# **Request for contributions to the report of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, the use of children in pornography and other materials on child sexual abuse - BOLIVIA**

1. What forms of existing social norms, practices / behaviors (cultural, social, traditional or other) may explicitly or implicitly involve and / or manifest the sale and sexual exploitation of children?

• In Bolivian territory it has been identified that the sexual exploitation of male children and adolescents can become a survival mechanism for the homeless population. In other words, male children and adolescents have been identified in sexual activities with adults (mainly in exchange for money) in a population that lives on the streets, and assumes this activity as a means of subsistence in the space where they live.

The sexualization of children in child modeling contests, although to a lesser degree, can become risk factors in the long run.

2. How are gender and gender identity incorporated into existing policy and legislative frameworks on the eradication and prevention of the sale and sexual exploitation of children?

1. Please provide information on relevant legislation or policy on the implementation of gender mainstreaming in the prevention and eradication of the sale and sexual exploitation of children, online and offline.

• In Bolivia there is Law No. 807 Gender Identity Law (promulgated in 2016), this law concentrates on the procedure for the change of name, sex and image of transsexual and transgender people, this norm only applies to older people of 18 years. There is also the Comprehensive Law to Guarantee Women a life free of violence No. 348, this law protects only Women regardless of their age, condition, origin situation or marital status.

From the main Law for the protection of infancy, childhood and adolescence (N ° 548 Code of Girls, Boys and Adolescents) all protection measures based on the guiding principles are applied, among them the Principle of Gender Equity which indicates that “girls and adolescents enjoy the same rights and access to the same opportunities as boys and adolescents”.

1. What are the existing gaps and challenges in incorporating the gender dimension in legislation, policies and practices?

• Currently, the gender dimension applied to legislation, policies and social practices is focused on the empowerment and protection of women, a situation that relegates or minimizes situations of violence in men; The gender approach is not directed at addressing the needs expressed by both women and men, it is emphasizing the inequalities that are expressed at a structural level and merging with a Radical Feminism (situation that occurs in Bolivia).

The evidence of a male chauvinist and patriarchal system takes precedence over the situations and experiences of male children and adolescents, exposing them under the traditional figure that shows strength and courage, and does not approve of signs of weakness (such as denouncing, for example, a violation). This same system is that it reinforces sexual consumerism by having a woman as object of possession or merchandise, and even more so when she is a girl or adolescent, reinforcing her relationship of power towards them.

3. Provide contextual information on existing good practices, policies or legislation addressing the sale and sexual exploitation of children that include a gender dimension that takes into account different gender identities.

• At the legislative level, Bolivia is still in the process of building norms and laws that protect the rights of people of non-binary gender, in general they are subjects of rights, however, situations such as the change of name and identity are only possible from the age of 18, and there is no regulation that incorporates professional guidance and accompaniment in case there are concerns regarding gender identity from childhood and adolescence.

At a social and cultural level, the Bolivian population is in deconstruction with respect to masculinities and feminities, situations for which there is no total acceptance regarding the possibility of choosing and constructing gender not based on biological sex.

For the moment, good practice (although basic) is focused on the Gender Identity Law, it is the first step to include the gender category in our legislation in a comprehensive manner.

4. What institutional, regional and national legal frameworks exist to integrate the gender dimension in the prevention, prohibition and protection of children from all forms of sale, abuse and sexual exploitation?

• At the national level, the aforementioned standards for incorporation of the gender category are identified.

5. What forms and manifestations do the gender dimensions take in the context of the eradication and prevention of the sale and sexual exploitation of children, girls in particular, including online, and which are the most prevalent? Provide information on the causes and manifestations of the gender dimension and how it affects the eradication and prevention of the sale and sexual exploitation of children.

• Online sexual exploitation: a situation that increases the presence of children and adolescents, both as sexual consumers (clients), due to the period of confinement due to COVID-19, basic social interactions are reduced to chats, online games, video calls , etc. In the same way, many services were digitized and transactions are made via bank transfer or online purchases; At the same time, these situations affect the economy of many families, generating crises and shortages, and the limited access to technological means leads to the generation of economic resources from these means, and in many cases the offer of sexual services has been evidenced (in a independent) in these networks, however due to policies of social networks or telephone companies it is not possible to identify the age of these people, we do not know if they are children and adolescents.

• Material of sexual abuse and exploitation: modality linked to ESNNA online, in the same sense, many adolescents take suggestive (unintentional) photographs that at some point manage to be captured in networks by people who start a conversation and bond (Grooming) with the intention to obtain sexual benefits, a situation that becomes concrete if it is detected that the victim has economic deficiencies, and in exchange for some type of help certain types of images are required - photographs - that apparently do not harm the integrity of the child or adolescent.

According to the context (Bolivia) it is important to highlight that in the different manifestations of SEC, the triggering component in different contexts and situations is the economic factor, in this way the victims naturalize sexual exploitation as a job or source of economic income, even for the same families in rural contexts as in some indigenous communities who offer their daughters (mainly women) in exchange for money or food. And again we are left with a reduction in cases of sexual exploitation in children due to the conception of the male figure, or being male in a sexual activity, who assumes an active role, of domination towards another. It is very likely that even in a situation of sexual exploitation a person of non-binary gender (as a victim) is considered weak and not a male.

6. Please indicate any specific measures aimed at reducing the vulnerability of children to sale and sexual exploitation taking into account gender and disability, as well as age and children.

• The State must work on laws and public policies around equity and equality in the recognition and fulfillment of people's rights regardless of their condition and situation, which will allow serving the populations according to the specific needs regarding access to services of Justice.

• Information and sensitization to families and the community regarding the beliefs and social behaviors around the sale and sexual exploitation of male children, highlighting the attention to the needs and demands that both girls and boys may present are not the same in terms of the professional approach (From a gender conception, not only take into account girls and boys, consider non-binary gender and incorporate it in the data sheet and the procedure as such).

• Adapt spaces and services to the person's situation (mobility, physical access, buildings, etc.), again focusing on specific needs (by condition and situation).

• Sexual and emotional education from childhood and adolescence, with the main objective that comfortable and uncomfortable sensations and situations are recognized, as well as their expression, if the girl / boy does not consider that a situation is negative, they will not express it and in the future it could naturalize the situation (like many victims of sexual exploitation who naturalize the fact and assume it as a form of work or subsistence).

7. What measures and safeguards can be put in place to identify the protection needs of vulnerable children in order to prevent, prohibit and protect them from all forms of sale and sexual exploitation, including examples of complaints and child-friendly complaints, independent, timely and effective? mechanisms made available without discrimination in child-friendly spaces at the community, national and regional levels.

• At the community level: involve the community to act as a network or device that channels acts of sexual exploitation towards justice entities, the active role played by the FEJUVEs (Federation of Neighborhood Councils), Social Organizations has been seen in our country (representations of workers in specific fields, or representations of social minorities), OTBs (Territorial Base Organization), among others. Initially, these networks are informed and sensitized regarding sexual exploitation as a threat that puts the community in general at risk in the medium and long term. In this sense, the community should not act as a judge in charge of accusing or pointing out the victims, or stigmatizing them as sex workers aware of their acts, especially when we speak of children and adolescents, in this sense that a child is a victim of exploitation sexual does not make him homosexual or gay (which is the denominative they receive disparagingly).

• At the national level: the construction of laws and public policies that regulate the actions of the judicial system, from the acceptance of digital evidence (that is, photographs, videos, audios, and not only written evidence such as testimonies are considered among the evidence for the complaint. or statements of third parties); The complaint in specific cases must be adapted to the situation and condition of children and adolescents (if you have difficulties to write only a complaint orally, the terms and space according to the age of the victim, among others). Telephone lines or spaces for consultation and information (on sexual exploitation and its manifestations), these should be implemented according to the municipality or region of the country and their mother tongue. On the other hand, the establishment of specific norms of sanction to clients (exploiters), consumers and diffusers of material of abuse and sexual exploitation; In the same way, the cases that achieve the sentence for the aforementioned crime must be disseminated to create greater confidence of society in the justice system, otherwise the population continues to abandon the complaint processes or simply leave the case anonymous.

• At the regional level: good practices should be shared, as well as the information obtained regarding the sexual exploitation of children, currently there is not much information regarding the sale and sexual exploitation of children and non-binary gender, and this is still due to the macho structure which is the basis of social interaction, and the implementation of a radical feminism that focuses on the inequalities that place women as victims of society and the State.

8. Please indicate any other areas of concern and provide any additional information that is relevant in the context of the gender dimension and the eradication of the sale and sexual exploitation of children.

• It is not an area outside the attention of these cases, but it has not been considered as fundamental; In the event that a child or male adolescent victim or survivor of Sexual Exploitation is identified, there are no specialized care spaces, addressing the sexual exploitation of boys and male adolescents is no less or more important than in a girl or adolescent women, however the accompaniment must be differentiated and specialized, they not only constitute victims of Sexual Abuse but also in the commodification of their bodies in sexual activities. Therefore, the shelters or recovery spaces must respond to specific demands (individual and group treatment should be considered).

• Another important aspect is compensation for damages, many victims and / or survivors do not have access to this service, at the Bolivian level there is no specific norm that allows victims of sexual exploitation (children and adolescents) to demand compensation, neither moral nor economic. .

9. In what context do external environmental factors exacerbate the prevalence and / or magnitude of the sale and sexual exploitation of children? Do the vulnerabilities of the surrounding environment play a significant role in terms of rural / urban areas? war / conflict zones, different forms of migration, emergency contexts (e.g. natural and man-made disasters, climate change, COVID-19) and religious context.

• The little evidence in Bolivia indicates that social factors (involving culture and religion) are those that exacerbate the prevalence of sale and sexual exploitation of children; emergency contexts such as COVID-19 that lead to internal and / or external migration situations can exacerbate the sale and sexual exploitation of children, it is also important to add that the digital component (access to technology, and internet service) accelerates these situations making them undetectable in some cases. It can also be mentioned that in terms of zones, territories of mining or oil exploitation are identified, physical spaces that due to the great economic activity (even more so if they are close to indigenous territories or in extreme poverty) generate an economic movement at the consumption level sexual, where the main actors are the families themselves (in order to survive).