

# Access to Justice

CSW70 - 2026



The reports that make up this series are developed within the framework of the Women Power 2030 project. In Latin America, the Foundation for the Study and Research of Women (FEIM) leads its regional implementation, supporting young activists from Argentina, Bolivia, Colombia, Guatemala, and Peru in building analyses and proposals rooted in their territorial realities, diverse identities, and strategic priorities.

Thirty years after the adoption of the Beijing Platform for Action, this series of reports emerges in a moment of active memory, collective assessment, and political projection. From Latin America, young women from five countries come together to say, with a shared and powerful voice: we are here, in our territories, together. Together to review the commitments undertaken by States, together to name the pending debts, together to sustain an agenda that remains urgent.

The Beijing Platform for Action, adopted in 1995 at the Fourth World Conference on Women, established a comprehensive roadmap to advance gender equality across twelve priority areas. Three decades later, it remains an indispensable reference for the development of public policies, the defense of human rights, and the transformation of the structural inequalities that shape the lives of women, girls, and gender-diverse people.

The young voices that run through these pages speak of persistent violence, violated sexual and reproductive rights, the feminization of poverty, labor precarity, the climate crisis, structural racism, and historical exclusions. But they also speak of networks of care, communities that resist, emerging leadership, strengthening alliances, and a region that envisions itself through social justice, equity, and sustainability.

These reports are both an exercise in evaluation and a commitment to the future. They are the result of collective processes of reflection, dialogue, and political construction led by intergenerational feminist youth who recognize themselves as strategic actors in the defense of hard-won rights and in the creation of new agendas. Within the framework of Beijing +30, this series expresses a shared certainty: there is no possible development without gender equality, no full democracy without social justice, and no real transformation without the organized strength of the youth of our region.

**Because we are here.  
In our territories. Together.  
And we will not stop demanding a more just,  
diverse, and sustainable future for all.**



**Argentina**



# **Report for the Commission on the Social and Legal Status of Women (CSW 70) March 2026**

“Guaranteeing and strengthening access to justice for all women and girls, including by promoting inclusive and equitable legal systems, eliminating discriminatory laws, policies and practices, and addressing structural barriers”

Thematic axis: Sexual and reproductive rights: obstacles in access to justice for young women in Argentina.

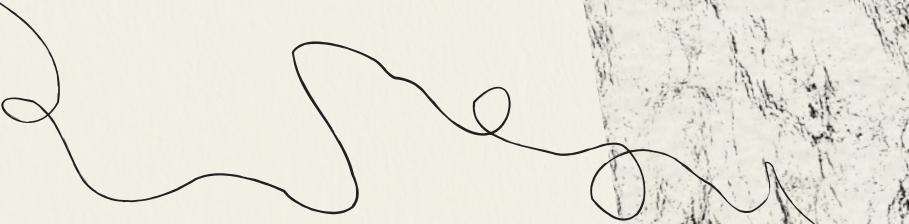
Prepared by: WomenPower2030 Project – Argentina

Date: November 2025



This report has been prepared by young Argentine feminists who are part of the Women Power 2030 project, led by the Foundation for the Study and Research of Women (FEIM). This initiative constitutes a global feminist alliance aimed at accelerating action toward gender equality and sustainable development. In Latin America, the project covers five countries – Argentina, Bolivia, Colombia, Guatemala, and Peru – whose national groups organize to present country reports toward the 70th session of the Commission on the Social and Legal Status of Women (CSW70).

From an intersectional perspective – which incorporates the experiences of young Afro-descendant, Indigenous, rural, disabled, migrant and LGBTQ+ women – of youth and of human rights, this document analyzes the main gaps that persist in access to justice for young women in Argentina, and proposes urgent actions to move toward a more equitable and transformative system.



The Argentine judicial system continues reproducing gender, age and class stigmas, criminalizing young and poor women, and failing to guarantee effective responses in cases of obstetric violence, sexual abuse, forced pregnancy or denial of legal abortions.

As young people from civil society, we understand justice not only as access to judicial processes, but as the right to comprehensive reparation and the full recognition of our voices in all spheres of public and private life.

## Context

In recent years, the country has been going through a complex political and economic context that directly impacts the exercise of rights by women and diversities. Inflation, labor precarization and setbacks in equality policies have limited the State's capacity to guarantee justice that is close, accessible and with a gender perspective.

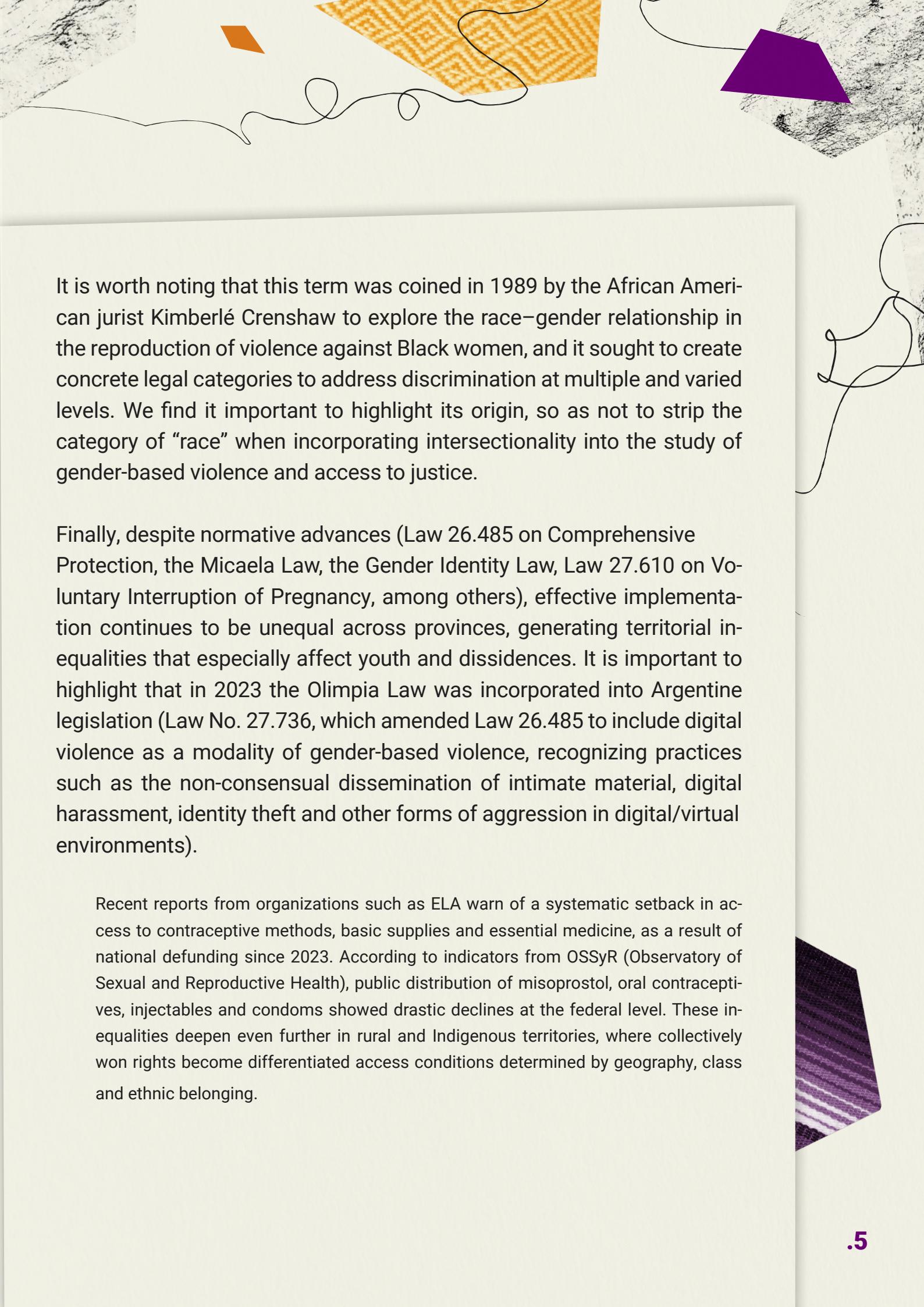
Although Argentina has one of the most advanced legal frameworks in the region regarding sexual and reproductive rights, gaps persist between law and practice; and real access to justice for young women continues to be profoundly unequal.

The Argentine judicial system faces serious problems of slowness, bureaucracy, lack of territorial accessibility and low public trust. Patriarchal biases and resistance to the application of the gender perspective continue reproducing structural inequalities and perpetuating violence.

In this context, where hate speech and social polarization translate into real, daily and fatal violence, the observatory "Ahora que sí nos ven" recorded 208 femicides, travesticides and transfemicides from January to October 2025. This situation is aggravated by public statements from the National Government, which has expressed its intention to promote a bill to eliminate the category of femicide from the Criminal Code, under the argument that the National Constitution guarantees equality before the law and that "there cannot be lives that are worth more than others."

When we analyze the case of young women – especially those from rural, Indigenous, Afro-descendant, migrant sectors and from the LGBTIQ+ community – access to justice is hindered by multiple factors: distance from judicial offices, language barriers, lack of information, stereotypes, racial profiling, economic barriers, discrimination and institutional racism.

These inequalities not only reflect persistent structural problems, but also the absence of truly intersectional training within the judicial system that takes into account the different realities of youth throughout the country.



It is worth noting that this term was coined in 1989 by the African American jurist Kimberlé Crenshaw to explore the race–gender relationship in the reproduction of violence against Black women, and it sought to create concrete legal categories to address discrimination at multiple and varied levels. We find it important to highlight its origin, so as not to strip the category of “race” when incorporating intersectionality into the study of gender-based violence and access to justice.

Finally, despite normative advances (Law 26.485 on Comprehensive Protection, the Micaela Law, the Gender Identity Law, Law 27.610 on Voluntary Interruption of Pregnancy, among others), effective implementation continues to be unequal across provinces, generating territorial inequalities that especially affect youth and dissidences. It is important to highlight that in 2023 the Olimpia Law was incorporated into Argentine legislation (Law No. 27.736, which amended Law 26.485 to include digital violence as a modality of gender-based violence, recognizing practices such as the non-consensual dissemination of intimate material, digital harassment, identity theft and other forms of aggression in digital/virtual environments).

Recent reports from organizations such as ELA warn of a systematic setback in access to contraceptive methods, basic supplies and essential medicine, as a result of national defunding since 2023. According to indicators from OSSyR (Observatory of Sexual and Reproductive Health), public distribution of misoprostol, oral contraceptives, injectables and condoms showed drastic declines at the federal level. These inequalities deepen even further in rural and Indigenous territories, where collectively won rights become differentiated access conditions determined by geography, class and ethnic belonging.

## Priority Problems (Gaps)

Young women face multiple obstacles in accessing justice linked both to the structural conditions of the country and to the dynamics of the judicial system itself. These gaps are expressed at different levels:

Territorial and socioeconomic inequalities: Gaps persist in access to free legal representation, interpreters and legal advice in rural or impoverished areas. Distance from courts and the digital divide aggravate the exclusion of young women, especially from Indigenous, Afro-descendant, migrant and LGBTIQ+ communities. Example: the case of L.N.P. (Chaco) demonstrates the absence of interpreters, lack of adequate defense, and institutional racism faced by Indigenous or rural women. In this case, territorial distance and language barriers are shown to transform access to justice into a revictimizing and exclusionary process..

Criminalization and denial of sexual and reproductive rights: Judicial and medical practices persist that hinder access to legal abortion and reproduce obstetric and institutional violence. Conscientious objection and delays in care violate rights recognized by law. Example: the convictions against Belén (Tucumán) and Paola Ortiz (Córdoba) demonstrate how gender stereotypes, punitive interpretation and lack of a human rights perspective result in imprisonment for young and poor women who experience emergency reproductive health situations.



**Revictimization and lack of reparation: Judicial responses to cases of gender-based violence and sexual abuse are slow, unequal and revictimizing. The absence of comprehensive support discourages reporting and perpetuates impunity. The lack of comprehensive accompaniment (legal, psychological and economic) discourages reporting and revictimizes women, leaving them unprotected or in silence. Furthermore, young Indigenous and rural women face criminalization when they defend their territories or denounce institutional violence, which generates a double process of revictimization. Example: the case of Juana, belonging to the Wichí community, who at 12 years of age was a victim of sexual abuse; this case revealed serious irregularities in the investigation, lack of translators, institutional discrimination and the absence of appropriate reparation measures.**

## Paradigmatic Cases

Belén (Tucumán 2014–2017): Imprisoned for 29 months after suffering a spontaneous abortion in Tucumán. She was criminalized and sentenced to eight years in prison in a process without a gender perspective and without effective access to justice. Her acquittal in 2017 marked a historic precedent for the sexual and reproductive rights of women and young women in Argentina.

Paola Ortíz (Córdoba, 2012 – present): Imprisoned for 13 years after giving birth to a baby who was born dead in an “avalanche birth.” A revictimizing judicial process, crossed by gender stereotypes and lacking a human rights perspective, sentenced her to life imprisonment. Her case is emblematic of the judicial criminalization of women for obstetric emergencies, and exposes the structural failures of the Cordoban judicial system in contradiction with international standards of justice with a gender perspective.

L.N.P. (Chaco, 2003). Case of a young Indigenous woman of the Qom ethnic group raped by three criollos and subsequently revictimized by the judicial system. This case exposed the profound ethnic-racial and gender inequalities in access to justice. The process was plagued by prejudice, absence of interpreters, and lack of adequate legal defense. Following the complaint before the United Nations Human Rights Committee (2007), the Argentine State acknowledged its international responsibility and issued a public apology in 2009, promoting reparatory measures such as Law 26.485 on Comprehensive Protection for Women. (Decision of the Human Rights Committee, Communication No. 1610/2007) [https://www.argentina.gob.ar/sites/default/files/dictamen\\_del\\_comite\\_de\\_derechos\\_humanos\\_de\\_la\\_onu.pdf](https://www.argentina.gob.ar/sites/default/files/dictamen_del_comite_de_derechos_humanos_de_la_onu.pdf)

Juana (Wichí People, Salta 2016). Wichí girl aged 12 with mental and motor disability, in addition to being illiterate and not speaking Spanish at the time of the event, was gang-raped by criollo men – nine criollos – in the town of Alto La Sierra (Santa Victoria Este, Salta). During the process, discriminatory practices by officials and witnesses were reported, as well as lack of Wichí language interpreters and the invisibilization of the territorial context, in addition to irregularities during the investigation process. (full case: <https://ri.conicet.gov.ar/bitstream/handle/11336/173369/Articulo-88-96.pdf?sequence=5&isAllowed=y> )

# Recommendations

## 1. Rebuild gender institutional framework and budget

Addressed to the Executive Branch and the National Congress

Restore the Ministry of Women, Genders and Diversity with ministerial rank or an equivalent autonomous body, and allocate sufficient and protected budgetary resources for policies of prevention, assistance, and reparation in situations of gender-based violence. This includes strengthening monitoring mechanisms and mandatory training in sexual and reproductive rights, as well as the role of the Superintendence of Health Services in oversight and enforcement at the federal level.

## 2. Coordination with extrajudicial institutions (Civil Society Organizations, International Bodies)

Civil society organizations play a fundamental role in accompaniment, counseling, and access to rights for women and diversities in situations of violence; therefore, justice services, as part of the network of actors providing comprehensive responses for women, must coordinate with them, without prejudice to the non-delegable role of the State. The activities carried out by organizations in relation to judicial processes involving violence are supported by Law 26.485, which regulates different types of interventions for adequate decision-making. Likewise, it is essential that these organizations be formally recognized, strengthened, and supported, given that much of their work is sustained through voluntary labor carried out mainly by women, which reveals an overload and a historical debt on the part of the State in guaranteeing these essential services.

### 3. Gender parity in the composition of the Supreme Court of Justice

Addressed to the Council of the Judiciary, the Supreme Court, and the Public Prosecutor's Offices.

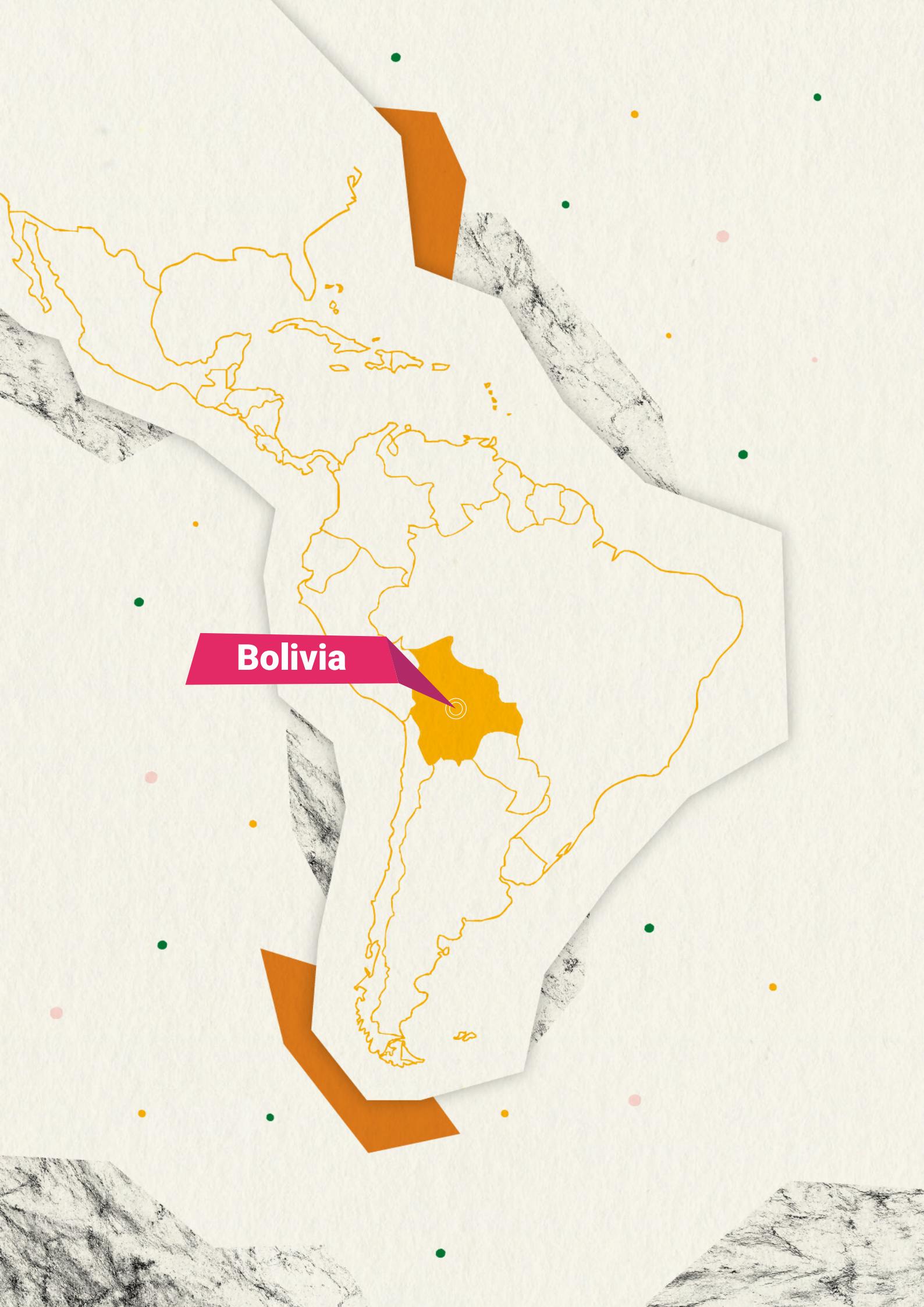
The Executive and Legislative Powers are urged to guarantee gender parity in the composition of the Supreme Court of Justice of the Nation, through the nomination and approval of candidates ensuring the balanced presence of women and diversity in the highest judicial body.

Therefore, it is not enough to ensure a greater female presence if it is not guaranteed that those who access these spaces have training in a gender perspective, understand the importance of its incorporation, and maintain a firm commitment to equality and human rights.

Likewise, it is necessary to create permanent spaces for the participation of young feminists and territorial organizations in discussions on judicial reform and access-to-justice policies.

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**Bolivia**



The present document is prepared by young Bolivian women represented in all their diversities, committed to the defense of human rights, gender equality, and the deepening of democracy, from a feminist, community-based, decolonizing, and intersectional perspective. Its objective is to present a critical analysis of the conditions of access to justice for women and girls in Bolivia, within the framework of the 70th Commission on the Status of Women (CSW70), taking as a basis the Political Constitution of the State (CPE), the current national legislation, the standards of the Inter-American System, and the findings of the IACHR Report on Access to Justice and Social Inclusion, as well as recent evidence on structural violence, femicide, and impunity.

This report states that, although Bolivia has a robust and progressive regulatory framework, its actual implementation is limited, unequal and marked by patriarchal, racist and classist institutional practices that deepen historical gaps. Access to justice is not only a right; It is an indicator of the real state of democracy. And today, Bolivian democracy faces threats that directly impact women, youth, diversity, girls and other vulnerable populations. Based on this critical reading of the context, deep structural gaps are identified and recommendations are made aimed at transforming legal systems into truly inclusive, protective structures, with an intersectional approach for justice with a gender and feminist perspective..

This document, prepared by young Bolivian women in all their diversity, critically analyzes the conditions of access to justice for women and girls in Bolivia within the framework of CSW70; although the country has a progressive normative framework, its implementation is limited and unequal, marked by patriarchal, racist and class-based institutional practices that deepen historical gaps. Deep structural gaps are identified: a norm-reality gap, where advanced laws do not translate into effective protection, especially in rural and Indigenous territories; an institutional gap, reflected in justice operators who reproduce biases and revictimize women; a territorial gap, which shows inequality in access depending on the region and greater difficulty for remote communities; a socioeconomic gap, which limits the ability of women to sustain long and costly judicial processes; a protection gap, visible in impunity in the face of femicide and structural violence; and a democratic gap, which shows how access to justice becomes an indicator of the weakening of democracy by failing to guarantee effective responses to vulnerable populations.

The report concludes that overcoming these gaps requires transforming the legal system into an inclusive and protective structure, with an intersectional and feminist approach, capable of guaranteeing real and effective justice for women, girls, and diversities.

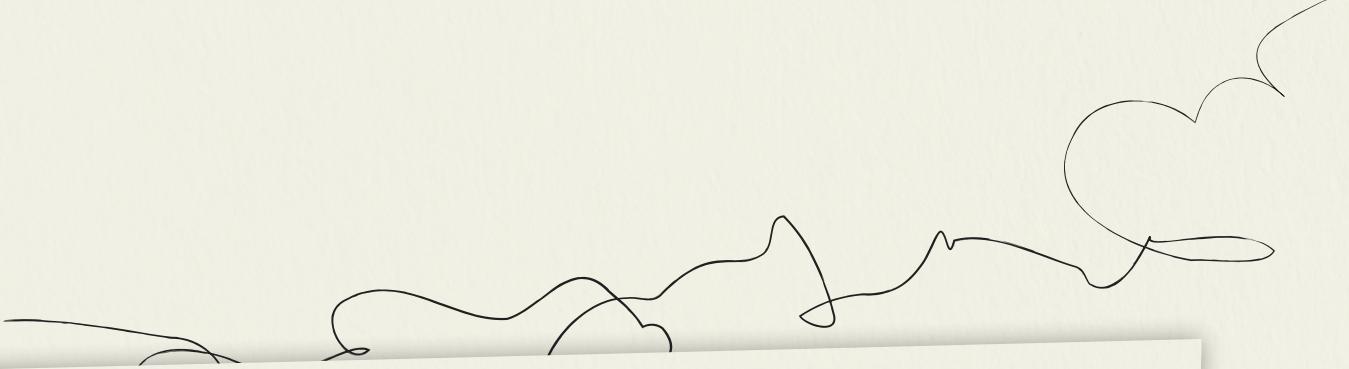


## National Context and General Situation: Access to Justice.

During the last two decades, Bolivia went through a progressive political cycle that allowed important normative advances in human rights, gender equality, and recognition of peasant, Indigenous-origin, and Afro-Bolivian cultural diversity.

The promulgation of the Political Constitution of the State (CPE) in 2009 consolidated the Plurinational character of the country, establishing a Plurinational Communitarian Unitary Social State of Law, free, sovereign, democratic, and intercultural. It enshrined political, economic, legal, cultural, and linguistic plurality as pillars of the new social pact, recognized freedom of religion and spiritual beliefs according to different world-views, and reaffirmed the independence of the State from any creed, thus consolidating the Secular State.

However, this progressive normative framework did not fully translate into structural transformations. Justice, particularly for women, girls, and sexual diversities, continued to face deep barriers derived from patriarchal, racist, colonial, and homophobic institutional practices, as in neoliberal times. Added to this was a period of government characterized by corruption, violence against diverse women, and an evident lack of political will to promote the reforms required by the historical moment. Consequently, the transformative potential of the CPE remained limited, and the judicial system maintains structural failures that prevent guaranteeing effective, inclusive, and gender-responsive justice, especially for those who have historically been excluded.



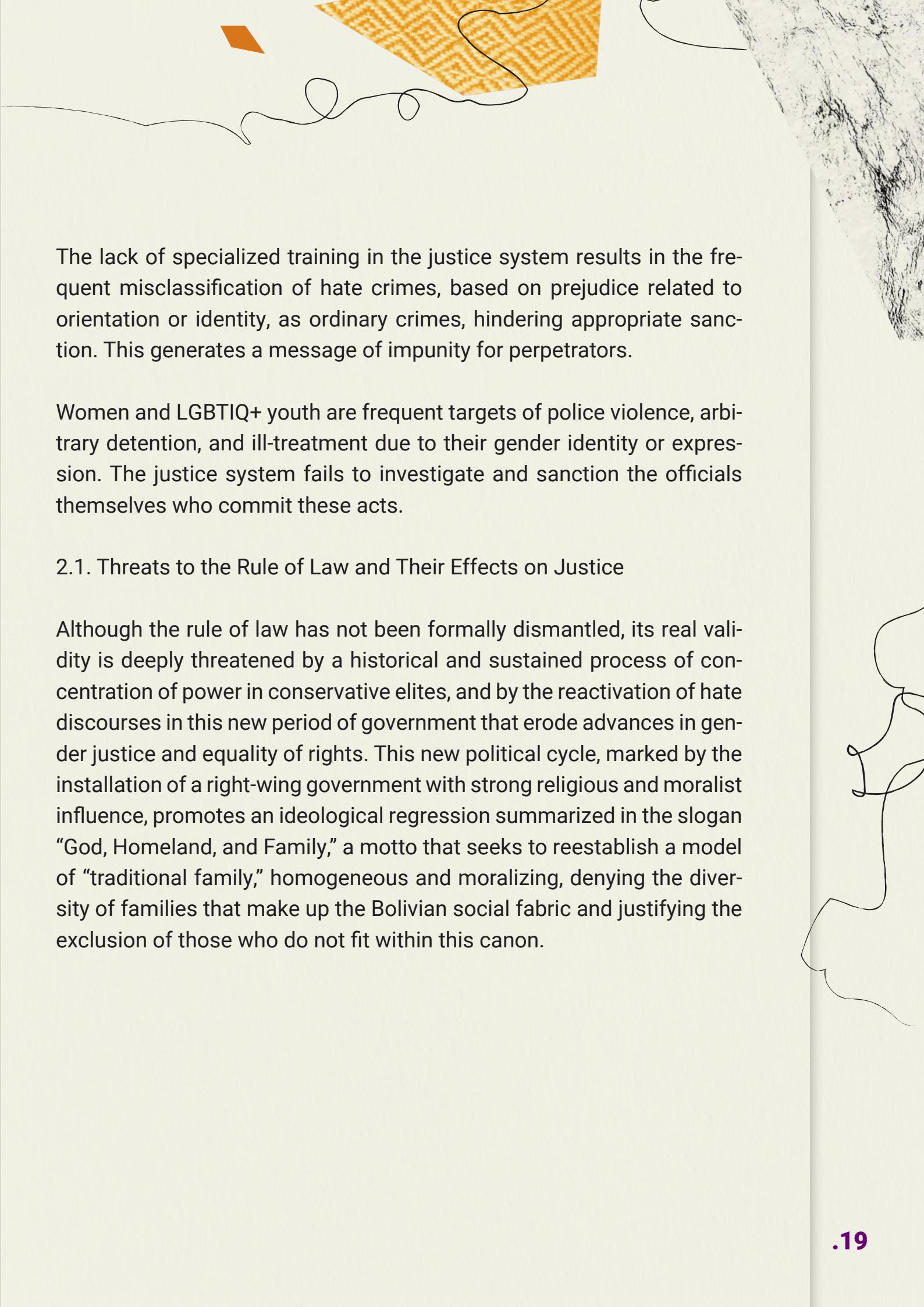
Women in rural, dispersed, and Indigenous areas face geographic barriers and lack access to specialized justice services. The scarcity of economic resources prevents covering associated costs, hindering access to specialized legal assistance.



Indigenous women, low-income women, and those belonging to the LGB-TIQ+ population face multiple forms of discrimination that aggravate their vulnerability and limit access to intercultural and sensitive justice. In addition, the mechanisms created for protection (FELCV, SLIM) often lack adequate funding and sufficient specialized personnel to address the magnitude of complaints nationwide. The justice system (police, Prosecutor's Office, Judicial Branch) shows entrenched gender biases and the influence of patriarchal structures. This translates into revictimization during reporting processes, secondary criminalization, and lack of due diligence.

Discrimination in access to labor justice prevents trans and lesbian women from effectively reporting unjust dismissal or exclusion from the formal market; this legal defenseness perpetuates their high dependence on the informal economy and subsistence work. Mention should also be made of how this affects women living with HIV, who many times, not to say always, suffer discrimination and stigma in different social contexts that violate their rights, starting with confidentiality, which affects psychologically and emotionally people who live day to day with HIV/AIDS. Within the framework of Law No. 3729, protection against discrimination toward women living with HIV is a fundamental pillar to guarantee their dignity, equality, and access to justice. The norm prohibits any act of stigmatization in labor, educational, health, or community settings and establishes administrative, civil, and criminal sanctions for those who violate these rights. In the case of women, this protection acquires special relevance because many face double discrimination, due to their health condition and for reasons of gender. The law ensures the confidentiality of their diagnosis, free access to treatments, and the possibility of reporting to bodies such as the Ombudsman's Office or the Public Prosecutor any act of violence, exclusion, or denial of services, thus promoting an environment of respect, equity, and justice. However, compliance with this is not observed.

Justice must protect LGBTQ+ persons from discrimination in health services, including violations of confidentiality and denial of treatment. Effective access allows these practices to be reported, ensuring compliance with Law No. 3729 (HIV/AIDS) and the right to comprehensive health.



The lack of specialized training in the justice system results in the frequent misclassification of hate crimes, based on prejudice related to orientation or identity, as ordinary crimes, hindering appropriate sanction. This generates a message of impunity for perpetrators.

Women and LGBTQ+ youth are frequent targets of police violence, arbitrary detention, and ill-treatment due to their gender identity or expression. The justice system fails to investigate and sanction the officials themselves who commit these acts.

## 2.1. Threats to the Rule of Law and Their Effects on Justice

Although the rule of law has not been formally dismantled, its real validity is deeply threatened by a historical and sustained process of concentration of power in conservative elites, and by the reactivation of hate discourses in this new period of government that erode advances in gender justice and equality of rights. This new political cycle, marked by the installation of a right-wing government with strong religious and moralist influence, promotes an ideological regression summarized in the slogan “God, Homeland, and Family,” a motto that seeks to reestablish a model of “traditional family,” homogeneous and moralizing, denying the diversity of families that make up the Bolivian social fabric and justifying the exclusion of those who do not fit within this canon.



In this context, the reduction or weakening of key ministries has taken place, such as Environment and Water; Cultures, Decolonization and Depatriarchalization; Rural Development and Lands, among others. The most serious refers to the elimination of the Ministry of Justice and Institutional Transparency, which housed Vice-Ministries such as Equal Opportunities, and directorates on gender, generational issues, older persons, persons with disabilities, among others. The new government created the Vice-Ministry of Transparency, Legal Security, and Human Rights under the Ministry of the Presidency, to assume some of the functions of the vice-ministries of the now-defunct Ministry of Justice.

Likewise, a narrative is promoted tending to modify strategic laws such as Education Law No. 070 or Law No. 348 to guarantee women a life free of violence, as an attempt to dismantle the institutional mechanisms designed for the defense of rights. In parallel, decisions such as the release of those responsible for the Senkata and Sacaba massacres (2019) reaffirm a message of impunity that discourages reporting and increases citizen distrust in the institutions responsible for administering justice.

This political discourse is not merely symbolic; it translates into the intention to dismantle public equality policies, make gender-based violence invisible, censor education with a rights-based approach, and delegitimize the struggles of women, youth, Indigenous peoples, and diversities. Superimposed on this scenario is the historical crisis of the Bolivian judicial system, whose decay, as described by the IACtHR, is not a recent phenomenon but the result of decades of corruption and patriarchal, racist, classist, and colonial practices entrenched in institutions and in the daily actions of police officers, prosecutors, and judges.

This context directly affects judicial independence and limits the possibility for women and diversities to access impartial and bias-free justice. The combination of institutional setbacks, conservative discourses, and a weakened system deepens the barriers for women, girls, and diversities to exercise their rights. Thus, access to justice becomes not only selective and slow, but also conditioned by political power, social class, structural racism, and patriarchal prejudices that persist among justice operators. This framework reproduces historical inequalities and consolidates a judicial system that, far from guaranteeing protection, ends up replicating symbolic and institutional violence.

These dynamics consolidate a scenario in which justice functions as a device of exclusion and social disciplining. The intersection between fundamentalist discourses, transnational economic interests that advance over territories with colonialist and extractivist logics, and a weakened judicial system deepens structural violence and threatens the sovereignty of peoples, especially Indigenous, rural, Afro-Bolivian, young women, diversities, and women defenders of territory.

Access to justice for women and LGBTQ+ youth is mediated by the intersectionality of discrimination based on gender, sexual orientation, and/or gender identity, which intensifies their vulnerability and limits the realization of their rights.

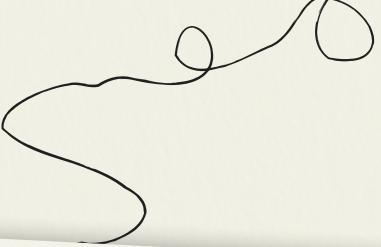
The impact of justice on the LGBTQ+ population can be summarized in that access to the law exists, but not effective justice. Political will and training of the Judicial Branch are the crucial elements that are lacking to translate normative advances into security and dignity for these populations.

## 2.2 Impact on the Rights of Women and Youth

The crisis of the rule of law in Bolivia directly affects the rights of women and girls. When the judicial system loses credibility, operates with corruption, or acts guided by patriarchal, classist, religious, homophobic, and racist prejudices, violence against women and diversities not only increases; it becomes normalized. Impunity has contributed to the normalization of violence, turning violence, abuse, femicides, and hate crimes into everyday events, sustained by structural impunity that discourages reporting and deepens fear.

Since the promulgation of Law No. 348 in 2013, the Public Prosecutor's Office has recorded more than half a million complaints of violence against women, as mentioned by the Coordinadora de la Mujer in the framework of November 25. Among the 16 crimes recognized by Law No. 348, family or domestic violence is the most frequent crime in Bolivia. IN 10 MONTHS, THERE WERE 38,703 COMPLAINTS UNDER LAW NO. 348 (2025), according to data reported by the Public Prosecutor's Office.

The institutional response of the State to complaints of violence is insufficient in relation to the volume of violence against women. During the 2024 administration, the active caseload increased from 70,070 to 74,297, evidencing an accumulation that feeds impunity.



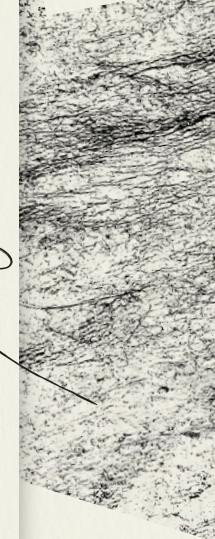
Reports of sexual violence have doubled in 7 years, and the main victims of this crime are girls, boys, and adolescents. In 2025, at least 30 reports of sexual violence are registered every day in Bolivia. As of November 24, 68 cases of femicide have been registered, as reported by the Public Prosecutor's Office.

The impunity that permeates cases of violence against women in Bolivia is overwhelming. According to data provided on November 25 by the Coordinadora de la Mujer, only 6.59% of the cases filed under Law No. 348 between 2013 and 2023 ended in conviction. Of the 378,251 cases closed during that period, more than 90% were rejected, dismissed, benefited from alternative resolutions, declared inadmissible, or extinguished.

These figures demonstrate the lack of due diligence in the institutional response to gender-based violence.

Young women, Indigenous women, Afro-Bolivian women, rural women, women with disabilities, and women from sexual and gender diversities and dissidences are the most affected by this institutional collapse. Revictimization, the devaluation of complaints, pressure to reconcile with aggressors, and the absence of a process that prioritizes the victim and her rights reveal that the judicial system reproduces the same violences it should eradicate.

In this context, women defenders of territory, community leaders, and activists face greater risk of persecution, harassment, and criminalization, without effective State protection mechanisms. In parallel, the political use and instrumentalization of women and youth in decision-making spaces without guaranteeing real participation empties equality discourses of content.



Thus, institutional weakening and conservative capture of the State not only limit access to justice; they configure an environment in which violence against women becomes tolerated, everyday, and structural, in open contradiction with the Constitution, Law No. 348, and the international commitments assumed by Bolivia.

Young women face unique challenges, where age and gender intersect with discrimination.

### 2.3. Social, Political, and Economic Situation

The social, economic, and political crisis that Bolivia is going through is expressed in the rearticulation of racist, classist, and misogynistic narratives that deepen inequality and restrict access to justice for Indigenous, rural, Afro-Bolivian women, women with disabilities, impoverished women, and women from diversities. This deterioration, in a country where justice drags decades of structural crisis, creates conditions for current setbacks to have an even more severe impact on the rights of women and girls.

In the midst of the economic crisis, the State has promoted an even more accelerated opening toward agribusiness and extractivism under the premise that "the way out" is to hand over natural resources. This approach not only weakens sovereignty over territories, but also consolidates alliances with economic elites that have historically acted outside the rights of Indigenous peoples and women. Environmental flexibilization, the appointment of authorities linked to the agribusiness sector, and the intrusion of mining cooperatives into Indigenous-origin peasant territories deepen socio-environmental conflicts and increase the criminalization of women defenders of territory. The IACtHR itself denounced harassment and persecution of environmental defenders, with specific cases such as the one reported in Tariquía.



In this context, the commodification of land disregards its spiritual and community value and violates the worldview of care for Mother Earth. Women, who sustain territorial and community defense, are exposed to multiple forms of violence without a State capable of guaranteeing their protection or their access to environmental justice.

Thus, in a scenario marked by institutional weakening, concentration of political power, and the persistence of patriarchal practices in the judicial system, access to justice with a gender and intersectional approach becomes practically unattainable. Women, especially the most impoverished and racialized, remain in a situation of extreme lack of protection in the face of a State that should guarantee their rights and not reproduce historical inequalities.

Bolivia is characterized by its Plurinational and multicultural composition, which, although it is a constitutional strength, also presents challenges in terms of equality and access to services. A significant part of the population self-identifies as belonging to Indigenous-origin peasant nations or peoples. Women from these communities often face intersectional discrimination (by gender, by ethnicity, by rural location) that translates into higher poverty rates and lower human development indices.

There is constant migration from rural areas to urban centers (central axis: La Paz, Cochabamba, Santa Cruz). This transition exposes women and youth to new vulnerabilities (human trafficking, labor exploitation) and challenges the capacity of municipalities to provide adequate social and justice services.

Violence against women is endemic and remains at alarming levels, being one of the main causes of female morbidity and mortality, which directly impacts social cohesion and public health in the country.



Despite legal advances, the LGBTQ+ population in Bolivia faces significant social challenges that limit their full development and access to justice.

High levels of discrimination, stigmatization, and social prejudice persist, manifested in physical, verbal, and psychological violence, especially in the public and educational spheres. This is aggravated by the presence of homophobic and transphobic attitudes in society.

Lesbian, bisexual, and trans women face double or triple discrimination (by gender, by sexual orientation and/or by gender identity), which makes them particularly vulnerable. This also affects Indigenous LGBTQ+ women. Access to justice is obstructed, and there is a high level of underreporting of hate crimes and acts of discrimination due to distrust in the judicial system. LGBTQ+ persons, particularly trans women, are frequently revictimized or discriminated against by police officers, prosecutors, and health personnel when seeking justice or essential services, despite the existence of Law No. 045 (Against Racism and All Forms of Discrimination).



LGBTQ+ persons, particularly trans women, face a high rate of unemployment and exclusion from the formal labor market due to prejudice. This exclusion forces them to enter the informal economy (sex work, street vending), where they are more exposed to exploitation, violence, and lack of social security. The lack of economic opportunities leads to dependency or poverty, making it difficult for LGBTQ+ women to exercise their autonomy and to afford the legal processes necessary to seek justice.

Intersex persons are not recognized in Bolivian civil society; therefore, they are not named in laws or regulations that protect them from violations of rights over their bodies, as many are mutilated in childhood.

### 3. Legal Framework.

The Bolivian legal framework enshrines guarantees for women and girls. The Political Constitution of the State (CPE) (2009) establishes the secular nature of the State, equality between women and men, the right to a life free of violence, and the mandate to ensure access to justice without discrimination. It also recognizes legal pluralism, obliging the State to articulate normative systems and guarantee respect for rights in ordinary and Indigenous-origin peasant jurisdictions.

Bolivia has a robust legal framework; the challenge lies in its effective implementation. Law No. 348 (2013) constitutes a fundamental advance for the protection of women against violence. It defines 16 types of violence, establishes obligations for the State, and creates institutional mechanisms oriented toward prevention, attention, and sanction. However, implementation faces serious barriers: institutional dispersion, lack of funding, absence of periodic public reports, justice operators without training or sensitization in a gender perspective, instances of the violence response pathway such as the Municipal Comprehensive Legal Service (SLIM), which is a municipal body for attention and protection against violence that provides psychosocial and legal support to women, girls, and families, forming part of the comprehensive violence response pathway in Bolivia, operating without resources or basic supplies, saturated police units, generalized corruption, high levels of impunity, and a justice administration in crisis.

Law No. 243 Against Harassment and Political Violence (2014) recognizes political violence against women and establishes measures to protect their participation in decision-making spaces. Its implementation, however, is weak and fragmented: most cases are archived, complaints do not advance, as in the case of Juana Quispe, a councilwoman of the municipality of Ancoraimes (La Paz), who was a victim of constant political harassment. She was prevented from participating in sessions and was forced to resign. After publicly denouncing and demanding her reinstatement, in 2012 she was murdered. Her death became a symbol of political violence against women and motivated the approval of Law No. 243, although to this day impunity persists and the weak application of the norm remains, and there is no comprehensive prevention policy that addresses the patriarchal structures that reproduce this violence. From 2016 to September 2025, the Plurinational Electoral Body (OEP) has registered 386 complaints of harassment and/or political violence against women. The main victims are elected authorities at the subnational level, especially councilwomen in rural municipalities.

According to data from the Association of Councilwomen of Bolivia (ACOBOL) collected by the Coordinadora de la Mujer, between 2020 and 2023 the highest peaks in reports of political harassment and violence were recorded. In 2020 there were national elections, and in 2023 the midpoint of the term of subnational authorities was reached.

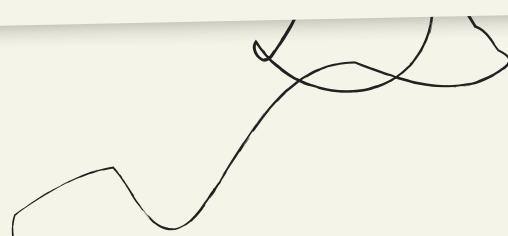
Several of Bolivia's most important codes and laws date from the last century and show colonial and patriarchal biases. The Criminal Code contains provisions that contradict international standards, such as Article 317, which allows the extinction of criminal action in cases of rape through marriage to the aggressor. This article, still in force today, exemplifies how legislation can also reproduce patriarchal violence when it is not updated in accordance with international law.

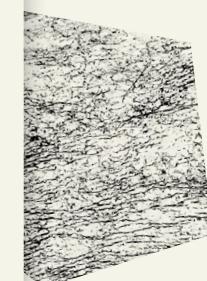
Law No. 807 – Gender Identity Law (2016): This law represents a significant advance in the recognition of human rights and the protection of access to justice for trans and gender-diverse persons. It allows individuals to change their name and sex marker on all legal identity documents (identity cards, birth certificates, professional titles) through a simple administrative procedure. By recognizing the legal identity of trans persons, this norm reduces barriers of institutional discrimination and guarantees that they are treated legally according to their gender identity, which is essential for accessing justice, health services, and employment without being subjected to violence or exclusion.

Law No. 342 – Youth Law (2013): Although it is not a criminal justice norm, it establishes a framework of specific rights for the young population (between 16 and 28 years of age), linking their protection to the right to a dignified life. It promotes education, employment, and health policies directed at youth, reducing their social and economic vulnerability, factors that are often the root of exclusion and difficulty in accessing justice.

Law No. 045 – Law Against Racism and All Forms of Discrimination (2010) Comprehensive Scope: This law plays a transversal role in access to justice, as it establishes mechanisms to prevent, sanction, and eradicate acts of racism and all forms of discrimination in both the public and private spheres.

Law No. 045 explicitly protects persons from discrimination on the grounds of sex, sexual orientation, gender identity, age, origin, culture, language, economic or social situation, disability, among others. Its application is vital to combat institutional discrimination, the structural failure factor previously mentioned. It obliges public servants to guarantee equal and non-discriminatory treatment, which is essential so that women, youth, LGBTIQ+ persons, and Indigenous women can report and participate in judicial processes without fear of being discriminated against or revictimized because of their identity or condition. It typifies the crimes of racism and discrimination in the Bolivian Criminal Code, providing legal tools for victims to seek reparation and sanction when discrimination occurs.





The Political Constitution of the State (CPE) of 2009 is the pillar of the protection of women's rights, establishing:

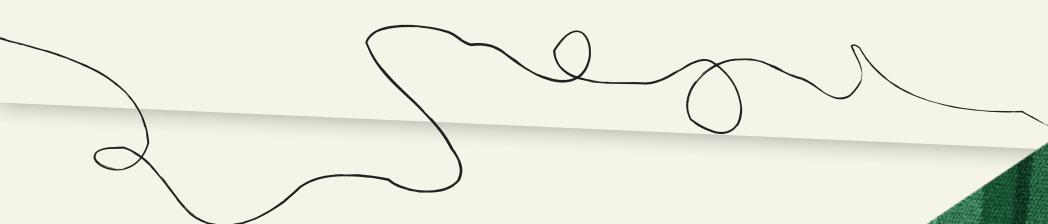
Article 14 guarantees equality of all persons before the law and prohibits and sanctions all forms of discrimination based on sex or gender.

Article 15 establishes the right to physical, psychological, and sexual integrity, and prohibits all forms of violence, obliging the State to adopt the necessary measures to prevent, address, sanction, and eradicate violence against women and girls.

It recognizes Indigenous-origin peasant jurisdiction (JIOC) under conditions of equality with ordinary jurisdiction, requiring that both respect fundamental rights, particularly those of women.

Law No. 3729 – Law for the Prevention of HIV/AIDS (2007): This law is essential because it guarantees that no person living with HIV/AIDS may be discriminated against or excluded in the labor, educational, or health spheres. It establishes the obligation of the State to guarantee antiretroviral treatment and access to necessary health services free of charge. It strengthens the capacity of women and youth living with HIV to report acts of discrimination and obtain legal reparation for violations of their rights, thus guaranteeing their full exercise of citizenship and access to justice.

Law No. 045 (Against Racism and All Forms of Discrimination) is often used to reinforce the application of Law No. 3729 in cases of exclusion.



*Has the country ratified the following conventions and/or conventions and has it subscribed to the following pacts? Mark with an X if it has ratified.*

International Instrument - Ratified

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) - X

Convention on the Rights of the Child (CRC) - X

Optional Protocol to CEDAW - X

Sustainable Development Goals (SDGs) and the 2030 Agenda - X

Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Belém do Pará Convention) - X

Statute of the Inter-American Court of Human Rights and American Convention on Human Rights - X

Follow-up Mechanism to the Belém do Pará Convention (MESECVI) - X

International Covenant on Civil and Political Rights (ICCPR) - X

ILO Convention No. 190 (Violence and Harassment in the World of Work) - X



Bolivia has ratified and is committed to various international human rights instruments that strengthen the protection framework for women, girls, and diversities. Among them are included the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) X, the Convention on the Rights of the Child (CRC) X, the Optional Protocol to CEDAW X, the Sustainable Development Goals (SDGs) and the 2030 Agenda X, as well as the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Belém do Pará Convention) X.

Also forming part of this framework are the Statute of the Inter-American Court of Human Rights and the American Convention on Human Rights X, the Follow-up Mechanism to the Belém do Pará Convention (MESECVI) X –although it is not a normative instrument, its reports and indicators, especially those related to access to justice, are fundamental for evaluating State compliance–, the International Covenant on Civil and Political Rights X, and ILO Convention 190 on the elimination of violence and harassment in the world of work X.

These instruments constitute mandatory references for analyzing gaps and challenges in the implementation of public policies with a gender and intersectional approach.

## 4. Structural Gaps Identified in Access to Justice

### Gap between the normative framework and its real implementation

Although Bolivia has a robust normative framework, including the Political Constitution of the State (CPE), Law No. 348, and Law No. 243, the distance between what is written and what occurs in practice constitutes the deepest gap. The institutions responsible for guaranteeing these rights operate with insufficient resources, untrained personnel, lack of oversight, and absence of control mechanisms. This gap turns advanced laws into symbolic tools, without real capacity to protect women and girls.

### Structural impunity

Impunity constitutes a structural feature of the justice system. Seven out of ten women experience violence under the framework of the 16 types of violence recognized by Law No. 348 at some point in their lives, and the IACHR indicates that more than 70% of complaints are shelved. Despite being prohibited, conciliation continues to be a common practice that revictimizes and leaves women unprotected. The loss of evidence, delays in issuing protection measures, and lack of due diligence strengthen distrust toward the judicial system and normalize violence as part of women's everyday lives.

## Historical crisis of the judicial system

The Bolivian judicial system drags decades of corruption, procedural delays, lack of meritocracy, and budget cuts. This crisis, widely documented by international organizations, is not circumstantial but structural, and constitutes the basis upon which current regressions are sustained. The lack of judicial independence directly affects access to justice for women and girls, whose claims become subordinated to partisan or economic interests.

## Non-inclusive and inequitable legal systems

The judicial structure reproduces patterns of patriarchy, racism, classism, and adult-centrism. Gender stereotypes condition the assessment of testimonies, the credibility of victims, and the direction of proceedings. The absence of a gender and intersectional approach leads to discriminatory decisions that discourage reporting and legitimize revictimization, especially in cases of sexual violence and femicide.

## Revictimization and discriminatory practices

Revictimization persists at every stage of the process, from the reception of the complaint to investigation and judicialization. Officials without adequate training reproduce prejudices that blame women or minimize the facts. Institutional violence manifests in inappropriate interrogations, unnecessary exposure, repetition of testimony, and lack of dignified treatment, constituting a direct barrier to women's and girls' effective access to justice.

## Territorial, economic, and linguistic barriers

Access to justice is deeply marked by territorial inequality. In rural and Indigenous areas, the absence of public defenders, forensic services, transportation, interpreters, and intercultural mediators prevents women from exercising their rights. High costs of legal defense and geographic distance add to racial and class discrimination, creating an environment where reporting is practically impossible.

## Weak articulation between ordinary justice and Indigenous-origin peasant justice

Despite the constitutional recognition of legal pluralism, coordination between ordinary justice and Indigenous-origin peasant justice is weak or nonexistent. This generates protection gaps, duplication of proceedings, jurisdictional conflicts, and greater vulnerability for women who move between both systems without clear guarantees.

## Specific violence against adolescents and young women

Adolescent girls and young women face particular forms of sexual and symbolic violence, combined with the criminalization of their testimonies and lack of credibility from justice operators. The absence of comprehensive sexuality education and the influence of conservative religious discourses aggravate these vulnerabilities, resulting in forced pregnancies, silencing, and lack of reparation.

## Political violence against women

Political violence continues to be one of the most serious and normalized gaps. Women who participate in public spaces are subjected to harassment, threats, expulsions, smear campaigns, and symbolic aggressions. Although Law No. 243 represents an important advance, it is insufficient in the face of patriarchal party structures and local power networks that legitimize this violence.

## Criminalization and lack of protection for territory defenders and activists

Women defenders of human rights, territory, and water operate in a high-risk context due to the advance of agribusiness, mining, and extractivism. Instead of protection, they face surveillance, harassment, arbitrary judicial proceedings, and public stigmatization. The absence of State protection mechanisms with a gender perspective exposes them to multiple forms of physical, symbolic, and institutional violence.

## Extractivism and agribusiness as factors that aggravate violence

The economic strategy based on the handover of natural resources has strengthened alliances with agro-industrial and mining elites. Environmental flexibilization and the intrusion of mining cooperatives into Indigenous-origin peasant territories generate conflict, territorial dispossession, and criminalization of those who resist. The commodification of land disregards its spiritual, community, and collective value, particularly affecting women defenders.

## Growing influence of conservative and anti-rights discourses

The advance of religious and moralizing discourses weakens the secular State and justifies structural inequalities. These narratives deny gender-based violence, block equality policies, and obstruct comprehensive sexuality education, creating conditions for the rollback of hard-won rights.

## Lack of human and budgetary resources

Institutions responsible for care, protection, and justice for women operate with insufficient budgets, minimal infrastructure, and personnel without specialized training. This institutional precariousness limits the State's capacity to prevent, sanction, and eradicate violence, and perpetuates the vulnerability of victims.

## Weak institutional framework for equality and depatriarchalization

The weakening or restructuring of key institutions for gender equality, decolonization, and depatriarchalization compromises the continuity of public policies. The lack of a strong and stable institutional framework limits the capacity to implement sustained measures for the prevention of and response to violence against women.

## Discrimination against sexual and gender diversities

The absence of specialized protocols and the lack of full recognition of their identities. Complaints of violence, discrimination, and hate crimes are often minimized, misclassified, or directly dismissed, while justice operators reproduce stereotypes that blame or render victims invisible. The lack of official data, limited training in diversity and human rights, and fear of stigmatization deter many LGBTIQ+ persons from turning to the judicial system, consolidating a pattern of structural impunity.

## Recommendations

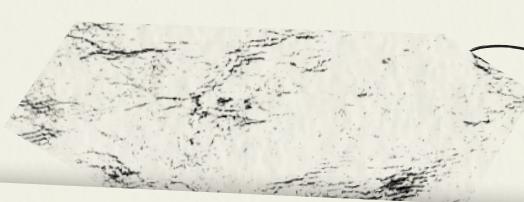
### To the Government of the Plurinational State (Executive Branch):

The Government must urgently promote a Comprehensive Policy on Access to Justice for Women and Girls, guaranteeing sufficient budgetary resources, territorial presence, and institutional strengthening. It is essential to restore weakened capacities in equality and depatriarchalization, ensure public defenders' offices, interpreters, and forensic services in rural and Indigenous areas, and establish effective protection mechanisms for women human rights defenders and youth leaderships. The prevention and sanction of violence must be positioned as a national priority above short-term political agendas. It is also necessary to allocate sufficient budget for the fight against violence and to guarantee dignified treatment for women.

Implement international recommendations addressed to the Bolivian State regarding attention and reparation in cases of gender-based violence.

### To the Judicial System and the Public Prosecutor's Office:

The judicial system must recover independence and credibility through the strict application of due diligence, the elimination of conciliation practices in cases of violence, and the sanctioning of officials who revictimize or act negligently. Mandatory training is required in gender-responsive justice, sexual and gender diversities, interculturality, and intersectionality, as well as the creation of specialized units for femicide and sexual violence. Coordination between ordinary justice and Indigenous-origin peasant justice must guarantee women's rights in both systems.



## To the Plurinational Legislative Assembly:

The Legislative Branch must advance reforms that ensure judicial independence through transparent and merit-based processes. It is urgent to repeal Article 317 of the Criminal Code, strengthen Law No. 348 and Law No. 243, and typify institutional violence.

## To the Ministry of Justice and Institutional Transparency:

The Ministry of Justice must lead a National System of Access to Justice for Women and Girls, guarantee the adequate functioning of the Municipal Comprehensive Legal Services (SLIM), generate disaggregated data, and update specialized protocols for cases of femicide, sexual violence, and political violence. Its coordinating role must ensure coherence among policies, institutions, and territories, prioritizing Indigenous, rural, Afro-Bolivian women and women with disabilities.

Restore the Ministry of Justice as a guarantor of the rights of populations in situations of greater vulnerability, particularly women and girls, given that several of its vice-ministries and directorates had competencies within the violence response pathway, providing services such as SIPPSE, SIJPLU, among others. This is where the analysis can be carried out.

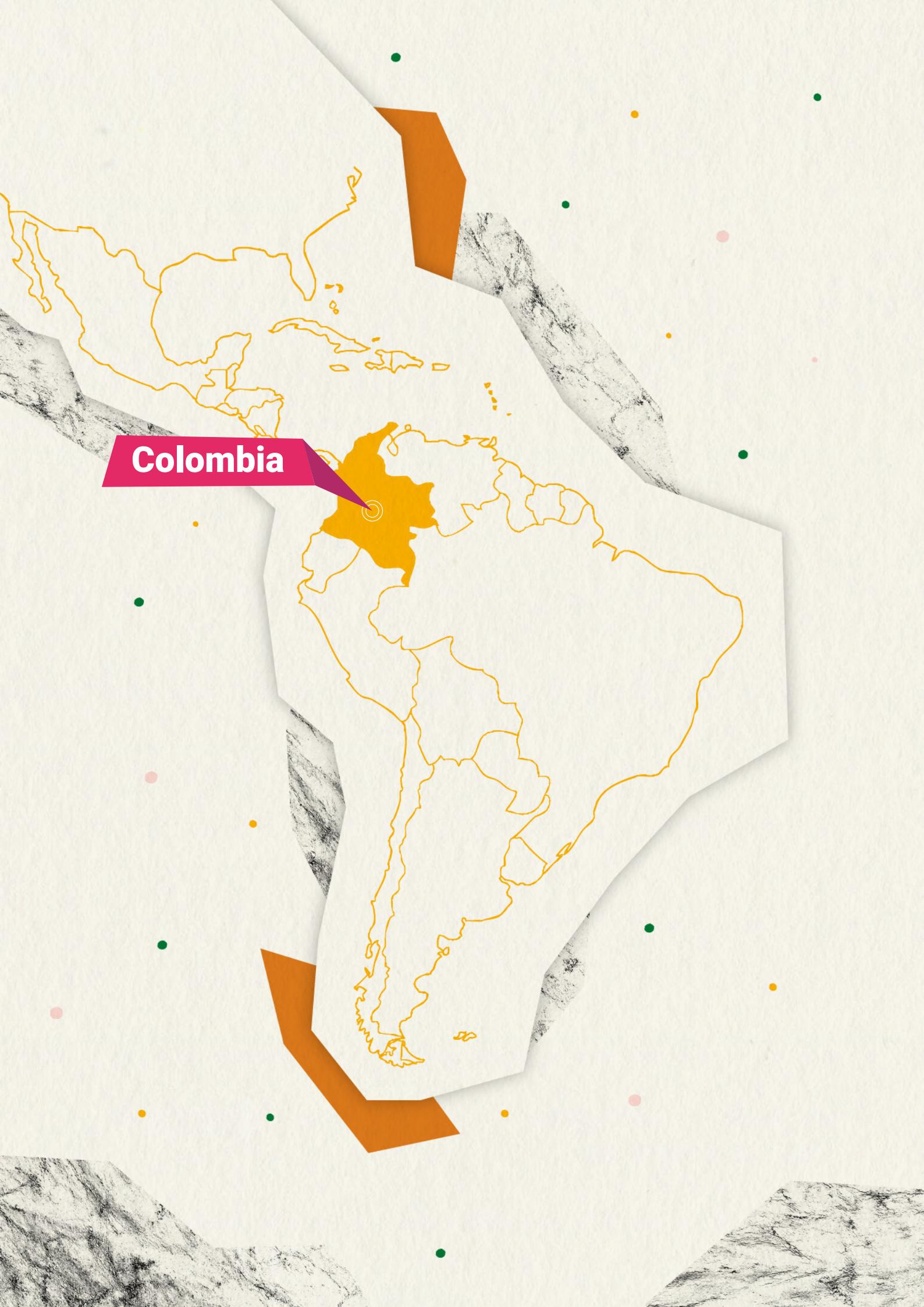
## To international organizations and cooperation agencies (UN Women, IACtHR, OAS)

International agencies must strengthen their technical and political support, permanently monitor the human rights situation, and support the protection of women defenders of territory, youth leaderships, and women in rural areas. It is recommended to prioritize funding for access-to-justice services in territories without State presence, support data production, and back initiatives that ensure Bolivia's alignment with international standards on equality and justice.

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Colombia

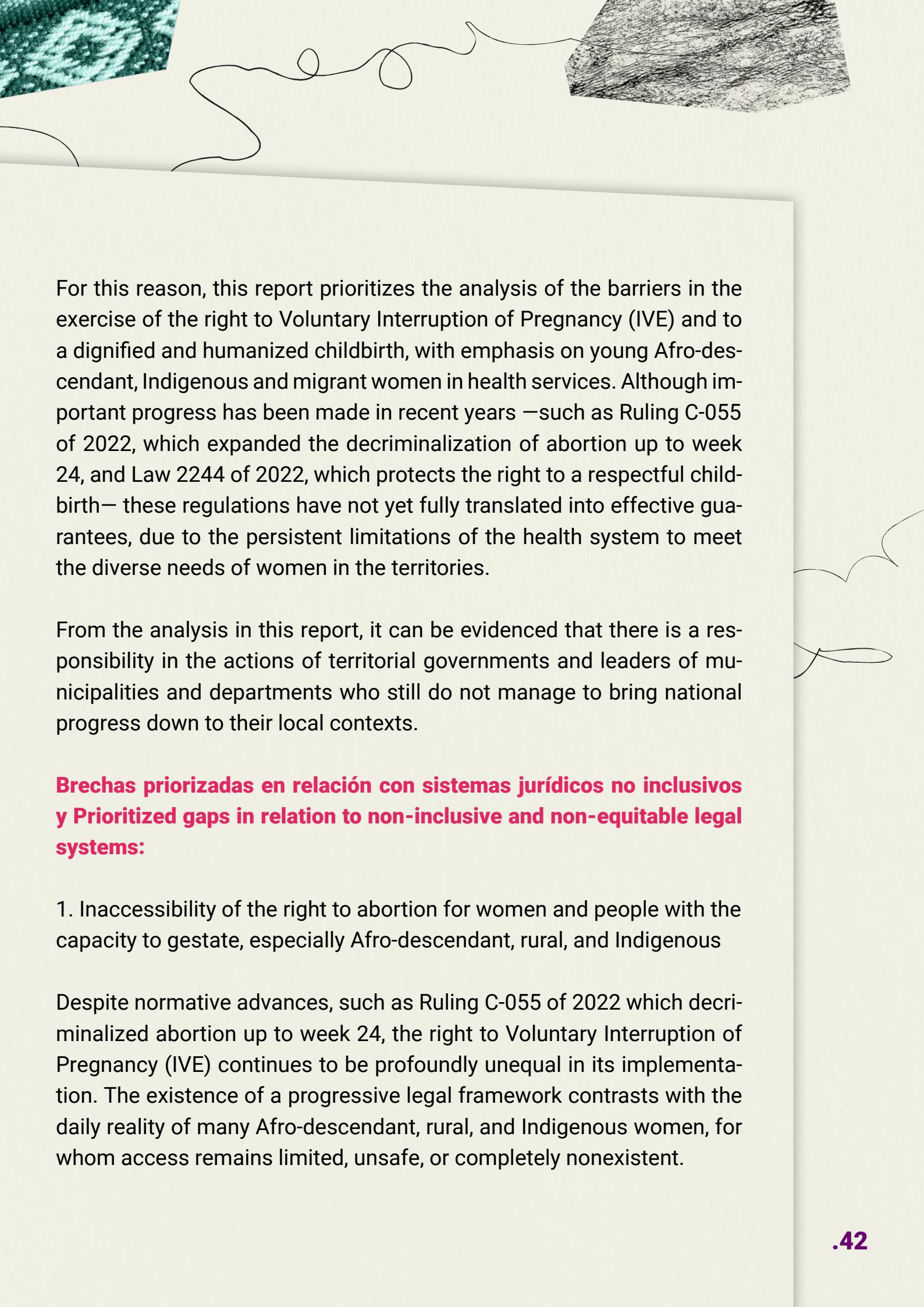
The image shows a map of South America with a callout pointing to Colombia. The map is rendered in a light beige color with orange outlines for the country borders. A purple callout shape points to the northern part of Colombia, specifically the Bogotá area. The word "Colombia" is written in white text on a purple background within the callout. The map is set against a background of dark, textured shapes that resemble mountains or clouds.

# Colombia Report CSW 70

This Country Report was prepared by the group of young people from Colombia of the Women Power 2030 project, and its purpose is to offer a view from young women on the state of their rights in the country. The analysis focuses on two persistent gaps: the inaccessibility to the right to abortion –especially among Afro-descendant, Indigenous and rural women— and the obstetric violence faced by Afro-descendant, Indigenous and migrant women in health services.

Although Colombia is a social State of law oriented toward guaranteeing human dignity and social justice, it faces persistent challenges derived from structural violence, weak State presence in some territories, and historical inequalities. These conditions generate significant obstacles to access to education, health, justice and political participation, especially for young Afro-descendant, Indigenous, peasant and migrant women, who are also exposed to risks such as violence, exploitation and forced mobility.

In this context, access to basic services –particularly health services—continues to be limited and poorly adapted to territorial needs. This deepens existing gaps and hinders effective access to rights for young women, who also face gender stereotypes, structural racism and institutional discrimination. All of this evidences a State that still does not adequately respond to the magnitude of the violence and inequalities experienced by women in urban, rural and ethnic contexts.



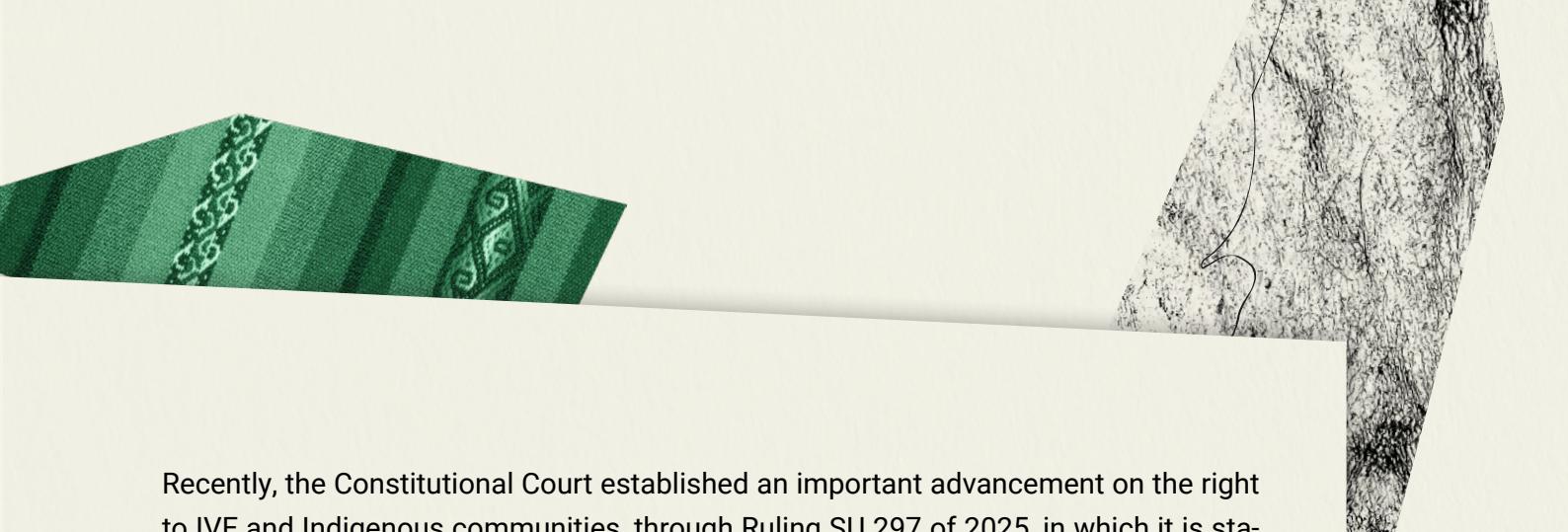
For this reason, this report prioritizes the analysis of the barriers in the exercise of the right to Voluntary Interruption of Pregnancy (IVE) and to a dignified and humanized childbirth, with emphasis on young Afro-descendant, Indigenous and migrant women in health services. Although important progress has been made in recent years –such as Ruling C-055 of 2022, which expanded the decriminalization of abortion up to week 24, and Law 2244 of 2022, which protects the right to a respectful childbirth– these regulations have not yet fully translated into effective guarantees, due to the persistent limitations of the health system to meet the diverse needs of women in the territories.

From the analysis in this report, it can be evidenced that there is a responsibility in the actions of territorial governments and leaders of municipalities and departments who still do not manage to bring national progress down to their local contexts.

### **Brechas priorizadas en relación con sistemas jurídicos no inclusivos y Prioritized gaps in relation to non-inclusive and non-equitable legal systems:**

1. Inaccessibility of the right to abortion for women and people with the capacity to gestate, especially Afro-descendant, rural, and Indigenous

Despite normative advances, such as Ruling C-055 of 2022 which decriminalized abortion up to week 24, the right to Voluntary Interruption of Pregnancy (IVE) continues to be profoundly unequal in its implementation. The existence of a progressive legal framework contrasts with the daily reality of many Afro-descendant, rural, and Indigenous women, for whom access remains limited, unsafe, or completely nonexistent.



Recently, the Constitutional Court established an important advancement on the right to IVE and Indigenous communities, through Ruling SU 297 of 2025, in which it is stated that Indigenous women and girls do not need authorization from the authorities of their territory or community to access voluntary interruption of pregnancy (IVE), and they must not be denied the service or have it obstructed by imposing barriers. The ruling seeks to protect the reproductive autonomy of Indigenous women, ensure equal access to this right, and order the issuance of a resolution that facilitates the provision of the service and guarantees access to it.

In departments such as Chocó, where the Afro-descendant population is the majority, the legal and health system does not manage to guarantee real and timely access to this right. We find that young women who have abortions are considered unworthy, impure; due to stigmatization, women prefer to resort to homemade or artisanal abortions, according to testimonies from women leaders and human rights defenders (Espectador, E. 2023).

The gaps are expressed on several levels:

Geographic and infrastructure barriers: in remote municipalities there are no health services authorized to perform IVE; distances, lack of transportation and precarious hospital infrastructure mean that many women simply cannot access the service.

Social and religious stigma: community pressure, fear of discrimination and moral judgment reinforce silence and clandestinity, even within institutional settings. Many women prefer not to go to hospitals for fear of being revictimized or reported, which persists despite the current legal framework.

Unregulated institutional conscientious objection: some health centers systematically refuse to perform the procedure, even though it is illegal, without effective referral routes.

Lack of information: women, especially in rural areas, are unaware of their rights, the deadlines, or the institutions obligated to attend to them.

Structural racism: Afro-descendant and rural women report being treated with distrust, stigmatization or infantilization when they seek sexual and reproductive health care, which limits their search for assistance.

These barriers turn the right into dead letter for many women, forcing them to have abortions clandestinely, at risk and without medical support, even though the law permits and protects it. This demonstrates how a legal system can maintain deep gaps when it lacks effective implementation, monitoring, resources, and an intersectional approach..

## 2. Obstetric violence against Afro-descendant, Indigenous and migrant women

Another important gap is related to the persistence of obstetric violence, a form of gender-based violence and structural inequality that disproportionately affects Afro-descendant, Indigenous and migrant women. This violence is manifested both in the provision of the service and in the institutional dynamics of the health system, and reveals a legal system that is insufficient to protect the autonomy and dignity of women during pregnancy, childbirth and postpartum.



Among the most common practices are:

Unjustified denial or delay of care, especially to migrant women or those without documents.

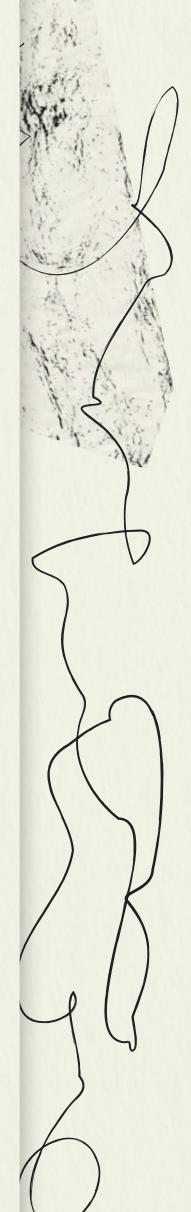
Dehumanizing or racist treatment, with violent or humiliating expressions toward Afro-descendant women ("you endure more pain," "you give birth more easily"), reinforcing racial and gender stereotypes.

Medical procedures without informed consent, including episiotomies, repeated examinations or unjustified cesareans.

Imposition of contraceptive methods without prior consultation, especially on Indigenous or migrant women in conditions of vulnerability.

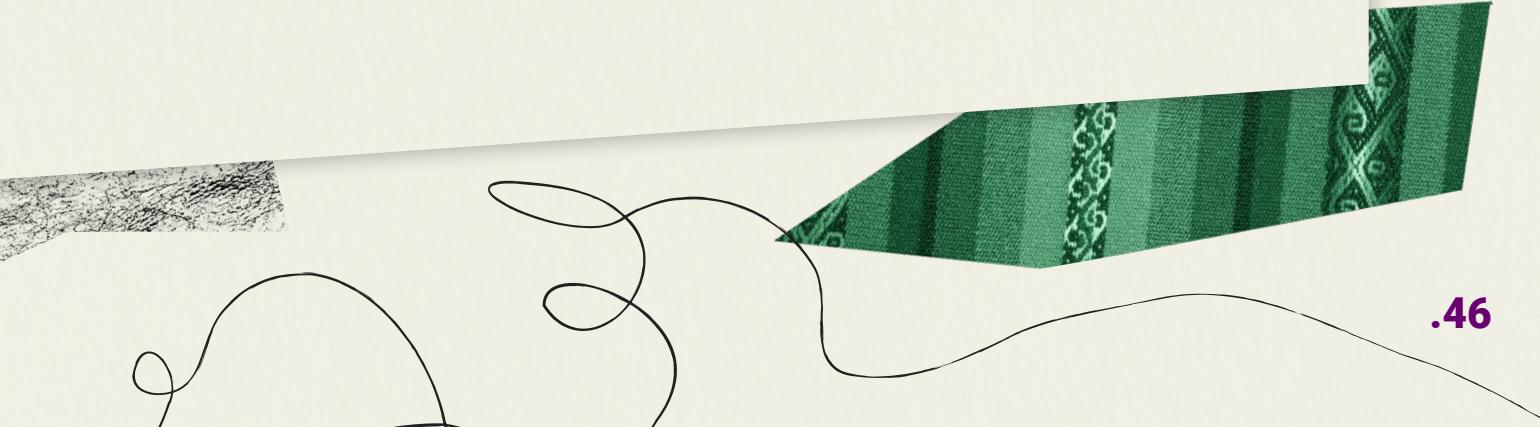
Negligence toward warning signs, which contributes to higher rates of maternal morbidity and mortality among Black and rural women.

Institutional distrust, where complaints of mistreatment during childbirth are not investigated and impunity and lack of sanctions persist.



As evidenced in the case of Fabiana, a Wayuu woman who faced obstetric violence: "They scolded me because I wasn't attending medical check-ups. They told me it was my fault that my baby was in trouble. I explained to them that I didn't have money to pay 50,000 or 60,000 Colombian pesos (11 and 13 US dollars) per day to be attended," she recalls. After the questioning, the doctors transferred Fabiana to the operating room to perform a cesarean section. After his birth, Julio Sebastián was taken to the Intensive Care Unit. Fabiana saw her baby again only a week later, when the child was discharged. She was unable to breastfeed him because at birth the baby was not placed on her chest and, consequently, the breast milk stagnated in her breasts. Anguish took hold of her and with it, postpartum depression appeared. (Raya, R. 2025)

These practices reveal a legal gap, since although there are regulations to guarantee dignified care (such as the Statutory Health Law, Law 1257 and various regulations for humanized childbirth), there are no effective monitoring, sanction or specific reparation mechanisms for obstetric violence. This leaves women defenseless against the system, reproducing inequalities based on gender, race, class and migratory status.



## Recommendations

Commitment of territorial governments to the application of the national regulatory framework regarding the Right to IVE (C 055 of 2022) and the Prevention of Obstetric Violence (Law 2244 of 2022) through the inclusion of indicators in local Development Plans and in the management indicators of territorial Health and Education Secretariats.

Guarantee and promote information to users of the health system so that they can file complaints in case of being victims of acts related to obstetric violence or delays and barriers in the provision of IVE services, as well as strengthen reporting mechanisms and track the data they provide.

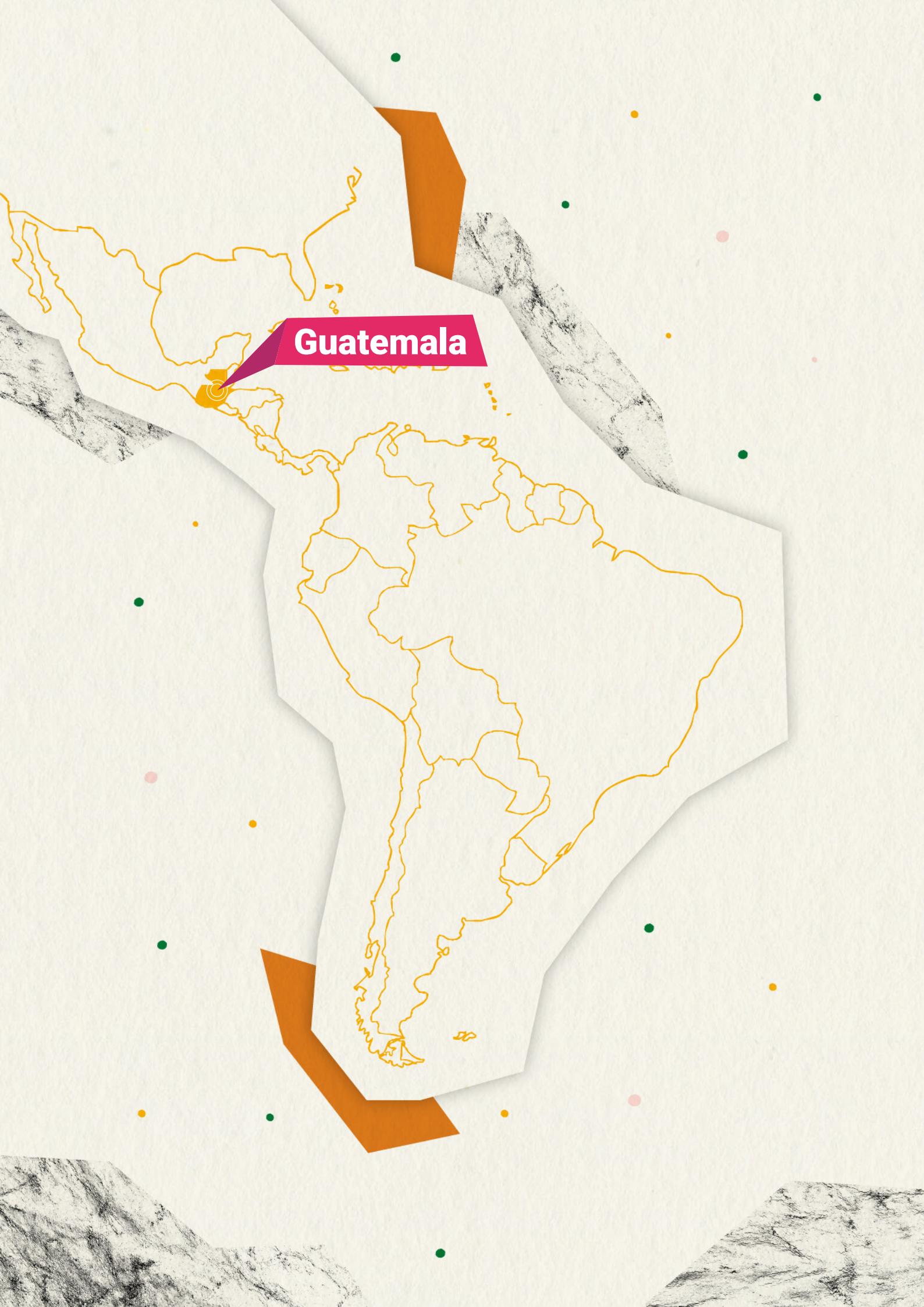
Adapt health services to the real needs of the territories, which implies that communication and information must be accessible for women and girls from Indigenous communities. To achieve this, adequate training must also be promoted for health service providers and the requirement of care protocols and routes with a differential and territorial approach.

These recommendations are directed especially to territorial authorities (executive), that is, mayorships, governorships, and directors of territorial Hospitals and Health Service Provider Entities.

It is suggested that territorial entities (municipalities and departments) effectively apply the normative advances that have been achieved at the national level. This does not imply creating new public policies or regulatory instruments, but rather achieving real implementation of the existing progress, which is achieved through correct guidance, concrete directives to health service providers, qualified and informed work teams, and the prevention of the reproduction of stereotypes and stigmas against the rights of women and girls.

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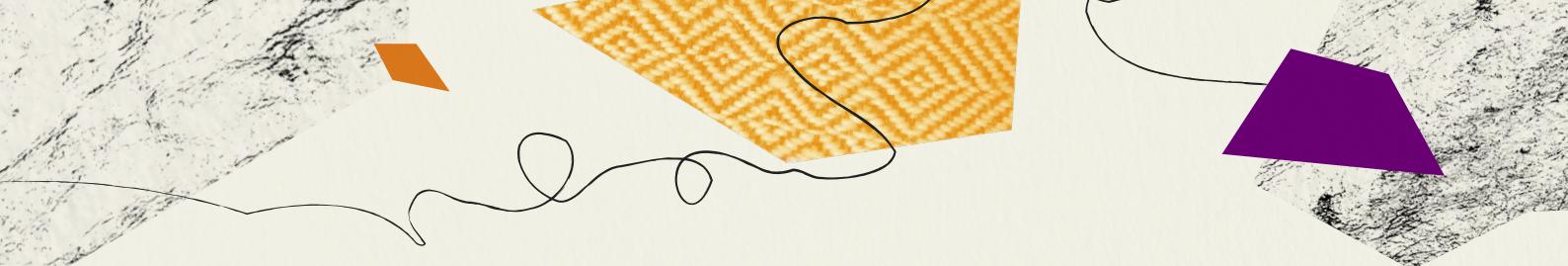


**Guatemala**



# **Guatemala Report for the Commission on the Legal and Social Status of Women - CSW 70 - On access to justice for all women and girls.**

Guatemala is deeply constrained by impunity and corruption that do not allow access to justice, which limits the exercise of human rights, especially for young women. Taking into account that the country lived through an internal armed conflict in which sexual violence still has an impact and continuum, there is a struggle for justice, freedom of expression, decision-making, and against discrimination and racism. As young women of Guatemala, we express in this document our perspective on access to justice in the country.



Access to justice for young women is a complex challenge due to barriers such as racism, sexism, language, and the lack of cultural and gender relevance in the judicial system.

Corruption, impunity, discrimination, and exclusion are observed in daily life in the country, which do not allow for prompt and fulfilled justice.

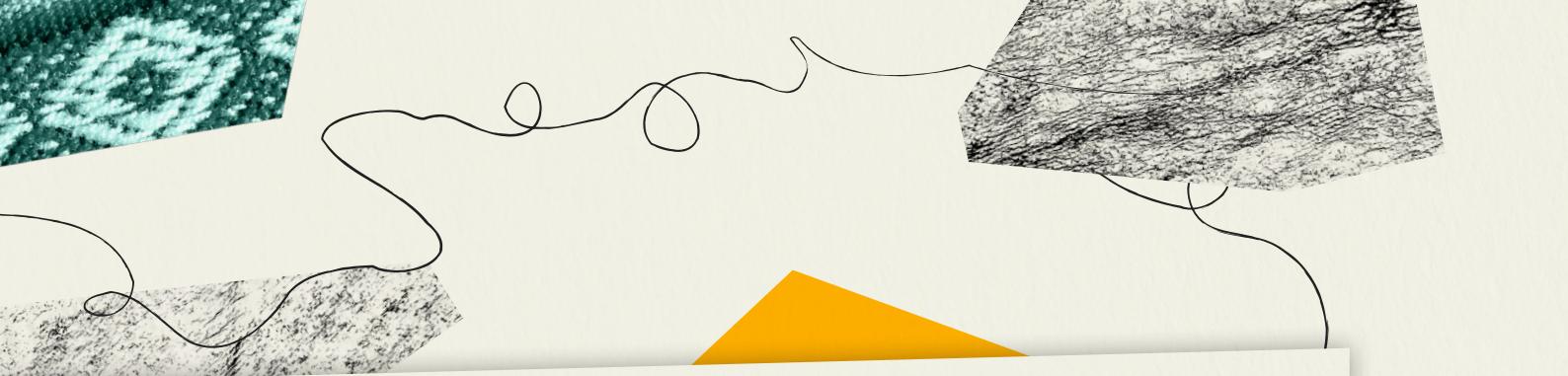
Although the country has laws, institutions, and mechanisms intended to protect citizens' rights, the reality shows that structural and social barriers persist that prevent access to agile, safe, and dignified processes. To this are added normalized gender inequalities in society, which minimize or justify violence against women and consequently hinder the possibility of accessing justice.

Throughout history, Guatemala has faced situations related to sexual violence against women, such as during the internal armed conflict, in which rape was used as a weapon of war and was suffered by hundreds of women and girls. Despite the years, survivors have continued their struggle for access to justice and punishment of their aggressors. For example, the case of the women of Sepur Zarco and, this year, the ruling against three former paramilitaries for the rapes committed against Achí Indigenous women. This ruling not only recognizes their pain, but also demonstrates that, even after decades, truth can find its way and challenge the impunity that has marked the country's history.

### III) PRIORITIZED PROBLEMS OR GAPS

Difficult access to justice services in rural and Indigenous areas: In the area of justice, the distance between rural communities and the courts stands out, as well as the lack of Indigenous justice operators with an intercultural and gender perspective. In 2013, the Judicial Branch created the Interpretation Center, which advises and facilitates translation in judicial processes. This unit is present in nine departments with the largest Maya population and has 200 interpreters for 22 languages. The Xinka and Garífuna peoples are not included. Regarding young Indigenous women, aggravating factors persist, such as prejudice and stereotypes due to their clothing and mother tongue. Consequently, Indigenous women face a justice system that is racist, exclusionary, and not very understanding. In addition, transportation, procedures, and legal advice costs are not accessible to most young people and their families. Likewise, there is still an insufficient and non-specialized public defense system for minors, women, and Indigenous communities. There is also little coordination between the official justice system and Indigenous community justice systems.

Dismissal of cases: Judicial backlog, especially in the Public Prosecutor's Office, is very high. In the last three years, the effectiveness rate has been 0.56%; most cases are dismissed, archived, or end in forced plea acceptance. The serious consequence is that many of these cases remain in impunity, and judicial bureaucracy and backlog discourage reporting. Between 2023 and 2025, the Public Prosecutor's Office registered 9,063 cases of sexual violence. Most did not progress within the justice system. The impunity rate exceeded 85% for these crimes in 2022. More than 80% of complaints for rape, sexual assault, violation of privacy, and sexual exhibitionism are dismissed by the Public Prosecutor's Office. Only 0.13% of sexual violence cases go to trial or sentencing. Only 1% of sexual assaults against girls under 14 years of age reach a court, while 99% remain silenced, without justice or reparation for the most vulnerable victims.



Structural discrimination in law enforcement: Access to justice in cases of gender-based violence does not effectively respond to the needs of women, and is even more deficient for women in precarious conditions, illiterate, Indigenous, with disabilities, and excluded from society. The greater the vulnerability, the greater the gap to obtain justice.

Stereotypes and prejudices persist within judicial and police institutions, and there is unequal treatment toward youth, women, Indigenous peoples, the LGBTIQ+ population, migrants, and persons with disabilities.

## Recommendations

- To the Public Prosecutor's Office of Guatemala, extend its work throughout the national territory through strategies such as the creation of more municipal prosecutor's offices or agencies in municipalities, especially more women's prosecutor's agencies. Currently, there is a deep crisis of access to justice due to barriers such as distance, lack of interpreters, structural discrimination, poor resource management, institutional weakness, case dismissals, and judicial backlog. This causes great impunity, especially for young women from all territories and identities, who are more vulnerable to violence and exclusion.
- To the Executive Branch of Guatemala, respond to and implement the measures requested by the Inter-American Court to reduce sexual violence against women, especially young women, as stated in the ruling of the Fátima case – including reparation measures for Fátima. It is necessary to strengthen specialized care, comprehensive human rights education, coordination among state institutions, and informational and prevention campaigns to ensure that all youth can fully exercise their right to justice and a life free of violence.

Law N.º / Name	Date of Enactment	Scope	Allocated Budget?	Implications	Legal Gaps
<b>Political Constitution of the Republic of Guatemala.</b>	31/05/1985	National	-	Recognizes the protection of the person and the family as the supreme purpose of the State and the obligation to respect international human rights treaties ratified by the country.	-
<b>Criminal Procedure Code, Decree No. 51-92</b>	28/09/1992	National	-	To guarantee due process, establishing the rules to investigate crimes, judge the accused, and execute sentences. With the purpose of protecting the fundamental rights of individuals and ensuring justice.	Procedure of acceptance of charges and substitute measures from Article 264 of the mentioned code.
<b>Law of Amparo, Personal Exhibition and Constitutionality, Decree No. 1-86</b>	02/04/1986	National	-	Protects constitutional and human rights.	The abuse of the amparo guarantee, which sometimes becomes a delaying mechanism to avoid judicial or administrative resolutions, resulting in impunity.
<b>Judicial Branch Law, Decree No. 2-89</b>	28/03/1989	National	-	Regulates the organization, functioning, and powers of the judicial branch. Its main purpose is to establish the foundations for the administration of justice in the country.	-

Law N.º / Name	Date of Enactment	Scope	Allocated Budget?	Implications	Legal Gaps
<b>Judicial Career Law, Decree No. 41-99</b>	23/07/2016	National	-	A system to manage the human resources of the Judicial Branch, regulating the admission, training, evaluation, promotion, permanence, and discipline of judges and magistrates to guarantee independence, suitability, and professional excellence through transparent processes.	-
<b>Law against Femicide and Other Forms of Violence Against Women, Decree No. 22-2008</b>	02/05/2008	National	-	Defines femicide as a crime and establishes a legal framework to sanction various forms of violence against women.	Commutable sentence – in practice, the prison sentence of the accused is reduced, becoming commutable, and conditional suspension of the sentence; some aggressors have requested and been granted conditional suspension of the sentence.
<b>Law Against Sexual Violence, Exploitation and Trafficking in Persons, Decree No. 9-2009</b>	18/02/2009	National	-	To prevent and combat trafficking in persons in its various modalities and forms of exploitation.	Ambiguous definition of exploitation, lack of clarity in prevention, insufficient victim protection, discrimination, lack of gender perspective, and lack of mechanisms for comprehensive reparation.
<b>Law for the Dignification and Comprehensive Promotion of Women, Decree No. 7-99</b>	09/03/1999	National	-	Defines violence against women and seeks to promote their rights and gender equality.	Lack of specification in the application of sanctions, difficulty in interinstitutional coordination, and discrimination based on ethnicity and race, as it does not sufficiently address the discrimination faced by Indigenous women or those of different ethnicities.

It is recommended to complete a systematization table of public policies (plans, programs, and projects). The table should not be included in the main text; instead, the report should include a mention summarizing the main aspects of the analysis.

Program / Project	Responsible Institution	Govern-ment Level	General Objective	Target Population	Gender Perspective (YES / NO)	Intersector- nal Perspective (YES / NO)	Youth Focus (YES / NO)
<b>Open Justice Policy and its Implementation Plan.</b>	Judicial Branch of Guatemala	National	To make justice more accessible for citizens through transparency, participation, and accountability..	General population and citizens	YES	NO	YES
<b>Access to Justice Policy for Persons with Disabilities and Implementation Plan.</b>	Judicial Branch of Guatemala	National	To guarantee access to justice under equal conditions, promoting procedural adjustments and staff training to eliminate physical, social, and cultural barriers that hinder the full participation of this sector.	Persons in a situation of disability	NO	YES	NO
<b>Public Policy for the Protection of Human Rights Defenders</b>	Ministry of Governance and Presidential Commission for Peace and Human Rights	National	To address the denial of justice and the security of defenders.	Human Rights Defenders	SI	SI	NO

Program / Project	Responsible Institution	General Objective	Target Population	Gender Perspective (YES / NO)	Intersectional Perspective (YES / NO)	Youth Focus (YES / NO)
Human Rights Policy for the Criminal Prosecution of the Public Prosecutor's Office	Public Prosecutor's Office	To ensure that crime investigation and prosecution are conducted under the principles of respect, promotion, and guarantee of human rights.	Defenders, journalists, and the context of the armed conflict.	YES	YES	NO
Policy for Indigenous Peoples' Access to the Public Prosecutor's Office	Public Prosecutor's Office	To guarantee justice with cultural and linguistic relevance for Indigenous communities.	Indigenous population	YES	YES	NO



Perú



# **Situation of Peru Within the framework of the 70th Session of the CSW**

This report has been prepared by feminist and youth organizations in Peru committed to the defense of human rights, substantive equality, and social justice, members of the WP2030 Project. Its purpose is to contribute a critical analysis of the progress and challenges in terms of access to justice for women and girls, from an intersectional perspective that articulates gender, race, class, and territory.

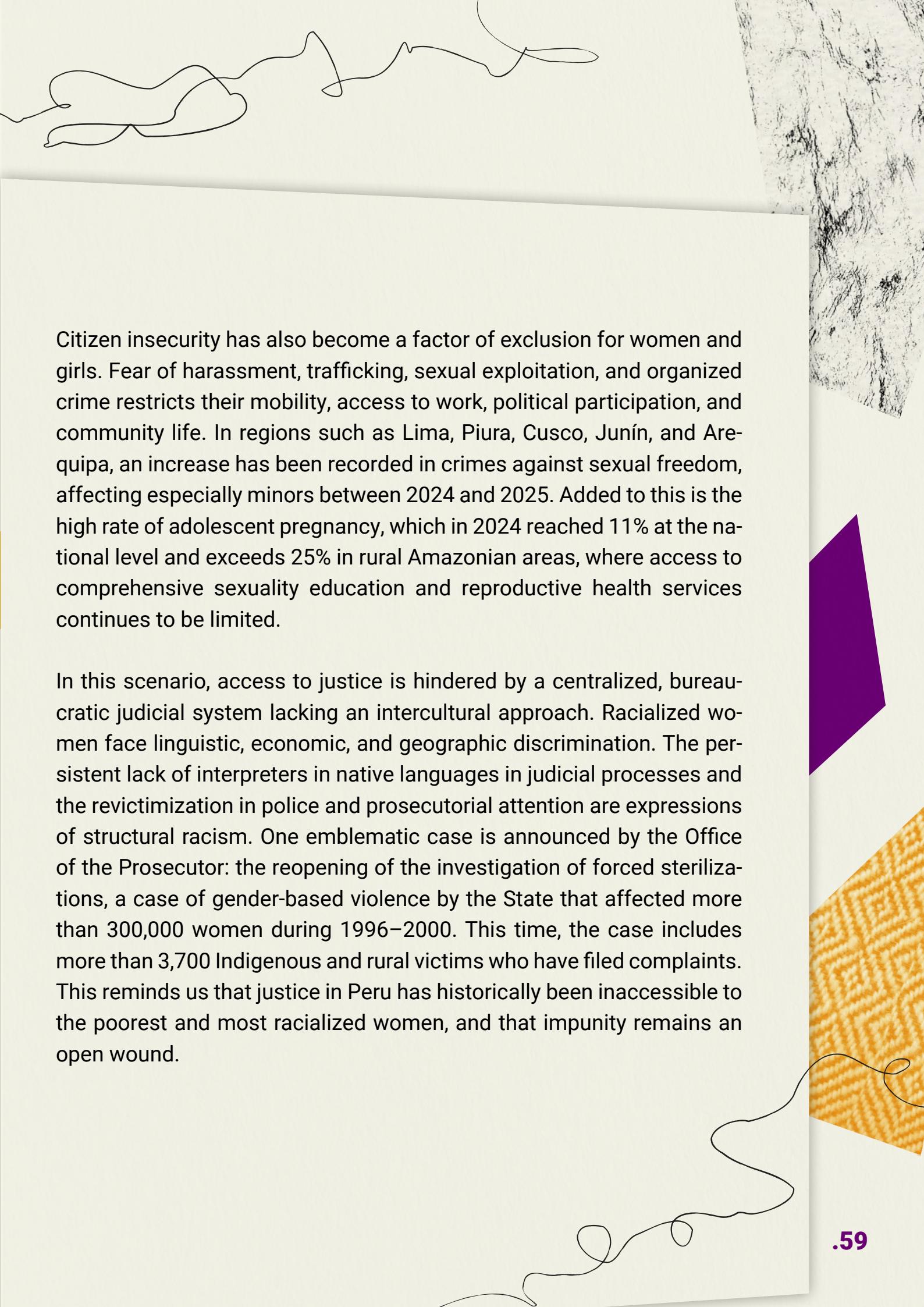
The document is developed within the framework of the seventieth session of the Commission on the Legal and Social Status of Women (CSW 70), whose priority theme is: "Guaranteeing and strengthening access to justice for all women and girls, promoting inclusive and equitable legal systems, eliminating discriminatory laws, policies and practices, and addressing structural barriers."

The drafting is based on official sources, reports from national and international organizations, and testimonies from grassroots organizations, with special attention to the experiences of Afro-Peruvian, Indigenous, rural, and young women. The analysis begins from the recognition that access to justice in Peru cannot be understood apart from the political crisis, structural violence, and institutional racism that continue to define the exercise of power and public administration in the country.

## Context

Peru is going through a prolonged political and institutional crisis, marked by corruption, fragmentation of the party system, and the criminalization and militarization of the State's response to social discontent. Since 2018, the country has had seven presidents, and instability has seriously affected democratic governance and the State's capacity to guarantee rights. At the same time, the increase in citizen insecurity and organized violence has generated a climate of widespread fear that affects women in a differentiated way, as they face not only the risk of criminal violence, but also the lack of protection from the institutions responsible for safeguarding their integrity.

In 2025, the Ministry of Women and Vulnerable Populations (MIMP) reported that Peru registers one of the highest rates of femicide in South America, with more than 130 confirmed cases and more than 70,000 reports of domestic violence so far this year. These numbers do not reflect isolated crimes, but rather the persistence of a patriarchal structure that naturalizes gender-based violence and normalizes impunity. Most of the victims are young women from rural or peri-urban areas and belong to Indigenous or Afro-descendant communities, which reveals the intersection between inequality, poverty, and racial discrimination..



Citizen insecurity has also become a factor of exclusion for women and girls. Fear of harassment, trafficking, sexual exploitation, and organized crime restricts their mobility, access to work, political participation, and community life. In regions such as Lima, Piura, Cusco, Junín, and Arequipa, an increase has been recorded in crimes against sexual freedom, affecting especially minors between 2024 and 2025. Added to this is the high rate of adolescent pregnancy, which in 2024 reached 11% at the national level and exceeds 25% in rural Amazonian areas, where access to comprehensive sexuality education and reproductive health services continues to be limited.

In this scenario, access to justice is hindered by a centralized, bureaucratic judicial system lacking an intercultural approach. Racialized women face linguistic, economic, and geographic discrimination. The persistent lack of interpreters in native languages in judicial processes and the revictimization in police and prosecutorial attention are expressions of structural racism. One emblematic case is announced by the Office of the Prosecutor: the reopening of the investigation of forced sterilizations, a case of gender-based violence by the State that affected more than 300,000 women during 1996–2000. This time, the case includes more than 3,700 Indigenous and rural victims who have filed complaints. This reminds us that justice in Peru has historically been inaccessible to the poorest and most racialized women, and that impunity remains an open wound.



In recent months, a normative and political regression has been observed with concern in matters of women's rights and gender equality. Conservative sectors of Congress have promoted initiatives to weaken or dismantle the Ministry of Women and Vulnerable Population (MIMP), fragmenting its responsibilities and reducing its capacity for influence. Added to this are setbacks in political parity and alternation, which threaten the advances achieved after years of women's movement struggle, as well as legislative initiatives that seek to restrict comprehensive sexuality education and limit sexual and reproductive rights under moral or religious arguments. These processes reflect a worrying trend of conservative and anti-feminist backlash, which seeks to reconfigure the State under regressive and exclusionary logics, putting at risk Peru's international commitments on gender equality, justice, and human rights.

The current context reveals a dangerous convergence between political crisis, patriarchal violence, and structural insecurity. Women – especially Afro-descendant, Indigenous, rural, and young women – face a scenario of multiple forms of violence and institutional lack of protection that limits their right to live without fear and to access effective, inclusive, and reparative justice.

## Priority Problems

### International normative framework

Peru is one of the countries that has signed Treaties and Conventions related to compliance with rights of persons, labor matters, health, peace, and others – such as CEDAW, Belém do Pará, ILO 190, CRC, SDGs, etc.

However, since 2021 it has shown little responsibility in compliance, especially with the Inter-American Human Rights System, from which it has announced that it is studying withdrawal, repeatedly rejecting the recommendations of the Human Rights Court and the Human Rights Commission. Likewise, it rejects the mandates of the International Criminal Court, with laws of impunity for human rights violators.

On October 28, 2024, CEDAW issued Resolution 41 in favor of five cases of women who were sterilized against their will during the government of Alberto Fujimori, recommending comprehensive reparations and other favorable measures for the victims. To date, the Peruvian State has not responded.

## National regulations and public policies

Peru has a legal framework that promotes access to justice with a gender approach, but its application still faces limitations, especially in rural areas and for young and Indigenous women.

Free legal representation: The Ministry of Justice and Human Rights (MINJUSDH) provides free legal defense through the General Directorate of Public Defense and Access to Justice, although coverage remains limited outside Lima. For example, out of 1,320 forced-sterilization cases, only 144 were being served.

Interpreters and accessibility: Law 29735 guarantees attention in Indigenous languages, but it is not enforced.

Gender training: Programs exist within the Judiciary and the Public Prosecutor's Office, but they are not mandatory nor continuous.

Awareness programs: Initiatives such as Justice in Your Community and the Aurora Program promote rights, although their scope is more urban than rural and insufficient in number.

Judicial parity: There is no specific law on parity in the judicial system; women continue to be a minority in high-level positions..

The country has advanced in norms and programs, but territorial, cultural, and gender gaps persist that limit real and equitable access to justice.



In addition, in recent years it has been regressing with impunity legislation, especially for human rights violators of the Fujimori government, rolling back laws on parity, access to comprehensive sexuality education, and the APCI law, which exerts pressure on NGOs that support justice claims by Indigenous peoples and others, and prohibits reporting human rights violations in national and international bodies, under threat of economic and other sanctions.

### Judicial system and real access to justice

The judicial system in Peru faces deep structural challenges that limit real access to justice, especially for women and young people whose rights are violated. The Judiciary (PJ) is made up of the Supreme Court, Superior Courts, Specialized, Mixed, and Peace Courts. Although its coverage is national, the allocation of resources is concentrated in Lima, affecting services in rural regions with scarce infrastructure and connectivity (Statistical Portal of the Judiciary, n.d.). Case backlog remains high: millions of pending processes annually, despite advances such as the 74,269 cases resolved by the Lima North Court in 2024 (Judiciary of Peru, 2024)..



Rute Zúñiga, president of the Association of Peruvian Women Affected by Forced Sterilizations (AMPAEF), states that “this long process and waiting of the women sterilized against their will by the government of Alberto Fujimori is very long and painful, as they have spent more than 26 years fighting and justice, truth, and reparation do not arrive.”

Regarding women’s participation, they represent 34% of judges, exceeding 50% in the Supreme Court, but only 14% of justice-of-the-peace judges in rural areas (Biffi, 2016). Public trust is low, as between 70% and 85% of Peruvians distrust the Judiciary or the Public Prosecutor’s Office (Institute of Peruvian Studies, 2024).

Likewise, the MIMP, through the Aurora Program, recorded more than 320,000 services in 2023 (MIMP, 2024), although the Women’s Emergency Centers (CEM) are overloaded: in 2021 they served 163,797 cases, 86% of them women, without complete teams (MIMP, 2022); moreover, 67% lack multidisciplinary professionals (Ombudsman’s Office, 2018).

In this sense, despite the creation of the Gender-Justice Protocol (RA 000194-2023-CE-PJ), the lack of training and resources maintains structural gaps. Achieving effective justice requires strengthening infrastructure, training with a gender and intersectional approach, and monitoring equality policies.

## Recommendations and proposals

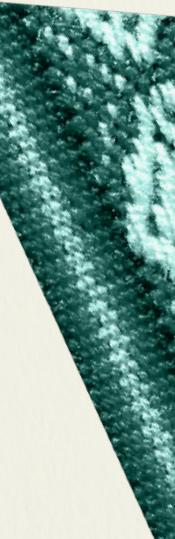
We address the:

Executive Branch to request the improvement of coordination mechanisms between the Ministry of Women and other public institutions to prevent and punish violence against young women. In addition, it is recommended to guarantee stable budget, trained personnel, and territorial presence of the CEM care centers and to incorporate an intersectional perspective that addresses the situation of rural, Indigenous, or disabled youth. The Executive must lead the fulfillment of the commitments assumed by the State with COP30, the SDGs in their entirety, and allocate sufficient budgets. Likewise, it must fulfill its responsibility to safeguard the comprehensive health of children, adolescents, and youth.

Judiciary and Public Prosecutor's Office: we request the evaluation and reform of care protocols for complaints of violence and discrimination against women and youth, ensuring that their actions effectively incorporate gender, intercultural, and intersectional approaches. Continuous training, functional supervision, and accountability must be consolidated as pillars to ensure real and dignified access to justice. Likewise, the State has the obligation to urgently activate all protection mechanisms and comprehensive reparation in cases of sexual and gender-based violence, especially with respect to the more than 500 Indigenous girls who are victims of rape, forced pregnancy, and HIV infection, who represent the most serious expression of structural exclusion. In this regard, it is imperative to guarantee due process, the effective sanctioning of those responsible, and the full restitution of the rights of all victims, avoiding revictimization and strengthening citizen trust in the judicial system.

Ministry of Education to suggest the creation of educational and community programs that strengthen the political and civic participation of young women. In addition, it is necessary to promote youth leadership spaces with a feminist perspective, where young women learn about rights, social justice, and citizen oversight of the State. Likewise, we request the reincorporation of Comprehensive Sexuality Education, from a rights-based perspective that contributes to the adequate development of children, adolescents, and youth. Allocate budgets to assist girls and adolescents who are victims of sexual violence in Indigenous communities in the jungle and implement comprehensive and mental health programs.

To the international community and international organizations: We request that you maintain your attention on the Peruvian situation, the violation of human rights, laws that criminalize Peruvian youth, women, and human rights defenders.

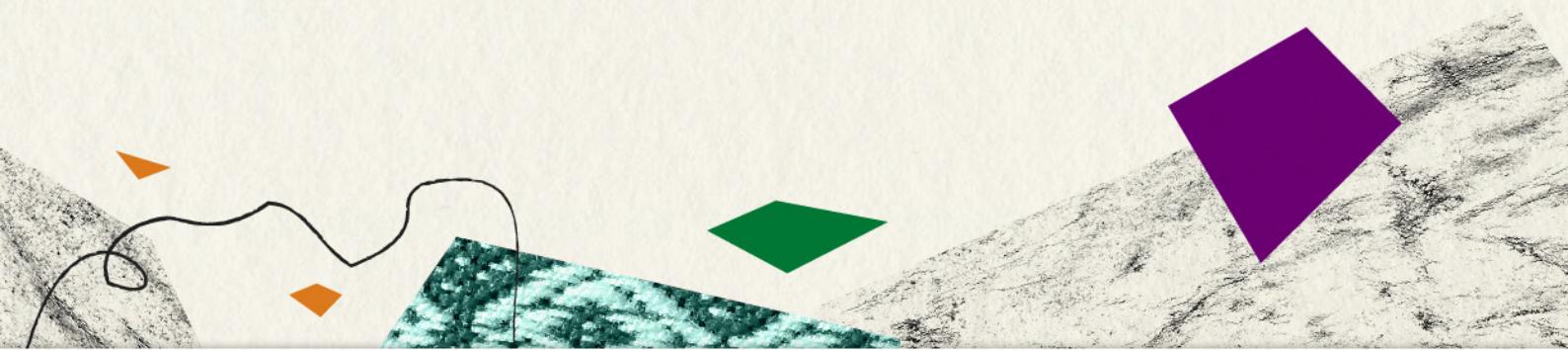


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