

EXECUTIVE SUMMARY

IN MY SHOES

Study on Violence Against Women and Children,
and the Response of the Bolivian Justice System.



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International Justice Mission (IJM) is a global non-profit organization with 33 offices in 23 countries around the world. Its mission in Bolivia is to combat physical and sexual violence against women and children, particularly those living in conditions of poverty and vulnerability. IJM aims to protect individuals from violence by strengthening public justice and citizen security systems, enhancing community and civil society organization and collaboration for protection, and achieving the restoration and empowerment of survivors to advocate for change.

The Institute of Behavioral Sciences Research (IICC) at the Bolivian Catholic University (UCB) is a research center focused on various studies in the Social Sciences field. It is recognized nationally for its research on childhood, adolescence, and relational agents.

Both institutions, with support from the Council of the Judiciary and the Universidad Mayor, Real y Pontificia San Francisco Xavier de Chuquisaca (USFX), joined forces to measure the response of the Public Criminal Justice System (PCJS) to physical and sexual violence against children and women in four municipalities: La Paz, El Alto, and Sucre - direct intervention municipalities of IJM - and Cochabamba, which serves as a control municipality to evaluate IJM's intervention effectiveness in future comparative studies.

Study Objective

The research aimed to: *Describe the response of the Public Criminal Justice System (PCJS) in Bolivia to physical and sexual violence against women and children (VAWC).* To this end, it was necessary to first understand the complexity of the phenomenon, which required a research of four interrelated assessment domains:

- I) **Prevalence of violence**, which focused on understanding the actual extent of VAWC in the studied municipalities.
- II) **PCJS performance**, which measured the PCJS's response to VAWC cases.
- III) **Confidence perception** in the system by its officials and affiliated professionals.
- IV) **The population's reliance** level on the PCJS, which indicated the victims' willingness to report and undergo the entire legal process for justice.

Methodology

The research began with the creation of the "Research Protocol," which guided the entire research process in each domain. The protocol underwent evaluation to ensure the safety, both physical and emotional, of the participants and received approval from the Institutional Ethics Committee of the Bolivian Catholic University "San Pablo" in March 2023.

The study employed specific methodologies for each of the four domains, detailed in the subsequent results section. The research teams were exhaustively trained both thematically and methodologically, for the measurement of all the domains, and to fill the surveys and analyze the cases. The training emphasized confidentiality for information collection.

RESULTS BY DOMAIN

PREVALENCE OF PHYSICAL AND SEXUAL VIOLENCE AGAINST ADOLESCENTS AND WOMEN: A STUDY IN YOUTH BETWEEN THE AGES OF 13 AND 17 YEARS-OLD AND WOMEN OF 18 YEARS-OLD AND ABOVE

This domain aimed to measure the prevalence and characteristics of physical and sexual violence against adolescents between the ages of 13 and 17 years-old, as well as in women. The design was quantitative, retrospective, and cross-sectional, considering a probabilistic and representative sample of 3,119 cases, composed of 1,550 adolescents (50% female) and 1,569 women. Data was obtained through the Population Survey on Prevalence, Reliance, and Vulnerability to Violence (EPDVV) (2022). The main results reveal the following:

Prevalence Results among Adolescents

Alarming prevalence of violence: 40% of adolescents, throughout their lives, experienced some form of physical or sexual violence, and 16.58% suffered it in the last 12 months prior to the study. Breaking down violence by type, sexual violence affected 11.43% of adolescents throughout their lives and 5.20% in the last 12 months. Regarding physical violence, 37.19% of adolescents experienced it throughout their lives, and 14.06% experienced it in the last 12 months.

Age differences: The prevalence of physical or sexual violence in the last 12 months and throughout life is higher in adolescents between the ages 15 and 17 years-old (with 18.55% in the last 12 months and 45.19% throughout life) compared to the prevalence between the ages 13 and 14 years-old (with 14.56% in the last 12 months and 34.46% throughout life).

Gender differences: Statistically significant gaps were observed in the prevalence of sexual violence between males and females ($p < 0.05$), being higher in females in all IJM intervention municipalities. Regarding physical violence, there were also differences between the prevalence of violence among males and females, both throughout life and in the last 12 months: males presented higher prevalence in all IJM intervention municipalities.

Aggressors and environment where violence occurs: In almost half of sexual violence cases, the aggressor was a family member or a close friend (44.4%), while the ex-partner was the aggressor in 37% of cases. The study found that the home itself is the riskiest space for sexual violence for both females and males (56.2% and 33.3%, respectively). Schools and universities were also identified as environments where adolescents are particularly susceptible to physical violence (20.0% in females, 15.9% in males).

Vulnerability to physical or sexual violence: When assessing the vulnerability and resilience of adolescent victims of violence in terms of extrinsic and intrinsic dimensions, a better understanding emerges of how different aspects of their lives and personality contribute to their ability to recover and thrive after adverse experiences.

Under the “safety” dimension, the study evaluated the stability and protection of the residential environment and the risk of experiencing sexual violence. This dimension

showed the highest vulnerability proportion, at an alarming 96.4%, indicating that most adolescents face critical challenges related to the safety and stability of their homes, a fundamental factor for their recovery and overall well-being.

The “mental well-being” dimension, which measured adolescents’ ability to regulate emotions and handle stressful situations, showed high vulnerability: 75.3%. This finding highlights significant issues in adolescents’ emotional management and mental resilience, which can severely impact their recovery and development.

The “legal protection” and “social support” dimensions also showed considerable levels of vulnerability, with 48.19% and 35.0%, respectively. These results suggest that many adolescents face barriers in accessing justice and lack emotional and tangible support in their homes and communities.

Risk and prevention: For 84.38% of adolescents who previously experienced either physical or sexual violence, the risk of experiencing such violence increases significantly. This proportion was highest in the municipality of La Paz (91.85%), followed by El Alto (87.6%), and followed by Sucre (79.8%). These differences were significant ($p < 0.05$).

Prevalence Results among Women

Alarming prevalence of violence: Approximately 10.71% of women reported having experienced violence during last year, and more than half of women (53.0%) reported having experienced violence at some point in their lives. On the other hand, 8.0% of women reported having experienced physical violence in the last year, and 48.3% women indicated when having experienced physical violence throughout their lives.

Age differences: The prevalence of sexual violence shows a decrease as women age. However, when considering the levels of violence in the last 12 months, the study shows a prevalence across all age groups.

In contrast, the prevalence of violence throughout life follows a downward trend as age increases; women between the ages 18 and 24 years-old experience the highest prevalence, while women aged 60 and above record the lowest prevalence.

Vulnerability to physical or sexual violence: There are 6 domains that measure the level of victim’s vulnerability that could lead to revictimization: 1) safety, 2) legal protection, 3) economic environment and education, 4) mental well-being, 5) social support, and 6) physical well-being. The domains showing the victim’s highest vulnerability were: i) safety (96.79%), which covered area of protection and absence of abuse and threats; ii) mental well-being (78.8%), legal protection (52.65%), and economic environment and education (38.8%).

Risk and prevention: Over half of the women (54.6%) who were victims of violence are at risk of experiencing it again.



PERFORMANCE OF THE PUBLIC CRIMINAL JUSTICE SYSTEM IN CASES OF PHYSICAL AND/OR SEXUAL VIOLENCE AGAINST WOMEN AND CHILDREN

The objective of this domain was to describe the performance of the PCJS in the attention and resolution of cases of physical and sexual violence against women and children (VAWC) from 2018-2021, through the analysis of case progression, timeliness, and quality of service in these cases. A simple random probabilistic sampling method was used to achieve a sample size for infinite populations in the intervention municipalities. The resulting sample included all cases that met the selection criteria, and to which the PCJS provided access. The sample size was 321 Judicial Control Records (JCR). For the sample selection in the control municipality, a probabilistic sampling was conducted using the Lot Quality Assurance Sampling (LQAS) methodology, with a total of 83 JCR.

The method employed two data collection strategies: one to gather information from the Jurisdictional Control Journals records of the cases attended by the PCJS. The second strategy assessed the use of Trauma-Informed Care (TIC) during the attention of victims of violence. The assessment was done through a survey answered by officials and social service providers, who answered closed quantitative questions and open qualitative questions.

Results

Case Progression: the progress of cases between the stages established by the Criminal Procedure Code (in its common and expedited form) until they reached a final judgment. Of the 321 cases referred to the court, 8.1% (nc=26) did not reach resolution; 58.9% (nc=189) were rejected, and 9.2% were still in process. Only 13 legal cases received a sentence, and only 8 of them reached a final judgment. The main bottlenecks were identified at three critical moments: the preliminary stage, the preparatory stage, and the oral trial.

Promptness: measurement of the duration of each stage of the general process, based on the deadlines established by the criminal procedure code. The average time elapsed from the complaint to the final judgment exceeds the legal limit of three years. Of the three years established as the duration of a case, the Criminal Procedure Code, only about 10 months are regulated. The remaining 2 years and 2 months go unregulated despite limits prescribed in the law.

The average times of the initial stages of the criminal process exceed the deadlines established by law. In the period between the complaint and the formal accusation, there was significant difference between intervention municipalities (345 days) and the control municipality (46 days).

The average time to obtain a rejection resolution was 266 days, with one case extending over four years (1,585 days). Issuing sentences through common procedure requires an average of 186 days (about 6 months), and the average time from the issuance of the sentence to its execution is 32 days (about 1 month). This, coupled with the actual times of resolution of cases, reveals that cases commonly exceed the deadlines prescribed by law. Although rare, there are cases that conclude in a period shorter than the one established by law, which demonstrates the possibility of improving the process' times to ensure resolution in less than three years.

Quality of case management within the criminal process: the set of actions planned to provide timely, TIC attention that ensures the victim's safety throughout the development of the case: Cases that reached a final judgment stand out for having used the re-

sources established in the Criminal Procedure Code (CPC), which aimed to provide more effective and secure attention to victims throughout their legal process. In an effort to ensure the safety of the victims, 53.3% of them were granted protection measures¹, while 46% of the accused obtained pretrial measures.

The number of victim interactions with the PCJS varies, with an average of two interactions per case. Extreme cases recorded up to 12 interactions. Victims of physical assault interacted with the PCJS at least twice, and victims of sexual assault had an average of three interactions.

Only 24 accused were acquitted, of which 19 were related to physical violence, two to sexual violence, and three without a clear identification of the type of violence.

For cases that went to oral trial, five out of the eight accused had their hearings suspended, with an average of three suspensions per case.

In five of the 13 cases analyzed that resulted in convictions, the criminal charge was modified to reduce the penalty between 1 and 2 times, transforming offenses with severe penalties into offenses with less severe penalties.

Although over 57% of PCJS staff believe they have applied the Trauma Informed Care approach during the handling of cases, less than 48.1% actually have.



1. There are 28 different types of protection measures for children and women included in the ‘Law on the Abbreviation of Criminal Procedure and the Strengthening of the Comprehensive Fight Against Violence Toward Girls, Boys, Adolescents, and Women.’



PERCEPTION OF CONFIDENCE OF KEY ACTORS IN THE PUBLIC CRIMINAL JUSTICE SYSTEM

The objective of this domain was to assess public servants' confidence in the overall effectiveness of the justice system, institutional efficiency, and fairness within the PCJS. This included evaluating their confidence in several components of the system, including the Judicial Branch, the Public Ministry, the Police, the forensic investigation institutes functioning under the Public Ministry (IDIF), the Technical Scientific Investigation Institute of the Police University (IITCUP), and the Units for the Protection of Victims and Witnesses (UPAVT). Additionally, respondents provided information on whether they perceived positive changes in the PCJS and, if so, whether they considered them sustainable. The sample consisted of 70 key actors of the PCJS, both officials and non-officials. The research approach adopted was non-experimental and was based on the opinions collected from these actors through surveys.

Results

Confidence in Overall Effectiveness of the PCJS: Confidence in the overall effectiveness of the PCJS is low, reaching only 21.7% among respondents in the municipalities of El Alto, La Paz, and Sucre. Aspects such as respect for the rule of law and effective inter-institutional collaboration both received ratings of 23.3%. In contrast, confidence in the effectiveness of crime deterrence was lower at 15.5%, while public support stood at 17.2%. The control municipality of Cochabamba received lower ratings in all evaluated aspects, with lower confidence in overall effectiveness, respect for the Rule of Law, and effective inter-institutional collaboration. Confidence in the effectiveness of crime deterrence is practically non-existent (0%), and the highest confidence was observed in the effectiveness of government support, at 12.5%. According to officials, the overall effectiveness of the PCJS stands at 33.3%, while for non-officials it is considerably lower, reaching 10%.

Confidence in Institutional Efficiency of Justice System Institutions of the PCJS: Despite the fact that all municipalities present low confidence percentages, the intervention municipalities exhibit greater confidence compared to the control municipality. This pattern also applies to effectiveness and equity criteria. Despite widespread low confidence, the Judicial Branch stands out as the most trusted institution, followed by the Public Ministry, IITCUP, IDIF, Police, and UPAVT. In the control municipality, the IITCUP receives the highest confidence, while the IDIF obtains the lowest. The most favorable ratings are found in the municipalities of La Paz (IITCUP, the Police and UPAVT); Sucre (IDIF and Public Ministry) and El Alto (Judicial Branch); while the lowest scores were recorded in Cochabamba (IITCUP, Judicial Branch, and Police); El Alto (IDIF and UPAVT) and La Paz (Public Ministry).

Confidence in Fairness of Justice System Institutions: There is low confidence regarding the dignified and non-discriminatory treatment provided by PCJS institutions of the studied municipalities. Concerning dignified treatment, the highest confidence was placed in: Sucre, towards the IDIF (45.5%); El Alto and Cochabamba, towards the Public Ministry (44.4% in both cases), and in La Paz towards the IITCUP (41.2%). In contrast, the lowest ratings were recorded in the municipalities of Sucre, towards the IITCUP (0%) and the Police (16%); in La Paz towards the Public Ministry (19.2%) and the Judicial Branch (20.8%); in Cochabamba towards the UPAVT (16.7%), and in El Alto towards the IDIF (22.2%).

Regarding non-discriminatory treatment, the highest confidence was granted: in El Alto, to the Police (62.5%) and the Judicial Branch (44.4%); in Sucre to the IDIF (54.5%) and the Judicial Branch (43.5%), and in Cochabamba to the Public Ministry (55.6%). On the other hand, the lowest ratings were found in the municipalities of Sucre, towards the IITCUP (0%) and the Police (16%); in La Paz towards the IDIF (16%), the Public Ministry (19.2%), and the Police (18.5%); in Cochabamba towards the Judicial Branch (11.1%) and the UPA-VT (16.7%), and in El Alto, towards the IDIF (11.1%).

Confidence in positive changes within the PCJS, and their sustainability: The majority of respondents perceive favorable changes within the PCJS (56.9%), especially regarding legislative reforms. For 61.8% of respondents, these changes are sustainable. However, they express a critical stance regarding the implementation and application of the law.





THE DEGREE OF PEOPLE'S RELIANCE ON THE PUBLIC CRIMINAL JUSTICE SYSTEM

This chapter aimed to determine the level of reliance of the population on the justice system, as well as the level of their willingness to rely on it, and the existing gaps regarding the reliance of women and adolescents victims of violence on the PCJS. The study used the same methodology as in the Prevalence domain, namely, a quantitative design with the following characteristics: a) Cross-sectional, measuring events at a specific point in time; b) Retrospective, measuring events prior to the measurement moment; and c) Sample considered as representative of the total population of the studied municipalities. Data was collected through the Population Survey on Prevalence, Reliance, and Vulnerability to Violence (EPDVV) for the year 2022. The sample was selected using a probabilistic design of 3,119 cases, including 1,550 adolescents (50% female) and 1,569 women.

Results

Willingness to Rely on the PCJS: A high percentage of adolescents (94.85%) showed willingness to report the crime to PCJS institutions, and almost 89.03% expressed their willingness to participate in criminal proceedings. Among women, over 92.17% expressed a willingness to report, while 88.05% of the sample affirmed their willingness to participate in criminal proceedings.

People's Reliance on the PCJS: Out of 740 women who suffered violence throughout their lives, only 16.89% filed complaints with state justice institutions, being Sucre the municipality with the highest percentage (19.50%). In the case of 640 adolescent victims of violence, only 4.53% filed a complaint, being La Paz the municipality with the highest percentage (6.12%). In the last 12 months, only 4.68% of adolescents and 26.99% of women victims of violence decided to report. Overall, only one in ten victims who reported their case of violence received some type of service for their restoration, being the municipality of La Paz the one with the highest number of cases that received services.

Gaps in Reliance on the PCJS: 81.14% of women who experienced violence at some point in their lives did not file a complaint, while in the case of adolescents, this percentage rises to 92.75%. In the last 12 months, 39.67% of adolescents and 34.42% of women remained silent about the violence suffered.

Variables Associated with Reliance: When comparing the two groups, adolescents and women, adolescents are less likely to abandon criminal proceedings for violence compared to women.

However, when analyzing both groups together, only 25.7% of adolescents and women who suffered violence decided to file a complaint. A minority reports being satisfied with the services received after entering the PCJS (11.8%). Of them, adolescents have a higher percentage of satisfied or very satisfied cases (15.2%) in contrast to women (11.8%).

Furthermore, 59.70% of cases that reported having experienced TIC during the majority of interactions with the PCJS remained in the judicial process, while in cases without TIC, only 30.80% remained in criminal proceedings.

CONCLUSIONS

Combating the phenomenon of violence is the responsibility of society as a whole; however, it is the Bolivian State that must lead this fight and protect those who are most vulnerable to abuse. This task requires the implementation of structural changes to strengthen the institutional capacity of the Public Criminal Justice System, through proper allocation and execution of resources, staff training, dissemination of information to the population, and jurisdictional control mechanisms, among others. If the Bolivian PCJS institutions implement evidence-based initiatives that dignify and attend to VAWC victims, these elements will lead to the immediate apprehension and conviction of perpetrators of VAWC; and if communities defend and care for vulnerable individuals or victims of VAWC, fewer crimes will remain in silence and impunity. Together, this process will lead to a reduction in prevalence by deterring potential perpetrators from committing assault.

Two important considerations: First, as structural changes materialize, they must be accompanied by immediate action strategies to assertively address all those who suffer violence. Secondly, it is necessary to highlight the urgency of combating this phenomenon through preventive action aimed at different groups in society.

All the above highlights the urgency of comprehensive reforms in the PCJS. The changes need to include greater sensitivity towards victims, adequate training for officials responsible for handling these cases, access to updated information and resources, as well as defined deadlines to ensure a timely and effective response to violence. These reforms are essential to guarantee adequate protection and effective support for victims and to improve the effectiveness and sensitivity of the PCJS as a whole.

Calls to Action

Even though not all the findings were shown in the executive summary, the main calls to action that resulted after the protection study are presented next.

It is essential that **judges, prosecutors, police, civil society**, and all those entities that are part of the victim care system **work together in a coordinated manner**, forming regular working groups that create an effective space for interrogation, demanding an efficient, transparent, and fair judicial system. In this regard, we call on institutions linked to the PCJS to:

- Implement changes in the penal system that include defined deadlines for each stage of the criminal process. Changes also need regulations that strengthen sanctions for non-compliance with deadlines. This will ensure more efficient and timely justice.
- Conduct regular controls and studies to guarantee a more effective and transparent judicial system, while ensuring that such controls lead to an efficient and reliable administration of justice for all citizens.

- Develop specific protocols for each stage of the criminal procedure, ensuring thorough investigations that apply a generational and gender perspective. In addition to effective implementation of protection measures that safeguard survivors and their families.
- Fully apply existing regulations to protect women and children victims of violence and reinforce mechanisms for control and accountability for the application of laws.
- Ensure the recording and accessibility of essential minimum data in the Prosecutor's case system to describe the characteristics of the violent act, such as: age, gender, place, relationship between the victim and the perpetrator, type of violence, time from the incident to the report, etc.
- Ensure the application of the Principle of Due Diligence and the Principle of the Best Interests of the Child, and ensure its application in all criminal proceedings, from initiation to effective conclusion.
- Conduct audits and monitoring of resources as mechanisms to assess compliance with the Principles of Due Diligence and the Best Interests of the Child in criminal proceedings.

These **recommendations aim to promote a more effective and sensitive response** to violence, involving preventive policies, awareness actions, proper staff training, and comprehensive reforms in the penal system. It is essential to address barriers to reporting, improve support for victims, and strengthen the system's capacity to address these challenges more effectively and humanely.

CREDITS

International Justice Mission (IJM)

- **Bolivia Field Office Director:** Alejandra Cámara Terrazas
- **Bolivia Project and MERL Lead:** Adriana Bueno Lanchez
- **Bolivia Project and MERL Assistant:** Carla Andrade Abastoflor
- **Bolivia Protection Study Communication Manager:** Paola Amurrio Rocha
- **Bolivia Project and MERL Volunteer:** Kyle Zuidema
- **Regional Director, Strategy and Impact, Latin America:** Elizabeth Schepel
- **Regional MERL Team:** Jacobo Mazariegos, Francisco Quiroa, Ximena Caicedo
- **Regional Communication and Community HUB Team:** Paula Ximena Sanchez, Julieta Buckenmyer, Santiago Osorio

Research Institute for Behavioral Sciences (IICC)

- **Institutional Coordinator:** Marcela Losantos Velasco
- **Research Coordinators:** Jazmín Mazó Torrico and Natalie Guillén
- **Research domain on “Performance of the Public Criminal Justice System in cases of physical and/or sexual violence against children and women”**
 - **Authors:** Natalie Guillén, M. Fernanda García, Alejandra Cámara, Adriana Bueno, and Carla Andrade
 - **Research Team:** Paola Salguero, Juan Carlos Quiroga Mallón, Jenny Rocío Torrez Pérez, and Ingrid Veronica Davezies Martinez
 - **Field Supervisors:** Benjamín Gastón Panozo Montero, Fabiola Albarracín Guerra, Vania Minerva Rodriguez Salazar
 - **Reviewers:** María René Flores Velásquez, Esmeralda Grecia Encinas Gutiérrez, Christian Joel Guzmán Miranda, Belen Mariana Tudela Villaroel, Carlos Ahmed Ochoa Miranda, Jaqueline Del Carmen Cosme Vásquez, Micaela Maya Noriega Villagómez, Lizeth Jhanira Chipana Fernández, José Manuel Gutiérrez Alba, Rebeca Hortencia Durán Quiroga, José Alberto Ayala Cossio, German Andres Pardo Ayoroa
- **Research on the domains of “Prevalence of Physical and Sexual Violence in Adolescents and Women” and “The Degree of People’s Reliance on the Public Criminal Justice System”**
 - **Prevalence Author:** Ana María Arias Uriona
 - **Reliance Authors:** Dayanne Orellana Mendoza and Carla Andrade
 - **Research Team:** Vivián Schwarz Blum, Natasha Morales, Natalia Vargas
 - **Statistician:** Gilka Jimenez Careaga
 - **Interviewers from the institution “Ciudadanía, Comunidad de estudios sociales y acción pública”**
- **Research on the domain of “Perception of Confidence of Key Actors in the Public Criminal Justice System”**
 - **Author:** Leonardo Villafuerte Philippsborn
 - **Interviewers:** Mónica Fabiola Flores Camargo, Sergio Gerardo Manjon Cervantes, Andrés Villalobos Guzman, Israel Segales Leguía, Andrés Herbas Rodrigo, Ana Carolina Morales Pinto

Editorial Committee of the Study

- Marcela Losantos Velasco
- Ana María Arias Uriona
- Alejandra Cámara Terrazas
- Adriana Bueno Lanchez
- Leonardo Villafuerte Philippsborn
- Jacobo Mazariegos

Translator

- Pablo Andrés Viscarra López

Design and Layout

- Madeleine Irusta Alvarado
- Pablo Wieler Nieva