



SUPPORTING  
AN ENABLING ENVIRONMENT  
FOR CIVIL SOCIETY

# Enabling Environment Snapshot

**Bolivia**

**17 February 2025**

## Context

In 2024, Bolivia faced a marked deterioration in fundamental freedoms and democratic institutions, with 915 documented violations, including 525 cases affecting the rule of law. Among the main concerns are the criminalisation of territorial defenders, protest repression, and threats to freedom of the press, with 150 recorded attacks against journalists.

The lack of access to justice is worrisome, with irregularities in judicial selection, corruption and high procedural delays having eroded confidence in the judicial system. The co-optation and lack of judicial independence perpetuate impunity and weaken democracy, as several international organisations have stated.<sup>1</sup>

The legal framework - law 351 and decree 1587- imposes significant barriers to CSOs, with laws restricting their free and autonomous functioning. This legal burden is compounded by declining financial support from development partners, severely limiting CSOs' capacity to promote and defend rights. Limited state interaction with civil society, coupled with political divisions and stigmatising discourse, restricts and criminalises organisations, weakening civic space.

The upcoming national elections in August 2025 present both challenges and opportunities to strengthen transparency and participation through legislative initiatives such as the proposed access to information law.<sup>2</sup>

## 1. Respect and protection of fundamental freedoms

In 2024, Bolivia experienced a significant increase in violations of fundamental freedoms. The Observatorio de Defensoras y Defensores de Derechos de UNITAS reported that, as of 31 December 2024, 915 cases of violations<sup>3</sup> affecting the freedoms of expression, press, peaceful assembly and association, as well as the right to defend human rights and the integrity of democratic institutions were registered. This represents a notable increase compared to the 743 violations reported in 2023<sup>4</sup>. Of the 915 cases, 525 (57%) are violations of “democratic institutionalidad”<sup>5</sup>, which reflects a trend of sustained increase in this category in the last three years and a weakening of the rule of law. These cases include the violation of the presumption of innocence<sup>6</sup>, irregularities in judicial appointments<sup>7</sup>, failures to address environmental emergencies and acts of corruption.

The 150 violations of press freedom, the second highest category of violations, include attacks, threats and stigmatisation of journalists during protests<sup>8</sup>. In addition, the state oil company YPFB<sup>9</sup> initiated criminal

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<sup>1</sup> A/HRC/50/36/Add.1, Visita al Estado Plurinacional de Bolivia Informe del Relator Especial sobre la independencia de los magistrados y abogados, Diego García-Sayán. GRUPO INTERDISCIPLINARIO DE EXPERTOS INDEPENDIENTES (GIEI)- BOLIVIA INFORME FINAL Sobre los hechos de violencia y vulneración de los derechos humanos ocurridos entre el 1 de septiembre y 31 de diciembre de 2019. Comisión Interamericana de Derechos Humanos (CIDH) publica el informe "Cohesión social: el desafío para la consolidación de la Democracia en Bolivia"

<sup>2</sup> <https://www.senado.gob.bo/area-legislativa/proyectos-de-ley-aprobados/42>

<sup>3</sup> The Observatory's 2024 report will be published in the first half of 2025, however, statistical data are available in the Observatory's database: <https://redunitas.org/observatorio/base-de-datos/>.

<sup>4</sup> <https://redunitas.org/download/informe-de-situacion-2023/>

<sup>5</sup> For the Observatory's monitoring work, democratic institutionalidad is understood as a concept intrinsically linked to the rule of law; it implies compliance with the norms that regulate these principles and rights and to the institutionalidad of the State, as it establishes the legal and administrative framework that allows for the proper and orderly functioning of state institutions and their operators.

<sup>6</sup> <https://redunitas.org/download/informe-cuatrimstral-mayo-agosto-de-2024/>

<sup>7</sup> <https://redunitas.org/download/informe-de-veeduria-ciudadana-al-proceso-de-preseleccion-de-magistradas-y-magistrados-judiciales-2024/>

<sup>8</sup> <https://alertacomun.substack.com/p/agresiones-en-marcha-del-mas-elevan>

<sup>9</sup> <https://alertacomun.substack.com/p/20-defensores-de-tariquia-en-riesgo>

proceedings against 20 land defenders, while the police and armed forces carried out violent interventions in social demonstrations, such as the failed military assault on Murillo square<sup>10</sup>. These incidents are evidence of the increasing restrictions and limitations on the exercise of political and civil rights, as well as on the right to defend human rights.

## 2. Supportive legal framework for the work of civil society actors

Law 351 on Legal Entities<sup>11</sup>, in force since 2013, and Supreme Decree 1597<sup>12</sup> require organisations to bring their statutes in line with government objectives, with severe penalties for non-compliance. Various international human rights mechanisms, including the UN Human Rights Council in the framework of the Universal Periodic Review<sup>13</sup>, have recommended that Bolivia amend these regulations to bring them in line with international standards, as they restrict freedom of association.

Every year, the organisation UNITAS conducts a National Consultation on the environment for CSOs<sup>14</sup>. In 2024, 38 organisations<sup>15</sup> reported that the country's legal framework does not facilitate their formation, registration and operation, due to processes that are "complex, lengthy, costly and subject to arbitrary decisions by public officials", especially against organisations critical of the government.

The La Paz Journalists' Association, for example, called the La Paz government "inefficient, negligent and discriminatory" for not approving its new statutes and legal status after 18 months of waiting.<sup>16</sup>

In 2023, the Ministry of Rural Development approved Resolution 060, which establishes conditions for NGOs to implement projects in the agricultural sector. This regulation obliges projects to be aligned with the national development plan and other government plans and establishes excessive control that infringes on freedom of association. The regulation is discretionary and restricts rights, without providing administrative resources for appeal. Furthermore, this regulation has not been adequately shared or made available to the public for awareness.<sup>17</sup>

## 3. Accessible and sustainable resources

The National Consultation on CSO enabling environment conducted by UNITAS in 2024 identified that financial support from development partners to civil society organisations "has decreased in terms of amounts and predictability/duration, making it difficult for CSOs to sustain their engagement in development and promotion and defence of right<sup>18</sup>". Regulatory and institutional barriers, cited in principle 2, also show that "many CSOs not only have to deal with complex registration and transfer approval processes, but also their own access to these resources is restricted", according to 86% of the participants in the consultation. NGOs

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<sup>10</sup> <https://www.bbc.com/mundo/articles/cv2geewxv0eo>

<sup>11</sup> [https://www.icnl.org/wp-content/uploads/Bolivia\\_ley351.pdf](https://www.icnl.org/wp-content/uploads/Bolivia_ley351.pdf)

<sup>12</sup> <https://www.lexivox.org/norms/BO-DS-N1597.html>

<sup>13</sup> A/HRC/WG.6/20/BOL/3 of 25 July 2014. Human Rights Council Working Group on the Universal Periodic Review (UPR) 20th session from 27 October to 7 November 2014. A/HRC/43/7 of 17 December 2019. 43rd session of the Human Rights Council, dated 24 February to 20 March 2020. A/HRC/WG.6/34/BOL/3 of 16 August 2019. Human Rights Council Working Group on the UPR 34th session from 4 to 15 November 2019.

<sup>14</sup> <https://redunitas.org/download-category/consulta-nacional/>

<sup>15</sup> Participation in the 2024 Consultation- 118 representatives of diverse organisations: indigenous peoples and social organisations (42% of the participants), human rights organisations and academia (21%), journalists (11%) and non-governmental organisations and international cooperation (26%).

<sup>16</sup> <https://www.brujuladigital.net/sociedad/2024/05/08/asociacion-de-periodistas-de-la-paz-denuncia-discriminacion-y-negligencia-de-la-gobernacion-demanda-que-gobernador-tome-cartas-en-el-asunto-33013>

<sup>17</sup> After 10 months of its approval, the norm is not published on the Ministry's website: <https://www.ruralytierras.gob.bo/>

<sup>18</sup> <https://redunitas.org/download/consulta-nacional-2024/>

must be registered in the Registro Único Nacional (RUN), which is managed by the Ministry of Development Planning, which grants the necessary legal status to formally operate in the country<sup>19</sup>.

The consultation also revealed that over 67% of respondents (79 people) felt that funding from development partners tends to focus on the implementation of their own programme priorities and thus does not contribute much to long-term programmes. Funding conditioned to external priorities limits the autonomy of organisations, reducing their effectiveness and affecting the defence of human rights on the ground.

## 4. State openness and responsiveness

Interaction between civil society and government in Bolivia is limited. There is little government consultation with CSOs about the design, planning and monitoring of national development policies. Bolivia's Law on Participation and Social Control (Law No. 341) provides the general framework for promoting citizen participation and social control in the country; however, its implementation remains limited.

More than 92% of individuals (109 people) who took part in the National Enabling Environment Consultation agreed that government consultation with civil society was either non-existent or of poor quality. While this is not a new feature, it reflects the worsening conditions of openness and responsiveness of the state.

The approval of the bill on access to public information in the Senate reflects progress towards a norm that facilitates the participation of CSOs in the design and monitoring of public policies, although it is of concern that it is not yet on the agenda of the Chamber of Deputies.

## 5. Political Culture and Public Discourses on Civil Society

Political disputes within the governing party, stemming from the rift between the Movimiento Al Socialismo (MAS) leaders, Evo Morales and President Luis Arce, have led to fragmentation and division among civil society organisations affiliated with this party, particularly affecting indigenous organisations, peasant groups, neighbourhood councils and parents. In 2024, the UNITAS Observatorio de Defensoras/es de Derechos documented five specific cases of such organisational splits in Bolivia<sup>20</sup>. These divisions, influenced by political disputes and the ruling party, negatively affect freedom of association and are evidence of clientelist networks and co-optation of leaders for political ambitions.

Government authorities have engaged in stigmatising rhetoric followed by acts of criminalisation against civil society organisations. For instance, Minister of Public Works, Edgar Montaña, delegitimised the blockades of the National Federation of Bolivian Transport Cooperatives, accusing them of attempting a "soft coup d'état"<sup>21</sup>. Similarly, The Mayor's Office of La Paz took legal action against the collective Mujeres Creando for throwing red paint on the statue of Isabel la Católica<sup>22</sup>. These government actions erode legitimacy and generate distrust towards the role of civil society.

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<sup>19</sup> D.S. 29308, ARTICLE 8.- (CONTRACTING OF NON-GOVERNMENTAL ORGANISATIONS). In order to be contracted for the execution of programmes and projects financed with donation resources, non-governmental organisations must comply with all the requirements legally stipulated by Bolivian legislation, in particular having an address in the national territory and a legal representative with a permanent address in the country, as well as having complied with the relevant registration in the National Register of NGOs, under the responsibility of the Vice-Ministry of Public Investment and External Financing.

<sup>20</sup> National Confederation of Indigenous Peasant Women of Bolivia - Bartolina Sisa, the Federation of Neighborhood Councils of El Alto, the Union Federation of Peasant Communities of Tarija, the Assembly of the Alteñidad and the Federation of Parents of El Alto. These data will be in the Observatory's 2024 report to be published in the first semester of 2025, however, statistical data are available in the Observatory's database: <https://redunitas.org/observatorio/base-de-datos/>.

<sup>21</sup> <https://www.lostiempos.com/actualidad/pais/20240531/montano-ratifica-invite-reunion-sector-transporte-habla-golpe-blando>

<sup>22</sup> <https://brujuladigital.net/sociedad/2024/10/12/arias-anuncia-acciones-judiciales-contra-mujeres-creando-que-vandalizaron-el-monumento-isabel-la-catolica-38483>

## Challenges and Opportunities

The upcoming national elections in Bolivia, to be held on 10 August 2025, could intensify political tensions, aggravating fundamental rights violations. Institutional co-optation and restrictions on protest and the press erode the rule of law and weaken democracy in Bolivia. Moreover, the lack of protection for human rights defenders perpetuates impunity. In this context, it is crucial to make the justice system independent and strengthen it to guarantee its impartiality and restore confidence in institutions.

On the other hand, the Legislative Assembly has the challenge, in the 2025 legislature, to pass the access to information law, which was approved by the Senate in 2024 and seeks, among other purposes, to increase transparency in public management, empower citizens, organisations, the media and other civil society actors to actively participate in public affairs.

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