

## Open-Ended Working Group on Ageing

### **INPUTS OF THE DEFENSORÍA DEL PUEBLO DEL ESTADO PLURINACIONAL DE BOLIVIA**

#### **GUIDING QUESTIONS: NEGLIGENCE, VIOLENCE AND ABUSE.**

#### **1. In your country, are there specific studies or surveys (from governmental, non-governmental or academic sources) on violence, abuse and neglect of older people?**

A.- There are no governmental, non-governmental or academic sources on violence, abuse and neglect of the elderly. However, it is necessary to emphasize that the Ministry of Justice through the Plurinational System of Prevention, Attention, Sanction and Eradication of Violence (SIPPASE) is building the Comprehensive System on Violence, a system that will provide information and statistical data on violence towards elderly people at National, departmental, regional and municipal level, and this system will also report types of violence in particular towards older adults. All the information registered in this system, will be derived to the National Institute of Statistics (INE) for processing and dissemination. Although there is no official statistical data on violence, abuse and neglect of older adults, it is necessary to prevail that the Ombudsman's Office carried out a study called "State of Situation of the Socio-Legal Counseling Centers for the Elderly people (COSLAM)", a study that shows that COSLAM carried out case-studies on violence, abuse and neglect of older adults in different regions of Bolivia.

#### **2. (a) What forms of violence, abuse and neglect (eg, physical, psychological, sexual, financial or other) are registered? What is the environment in which they occur (ie residential and non-residential)? Is there information about the type of perpetrators?**

A.- The study "State of Situation of the Socio-Legal Counseling Centers for the Elderly people COSLAM" reflects that the COSLAMs dealt with common cases of psychological, financial and property violence (dispossession of property or land). In many cases, the people who generate violence to the elderly people are their own family members.

#### **(B) Do violence, abuse and neglect particularly affect specific age groups? If so, what groups and how?**

A.- The study " State of Situation of the Socio-Legal Counseling Centers for the Elderly people COSLAM", shows that violence affects a most percentage of older persons from rural area, through financial (economic) violence such as dispossession of property or land and mandatory community work.

**3. Does your country's legislation explicitly address issues of violence, abuse and neglect of the elderly? If not, what legislation applies to these issues in the context of older persons? Does this legislation sufficiently add the full range of violence against older people?**

A.- The Political Constitution of the Plurinational State prohibits and sanctions all forms of mistreatment, neglect, violence and discrimination against older persons (Article 68, paragraph II).

The Inter-American Convention on the Protection of the Human Rights of Older Persons, ratified by Bolivia through Law No. 872 of December 21, 2016, explicitly addresses issues of violence, abuse and neglect of older persons.

Law No. 369 (General Law on Older Persons of May 1, 2013) specifically regulates the issues of violence against older adults, and establishes as a principle of nonviolence, which seeks to prevent and eradicate all Conduct that causes internal or external injury, or any other type of abuse that affects the physical, psychological, sexual and moral integrity of the elderly.

Likewise, the aforementioned Law, in its fifth chapter, establishes amendments to Articles 270, 271, 273 and 274 of the Bolivian Criminal Code, providing aggravation of penalties in the crimes committed against older adults.

Regarding protection and support for older adults in situations of violence, the Integrated Plurinational Justice Systems (SIJPLU) provides corresponding legal assistance (according to Article 10 of Supreme Decree No. 1807 Regulation of Law No. 369).

**4. What legislation exists to protect older persons specifically against financial abuse, including hereditary abuse?**

A.- The protection of older adult women from financial abuse, including hereditary abuse, is governed by Law No. 348 (Law to guarantee women a life free of violence), that in article 7 (numeral 10) it is characterized as patrimonial and economic violence.

Finally, it is important to establish that the protection of older adults, from any type of violence, is protected by Law No. 369 (General Law on Older Persons), Supreme Decree No. 1807 (Regulation of Law No. 369) and Law No. 872 (Ratification of the Inter-American Convention on the Protection of the Human Rights of Older Persons), which constitute specific norms for the protection of older persons in Bolivia.