



**REPORT OF THE CIVIL SOCIETY COALITION ON THE RIGHTS
OF THE LGBTI COMMUNITY FOR THE UNIVERSAL PERIODIC
EXAM (EPU) OF BOLIVIA 2019**

Bolivia, February 2019



REPORT OF THE CIVIL SOCIETY COALITION ON THE RIGHTS OF THE LGBTI COMMUNITY

1. The following report is granted by a National Network Coalition and organizations for the lesbian, gay, bisexual, transsexual, transgender and intersexual population at a national level, established by a process of deliberation in the nine departments of the country and information from official sources and civil society. In the process, compliance with the recommendations extended to the Plurinational State of Bolivia in the second Universal Periodic Review was evaluated, identifying in this report the progress, obstacles and challenges for its fulfillment.
2. **INTRODCING GENDER IQUALITY, AS WELL AS NO DISCRIMINATION AND NO VIOLENCE ISSUES DUE TO GENDER IDENTITY AND SEXUAL ORIENTATION IN STUDY PROGRAMS, SCHOOL REGULATIONS AND IN FORMAL TRAINING OF TREACHERS.-**
With liaison to Recommendation 114.9¹, there are existing regulatory advances such as the prohibition of discrimination based on sexual orientation and gender identity established in the Estate's Political Constitution (CPE) Law No. 045 Against Racism and All Forms of Discrimination², Law 342 on Youth³ and Law No. 807 on Gender Identity⁴, which establishes recognition and respect for sexual and gender diversity. Although Law 070 recognizes an inclusive education as a basis according to Article 14 of the CPE, it does not expressly include sexual orientation and identity of gender⁵ in the plans and curricula of schools and formal training of teachers.
3. The educational standard developed in the Avelino Siñani-Elizardo Pérez Law of December 20, 2010, created access to education, and permanence of people in conditions of full equality and equalization of conditions in a universal matter without discrimination, limitation or modification of any kind, respecting all diverse social expressions. Additionally, it determines the obligation to implement policies

¹ Recommendation from Colombia.

² Enacted on October 8, 2010.

³ Enacted on February 5, 2013.

⁴ Enacted on May 21, 2016.

⁵ In which the Departmental Directors of Education throughout Bolivia are instructed to carry out information, awareness and awareness-raising actions in the educational units on specific dates, among them, on May 17, the "Day of the fight against homophobia and transphobia" and on June 28 as "Day of the rights of people with diverse sexual orientation " in Bolivia.

and programs of integral educational attention to vulnerable communities in condition of social disadvantage⁶.

4. At the primary level in the third bimester, in the educational syllabus, the subject of respect for generational, sexual, disability and cultural differences is included. In no other school bimester or year the syllabus includes the inclusion of more specific subjects related to the recommendation. Educational faculty are unaware, in general, of the issue of sexual and gender diversity, they don't know how to approach the issues of homophobia, transphobia, lesbophobia, biphobia. In many cases it's preferable to avoid addressing these issues because they are considered taboo by some members of the educational community, especially in rural areas and special education centers.
5. In article 26 of Ministerial Resolution No. 001-2018 of the Ministry of Education, on the General Standards for Educational and School Management issued at the beginning of the 2018 administration, states that for school enrollment it's important to make aware that all acts that show racism, discriminatory or excluding attitudes are strictly prohibited, likewise, Article 85 establishes the eradication of all forms of violence and the prevention of racism, discrimination and respect for diversities, HIV/AIDS and STIs, sexual diversities and gender identity⁷. Another positive aspect determines zero tolerance for acts of bullying and the responsibility to report such; it is also indicated by Law No. 3729 in article 15 on the prevention of HIV and the transversally of sexuality.
6. In 2018, the Office of the High Commissioner for Human Rights in Bolivia transferred its curricular plan of teaching and training in Human Rights to the Major University of San Andrés (UMSA), and has developed a coaching process aimed at the teaching staff, students and administrative workers, emphasizing part of the content in the rights of the LGTBI community⁸.
7. The Diagnostic Research in the municipality of La Paz and El Alto on the perception and social practices in relation to Sexual Orientation and Gender Identity in the school environment, carried out by the Bolivian Campaign for the Right to Education,

⁶ Law No. 70, of Education Avelino Siñani - Elizardo Pérez, of December 20, 2010, arts. 1, 3, 5, 18 and 22.

⁷ <https://www.minedu.gob.bo/files/documentos-normativos/resoluciones-ministeriales/2018/RM-001-2018-Regular.pdf>

⁸ The program was carried out through the UMSA University Rights Office.

states that homosexuality⁹ is an affront to hegemonic model of being a man and of being a citizen, so that the aggression against a homosexual is the proof of the formation of the man who embodies the State and is the custodian of the hegemonic model of society¹⁰.

8. This report also reveals that at school men must prove that they are not homosexual by demonstrating their physical strength or by conquering women, and those who don't do so are harassed and even suffer physical violence. In the case of lesbian kids, bullying is mostly psychological, since their peers invisibilize them, ignore them, do not take them into account or attack them verbally. Directors and teachers of the schools make sure that these cases don't come to light to "preserve" the prestige of the institution. Parents show strong aggression towards students with diverse sexual orientation and gender identity because they don't approve of their children to sharing a classroom with members of such community. Likewise, Law No. 548 does not contemplate the prohibition of expulsion of students with different or diverse gender identities.
9. The document "Adding freedom. Ibero-American Guide for Addressing School Harassment for Homophobia and Transphobia" of the Ibero-American LGBTI Education Network (RIE-LGBTI), states that 70% of cases of discrimination based on sexual orientation and gender identity in schools in Bolivia were exercised by teachers, and the remaining 30% per students (Data of 2014)¹¹.
10. According to the "Diagnosis of the Situation of the TLGB Community" carried out in 2018, because of the affirmation of having suffered discrimination in the educational field, 40% of the people indicate that they have not been discriminated against during the primary education, nevertheless, it's surprising that 26% did not answer the question, so it is estimated that the percentage could be higher. The remaining 22% responded in agreement and strong agreement that they had been discriminated against because of their sexual orientation or gender identity. On discrimination in high school, 14% agree and 11% strongly agree; so, that is, that

⁹ The National Coalition of lesbian, gay, bisexual, transgender, transgender and intersex rights groups and organizations does not recognize the term homosexuality because it is a pathological term.

¹⁰ AYLLON, Virginia, DIAGNOSTIC RESEARCH IN THE MUNICIPALITY OF LA PAZ AND EL ALTO ON PERCEPTION AND SOCIAL PRACTICES IN RELATION TO SEXUAL ORIENTATION AND GENDER IDENTITY IN THE SCHOOL SCOPE, Bolivian Campaign for the Right to Education - CBDE, 2017, page 21.

¹¹ http://educacionlgbti.org/wp-content/uploads/2016/12/SumandoLibertades_Dic16.pdf, page 19.

25% of the surveyed population has been discriminated against at the secondary level¹².

11. In 2008, ministers of health and education from 30 countries in Latin America and the Caribbean, signed the declaration "Prevent with education", to expand youth access to comprehensive education in sexuality and sexual and reproductive health care. Among its goals it is established that by 2015, the gap in the number of public schools that would not have institutionalized comprehensive education in sexuality would have been reduced by 75%. The last measurement of this goal was made by the International Federation of Planning of Family/ Western Hemisphere Region, Inc. (IPPF / WHR) in 2015¹³, which shows that Bolivia reached a 27% progress in the implementation of the declaration. As far as contents go, the only topic to be considered included is prevention of violence; while gender, information on reproductive health and diversity were not included, getting a poor score.
12. Adding the public declaration of the Minister of Education, July 20, 2018, following a video produced by an NGO that shows a room where preschool children listen to a children's story entitled "Berta y Rita", about two rats that are a couple and live together, who in response to the demands of religious conservative groups such as the Platform for Life and the Family, emphatically refused to include the "gender ideology" in the school curriculum, citing respect for the decision of parents about the education children receive¹⁴; contradicting the Instruction of the Ministry of Education IT / DGP / UPIIP / EGS, No. 0002/2017 of March 9, 2017.
13. On December 6, 2018, the Vice Ministry of Regular Education issued Circular CI/VER N ° 0156/2018 in which it is instructed that no NGO can carry out activities programs and projects in educational units without authorization from the Ministry of Education¹⁵, claiming to protect the rights of girls, boys, adolescents and young people, violating and restricting the right and access to information about sexuality to students and bureaucratizing the access of civil society organizations to these issues.

¹² Coordinator of Women, Collective TLGB of Bolivia, DIAGNOSIS OF THE SITUATION OF THE TLGB POPULATIONS WITH EMPHASIS ON LESBIAN, BISEXUAL, TRANSGENDER AND FEMALE TRANSGENDER WOMEN IN BOLIVIA 2018, page 44.

¹³ <https://www.ippfwhr.org/es/publicaciones/evaluaci%C3%B3n-de-la-implementaci%C3%B3n-de-la-declaraci%C3%B3n-ministerial-prevenir-con-educaci%C3%B3n-2>

¹⁴ <https://www.aciprensa.com/noticias/gobierno-de-bolivia-rechazo-material-educativo-con-ideologia-de-genero-88449>

¹⁵ <https://www.minedu.gob.bo/files/documentos-normativos/VER/2018/circulares/CIRC-VER-156-2018-PARA-SU-CONOCIMIENTO--TEMA-CONVENIOS0001.pdf>

14. The aforementioned circular is contradictory with recommendations 57 to 61 of the Report of the Inter-American Commission on Human Rights (CIDH) on "Violence against Lesbian, Gay, Bisexual, Trans and Intersex People in America"¹⁶ and Supreme Decree No. 29851 on the National Plan of Human Rights Action, Bolivia For Living Well 2009 - 2013 (10/12/2008)¹⁷, as Supreme Decree N ° 189 of 2010.

PROPOSED RECOMMENDATIONS. -

- 15. Failure to comply with recommendation 114.9 should include in the educational model issues of gender equality, non-discrimination and non-violence for reasons of expression and gender identity and sexual orientation, real and perceived in the curricula of the entire education system , in the regulation of schools, in the training of teachers, universities and in the institutional framework of the plurinational education system, as well as implementing mechanisms for monitoring, evaluation and on the progress made in relation to these actions, under sanctions stipulated by the norm .**
- 16. The Plurinational Plan of Integral Sexuality in the plurinational education system implement in its entirety, so that educational actors include contents on sexuality in the curriculum, as well as introducing sexuality education in teacher training. This task must be promoted from the Ministry of Education through the District Directorates.**
- 17. Develop awareness and information processes on the issues of gender equality, non-discrimination, rights of the LGBTI community and the issues of gender equality, non-discrimination and non-violence for reasons of expression and gender identity and sexual orientation, in addition to the implications of a secular state for the education system aimed at mothers, fathers, family tutors of Educational Units and the educational community.**
- 18. Create and implement expedited procedures between the Ministry of Education and civil society organizations that allow equal access to the development of programs and projects on human rights, sexual rights, reproductive rights and rights of LGBTI community in educational units.**

¹⁶ <http://www.oas.org/es/cidh/informes/pdfs/violenciapersonaslgbti.pdf>

¹⁷ Which determines that by 2011, the Ministry of Government, Armed Forces, National Police and Ombudsman, should have supported access to academic training and instruction within academies, schools, regiments, barracks, military service and special programs of the Armed Forces and the National Police, of the LGBTI community of Bolivia, avoiding all forms of discrimination, stigma and intimidation.

- 19. DEEPLY INVESTIGATE WITHOUT DELAY AND IN FUND THE ACTS OF VIOLENCE AND DISCRIMINATION AGAINST WOMEN, INDIGENOUS PEOPLE AND LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEXUAL PEOPLE, AND GUARANTEE AN EFFECTIVE REPAIR TO VICTIMS AND THEIR FAMILY MEMBERS.** - With regard to Recommendation 114.67¹⁸, highlights the implementation of the "Protocol for Judging with a Gender Perspective"¹⁹, adopted by the Judicial Branch. This protocol establishes in its content provisions that promote the enjoyment and exercise of fundamental rights and jurisdictional guarantees from a gender equality perspective, in order to avoid discrimination in the justice system against women and LGBTI people.
20. According to the Ombudsman's Office, from 2006 to 2016 there were 64 murders of LGBTI community members in Bolivia; Of these, only 14 came to an investigation process and none obtained a sentence, without mentioning cases of discrimination and violence not reported or abandoned due to fear of reprisals²⁰, or those that are not accepted for investigation.
21. In 2017, a court sentenced a man who tortured and slaughtered a young transsexual to 30 years in prison, this case is considered emblematic for the lesbian, gay, bisexual, transgender and intersex (LGBTI) community for being the first to reach a judgment in judicial courts, without considering or respecting their gender identity. The administration of justice instances do not have official data on cases of people from the LGBTI community who were victims of crimes against life and personal security because of their sexual orientation and gender identity, and less about the status of the processes.
22. The "Annual Report on the Human Rights of the LGBTI Community in the Plurinational State of Bolivia 2015", promoted by the Bolivian Coalition of Lesbian, Gay, Bisexuals, Transvestites, Transsexuals and Transgender, reveals that 93% of the people interviewed were discriminated against by justice operators, 75% consider that the police and judges are the ones who violate their human rights and 89% do not trust public institutions to denounce the violation of their rights. It should be

¹⁸ Recommendation from Ireland. Include senior LGTBI community members.

¹⁹ Human Rights community,

<http://www.comunidad.org.bo/assets/archivos/publicacion/ef7e5bc9a74c3ef9ac17919b1884f8dc.pdf>

²⁰ Ombudsman's Office, http://www.defensoria.gob.bo/dp/noticias_proc.asp?Seleccion=2537

noted that the report points to the Police as the most insensitive public body with the LGBTI community.²¹

23. Another example of discrimination is the constitutional sentence 0076/17 and the constitutional order 0028/17 regarding an action of unconstitutionality presented by conservative assembly members against several articles of the Gender Identity Law²², Law No. 807 of May 21, 2016, that allowed the change of proper name, sex and image of transsexual and transgender people in all public and private documentation linked to their identity, allowing them to fully exercise the right to gender identity.
24. The Plurinational Constitutional Court (TCP) issued its ruling in November 2017, declaring *"the unconstitutionality of paragraph II of article 11 of the Gender Identity Law"*; This indicated that *"the change of proper name, sex and image data will allow the person to exercise all the fundamental rights, political, labor, civil, economic and social, as well as the obligations inherent to the gender identity assumed"*.²³
25. On the other hand, the Court in the complementary constitutional order 0028/17, establishes that the issue of marriage, adoption, parity in electoral processes and confidentiality must be raised in a democratic debate that involves the Legislative Assembly, social organizations, civilians, public and private, without taking into account that according to Art. 3.6 of the Plurinational Constitutional Court Law²⁴,

²¹ VIDAURRE, Martin Annual Report of Human Rights in the Plurinational State of Bolivia, 2014, Santa Cruz, Bolivia, page 120. http://www.libertadglbt.org/simple99/upload/docs/informe_derechos_humanos.pdf

²² Assemblymen Carlos Pablo Klinsky Fernández, Substitute Senator; Maida Paz Callaú and Julio Grover Huanca Nina, Deputies; and, Horacio Poppelinch, Amilcar Bladimir Barral Cabero and José Carlos Gutiérrez Vargas, Alternate Deputies, all of the Plurinational Legislative Assembly, demanding the unconstitutionality of arts. 1, 3.2, 4.II, 7, 8, 9 in the phrase "change of sex data", 10, 11.II, 12.I and the First Final Provision of the Gender Identity Law, for allegedly being contrary to arts. 8.II, 9.2, 14.I, II, III and IV, 58, 59, 60, 63, 64, 66 and 116 of the Political Constitution of the State (CPE).

²³ After an escalation of protests by activists and institutions working in the defense of LGBTI rights, and even some authorities, the Court clarified by means of a complementary order "(...) that the Judgment at no time restricts the rights that people have for their own condition of being human are proclaimed in the Political Constitution of the State, that is, civil and political rights as eligible or electors, or those born of private or commercial civil relations, the rights to health, work, or property, but the unconstitutionality is based on the circumstances where gender change can lead to the affectation of the rights of third parties and the collective interest". In addition, the Court emphasizes the limitations on people who change their gender identity to exercise emerging rights "(...) of the biological condition or of the identity of a man or woman, as established by the Supreme Norm itself", in this sense, the exercise of gender identity for this court does not mean the exercise of all fundamental rights such as the right to marry or adopt, parity in electoral processes and confidentiality, among others.

²⁴ "The principles that govern constitutional justice are the following: 6. Independence. Explains that the constitutional justice is not subject to any other body of public power.

this Court has the full power to perform an interpretation in the light of Arts. 13, 14, 256 and 410.II of the Political Constitution of the State, considering that the rights are dynamic, and there must be an interpretation in merit of the most favorable right for the population, exercising control of conventionality based on international standards such as that of equality and non-discrimination.

26. On January 25, 2018, Law No. 1027 repealed Law 1005 (Criminal System Code), which included the following types: Article 81. (Crimes against Humanity), Article 84. (Homicides), Article 94 (Serious Injuries), Article 142. (Incitement to Racism and Discrimination), Article 150. (Violence in Families), Article 153. (Serious and Minor Injuries) and Article 349. (Victim Quality), which included specifically to the population with diverse sexual orientation and gender identity. To date, the Legislative Assembly has not retaken the treatment of the aforementioned Law, leaving the population with diverse sexual orientation and gender identity in a situation of vulnerability to their rights to life and personal security.

PROPOSED RECOMMENDATIONS. –

- 27. Implement policies and specific legislation on the rights of the LGBTI community based on international standards for the protection of all their rights, in addition to clearly evidenced the reinforced protection due to being a vulnerable population and eliminating the legal obstacles to the exercise of their rights under equal conditions in the judicial system.***
- 28. Urge the Plurinational Legislative Assembly to deal with a specific Law on hate crimes against the LGBTI community, which includes the specific specimen of abrogated Law No. 1027; aggravating in crimes against life and integrity and specifically in the figure of murder; implement a protocol or procedure of actions for the police, prosecutors and justice operators including the training and sensitization to the public officials in charge of the promotion, investigation and punishment of crimes against the rights of the LGBTI community, so that the processes reach the sentence, complying with the procedure properly and in a timely manner.***
- 29. Implement a national mechanism to generate statistical information on cases of violence based on sexual orientation and gender identity and develop awareness campaigns directed at the entire population on the rights of the LGBTI community.***

30. To urge the Plurinational Legislative Assembly to approve complementary norms to Law No. 807 on Gender Identity, which establish recognition and respect for the gender identity assumed by transsexual and transgender girls and boys, considering that the aforementioned norm establishes that only people of legal age can change their name, sex and image data and their implementation to their competent bodies.

31. To urge the Plurinational Legislative Assembly to make Law N ° 369 and 872 compatible with the American convention on LGBTI elderly adults, generating regulations of the ministries for situations of LGBTI senior citizens and their focal treatment.

32. KEEP WORKING TOWARDS THE ELIMINATION OF GENDER STEROTYPES AND EXECUTE NATIONAL LEVER CAMPAIGNS OF SENSIBILIZATION TO FIGHT THESE STERITYPES. - With reference to Recommendation 114.81²⁵. The Multi-sectoral Plan to fight against racism and all forms of discrimination (2016-2020), the institutionalization of campaigns and actions since the creation of the National Committee against Racism and All Forms of Discrimination, as well as regulatory development, is being implemented in the national scope as in the departmental and municipal spheres²⁶. However, it has not yet been possible to consolidate a systematic, comprehensive and integrative work to adequately comply with the UPR recommendation.

PROPOSED RECOMMENDATIONS. -

33. The Committee Against Racism and All Forms of Discrimination, the Deputy Ministry of Decolonization and Departmental Committees must be accountable on the basis of results in relation to the rights of the LGBTI population, in order to strengthen the positive actions carried out and correct the shortcomings they could have had. The evaluation process must be accompanied by civil society organizations.

34. Create a mechanism of enforceability and justiciability before the violation of the rights of the LGBTI population in public and private cases.

²⁵ Recommendation from Guatemala.

²⁶ On June 14, 2011, Law No. 139 was enacted, establishing May 24 as "National Day Against Racism and All Forms of Discrimination" with activities throughout the country, including the visibility of discrimination against the LGBTI community in the municipal areas. For the foregoing, it is highlighted that there is the regulation and the development of the state institutions necessary to deepen the work that allows to eradicate all forms of discrimination and racism.

35. To allocate greater decentralized economic resources for the implementation of sustained and massive national campaigns aimed at eliminating the stereotypes of sexual orientation, identity and gender expression and discrimination against the LGBTI population, making visible the values and customs of each region.

36. Articulate efforts between the central government and the Autonomous Territorial Entities (ETAs) to carry out coordinated and systematic actions within the framework of the state policy to eliminate gender stereotypes, discrimination and patriarchy.

37. INTENSIFY THE WORK OF PROMOTION OF GENDER EQUALITY, ESPECIALLY THE RESPECT OF LABOR OPPORTUNITIES AND ACCESS TO HEALTH CARE AND INCORPORATE COMPONENTS ON GENDER ISSUES IN EDUCATION AND VOCATIONAL TRAINING.- With reference to Recommendation 114.87²⁷, the 2012-2015 Action Plan was drawn up, within the framework of the Plurinational State Policy of Bolivia Against Racism and all forms of Discrimination. As part of this work, a mapping was made of specific groups and populations that are victims of discrimination, among these the LGBTI population was identified. In relation to the rights to work and health, the Plan creates the Program of productive opportunities and access to employment and work for populations harmed by racism and / or discrimination and the New Models of Attention in Health and Education Services, but it doesn't have a concrete plan for the LGTBI population.

38. The 2013 Law No. 475, Comprehensive Health Services, established the "Comprehensive Health Care System", which determines the coverage of health care and "financial health protection" for people who do not have short-term Obligatory Social Security coverage, determining compulsory care in all health establishments, both from the public subsector, and from social security, private establishments under agreement and mobile health teams from SAFCI²⁸. The beneficiary population are: pregnant women, from the beginning of pregnancy until six (6) months after delivery; girls and boys under five (5) years of age; women and men from sixty (60) years of age; women of childbearing age with respect to sexual and reproductive health care and people with disabilities who are qualified

²⁷ Recommendation from Italy.

²⁸ Center of Studies for the Labor and Agrarian Development - CEDLA. Group on Fiscal Policy and Development (GPF). Health for all. The experiences of local health systems in Bolivia. La Paz, 2017. Page 9.

according to the Computer System of the National Single Registry of People with Disability Program - SIPRUNPCD.

39. It is important to highlight the implementation of departmental and municipal health insurance, in the face of health deficiencies, and protect the autonomous and decentralized process of the country, emerge as timely and urgent models.
40. Although the national legislation establishes the right of access to health services for all the population without any discrimination, the lack of specialized medical care protocols for LGBTI people is limited to these services, since their specific medical needs are not met, forcing the population of sex-generic diversities to go to private health services or self-medicate. This last situation becomes a risk to the health and life of the transgender community particularly.²⁹
41. In the survey developed by the Observatory of LGBTI rights to the LGBTI community³⁰ about the services received in health centers nationwide, 78% rate these among regular, deficient and bad; identifying 60%, as the main problem been discrimination. They also point out that there are no protocols for the care of the LGBTI community in the health system, there is a lot of discrimination, so in many cases they must hide their sexual orientation or gender identity.
42. The "Study on Male Sexuality and HIV in Bolivia (SEMVBO)" conducted in La Paz / El Alto, Cochabamba and Santa Cruz shows that 89.9% of the sample indicates not having received any abuse in health services, however, more than half of the same sample claims to hide their sexual orientation from staff³¹. Five out of ten transgender people and one in ten people in TLGB community are discriminated against in public health centers³².
43. According to the "Diagnosis of the Situation of the LGBT Populations" carried out in 2018, before the affirmation of having suffered discrimination in the field of health, 25% of the consulted population answered that they agree and strongly agree with

²⁹ Coordinator of Women, Collective TLGB of Bolivia, DIAGNOSIS OF THE SITUATION OF TLGB POPULATIONS WITH EMPHASIS ON LESBIAN, BISEXUAL, TRANSGENDER AND FEMALE TRANSGENDER WOMEN IN BOLIVIA 2018, page 105.

³⁰ Universal Periodic Review, within the framework of the Report prepared by Civil Society.

³¹ JAIME, Martín, Sexual Diversity, Discrimination and Poverty Regarding Access to Public Health, CLACSO, 2013.

³² Same.

that statement³³. Despite having implemented norms for gender equality, respect for sexual diversity and sexual orientation, there is still discrimination, machismo, misogyny and sexism in the health field, so that equality would have remained only in the formality.

44. In relation to the opportunities and employment situation of the LGTBI population, a survey conducted by the NGO Capacitation y Citizen Rights, reveals that 67% of the LGTBI community interviewed indicated that making people aware of their sexual orientation and gender identity caused harm and 63% affirmed that there are no inclusive policies for the population in their place of work. For its part, in the survey of information on the perception of companies on policies favorable to the labor rights of LGTBI people, 58% said that companies did have inclusive policies, 25% that do not have norms on non-discrimination of this population and 33% that there are no compliance monitoring practices. Likewise, 83% consider it important to have inclusion policies for the LGTBI population; only 36% indicated that awareness and training plans were being developed. The majority benefit that the companies consider that they would bring to their activities, the application of policies favorable to the LGTBI population, would be the improvement of the performance and the work climate (47%).
45. The prevailing prejudices and stereotypes in Bolivian society affect the limitations on access to fair and decent jobs for the LGBT community, according to the "Diagnosis of the Situation of the TLGB Community" carried out in 2018³⁴, 28% of the people surveyed report having difficulty finding work due to their gender identity or sexual orientation, another 39% declare having to hide their sexual orientation or gender identity due to fear of discrimination. Within the work spaces, 23% of the people surveyed indicated that they had suffered some type of discrimination or violence from their co-workers.
46. The Autonomous Municipal Government of La Paz, approved on June 26, 2018 Law No. 311 on Promotion and Respect for the Human Rights of People with Various Sexual Orientations and Gender Identity³⁵, in order to guarantee and promote their rights in various areas such as labor and politics. The norm guarantees the LGBTI

³³ Coordinator of Women, Collective TLGB of Bolivia, DIAGNOSIS OF THE SITUATION OF THE TLGB POPULATIONS WITH EMPHASIS ON LESBIAN, BISEXUAL, TRANSGENDER AND FEMALE TRANSGENDER WOMEN IN BOLIVIA 2018, page 56.

³⁴ Coordinator of Women, LGBT Collective of Bolivia, DIAGNOSIS OF THE SITUATION OF TLGB POPULATIONS WITH EMPHASIS ON LESBIAN, BISEXUAL, TRANSGENDER AND FEMALE TRANSGENDER WOMEN IN BOLIVIA 2018, p.107

³⁵ <http://www.concejomunicipal.bo/concejo/wp-content/uploads/2018/10/Ley-N%C2%BA-311.pdf>

community has access to a labor source and their participation in election processes without any type of discrimination.

47. The Bolivian State, after the departmental health summits carried out, determined the implementation of the Unified Health System from the 2019 administration, this insurance is aimed at 51% of the inhabitants of Bolivia who do not have any type of health insurance. The medical services will be in the three levels of attention, gradually, based on the epidemiological analysis and the diseases of greater incidence that most afflict the community. In terms of infrastructure, the implementation of the Construction Plan for 49 hospitals was announced to respond to the needs of the population³⁶. In January 2019, the initial stage of free insurance enrollment began. Unfortunately, for the implementation of this insurance the contributions of the LGBTI community in the departmental health summits prior to their approval were not considered.

48. PROPOSED RECOMMENDATIONS. - Implement affirmative action in public policies for access to labor sources of the LGBTI community, which include specific regulation in the internal regulations and include the LGBTI community in labor regulations, create the National Directorate and the Municipal Offices that work for inclusion from the LGBTI community to work sources, besides developing training and awareness processes in public and private entities about the right to work of the LGBTI community. The Ministry of Labor must implement the Labor Access Program for LGTBI community as soon as possible.

49. Implement safeguards that guarantee that, in labor sources of the public and private sector, the LGBTI community is not discriminated against, harassed or violated, under sanction and implement a Public Policy of Integral Attention to Health for the LGBTI community that is safe or that is attended within the framework of the Universal Health System, which includes:

- **Protocol of Attention of the LGBTI Population in health centers, which must be depathologizing and friendly.**
- **Training and awareness processes aimed at medical professionals and health personnel in public and private care centers.**
- **Mechanisms of access to sex reassignment surgeries for free and hormone replacement therapy (HRT).**

³⁶<https://www.minsalud.gob.bo/3447-sistema-unico-de-salud>

- *Specialized and free psychological accompaniment to LGBTI communities in different areas without pathologizing.*
- *Provision of medicines.*
- *Access to medical treatments according to their particularities, with preference to the most vulnerable populations within LGBTI communities.*
- *Sufficient budget and equipment.*
- *Adequate infrastructure.*
- *Treatments for opportunistic diseases and for free multidisciplinary care for LGBTI people.*
- *Access to traditional medicine without discrimination.*
- *Prohibit practices and therapies that aim to "modify" sexual orientation and gender identity.*
- *Insert in the legislation the protection of same-sex couples; with social and health coverage, for the exercise of civil rights.*

**ORGANIZATIONS OF THE COALITION FOR THE ALTERNATIVE REPORT ON HUMAN RIGHTS
OF THE LGBTI COMMUNITY- UNIVERSAL PERIODIC EXAMINATION**

1. A mi manera
2. ADESPROC Libertad
3. Asociación personas transgénero La Paz
4. Capacitación y Derechos Ciudadanos
5. Coalición Boliviana de Colectivos LGBTI - COALIBOL
6. Colectivo DSG Beni
7. Colectivo DSG Riberalta
8. Colectivo DSG Rurrenabaque
9. Colectivo DSG San Joaquín
10. Colectivo DSG Trinidad
11. Colectivo LGBT Tarija
12. Colectivo TLGB
13. Colectivo TLGB Amazónico Pando
14. Colectivo TLGB Chuquisaca
15. Colectivo TLGB El Alto
16. Colectivo TLGB La Paz
17. Colectivo TLGB Pando
18. Colectivo TLGB Potosí
19. Colectivo TLGB Santa Cruz
20. Colectivo TLGB Tarija
21. Comité DSG Beni
22. Comité DSG Cochabamba
23. Comunidad de Derechos Humanos
24. CONBOJUV
25. Equidad
26. Federación de Diversidades Sexuales y Género
27. Fundación Baker
28. G men
29. GLBT DEL JUE FED. Divfex
30. GLBT del Sur
31. HTDB
32. IGUAL
33. Igualdad
34. Igualdad Montero
35. JUPLAS
36. LESVOZ
37. Mano diversa

38. Metamorfosis
39. Observatorio de los derechos LGBTI
40. RED CRUZ
41. Red de Mujeres Lesbianas y Bisexuales Bolivia
42. Sentir chaqueño
43. TREBOL
44. Vitryaz