

Bolivia

Western Hemisphere / **South America**

CAPITAL	TERRITORY	POPULATION (2020)	GDP TOTAL (2020)	GDP PER CAPITA (2020)	INCOME GROUP
La Paz (administrative); Sucre (legislative/ judiciary)	1,083,300 km²	11,673,029.00	\$36.69B USD	\$3,143.04 USD	Lower middle income

Convention Implementation

62.7

In progress

18th of 31 western hemisphere
8th of 12 South American countries

Prevention

41.7

Core-deficient

Criminalization and law enforcement

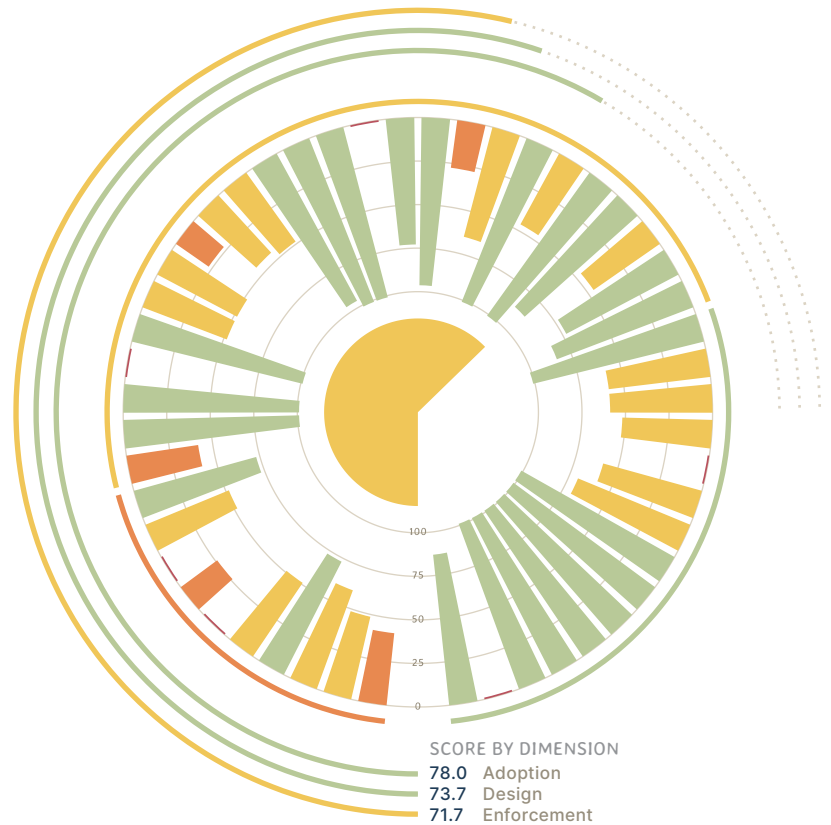
65.6

In progress

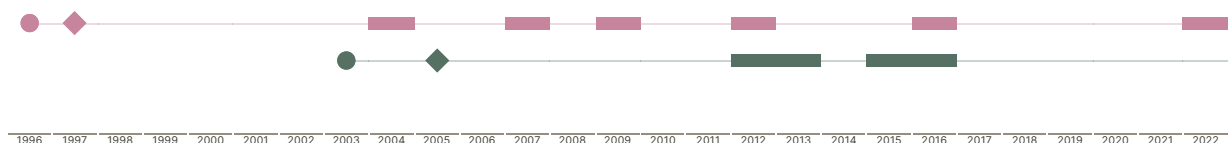
International cooperation

71.9

Implemented



Anti-corruption conventions timeline



CONVENTIONS

- IACAC - Inter-American Convention Against Corruption
- UNCAC - United Nations Convention against Corruption
- OECD Anti-Bribery Convention

KEY EVENTS

- Signed
- Ratified/ acceded
- Review rounds

Prevention

Core-deficient

41.7

✓ Adoption 70.0 ✎ Design 56.7 ⌚ Enforcement 56.7

Standards of Conduct Core-deficient 40.6 ✓ 75.0 ✎ 66.7 ⌚ 50.0	Enforcement of Standards of Conduct In progress 47.7 ✓ 75.0 ✎ 83.3 ⌚ 50.0	Training of Public Officials In progress 59.4 ✓ 75.0 ✎ 66.7 ⌚ 83.3	Asset and Conflicts of Interests Declarations In progress 71.9 ✓ 100.0 ✎ 66.7 ⌚ 100.0	Transparency in Government Contracting In progress 50.0 ✓ 75.0 ✎ 66.7 ⌚ 66.7
Elimination of Favorable Tax Treatment No implementation 0.0 ✓ 0.0 ✎ 0.0 ⌚ 0.0	Oversight Bodies Core-deficient 25.0 ✓ 100.0 ✎ 66.7 ⌚ 16.7	Measures to Deter Domestic and Foreign Bribery No implementation 0.0 ✓ 0.0 ✎ 0.0 ⌚ 50.0	Encouraging Participation by Civil Society In progress 50.8 ✓ 100.0 ✎ 83.3 ⌚ 50.0	Study of Other Preventive Measures In progress 71.9 ✓ 100.0 ✎ 66.7 ⌚ 100.0

Criminalization and law enforcement

In progress

65.6

✓ Adoption 77.0 ✎ Design 73.3 ⌚ Enforcement 76.7

Protection of Those who Report Acts of Corruption Core-deficient 40.6 ✓ 75.0 ✎ 66.7 ⌚ 50.0	Scope Implemented 100.0 ✓ 100.0 ✎ 100.0 ⌚ 100.0	Jurisdiction: Offense-in-Territory Implemented 100.0 ✓ 100.0 ✎ 100.0 ⌚ 100.0	Jurisdiction: Offense-by-National No implementation 0.0 ✓ 0.0 ✎ 0.0 ⌚ 0.0	Jurisdiction: Offender-in-Territory Implemented 100.0 ✓ 100.0 ✎ 100.0 ⌚ 100.0
Passive Public Bribery In progress 50.8 ✓ 100.0 ✎ 83.3 ⌚ 50.0	Active Public Bribery In progress 50.8 ✓ 100.0 ✎ 83.3 ⌚ 50.0	Abuse of Functions Core-deficient 21.9 ✓ 50.0 ✎ 33.3 ⌚ 50.0	Money Laundering Core-deficient 43.8 ✓ 100.0 ✎ 66.7 ⌚ 50.0	Participation and Attempt In progress 47.7 ✓ 75.0 ✎ 83.3 ⌚ 50.0
Active Foreign Bribery Implemented 95.3 ✓ 75.0 ✎ 100.0 ⌚ 100.0	Illicit Enrichment Implemented 100.0 ✓ 100.0 ✎ 100.0 ⌚ 100.0	Use of State Property Implemented 100.0 ✓ 100.0 ✎ 100.0 ⌚ 100.0	Illicit Acquisition of a Benefit No implementation 0.0 ✓ 0.0 ✎ 0.0 ⌚ 0.0	Public Embezzlement In progress 71.9 ✓ 100.0 ✎ 66.7 ⌚ 100.0
Passive Foreign Bribery Implemented 95.3 ✓ 75.0 ✎ 100.0 ⌚ 100.0	Private Bribery Core-deficient 26.6 ✓ 75.0 ✎ 33.3 ⌚ 50.0	Private Embezzlement In progress 64.1 ✓ 50.0 ✎ 66.7 ⌚ 100.0	Obstruction of Justice Implemented 100.0 ✓ 100.0 ✎ 100.0 ⌚ 100.0	Liability of Legal Persons In progress 45.3 ✓ 50.0 ✎ 66.7 ⌚ 66.7
Statute of Limitations Implemented 100.0 ✓ 100.0 ✎ 100.0 ⌚ 100.0	Prosecution, Adjudication and Sanctions Implemented 85.9 ✓ 100.0 ✎ 83.3 ⌚ 100.0	Consequences and Compensation In progress 45.3 ✓ 25.0 ✎ 50.0 ⌚ 100.0	Cooperation With Law Enforcement In progress 71.9 ✓ 100.0 ✎ 66.7 ⌚ 100.0	Asset Recovery Implemented 82.8 ✓ 75.0 ✎ 83.3 ⌚ 100.0

International cooperation

Implemented

71.9

✓ Adoption 85.0 ✎ Design 85.6 ⌚ Enforcement 73.3

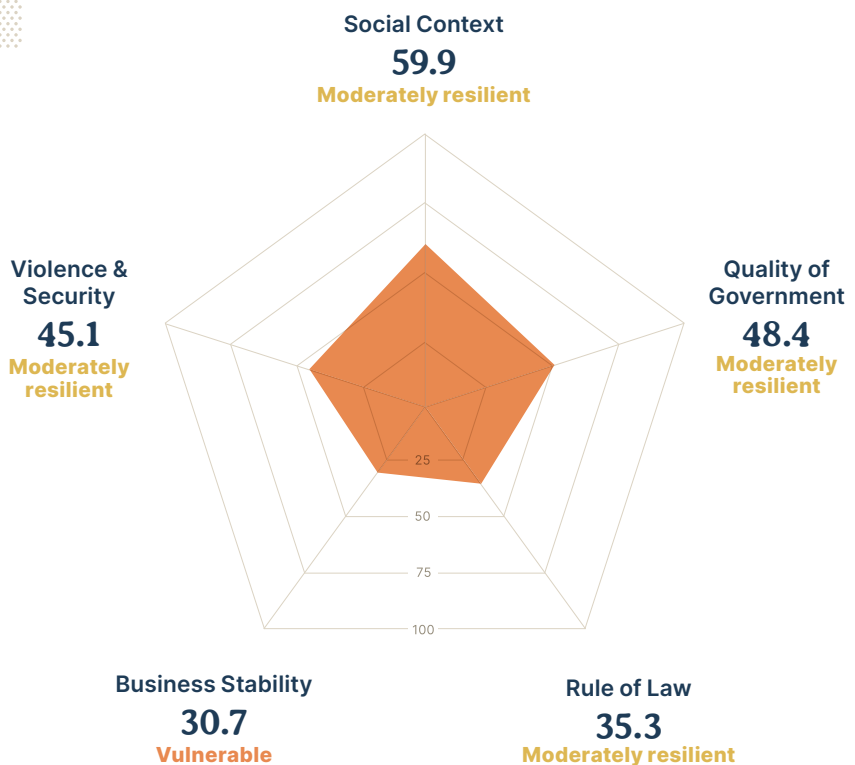


Corruption Resilience

43.9

Vulnerable

25th of 31 western hemisphere
11th of 12 South American countries



Analysis

Convention Implementation

Bolivia signed the Inter-American Convention Against Corruption (IACAC) on March 29, 1996, and ratified it on January 23, 1997. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2001. The country also signed the United Nations Convention Against Corruption (UNCAC) on December 9, 2003, and subsequently ratified it on December 5, 2005. Accordingly, Bolivia has undergone six rounds of review under MESICIC, and one round of review under the UNCAC review mechanism.

Bolivia's record in implementing its commitments to IACAC and UNCAC exhibits a number of successes but also a modicum of failures. With an overall score of 62.7, the measures adopted place the country at the middle point of compliance with international norms, surrounded by Paraguay (60.8), Venezuela (61.0), Panama (63.5), and Jamaica (65.1). Despite achieving higher success in regard to criminalization and international cooperation (as is the case throughout the region) over half of all preventive measures are found to be in progress while a number of measures in the former sections receive failing scores.

The prevention of corruption is deficient but not totally lacking, classified as “core-deficient” by its average score and with two measures found absent—i.e., the elimination of favorable tax treatment for corrupt expenditures and measures to deter domestic and foreign bribery related to accounting regulations, for which the country does not have specific legislation and did not present results. However, aside from these and the state of oversight bodies (25.0) and standards of conduct (40.6) all other provisions in this section are found to be in progress. Considering them across all three sections, preventive measures account for precisely one third of all underdeveloped measures in the country.

In terms of criminalization and law enforcement, Bolivia shows better results than those regarding prevention, although significant deficiencies remain. The country has not adopted sufficient protection for those who report acts of corruption (i.e., whistleblower protection), established international jurisdiction over offenses committed by a national, extended the range of predicate offenses for money laundering to include those involving the private sector, or specifically criminalized the abuse of functions, bribery in the private sector, or the illicit acquisition of a benefit (i.e., influence trading). Other measures, such as the active and passive bribery of foreign officials and illicit enrichment has been fully

or largely implemented, and the criminalization of embezzlement in the private sector shows encouraging results (although still in progress). Overall, almost half of all the measures in this section are found to comply with Bolivia's international commitments, resulting in an average section score of 65.6.

Bolivia is found generally compliant with its commitments regarding international cooperation, with only two measures remaining fully unimplemented: the regulation and application of special investigative techniques such as electronic surveillance, undercover operations, and others; and the possibility of prosecuting corrupt offenses when an extradition request has been denied. Regarding the latter, the country reported during its third round of review of MESICIC that the lack of legislation on the matter meant that “it is not obliged to bring the case to the attention of its domestic authorities for prosecution, much less report the final outcome to the requesting country.” Concerning other measures in this section, a majority of them are found to be implemented, with only five measures still in progress.

Finally, the review of implementation and/or enforcement activities pertaining to several measures contained in this report could not be elaborated on due to the lack of information. Bolivia is frequently cited during MESICIC rounds as providing little or no statistical information to assess the level of implementation of legally adopted measures. In following up on past recommendations, the review conducted during the fifth round of MESICIC reports that “the country under review said there was no progress to report on implementation of the foregoing recommendation, so that the Committee reiterates the need to pay additional attention to its implementation.” The limited amount of statistical data is also highlighted by the UNCAC review mechanism. While lack of monitoring and data collection mechanisms is not solely found in Bolivia, the issue is worth emphasizing in order to support a more detailed and effective assessment.

Corruption Resilience

In 2020, Bolivia saw an increase in its social context indicator by 1.7 points from 2019, improving civil liberties and media freedom. Despite increases in its social context indicator, the country's score remains below the average of 64.9 for the region. In 2010, Bolivia's social context indicator was 62.1, the highest score it had achieved in a decade, whereas between 2011 and 2020, the country's score varied by +/- 2.50 points. The decline in the country's score can be credited to the practice of freedom of expression within the country. For example, the Bolivian constitution

guarantees freedom of expression—however, in practice, the media’s restrictions are constrained when media outlets are critical of the government. Additionally, the political rights of indigenous groups within the country are overlooked, despite having constitutional protection.

In terms of the quality of government and institutions, Bolivia’s 2020 score declined by 1.2 points from the previous year. The country’s indicator score fell below the Western Hemisphere average for 2020 by 2.2 points. Since 2010, the country’s score has been on a decline, especially after 2016. Bolivia’s score can be attributed to a limited guarantee of fundamental rights, quality of bureaucratic systems, and constraints to the government, to name a few deficiencies. The country’s low score is primarily caused by a lack of control over corruption and the 2019 political crisis, where President Evo Morales ignored the country’s two-term limit.

Bolivia’s rule of law indicator declined by 1.6 points from the previous year and falls within the lower percentile for the Western Hemisphere. The country’s score fell below the regional average by 15.8 points for 2020. Since 2010, Bolivia’s score has been

declining. The country’s low score is impacted by how judicial appointments take place, commonly during highly politicized (popular) elections that are conducive to corruption.

In 2020, the country’s business stability indicator decreased by 1.0 points from the previous year. Bolivia’s indicator score falls below the 25th percentile for the Western Hemisphere and 19.8 points below the regional average. The decline in Bolivia’s business stability indicator results from a lack of efficiency in their business regulatory system and transparency of government policies. Bolivia’s score has been consistently low since 2010, where the country’s decade average reached 30.6 points, with the highest score in 2019 of 31.7 points.

In 2020, Bolivia’s violence and security score was 45.1 points—a 10.9-point decline from the previous year. The country’s score falls within the lower percentile for the Western Hemisphere and is one of the worst performers in violence and security across the region. The violence and security indicator for Bolivia varied throughout the decade—reaching its lowest score of 44.5 in 2016 and its highest of 63.7 in 2018.