
Law 348:
The Struggle to End Violence Against Women in Bolivia

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The Plurinational State of Bolivia

Bolivian population as of 2012: **10.027.254**

- Of the **6.916.732** people age 15 years or older, **2.806.592** self-identify as Indigenous or Afro-Bolivian (roughly **40%** of the population)
- Aymara: **1.191.352**
- Quechua: **1.281.116**

Cuadro N° 1.1
BOLIVIA: POBLACIÓN, SUPERFICIE Y DENSIDAD DE POBLACIÓN,
SEGÚN CENSOS NACIONALES DE POBLACIÓN
1950, 1976, 1992, 2001 Y 2012

CENSO	POBLACIÓN	DENSIDAD (Hab. / km ²)
1950	2.704.165	2,46
1976	4.613.486	4,20
1992	6.420.792	5,84
2001	8.274.325	7,53
2012	10.027.254	9,13

FUENTE: INE

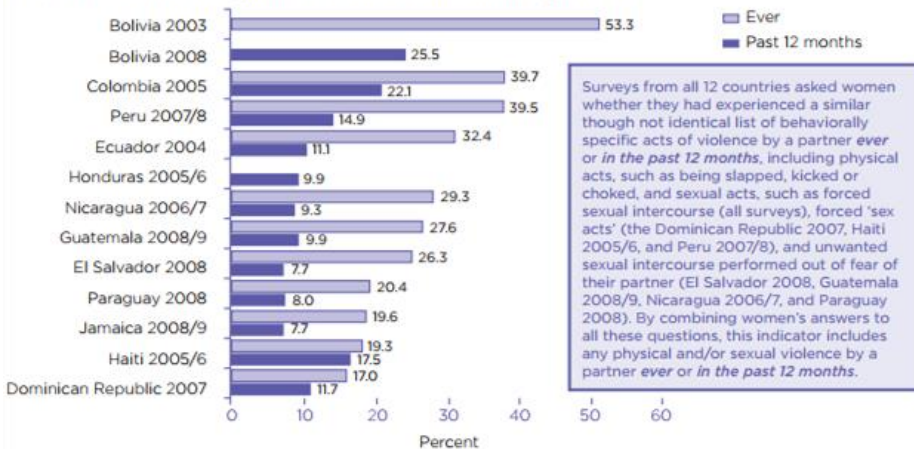
Violence Against Women (VAW) according to Law 348

- Physical violence
- Femicide
- Psychological violence
- Violence against dignity, honor, and the name
- Sexual violence
- Patriarchal/economic violence
- Violence in the family
- Violence against sexual rights and freedom
- Media violence
- Symbolic and/or hidden violence
- Violence against reproductive rights
- Violence in health services
- Workplace violence
- Violence in the plurinational educational system
- Violence in politics and leadership
- Institutional violence

Violence Against Women in Bolivia

Physical or sexual partner violence ever and in the past 12 months:

Figure 1. Percentage of women who reported physical or sexual violence by a partner, ever and in the past 12 months, among women ever married or in union aged 15-49 ^{a†}



Bolivia 2003: 53.3% of women ages 15-49 had experienced physical or sexual partner violence ever, and 25.5% in the past 12 months

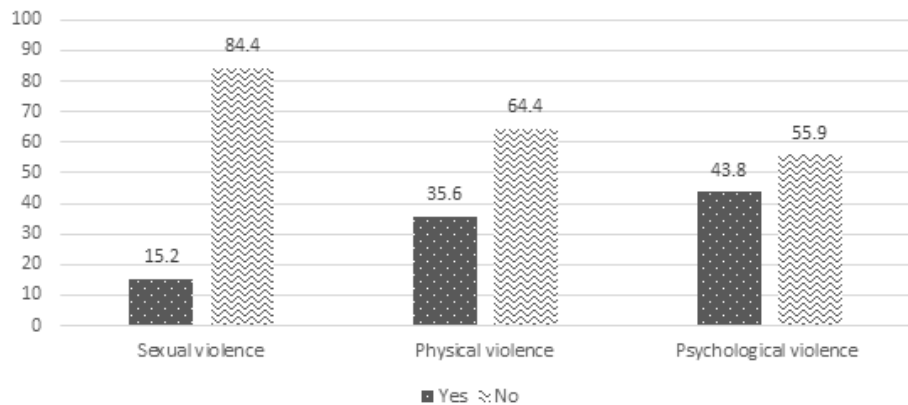
Source: PAHO and CDC 2013

Femicides and Murders of Women in Bolivia

	Femicide	Murder
2010	89	56
2011	96	61
2012	99	48
2013	110	64
2014 (Jan-Oct)	103	64
2015	93	Not available
2016	104	Not available

Sources: Center of Information and Development of the Woman Bolivia (CIDEM), El Potosi, La Fiscalía General del Estado Plurinacional de Bolivia

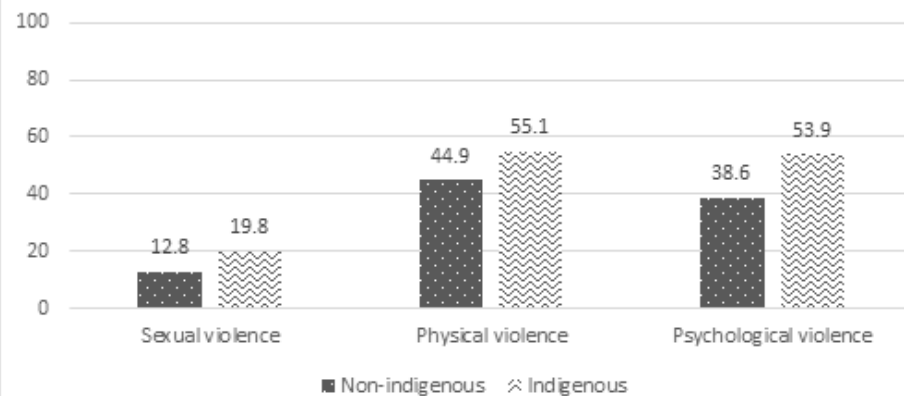
Percentage of women that have been victims of violence at some point according to type of violence (out of 100%)



Out of 2,620 women

(Coordinadora de la Mujer/OXFAM, 2013, Graphic 42, p. 104)

Percentage of Indigenous and Non-indigenous women who were victims of violence (out of 100%)



Sexual violence: Out of 912 indigenous women and 1,689 non-indigenous women

Physical violence: Out of 922 indigenous women and 1,689 non-indigenous women

Psychological violence: Out of 920 indigenous women and 1,687 non-indigenous women

(Coordinadora de la Mujer/OXFAM, 2013, Table 90, p. 107)

Law 348: “Comprehensive Law to Guarantee Women a Life Free from Violence”

What makes the law comprehensive?

- Prevention
- Attention and protection for the victims
- Punishment of the aggressors



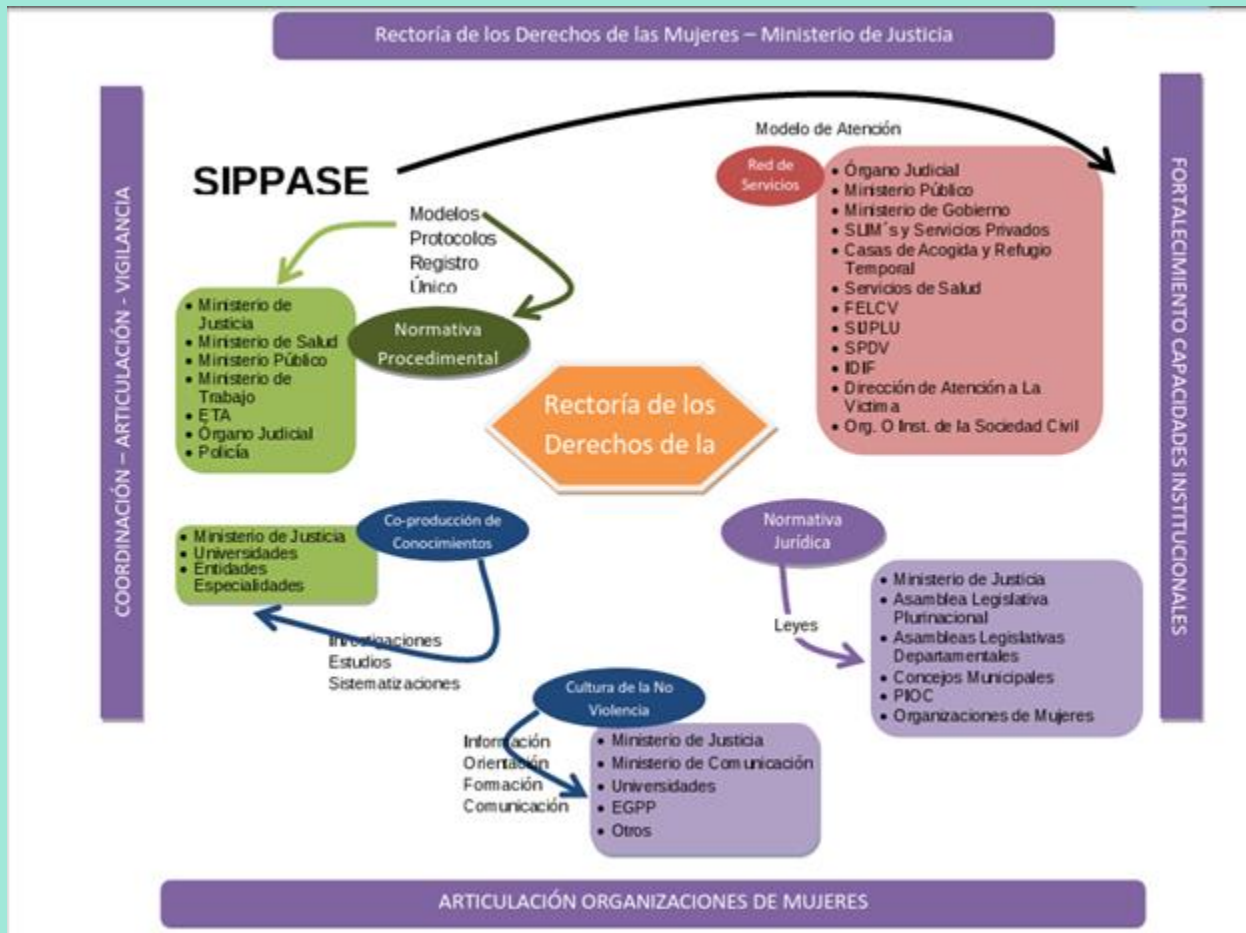
Hanalí Huaycho

Which entities are carrying out and monitoring the implementation of Law 348?

- Ministry of Justice
- Integrated Plurinational System of Prevention, Attention, Sanction, and the Eradication of Violence for Reasons of Gender (SIPPASE)
- Report to National Plurinational Assembly

New crime (as established by Law 348)	Punishment
Femicide	30 years in jail without the right to a pardon
Sexual suffering	15-30 years in jail
Forced sterilization	5-12 years in jail
Family and domestic violence	2-4 years in jail
Sexual abuse	4-8 years in jail
Sexually abusive acts	4-6 years in jail
Patrimonial violence	Fine of 100-365 days
Economic violence	2-4 years in jail
Robbing profits from family economic activities	6 months-1 year in jail, and afterward a fine of 50% of their salary for 365 days
Public servants who obstruct an investigation	90-120 days of community service, and disqualification from public roles for 1-4 years

(Articles 84-85, Law N° 348)



Theoretical background

Intersectionality

An intersectional approach seeks to understand“...the various ways in which race and gender intersect in shaping structural, political, and representational aspects of violence against women of color” (Kimberlé Crenshaw, 1993, p. 1244)

My argument and statement of purpose

Intersectionality provides a lens to understand how **race, ethnicity, class, and gender impact Bolivian women as** it relates to **violence** in their lives.

This research seeks to understand the **implementation of Law 348** in Bolivia.
This study also considers the impact of **neoliberal policies** and the **United States War on Drugs** on women's lives.

Research questions

1. What are the gendered effects of neoliberal policies and the U.S. War on Drugs in women's lives?
2. How is violence against women intertwined with the social, political, and economic context?
3. How has Law 348 been implemented in Bolivia?

Methods

1. Literature review
 2. Quantitative data available from public sources
 3. Brochures and reports
 4. Social media
 5. Qualitative analysis: Interviews in La Paz, Bolivia May 2016 with the **CLAS-CAL Research Travel Grant for Latin America**
- Interview questions
 - Have more resources been allocated from the Bolivian state following the passage of Law 348?

Finding #1

Structural adjustment policies (SAPs) under the IMF/WB prescribed neoliberal reforms fueled financial instability among the Bolivian people.

Economic inequality contributes to the instability that fuels violence against women in the family and in public.

(Tapias, 2015)

(see also Sutton, 2010 re: neoliberal reforms and violence against women in Argentina)

Finding #2: Positive outcomes of Law 348

- Symbolic importance of Law 348
 - Ambitious law part of a state strategy to deal with violence against women
- Legal instrument to help women
- Women have more information about their rights under Law 348
- Reporting up 40%
 - More women reporting in urban areas

Finding #3: Challenges to the implementation of Law 348

- Lack of economic resources
- Lack of data
- Justice system does not have the capacity to attend to victims
 - 24 sentencings out of 104 feminicides in 2016
- Lack of specialized judges, police officials, district attorneys etc.
- Women are in more risk than before Law 348
- Lack of attention in rural areas
- Financial burden for victims

Law 348 is

“... a powerful instrument but it does not have the means in order to implement it”

(Personal communications, May 2016)

Recommendations: What would you do if you had the power and resources?

- Prevention in school curriculum re: gender equality, respect, human rights
- Create a Women's Ministry
- **Increase in economic recourses for Law 348**
- Specialization
- Economic opportunities from women

Conclusions

Bolivia has emerged from a complicated historical context that requires an intersectional lens when developing policies like Law 348. Evaluating and analyzing the implementation and impact of Law 348 is essential for the legislation to reach its full potential to eliminate violence against women in Bolivia.

Thank you for your time and attention! Comments, questions, input, and suggestions are welcome.

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