation of children.

The government did not effectively enforce the law in all sectors. Ministry of Labor officials were not effective in enforcement efforts or provision of services to victims of forced labor. The ministry held various workshops to educate vulnerable workers of their rights, levied penalties against offending employers, and referred cases of suspected forced labor and human smuggling to the Ministry of Justice for prosecution. Penalties against employers found violating forced

labor laws were insufficient to deter violations, in part because they were generally not enforced.

Men, women, and children were victims of forced labor in domestic service, mining, ranching, and agriculture as well as sex trafficking. Indigenous populations were especially vulnerable to forced labor in the agriculture sector.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

In February the Constitutional Tribunal declared unconstitutional provisions in the 2014 Child and Adolescent Code that allowed children as young as 10 years old to work. Gaps remained in the code, however, as it permits children ages 12-13 years old to engage in light work but does not specify the conditions or hours in which light work may be undertaken.

Ministry of Labor inspectors are responsible for identifying situations of forced child labor. When inspectors suspect such situations, they refer the cases to the municipal offices of the child and adolescent advocate for further investigation in coordination with the Prosecutor's Office. The law states that work should not interfere with a child's right to education and should not be dangerous or unhealthy. Dangerous and unhealthy work includes work in sugarcane and Brazil nut harvesting, mining, brick making, hospital cleaning, selling alcoholic beverages, and working after 10 p.m., among other conditions. The municipal offices of the child and adolescent advocate must answer a request for an underage work permit within 72 hours. The Ministry of Labor is responsible for authorizing work activity for adolescents older than age 14 who work for a third-party employer. Municipal governments, through their respective offices of the child and adolescent advocates, are responsible for enforcing child labor laws, including laws pertaining to the minimum age and maximum hours for child workers, school completion requirements, and health and safety conditions for children in the workplace. The ministry is responsible for identifying such cases through inspections and referring them to the offices of the child and adolescent advocates.

Labor Ministry officials stated inspectors conducted investigations throughout the year. Ministry officials did not have statistics on the number of children they had removed from hazardous situations. The ministry dedicated six inspectors to

investigate child labor and report instances of forced labor and trafficking in persons.

Beginning in 2016 the ministry collaborated with the Inter-American Development Bank to implement a program that identifies and employs unemployed parents who have children in the workforce. A ministry official stated that while there were varying reasons why children as young as 10 chose to work, one main reason was because their parents could not find steady employment. This program intended to secure jobs for underemployed parents on the condition that their children stop working. The ministry also provided the parents' salaries for the first three months to avoid burdening the businesses that provided employment.

The government did not consistently enforce the law in all areas, and child labor remained a serious problem. Government officials admitted instances of child labor violations occurred throughout the country, especially in the mining sector. Officials acknowledged adolescents ages 15-17 were working in the mining sector unregulated, because it was hard for inspectors to detect these individuals in the mines since they conducted inspections only in the formal sector.

The Ministry of Labor received funds to conduct a national survey on child labor in 2016. Although the ministry stated the study was conducted, the results had not been published. Preliminary government estimates indicated 740,000 children were employed, with 60 percent engaged in "familial work," either in family businesses or alongside their parents, in often hazardous conditions.

Authorities did not provide information on the penalties for violation of child labor laws or the effectiveness of such penalties, nor did courts prosecute individuals for violations of child labor law during the year, although ministry inspectors referred cases for prosecution.

Among the worst forms of child labor were instances of children working in the sugarcane harvest, the Brazil nut harvest, brick production, hospital cleaning, domestic labor, transportation, agriculture, and vending at night. Children were also subjected to commercial sexual exploitation. A 2013 study estimated 3,000 to 4,000 children and adolescents worked in the Brazil nut harvest in Beni Department; indigenous groups confirmed a majority of these children were indigenous. Researchers also found that some children worked in Brazil nut processing factories, including at night.

There was little progress in removing children from mining activities. Media reported that minors younger than age 14 worked in brick manufacturing in the cities of El Alto and Oruro, and their parents sometimes contracted them to customers who needed help transporting the bricks.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at [www.dol.gov/ilab/reports/child-labor/findings](http://www.dol.gov/ilab/reports/child-labor/findings).

#### **d. Discrimination with Respect to Employment and Occupation**

Labor laws and regulations prohibit discrimination with respect to employment and occupation based on race, sex, gender, disability, religion, political opinion, national origin or citizenship, language, sexual orientation or gender identity, HIV-positive status or other communicable diseases, or social status. The government did not effectively enforce the law in all sectors, and discrimination with respect to employment and occupation occurred. Women in office faced high levels of political violence and harassment. Civil society leaders reported credible instances of employment discrimination against indigenous peoples, women, Afro-Bolivians, persons with disabilities, and members of the LGBTI community. Employers charged with discriminatory practices must offer affected employees restitution, but no cases were reported.

In 2017 UN Women reported that women in the informal sector on average earned 19 percent less than their male counterparts. Women in the informal sector were not protected by formal-sector labor laws, which afford maternity benefits, breastfeeding hours, permission to work fewer hours, and more holidays than their male counterparts. According to UN Women, men in the formal sector earned between 1.5 and four times more than women for the same work. Critics contended these laws encouraged companies to give preference to men in hiring.

The former human rights ombudsman for Santa Cruz Department reported many women were fired due to their pregnancies, in violation of labor law.

#### **e. Acceptable Conditions of Work**

The monthly minimum wage was 2,060 bolivianos (\$300), greater than the government's official poverty income level of 733 bolivianos (\$107) per month. An estimated 45 percent of the population lived below the poverty line. The law establishes a maximum workweek of 48 hours and limits the workday to eight hours for men. The law also sets a 40-hour workweek for women, prohibits

women from working at night, mandates rest periods, and requires premium pay for work beyond a standard workweek. The law stipulates a minimum of 15 days of annual leave. The Ministry of Labor sets occupational health and safety standards and monitors compliance. The law mandates that the standards apply uniformly to all industries and sectors. The government did not effectively enforce the law.

The Ministry of Labor's Bureau of Occupational Safety has responsibility for the protection of workers' health and safety, but the relevant standards were poorly enforced. The 97 inspectors were insufficient to provide effective workplace inspection. The law provides for penalties for noncompliance, but enforcement was not effective, and the fines of 1,000 to 10,000 bolivianos (\$146 to \$1,460) were insufficient to deter violations. A national tripartite committee of business, labor, and government representatives is responsible for monitoring and improving occupational safety and health standards and enforcement. The Ministry of Labor maintained offices for worker inquiries, complaints, and reports of unfair labor practices and unsafe working conditions, but it was unclear if the offices were effective in regulating working conditions.

The law prohibits firing employees for removing themselves from work conditions they deem hazardous and provides for the Ministry of Labor to mandate they be rehired following an inspection.

While the government did not keep official statistics, there were reports workers died due to unsafe conditions, particularly in the mining and construction sectors. Labor experts estimated an average of five individuals who worked in construction in La Paz died each year; most were employed by small businesses. There were no significant government efforts to improve occupational safety and health conditions. Working conditions in cooperative-operated mines remained poor. Miners worked with no scheduled rest for long periods in dangerous, unhealthy conditions.

Workers in informal part-time and hourly jobs did not have labor protections. Many companies and businesses preferred workers hired on an hourly or part-time basis to avoid paying required maternity and pension benefits. According to labor-law experts, the informal sector comprised approximately 65-75 percent of the economy. They claimed labor regulations meant to protect employees actually promoted the large informal sector because the regulations reportedly resulted in employers not hiring full-time employees due to the higher costs they entailed.

NGOs documented the growing role of Chinese companies, which expanded their presence in the mining, hydrocarbon, and infrastructure sectors over the last 10 years. In 2017 the director of CooperAccion, Julia Cuadros, stated a lack of respect for labor laws accompanied this expansion. NGOs noted Chinese companies imported their own workers and typically followed Chinese labor laws, which are less stringent than Bolivian labor laws; the government reportedly permitted flexibility in compliance with the national law.