

Bolivia

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

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

The constitution and the law prohibit discrimination based on sexual orientation and gender identity. The human rights ombudsman reported in May that the government registered 64 killings of LGBTI individuals in the last 10 years. The government investigated 14 cases, but the courts had not sentenced anyone for these crimes.“

A 2016 gender identity law allows members of the transgender community to change their name, sexual identification, and picture on all legal identity cards and birth certificates. Following the promulgation of the law, more than 140 persons officially changed the identity documents to reflect their gender.” On June 27, the Supreme Electoral Tribunal expanded the law by granting transsexual and transgender persons the right to marry legally. On November 9, however, the Constitutional Tribunal ruled a portion of the 2016 law unconstitutional, specifically the article that allows transgender individuals to “exercise all fundamental, political, labor, civil, economic and social rights.” On November 24, the court stated that the Legislative Assembly must specifically address the issue of marriage and adoption for transgender individuals.

According to the LGBTI activist community, “biological women” often failed to include transsexual women in advocacy efforts when fighting for greater rights for women in society.

According to activist sources 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 that were incarcerated to be held in areas in accordance to their chosen sex. Police continued to be a threat to transgender individuals engaged in sex work.

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 seek employment in the commercial sex sector because of discrimination in the job market and unwillingness on the behalf of employers to accept their credentials.

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