



BOLIVIA REPORT
Follow-up on the Lima Agreement,
Citizen Corruption Observatory

Image: Fundación CONSTRUIR



Country: Bolivia



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"The content of this country report is the sole responsibility of Fundación CONSTRUIR, Estudios D, BoliviaGay PuntoCom and does not necessarily reflect the opinion of the CSOs that participated in the commitment rating process."



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Document Acronyms

CCO = Citizen Corruption Observatory

LACND: Latin American and Caribbean Network for Democracy

CFA = Citizen Forum of the Americas

CSPSA = Civil Society Participation in the Summit of the Americas

CSO = Civil Society Organizations

OAS = Organization of American States

NGO = Non-Governmental Organization





Introduction

The main purpose of the project entitled "Citizen Corruption Observatory (CCO) - Follow-up on the Lima Agreement" is to strengthen the Citizen Forum of the Americas (CFA) by co-creating, together with the Latin American and Caribbean Network for Democracy (LACND) and the Citizen Forum of the Americas (CFA), an observatory that provides technical support for the implementation of the Project entitled: "Civil Society Participation in the Summit of the Americas (CSPSA). Within the framework of the activities developed by the CCO, the progress of the Lima Agreement was monitored using a methodology that took into account both policy and practical developments, and which was based on the participatory discussion of different civil society organizations in each of the 19 countries participating in this process.

The CCO is made up of a coalition of civil society organizations and social actors of the continent, created to follow up on compliance with the agreements adopted by the governments of the hemisphere at the VIII Summit of the Americas held in 2018 in Lima, Peru. The Lima Agreement, "Governance against Corruption," a document resulting from the Summit, provided an opportunity to endorse and ratify previous international commitments on anti-corruption issues.

In this sense, the national report aims to present a summary of the results and conclusions of the follow-up on the progress and/or fulfillment in Bolivia of the commitments assumed in the 2018 Summit, prepared based on the Lima Agreement follow-up methodology document¹ and the review of information carried out by 9 Bolivian civil society organizations. All information collected within the framework of follow-up can be consulted on the CCO website².

The follow-up on the Lima Agreement methodology allows civil society to assess the progress and/or compliance with the 19 commitments prioritized³ by the CCO for follow-up on each of the countries participating in this observatory. The follow-up is based on the review of developments at both the policy⁴ and practical levels made by national governments over the last two years in respect of the commitments made in the fight against corruption.

At the policy level, the current legislation was reviewed, based on 75 guiding questions regarding constitutional, legislative and jurisprudential developments. The analysis of practice consists of the review of concrete measures taken by the government in response to the commitments made. For this purpose, 64 questions were constructed, which were answered through requests for information, interviews, reference to media reports, reports and research

¹ The methodology is available at: <https://occ-america.com/metodologia/>

² Available at: <https://occ-america.com/>

³ The 19 commitments were prioritized considering the possibility to perform compared analysis in all CCO participating countries.

⁴ The CCO built a first balance sheet on regulatory indicators at the regional level. The document is available at: <https://occ-america.com/2021/07/29/primer-informe-del-observatorio-ciudadano-de-corrupcion-revela-avances-y-retos-normativos-para-la-lucha-anticorrupcion-en-la-region/>



on the subject, among others. This information is the basis for evaluating each commitment in terms of effectiveness, efficiency and sustainability⁵.

Participating Organizations

The follow-up on the Lima Agreement methodology was a participatory process since it was civil society organizations, with the company and advice of all the organizations that are aware of the anti-corruption issue, which promoted the follow-up and monitoring of the Lima Agreements. Likewise, throughout the process, validation exchanges and recommendations were promoted with organizations that are part of the Citizen Forum of the Americas. The organizations that comprised the Citizen Corruption Observatory in Bolivia were provided with small research funding that allowed them to develop monitoring and follow-up, as well as to assign a researcher responsible for the initiative. In this regard, the organizations that comprised the CCO in Bolivia were the following:



Fundación CONSTRUIR is a Bolivian non-profit civil organization that develops research, education, communication, deliberation, monitoring and social advocacy in order to contribute to coordinating and promoting actions, as well as strategies that generate citizen participation processes to strengthen access to justice and democratic, social and economic development with gender equity.

Fundación “CONSTRUIR” was born and is instituted as a long-term national mechanism that facilitates the sustainability of the efforts made and the capacities developed. In this line, it is part of the Citizen Corruption Observatory (CCO) as a focal organization in Bolivia that implements the CCO project and facilitates the actions of civil society organizations.



Red de Participación Ciudadana y Control (Red PCCS) is an organization of about 40 institutions engaged in the promotion of citizen participation and social control, organized as a Network since 2001. It is made up of 10 regional groups, Amazonia, Trinidad, Chaco, Santa Cruz, Tarija, Cochabamba, Chuquisaca, La Paz – El Alto, Oruro, and Potosí, through which it reaches the entire country.

Red PCCS, through its affiliated institutions, works with strategic civil society actors, such as neighborhood and school boards, women's organizations, original indigenous farming communities, municipal authorities and citizens in general, strengthening their capacities for political advocacy in the regional, departmental and national context.

Red PCCS belongs to FCA's Civil Society Organizations since 2018.

⁵ The methodological aspects of this rating will be presented in greater detail in the report.



Somos Sur is a civil society organization that, through an alternative space of (in)formation of Bolivia carries out education and communication activities since October 2005. Its role as a CCO was to monitor the financial aspect, relating it to regulations on accountability issues.



Estudios D is a research team that, from the city of Cochabamba, is committed to presenting to the public the different academic and cultural activities that are performed within the framework of the study of issues related to sexual and gender diversities. It is part of Coordinadora TLGB de Cochabamba (TLGB Coordinator of Cochabamba). Within the framework of the Citizen Corruption Observatory (CCO), Estudios D developed actions in collecting and rating practical indicators.



BOLIVIAGAY PUNTOCOM is a Facebook page with a history of 20 years (2001 - 2021) because it was born at the beginning of the century as the first website in the country engaged in alternative LGBT communication under the name www.boliviagay.com. In 2011, it changed its platform to Facebook as Boliviagay Puntocom and continued its communication role. It is an effort of gay activist Willmer Galarza, who has maintained the intellectual independence of entrepreneurship for all this time, also carrying out actions around activism, human rights defense, organizational strengthening, education, research and very involved in the processes of political advocacy of LGBT movements in Bolivia.

Within the framework of the Citizen Corruption Observatory (CCO), Boliviagay Puntocom performed actions in collecting and rating practical indicators.



Movimiento Transfeminista Bolivia, Feminist Movement that brings together non-profit transgender and transsexual women's organizations in Bolivia.

Within the framework of the Citizen Corruption Observatory (CCO), *Movimiento Transfeminista Bolivia* performed actions in collecting and rating practical indicators and real access of the population to public information, according to vulnerable populations.





GUARDIANA

Guardiana is a Bolivian digital media: guardiana.com.bo. It is not generalist. It is at the service of the human rights of the population, peace and justice.

Guardiana research journalists reviewed Bolivia's progress in relation to the commitments assumed in Lima (Peru) in 2018, based on indicators proposed and used in other countries and adjusted in Bolivia by Fundación Construir to carry out both qualitative and quantitative monitoring, which led to a set of conclusions promoting the fulfillment of such commitments, so the Bolivian State is more transparent in its rules, actions and relations with the population and can work more collaboratively with other states.

Within the framework of the Citizen Corruption Observatory (CCO), *Guardiana* performed actions in collecting and rating practical indicators.



Fundación Veeduría Ciudadana de los Derechos Humanos (FVCDDHH) is a non-profit civil society organization, based on volunteerism, created to control and promote the exercise and respect of Human Rights. In this sense, it carries out follow-up, information, training and research activities, with partnerships with and support from institutions whose objectives are similar.

To carry out this work, it has committed volunteers, professional specialists who have worked more than 15 years in this area of work, and whose experience results in an updated and solid management of the different work issues.

Within the framework of the Citizen Corruption Observatory (CCO), *Veeduría Ciudadana de Derechos Humanos* performed actions in collecting and rating practical indicators.



Junta Vecinal Tabladita is a Territorial Base Organization (TBO) located at Distrito 13 in the city of Tarija, Bolivia, which brings together residents of the neighborhood. Its objective is to ensure the development of the neighborhood and the good living of all its inhabitants. It is a legally established social organization, with legal status No. 0255/95, and is part of the Departmental Federation of Neighborhood Boards of Tarija. The social organization has a long history of struggles and demands in defense of the rights of residents of the neighborhood, their cultural identity and the development of public infrastructure, such as drinking water, sewerage, public lighting, electricity and other public works. The neighborhood is made up of more than 5,000 inhabitants, mostly migrants from the departments of Potosí, Chuquisaca and Tarija.

Within the framework of the Citizen Corruption Observatory (CCO), *Junta Vecinal Tabladita* performed actions in collecting and rating practical indicators.





Colectivo Angirü is a non-profit organization for promotion and comprehensive development that seeks to promote the rights and active participation of adolescent and young women (men and women) from the rural area (peasants and indigenous people), as well as from the urban area (popular urban neighborhoods and migrants) of the department of Tarija, for the exercise of human rights, youth rights, gender equality, climate action, entrepreneurship, identity and culture; thus becoming agents of transformation of the economic, political, social, cultural, environmental development of the social and community fabric to which they belong from the protagonist action of young people. Moreover, individual and collective dimensions are emphasized to create conditions towards a new egalitarian social order, within the framework of the Political Constitution of the State and international instruments for the defense and promotion of human rights.

Within the framework of the Citizen Corruption Observatory (CCO), *Colectivo Angirü* performed actions in collecting and rating practical indicators.

Context of Bolivia

After the Summit of the Americas in 2018, at the end of 2019, political and social crises took place in Bolivia. After the October elections, the country was plunged in a series of protests and counterprotests, demands, and social conflicts that led to a series of unfortunate events for the population in general (BBC, 2019). The problems experienced originate in prior actions and phenomena.

The constitutional reform of 2009 ushered into an inclusive, democratic, intercultural process of Transformation from the Republican State to the Plurinational State, with the intention of solving long- and short-term problems in Bolivia. One of the central aspects was to reform the structure of the State to banish, among others, corruption in the country. Thus, with the constitutional change, there was a process of transition and generation of new provisions contained in the Constitution, and a series of laws and decrees on transparency and the fight against corruption were adopted. One of the main goals was the restructuring of justice and one of the great promises was the new method to elect high judicial authorities motivated by institutional insufficiencies and political dependencies of the administrators of justice (Pásara, 2014). This institutional novelty goes through a candidate pre-selection process by the Plurinational Legislative Assembly, based on an evaluation defined by the same entity – at least by two thirds of it – for selection before citizens through an electoral process. The results of the first Judicial election of 2011 had little level of acceptance⁶, although from different perspectives or with different arguments (Pásara, 2014) that in the next election held in 2017, some changes were made that seemed promising, (Foundation for Due Process,

⁶ In the 2011 judicial election, null and white votes reached 60%, compared to 40% of valid votes.



2018). However, void ballots and the predominance of the place of the ballot are the main explanation for the results obtained by winners (Driscoll & Nelson, 2019).

These proposals and the negative evaluations of the new way of selecting judges denoted a symptom of the entire administration of justice that found its greatest signs of problems later in critical moments. One of the most striking events was the dismissal of judges. The demand for transformation of justice led to a law that considered judges appointed before 2009 as "transitory"⁷ and was used for the dismissal of almost a hundred justice operators from 2017 to 2019 alone, many of them arbitrarily (Human Rights Watch, 2019). The failure of judicial elections and the exploitation of the need for reform to appoint and control the administration of justice, among others, led to the disobedience of the results of a binding referendum on re-election with a ruling by the Plurinational Constitutional Court (TCP, by its Spanish initials). This triggered a reaction among several civil society organizations and activist networks at the regional level (REDLAC, 2017) and the Bolivian citizens themselves, but the actions did not desist.

In 2019, as a result of the October electoral process that showed little transparency, leading to allegations of fraud and the interruption of Evo Morales' mandate that led to reports of a coup d'état polarizing the country and even the international community and the academy itself in contrary positions regarding both complaints. These events led to establishing a transitional government that formally had to confine to calling new elections, but which, in practice, partly due to the postponement of the election date, was more than interim (Wolff, 2020).

During the transitional government, the human rights situation became critical (Human Rights Watch, 2019), even so with the arrival of the pandemic and the adoption of measures contrary to the preservation of the validity of basic human rights, even in an emergency context (Human Rights Watch, 2020; REDLAC, 2020). Although the country was going through a peak stage of political polarization, where one side justified acts of abuse and the other criminalized actions as recent events, an intermediate and objective point showed that the politicization of justice carried out years ago was being used by the current new government, thus evidencing a structural problem (Human Rights Watch, 2020).

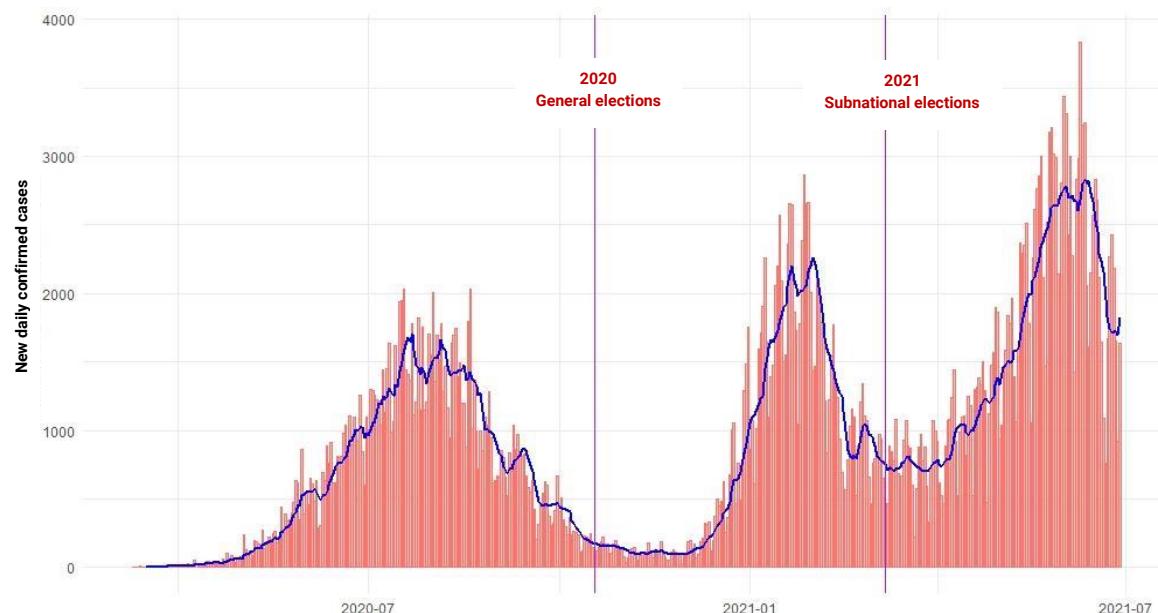
Once the 2020 General Elections were held, finally in October (more than 5 months later than originally proposed), a new government was formed. On this occasion, Movimiento Al Socialismo (Movement to Socialism) won the elections again, this time with Luis Arce (former Minister of Economy), as President, and David Choquehuanca (former Minister of Foreign Affairs), as Vice President. In this context of transitions, the judicial apparatus that had accepted as constitutional the constitutional succession that led Añez to the interim presidency (ANF, 2019) and that had been used against the militants and sympathizers of the MAS (Human Rights Watch, 2019) moved to indict former authorities of the transitional government through an irregular process (Muñoz Acebes & Vivanco, 2021). This scenario of

⁷ Law 003, Law on the Need for Transition to new Entities of the Judicial Branch and Public Prosecutor's Office, dated February 13, 2010.

problems for the rule of law was compounded by a decree of selective impunity for charges filed during the transitional government (Human Rights Watch, 2021).

Throughout this time, the COVID-19 pandemic has affected Bolivia with three waves to date (see Graph 1). In addition to the aforementioned measures contrary to human rights, two electoral processes have been held: the 2020 General Elections and the 2021 Subnational Elections. The former had greater complications since it suffered different postponements (from May to October), which triggered a series of protests and conflicts. The second process, on the other hand, developed more normally with the application of a series of biosecurity measures that had already been incorporated in the national elections a few months earlier.

Graph 1. Evolution of the COVID-19 pandemic in Bolivia



Source: Prepared by author based on data from <https://www.boligrafica.com/>

Results for Bolivia

As a result of the VIII Summit of the Americas, a process in which the Citizen Forum of the Americas had an active participation, the countries of the region signed the Lima Agreement, entitled "Democratic Governance against Corruption," which established 57 commitments, in order for member states to implement concrete actions to build citizen's trust in institutions and reduce the negative impact of corruption on the effective enjoyment of human rights and sustainable development of the peoples in the American hemisphere.

For follow-up, four criteria were taken into account to select the commitments: they should be representative to analyze the anti-corruption actions in the countries of the region; they should be actions that are sustainable over time and offer the possibility of institutionalization; they should include new approaches into anti-corruption actions; and they should include the perspective of a population in a condition of vulnerability. As a result, 19 commitments were selected, classified into 5 specific topics:

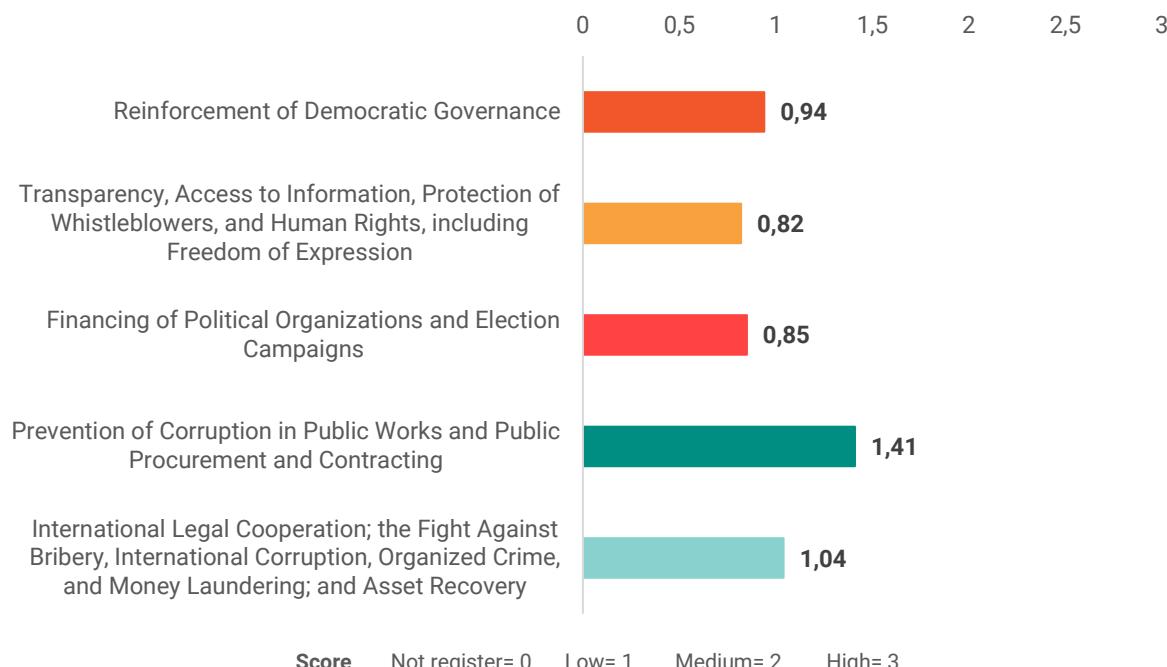
- A. Reinforcement of Democratic Governance.
- B. Transparency, Access to Information, Protection of Whistleblowers, and Human Rights, including Freedom of Expression.
- C. Financing of Political Organizations and Election Campaigns.
- D. Prevention of Corruption in Public Works and Public Procurement and Contracting.
- E. International Legal Cooperation; the Fight Against Bribery, International Corruption, Organized Crime, and Money Laundering; and Asset Recovery.

These commitments were analyzed by identifying policy and practical developments which were rated on a scale⁸ of 0 to 3, taking into account the follow-up criteria below:

- **Effectiveness:** Establishes to what extent the actions developed by the government as a result of the Lima Agreement contribute to the fight against corruption in the country.
- **Relevance:** Establishes to what extent the actions developed by the government are timely, convenient and adequate according to the economic, institutional and/or social context of the country.
- **Sustainability:** Determines to what extent the actions carried out to fulfill the commitment will have continuity over time.

Graph 2 shows the overall results obtained for Bolivia in the five topics in which the commitments are classified:

Graph 2⁹. Results by topic of the Lima Agreement.



Prepared by author on the basis of information provided by CSOs participating in the CCO Platform.

⁸ Rated on a scale from 0 to 3: 0 = no records, 1 = low, 2 = medium, and 3 = high

⁹ The colors used in the graphs of this document are based on the colors assigned to each of the thematic axes by the CCO and do not correspond to a numerical scale.



The general results by thematic axis of the Lima Agreement in Bolivia show a low compliance scenario, where among all the topics addressed there is an average score of one out of three. However, this average is comprised of diverse scores by topic. The lowest scores are the topics on "Transparency, Access to Information and Protection of Whistleblowers" and "Financing of Politics" with 0.82 and 0.85 points, respectively. At the other end, the highest-rated topic is "Prevention of Corruption in Public Works" with 1.41 points. Between these ends are positioned the other two topics ("Reinforcement of Democratic Governance" and "International Legal Cooperation").

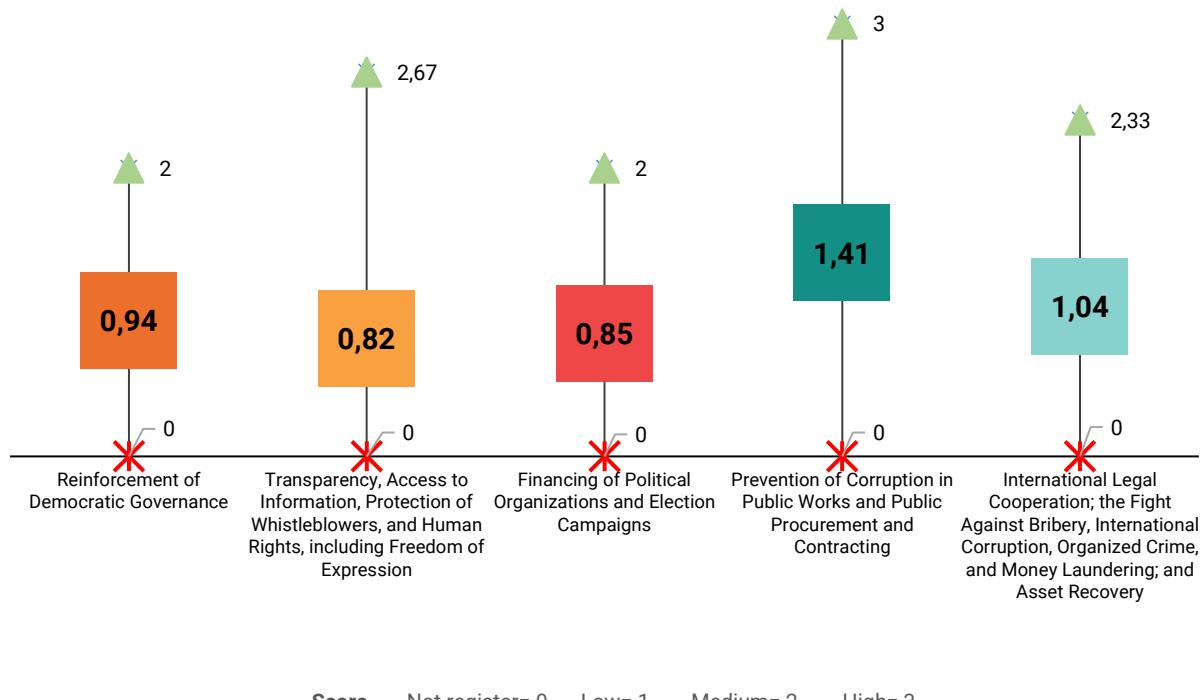
Likewise, in relation to the topic on Reinforcement of Democratic Governance, what was mentioned by Amparo Canedo, researcher of Guardiana, stands out. Regarding this thematic axis, which obtained the low scores, she said there is no significant progress in practice in this area over the last three years.

On the contrary, Commitment No. 7 on the cross-cutting gender approach in anti-corruption policies, being the best rated in Bolivia, also poses challenges to involve women in the definition of anti-corruption policies. The cross-cutting gender approach in almost all areas is a pending issue.

On the other hand, in relation to topic two on: Transparency, access to information, protection of whistleblowers, and human rights, including freedom of expression, researcher Wilson Santiesteban of Colectivo Angirü, said that in practice it can be evidenced that there was low progress, especially by the inclusion of transparency units in all institutions of the Bolivian State and the generation of complaint channels through electronic forms. In practice, however, they have not been widely disseminated enough to enable citizens to access and participate actively in the fight against corruption.

The coalition of organizations Somos Sur, Estudios D, BoliviaGay PuntoCom, Movimiento Transfeminista Bolivia, and researcher Wilmer Galarza pointed out that in the follow-up on the Lima Agreements, the low score obtained by all commitments in practice indicators, in contrast with and compared to the results obtained in regulatory progress, stands out. They show that, on a day-to-day basis, there is no substantial change that foresees changes of transformation or evolution, including the human component.

Graph 3. Results by topic of the Lima Agreement (Minimum rating, maximum rating, and average rating)



Prepared by author on the basis of information provided by CSOs participating in the CCO Platform.

Graph 3 explores average results for each topic, paying attention to the maximum and minimum ratings in each case. It is important to make some clarifications. First, it is necessary to understand the elements of these evaluations, such as the sum of different criteria rated within each topic (this detail is addressed below). Second, these results come from citizen evaluations, so it is possible to infer a certain degree of agreement or disagreement based on the range between the minimum and maximum rating (if the range is wider, the level of agreement was lower, and vice versa). Third, the average position within the range can also help identify where most evaluations pointed. Although there are other statistical tools to analyze the dispersion of a data set, this simple strategy has been chosen to facilitate the reading and understanding of the following graph.

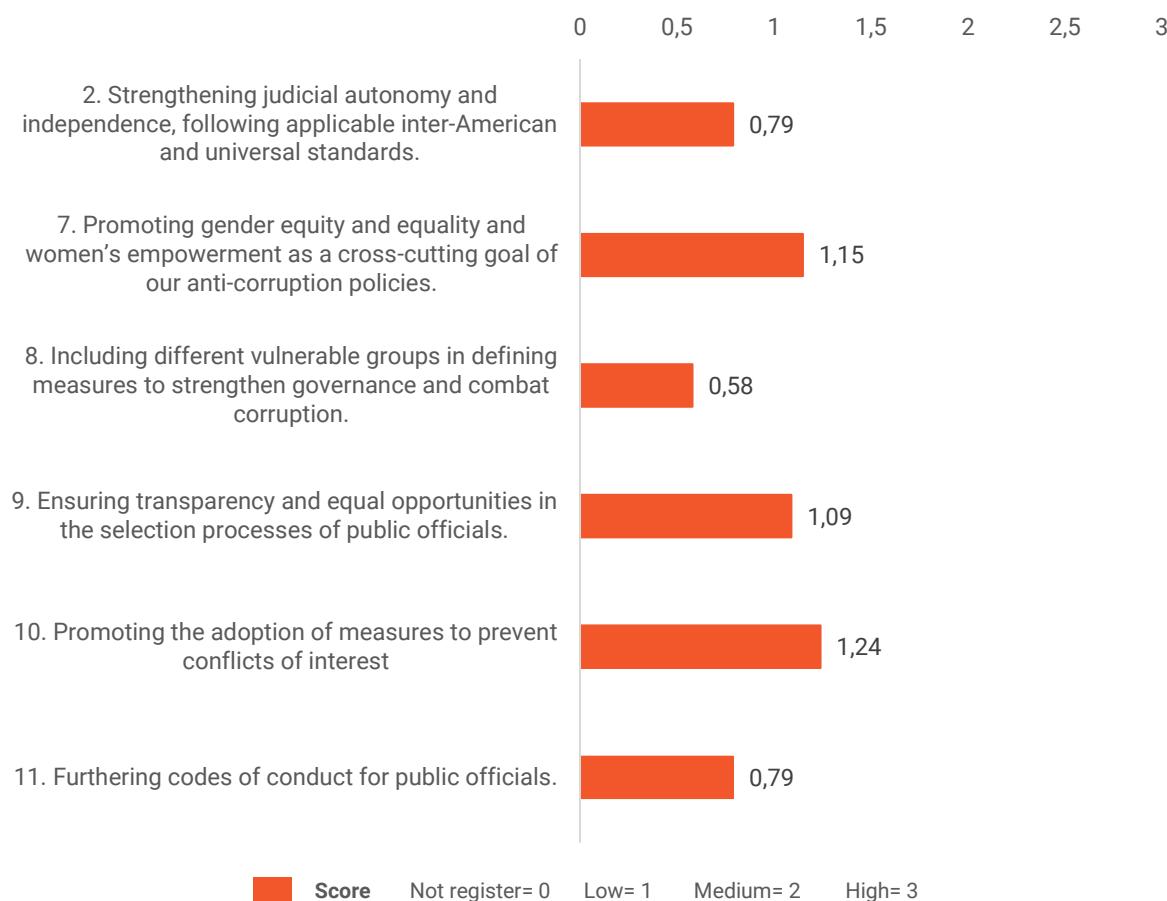
All topics bringing together the commitments to be rated have minimum scores of 0 points, while the maximum ratings range from 2 to 3 points and some intermediate steps. The thematic axes of "Reinforcement of Democratic Governance" and "Financing of Political Organizations and Election Campaigns" are the ones with the greatest consensus as they both have the smallest range between the minimum and maximum ratings. These topics are among the worst rated. On the other hand, the topic on "Prevention of Corruption in Public Works and Public Procurement and Contracting" is the one that garnered the least consensus due to its wide range between the minimum and maximum rating, but it is also the best rated topic of all. Finally, it should be pointed out that the topic on "Transparency, access to information, protection of whistleblowers, and human rights, including freedom of

expression,” being the one with the worst average score, has the second widest range. This apparent paradox results from the majority of ratings scoring low on commitments and criteria on this topic, with a few exceptions that best evaluated some components.

Because each topic is composed of a series of commitments and, at the same time, each commitment is defined from a series of criteria, the results for each of them are presented below.

1. Reinforcement of Democratic Governance.

Graph 4. Results of Commitments Related to Reinforcement of Democratic Governance.



Prepared by author on the basis of information provided by CSOs participating in the CCO Platform.

The results of the rating of the commitments of this topic have their greatest development in terms of regulations. The qualitative elements of this process account for the existence of rules that are favorable to most commitments. However, two problems arise in these ratings. The first problem refers to the lack of updated regulations since most of the developments are prior to 2018. The second problem relates to the gap between rule and practice, with the second component being the most delayed. The latter is confirmed quantitatively by



observing that, while 50% of regulatory indicators are present, only 24.3% of practice indicators have an affirmative rating.

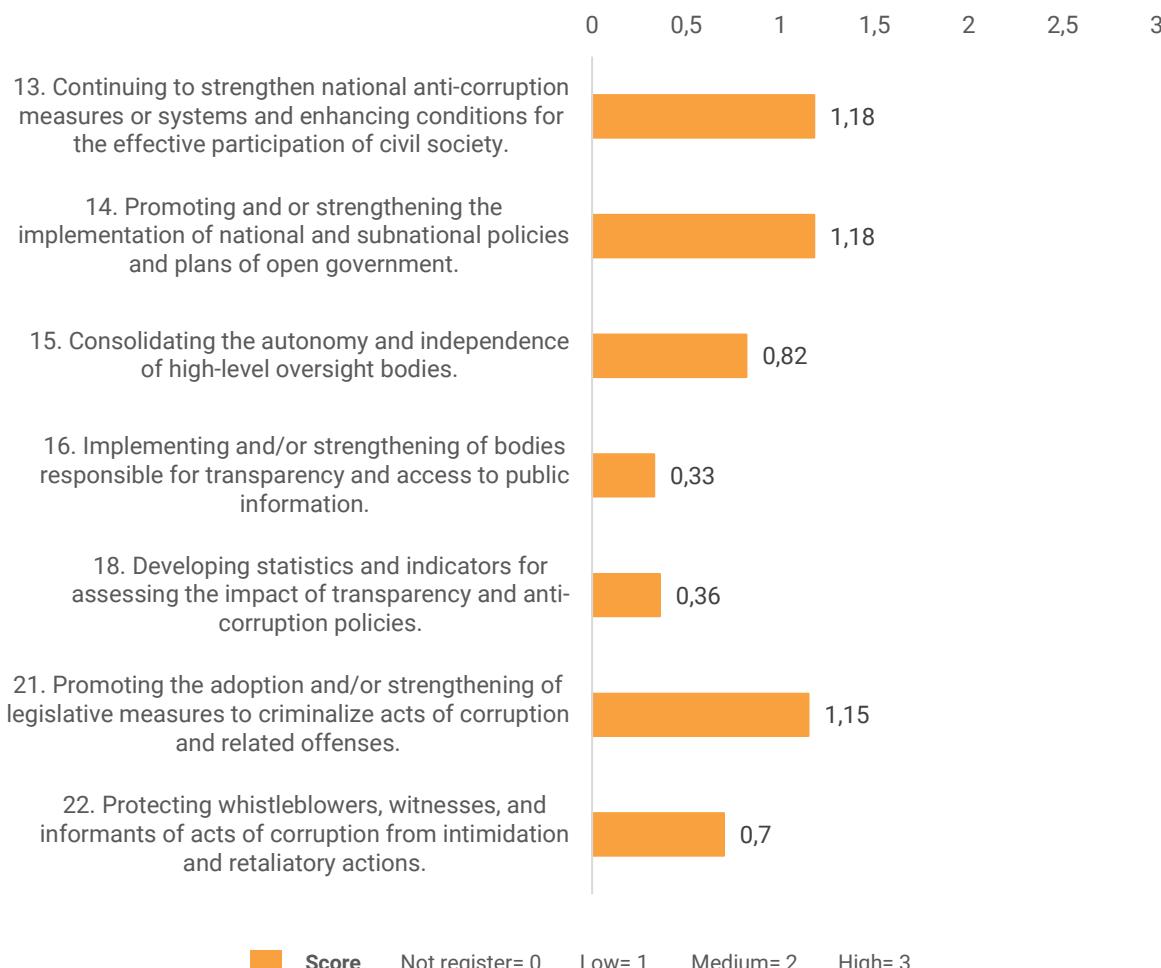
The best rated commitment in this topic is No. 10 "Measures for the prevention of conflicts of interest from specific instruments" with an average score of 1.24/3.0. Ratings highlight the obligatory nature of affidavits by public officials. This is a fact present in the rule and which is fulfilled in an institutionalized manner. Despite the good rating, some problems are identified, such as the use of these instruments to precisely avoid conflicts of interest. In this regard, although it is possible to access summaries of all affidavits, it is not possible to observe years other than the consultation, so it is proposed to create a database that allows analyzing the movement of this information over time and which is in open format (data in editable format).

On the other hand, the worst rated commitment is No. 8 "Inclusion of various groups in a situation of vulnerability in actions to fight corruption" with a score of 0.58/3.0. The reason for its low rating is that the regulatory framework and concrete actions for participatory governance are generic and do not contemplate positive differentiation in favor of groups in a situation of vulnerability. That is to say, because social participation and control are activities that require financial resources to achieve the mobilization of people and social capital in order to generate relations between the State and groups in a situation of vulnerability, a double challenge is created when articulating them in the actions to fight corruption.

In this regard and reflecting the qualitative ratings and interviews of people in the sector, such as the representative of the Asociación de Personas con Discapacidad (Association of People with Disabilities), it is proposed to implement affirmative actions that allow balancing the opportunities of people in a situation of vulnerability to be part of participatory processes, much more than those related to the fight against corruption. Despite these persistent challenges and the fact that this is the commitment with the worst rating of this topic, the score is higher than the regional average, which indicates broader challenges in the continent.

2. Transparency, Access to Information, Protection of Whistleblowers and Human Rights, including Freedom of Expression.

Graph 5. Result of Commitments Related to Transparency, Access to Information, Protection of Whistleblowers and Human Rights, including Freedom of Expression.



Prepared by author on the basis of information provided by CSOs participating in the CCO Platform.

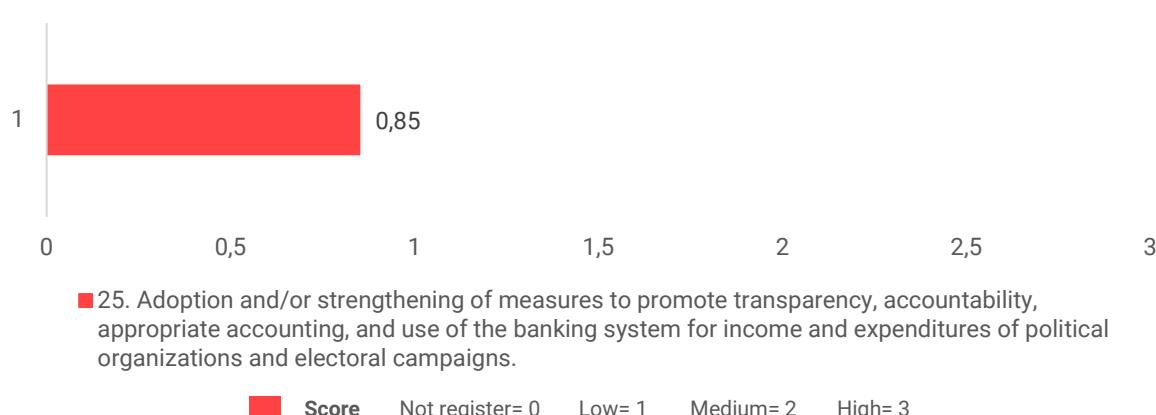
The main result of the commitments on this issue revolves around the existence of regulations, which could require updating because they are mostly legal provisions prior to 2018. In addition to this, the commitments of this topic show a greater variation between them since, in some cases, the presence of regulations is in terms of laws, in other cases they are decrees, and in some cases, they are plans and programs derived from broader and non-specific legislation on the matter or commitment. This means that the regulatory progress of this issue has a 64.3% compliance with regulatory indicators and 30.6% compliance with practical indicators.

The best rated commitments are No. 13 "Participation and social control of public management" and No. 14 "Implementation of government and open data plans and projects, transparency, and electronic systems," both with an average score of 1.18/3.0. These commitments show significant progress in regulatory terms, from the Constitution and the laws, and translation into concrete actions. Despite this, there are still pending issues to improve actions and practice, mainly with respect to concrete actions around the notions of active and passive transparency. This leads to both scores, despite being the best in this topic, being below the regional average. Between the two commitments, there is not the same level of consensus in evaluations. Commitment No. 13 shows smaller divergences in scores due to the same average score between evaluation criteria, and in commitment No. 14, effectiveness scores lower, but sustainability is well rated.

The worst rated commitment is No. 16 "Transparency and access to information" with 0.33/3.0 points, being the worst score of the entire Follow-up in the Bolivian case. This low rating is due, to a large extent, to the fact that Bolivia is one of the few countries in the region that do not have a law on access to public information¹⁰, which makes the average score of the effectiveness criterion to be 0.18/3.0 points. The other criteria improve a bit, mainly because access to public information is not completely helpless by the existence of some limited and dispersed regulations (Ascarrunz, 2019). In addition to these issues, the evaluation recognizes that procedures, channels, timing, and mechanisms are not clear or adequate to international standards and practices, causing the score to be well below the regional average.

3. Financing of Political Organizations and Election Campaigns.

Graph 6. Result of Commitments Related to Financing of Political Organizations and Election Campaigns.



Prepared by author on the basis of information provided by CSOs participating in the CCO Platform.

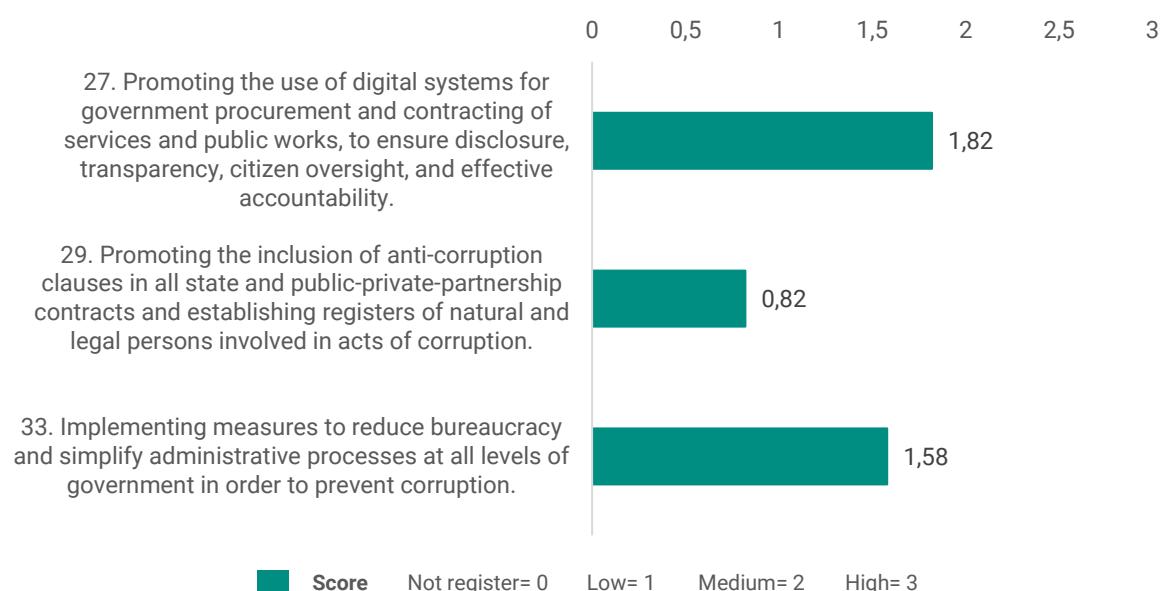
¹⁰ According to ECLAC's Observatory of Principle 10 in Latin America and the Caribbean, Bolivia, along with Venezuela and Suriname, are the only countries in South America that do not have this standard. This list includes Costa Rica, Haiti, Cuba, and a number of Caribbean islands. Information updated as of 2021 available at: <https://observatoriop10.cepal.org/es/recursos/america-latina-caribe-paises-que-cuentan-ley-acceso-la-informacion-publica-ano>

The rating of commitment No. 25 "Transparency in the resources of political organizations" results in a low score of 0.85/3.0. There are two main problems in this issue. The first of these is the wide gap between regulatory and practical advances since regulatory indicators are positively rated at 72.7% and practical indicators barely at 1.8%.

In addition, some points of tension are identified within the regulations themselves. For example, the possibility of anonymous collection through the figure of collection is allowed, the electoral body lacks resources and real capacity to audit and verify the financial statements, and the information is limited to citizens in general, delegating this power to each political organization. This makes the score in Bolivia to be below the regional average.

4. Prevention of Corruption in Public Works and Public Procurement and Contracting.

Graph 7. Results of Commitments Related to Prevention of Corruption in Public Works and Public Procurement and Contracting.



Prepared by author on the basis of information provided by CSOs participating in the CCO Platform.

The results of ratings for the commitments making up this topic are the highest of all the country follow-up. These scores result from a combination of regulatory and practical progress, since, despite the persistence of a gap between these two notions, regulatory indicators are reported positively by 66.7% and practical indicators by 55.3%. This broad practical development is expressed from the implementation of measures that use technologies and make available to citizens a large amount of information. However, this does not imply that commitments lack pending challenges.

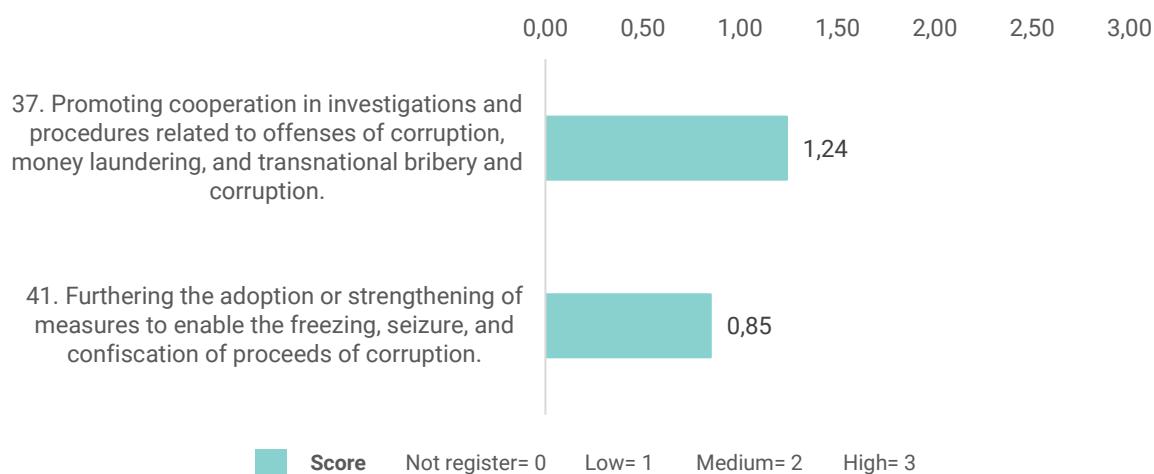
The best rated commitment is No. 27 "Use of electronic systems for government procurement and contracting" with 1.82/3.0 points, being the commitment with the best result in the whole country. This rating is due to a mixture between the existence of detailed regulations that

regulate state procurement and contracting processes, the presence of a computer system for the publication and dissemination of the contracting processes of all State entities, and the regular use of these mechanisms. However, despite the progress and the good score, the rating recognizes three important gaps in the current system: lack of updating, lack of promotion, and lack of friendliness of the system. By improving these elements, the principles of open data can be met (Open Data Charter, 2015) and the use of these electronic systems in state procurement and contracting can be improved.

The worst rated commitment is No. 29 "Anti-corruption clauses in state contracts and registration of persons linked to acts of corruption." Regarding the inclusion of anti-corruption clauses, the evaluation highlights that there are no regulations that require doing so, but, on a positive note, there have been some experiences that have implemented it. On the other hand, the registry does exist broadly as a Criminal Record, but being included in this database is not a cause for disqualification from entering into contracts with the State. In addition to these problems, it is recognized that the few and limited existing measures depend on each particular case, with their application being discretionary. Despite these problems, the score is higher than the regional average.

5. International Legal Cooperation; the Fight Against Bribery, International Corruption, Organized Crime, and Money Laundering; and Asset Recovery.

Graph 8 Result of Commitments Related to International Legal Cooperation; the Fight Against Bribery, International Corruption, Organized Crime, and Money Laundering; and Asset Recovery.



Prepared by author on the basis of information provided by CSOs participating in the CCO Platform.

The results of the commitments prioritized within this issue are the only ones that show a balance between regulatory and practical progress, although not with the best result. In both cases, 33.3% of the indicators reported being affirmative, so more than a balanced progress, these commitments show a balanced stagnation because it is the lowest regulatory development of the entire Follow-up in the country. These problems identify as the main cause



the absence of information regarding the implementation and internal regulatory development of international commitments and agreements in this area.

The best rated commitment is No. 37 "Promotion of cooperation between entities and actors at the international level" with 1.24/3.0 points. The main factors that make its good score relative to the other commitments is the existence of formal agreements. However, the problems of application and operationalization prevent rating from being better. The central feature in the criterion of relevance and its low score is the lack of public information about the actions performed. This, however, is closely related to the commitments and issues related to access to information, so this problem does not produce a greater decrease in the score.

The worst rated commitment is No. 41 "Furthering the adoption of measures to enable the freezing, seizure, and confiscation of proceeds of corruption," which is rated 0.85/3.0 points. The scores of effectiveness and relevance criteria are the highest within the commitment since the existence of mechanisms, such as the Integrated Anti-Corruption Information System and the Recovery of State Assets (SIIARBE, by its Spanish initials) and the regulations that regulate it are highlighted, but it also presents problems of disclosure of its existence and control over its operation. The biggest problem with this commitment lies in sustainability, which requires greater efforts related to making legal cooperation actions permanent.

Conclusions

The Lima Agreement was a primary opportunity to endorse previous international commitments assumed by the Bolivian State, as well as to identify scenarios conducive to the discussion, preparation and implementation of anti-corruption measures in the country.

In general, the largest developments were recorded on account of the introduction and use of technologies in processes, such as opening information and making contracting processes visible. On the other hand, there are commitments in the fight against corruption and in its fulfillment that require the Bolivian State to develop regulations that serve as a basis for the implementation of public policies. Thus, the actions to combat corruption envisaged in the Lima Agreement have had their greatest progress in regulatory terms. In total, 59.5% of all policy indicators report a favorable rating, while only 31.4% of practice indicators achieve this status¹¹. This type of progress represents differentiated challenges to deepen the fulfillment of commitments, maintain achievements, and avoid major setbacks.

Within the framework of the fulfillment of commitments, there is progress and setbacks in the fight against corruption, with wide gaps between the regulatory development and the implementation of public policy, recurrent evaluation in all the ratings of different commitments. In the first instance, it is important to recognize the necessary role of the

¹¹ The detail by topic and commitment can be seen in the country results section.



existence of these formal mechanisms, especially those legal, such as laws, but it is also important to admit the insufficiency of these instruments by themselves. This means that while without the rules it is difficult to carry out implementation processes, legal mechanisms are not the only solution.

The separation between rule and practice, as the main, though not only problem of compliance with commitments in Bolivia, can be understood as institutional weakness from different types of weaknesses, such as insignificance, lack of compliance, and instability (Brinks, Levistky, & Murillo, 2019). Insignificance refers to the fact that, despite compliance with rules, they do not affect the behavior of actors. At this point, as an example, compliance with affidavits of assets and income can be introduced, which, although they are progress in public policy, do not prevent or prevent acts of corruption. On the other hand, non-compliance is the broadest type of institutional weakness in the Bolivian case. This is due both to the challenge of enforcing the rule and in the example of the implementation of the Law on political organizations and the reporting on financing of political organizations, where there is also the problem of being able to access this information in the event of a scenario of a Law on access to public information that still fails to materialize despite citizen pressure. Finally, within the framework of the implementation of the Lima Agreements, Bolivia has undertaken changes in authorities at the different levels of the State. Despite regulatory progress, compliance is affected in practice. A large part of the Commitments supported on a regulatory basis was approved before 2018 and even require more up-to-date regulatory developments.

Calls to Action

In this regard, calls to action envisage strategies that articulate regulatory needs that allow a legal system for institutional transparency; and in practice, the efforts necessary to enable the Bolivian State to combat corruption.

In the commitments related to the topic on Reinforcement of Democratic Governance, effective measures and actions to promote gender equity and equality in anti-corruption policies are recommended in practice, including various groups in a situation of vulnerability to combat corruption.

Equally important, in the commitment on Transparency, access to information, protection of whistleblowers and human rights, including freedom of expression, is recommended. It is necessary to develop regulations and public policies that guarantee greater openness and transparency of Bolivian entities, as well as guarantees for greater control and public scrutiny, for the effective fight against corruption.

With regard to the commitment of the topic on Financing of political organizations and election campaigns, the recommendation refers to the need to generate measures and actions of regulatory development, as well as public policy, which allow to guarantee the





transparency and accountability of organizations and political parties in election campaigns that show the origin of contributions.

Likewise, in the commitment of the topic on Prevention of corruption in public works, public procurement and contracting, it is recommended to implement a new electronic system for government procurement, contracting of services and public works, which allows citizen participation through citizen oversight and effective accountability.

The commitment of the topic on International Legal Cooperation; the Fight Against Bribery, International Corruption, Organized Crime, and Money Laundering; and Asset Recovery recommends the development of regulations and public policy actions to strengthen cooperation between authorities of the justice system, financial intelligence units and administrative authorities in investigations related to crimes of corruption, money laundering, and transnational bribery and corruption.

Finally, it is more common to focus attention only on State entities and actors that are within it. However, there is no tendency to make the same citizenry co-responsible. Civil society, whether organized or not, must actively share its commitment to the fight against corruption, not only to create and strengthen a culture of transparency, but also actively in its prevention and punishment. Examples, such as Panama, stand out with the support and impulse of civil society to carry out legal reforms that combat corruption, as well as in supporting its implementation by monitoring public expenditures through hearings (Sossa, 2005). This type of examples, although delimited in time and space, are illustrative of the role of civil society in the prevention and fight against corruption. Consequently, the active participation of civil society, not only in the design of rules, plans, or projects, but in their daily execution and the control of their scope, is crucial for the progress of compliance with the Lima Agreements to improve significantly.

1. Actions and Recommendations for Compliance with the Lima Agreement in Bolivia.

Topic 1. Reinforcement of Democratic Governance	
Action	Recommendations
Strengthening judicial autonomy and independence	Strengthen transparency and independence in the nomination and election processes of judges of the different Courts.
	Promote measures to ensure publicity and citizen oversight exercises in the selection processes of public officials of the judicial system.
Strengthening the gender approach in the creation of anti-corruption public policies.	Ensure that anti-corruption public policies incorporate the gender approach.



Topic 1. Reinforcement of Democratic Governance	
Action	Recommendations
Including different vulnerable groups in defining measures to strengthen governance and combat corruption.	Generate mechanisms for the active participation of vulnerable groups in anti-corruption measures.
Ensuring transparency and equal opportunities in the selection processes of public officials, based on objective criteria, such as merit, equity, and aptitude.	Develop mechanisms to guarantee wide publicity in selection processes of public officials.
Furthering codes of conduct for public officials that contain high standards of ethics, probity, integrity, and transparency, and urging the private sector to develop similar codes of conduct.	Prioritize the development of regulations and mechanisms that allow the adoption of codes of conduct for public officials.
	Promote codes of conduct, ethics for the private sector.

Topic 2. Transparency, Access to Information, Protection of Whistleblowers and Human Rights, including Freedom of Expression	
Action	Recommendations
Consolidating the autonomy and independence of high-level oversight bodies.	Strengthen procedures to guarantee independence in the positions of oversight bodies.
Promoting and/or strengthening the implementation of national and subnational policies and plans of open government, digital government, open data, fiscal transparency, open budgeting, digital procurement systems, public contracting and a public registry of state suppliers, considering towards that end the participation of civil society and other social actors.	Strengthen the active participation of civil society in policies and plans on digital government, open government, fiscal transparency, open budgeting, digital procurement systems, public contracting and a public registry of state suppliers.
Implementing and/or strengthening of bodies responsible for transparency and access to public information, based on applicable international best practices.	Strengthen transparency units of state entities to guarantee the right of access to public information.



Topic 2. Transparency, Access to Information, Protection of Whistleblowers and Human Rights, including Freedom of Expression

Action	Recommendations
Promoting the creation and dissemination of statistics on the implementation of anti-corruption policies throughout the territory.	Strengthen transparency units of state entities for the collection and processing of statistics and data on the implementation of anti-corruption policies.
Guaranteeing the protection of whistleblowers and witnesses in cases of corruption.	Strengthen mechanisms for reporting and whistleblower protection.

Topic 3. Financing of Political Organizations and Election Campaigns

Action	Recommendations
Encouraging adoption and/or strengthening of measures to promote transparency, accountability, appropriate accounting, and use of the banking system for income and expenditures of political organizations and parties, especially those related to their electoral campaigns, in order to guarantee the licit origin of the contributions and penalizing anyone involved in accepting illicit contributions.	Promote regulatory developments and measures that strengthen the principles of transparency in the financing of political parties and campaigns.

Topic 4. Prevention of Corruption in Public Works and Public Procurement and Contracting

Action	Recommendations
Promoting the use of digital systems for government procurement and contracting of services and public works, to ensure disclosure, transparency, publicity, citizen oversight, and effective accountability.	Strengthen mechanisms that allow the procurement and contracting portal of the Bolivian State to ensure publicity and transparency. Generate regulatory developments that guarantee anti-corruption clauses as a preventive measure for possible acts of corruption.





Topic 4. Prevention of Corruption in Public Works and Public Procurement and Contracting

Action	Recommendations
Promoting the inclusion of anti-corruption clauses in all state and public-private-partnership contracts and establishing registers of natural and legal persons involved in acts of corruption and money laundering with a view to ensuring that they are not contracted.	Strengthen the regulatory development for the inclusion of anti-corruption clauses and electronic systems that allow to have registers of natural and legal persons involved in acts of corruption.
Implementing measures to reduce bureaucracy and simplify administrative processes at all levels of government in order to prevent corruption.	Strengthen electronic mechanisms and systems in the different levels of government and state entities to reduce the number of administrative processes.

Topic 5. International Legal Cooperation; the Fight Against Bribery, International Corruption, Organized Crime, and Money Laundering; and Asset Recovery

Action	Recommendations
Promoting the broadest possible cooperation among judicial, police, and prosecutorial authorities, financial intelligence units, and administrative authorities in investigations and procedures related to offenses of corruption, money laundering, and transnational bribery and corruption.	Provide tools through which citizens can access information regarding the administration of assets subject to forfeiture. Strengthen mechanisms to ensure inter-institutional coordination in offenses of corruption, money laundering, and transnational bribery and corruption.
Furthering the adoption or strengthening of measures through relevant institutions to enable the freezing, seizure, and confiscation of proceeds of corruption.	Generate mechanisms in the different competent entities for the freezing, seizure, and confiscation of proceeds of corruption.



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Annexes

Annex 1: Rating of the Lima Agreement in Bolivia

Table 1. Follow-up Criteria for Commitments related to Reinforcement of Democratic Governance.

Commitment	Effectiveness	Relevance	Sustainability	Country Average
2. Strengthening judicial autonomy and independence following applicable inter-American and universal standards on this matter to promote respect for the Rule of Law and access to justice, as well as to promote and encourage policies of integrity and transparency in the judicial system.	Regulatory progress is recognized, but problems in the actual application of such legal provisions. Problems such as the politicization of justice and the absence of judicial independence stand out. (0,73)	There is a sound regulatory framework that is not enforced. There is a need to review mechanisms for the selection of high authorities, procedures for the administration of justice, budgets and their implementation, and processes for institutionalization and training of personnel. (0,82)	The presence of regulations with specific actions stands out, but the problem is in their application. Although specific reforms have been carried out, such as those related to gender violence, files, or the digitization of certain services and distributions, the judicial apparatus is very complex and there is still a lack of a broad and comprehensive reform that has been attempted but has been paralyzed. (0,82)	 1  0,79  0,33
7. Promoting gender equity and equality and women's empowerment as a cross-cutting goal of our anti-corruption policies, through a task force on women's leadership and empowerment that will actively promote cooperation among inter-American institutions and synergies with other international agencies.	The presence of regulations favorable to gender equality (in violence or descriptive representation, for example), as well as the leadership of women in decision-making bodies at the national level (currently Deputy Minister of Transparency and Fight against Corruption) is recognized. However, there is a perceived gap between the presence and the real impact of women in the	The presence of women in high positions stands out, although this is identified as insufficient. The fight against corruption from a gender perspective has not been addressed. Regulations and resources for gender equality are available, but they focus on other issues, not centrally on the fight against corruption. (1,09)	Starting from the notion that the measures exist but are few and insufficient and that they are more focused on other issues, their sustainability is doubted due to the absence of institutionality and resources. However, there is also positive hope about the possibilities for the future. (1,09)	 2  1,15  0,00

	decisions made in this regard. (1,27)			
8. Including different vulnerable groups in defining measures to strengthen governance and combat corruption, recognizing their serious impact on these populations.	The possibility for citizens in general to participate in spaces to fight corruption is recognized. However, there is no evidence of specific actions or measures aimed at groups in vulnerable situations. It is proposed to work in a differentiated way with different groups and according to their specific characteristics to provide them with inputs and capacities that allow them to be more protagonists of the measures to combat corruption. (0,55)	Civil society has rights to social control, but some grassroots organizations have difficulty in realizing this right. This happens with groups in a situation of vulnerability due to not having the necessary resources and the lack of differentiated measures for them. (0,55)	Although it refers to the absence of specific measures that cannot be evaluated in terms of sustainability, it is valued that general measures of social control are part of the Constitution and the laws. (0,64)	▲ 2 0,58 × 0,00
9. Ensuring transparency and equal opportunities in the selection processes of public officials, based on objective criteria, such as merit, equity, and aptitude.	There are regulations on the subject and there are varied experiences of use of technology in the selection processes of public officials. More publicity is proposed to cover the entire selection process. (1,09)	Existing measures (regulations and digital platforms) are present, but they have problems. The main difficulties are lack of publicity of the existence of these mechanisms, little transparency in the entire process, and the politicization of results. (1,09)	The structure of the state procurement system is long-lasting over time. However, the current regulations are not reflected in real compliance and the procedures lack openness. (1,09)	▲ 2 1,09 × 0,00

10. Promoting the adoption of measures to prevent conflicts of interest, as well as the submission of declarations of assets and financial information by public officials, as appropriate.	The requirement for declarations of assets and income stands out, but the problems of lack of publicity of such information and the absence of investigations and ex officio control are identified. (1,09)	The existence of mechanisms, such as affidavits, are positively rated. However, the problems lie in the lack of access to this information and in the difficulty of the official control bodies to attend all this information ex officio. (1,27)	The existing mechanisms have long-standing evidence of validity. However, the use of the information collected is very limited for control and oversight purposes. It is more for political purposes. (1,36)	▲ 2 1,24 ✗ 0,33
11. Furthering codes of conduct for public officials that contain high standards of ethics, probity, integrity, and transparency, using as a point of reference the "Guidelines for the Management of Policies for Probity in the Public Administrations of the Americas" and urging the private sector to develop similar codes of conduct.	Some entities have codes of ethics. The problems lie in the lack of unification in a general cross-cutting framework and in the lack of information regarding its implementation. (0,73)	In the absence of a general Code of Ethics for all public officials, each entity has a lot of room for discretion in the development and application of these measures. This gap also affects the capacity and possibility of promotion in the private sector. (0,91)	In the absence of a general rule, which has been part of the debate and legislative agenda since 2007 but has never been able to prosper, sustainability is at stake by providing a lot of discretionary power to each entity regarding what aspects should be introduced in these codes and how they should be enforced. (0,73)	▲ 1,67 0,79 ✗ 0,00

Table 2. Follow-up Criteria for Commitments related to Transparency, Access to Information, Protection of Whistleblowers, and Human Rights, including Freedom of Expression.

Commitment	Effectiveness	Relevance	Sustainability	Country Average
13. Continuing to strengthen national anti-corruption measures or systems and enhancing conditions for the effective participation of civil society, social organizations, academia, the private sector, citizens, and other social actors in monitoring government performance, including the development of prevention mechanisms, channels for reporting possible acts of corruption and facilitating the work of watchdogs, including other social oversight mechanisms, and incentivizing the adoption of digital means of participation.	The existence of regulations is recognized. However, problems such as lack of publicity, excessive bureaucracy, insufficient resources, varied reporting channels among State entities, the impossibility of following up on complaints, lack of access to information on the complaints made, and absence of clear procedures on the direction of such complaints are also identified. (1,18)	The existing regulations, mainly Law 974 on transparency and anti-corruption units, conform to the characteristics of the institutions of the Bolivian State. However, these bodies experience practical problems in terms of resources and capacity to handle information, complaints, and the requests they must attend. (1,18)	The durability of the regulations and the creation of bodies, such as transparency units, stand out. However, the possibility of lasting of the reporting channels and the complaints made over time, mainly in stages of changes of government, due to the absence of promotion of these mechanisms among citizens, raises doubts. (1,18)	<div style="display: flex; align-items: center; justify-content: space-between;"> 2,00 1,18 0,67 </div>
14. Promoting and/or strengthening the implementation of national and subnational policies and plans of open government, digital government, open data, fiscal transparency, open budgeting, digital procurement systems, public contracting and a public registry of state suppliers, considering towards that end the	There is progress, though with some pending issues. The biggest pending issue is the absence of open data that causes a low rate of use of this information due to the high difficulty of access due to the persistence of formats that do not meet the criteria of data or open government. (1,00)	Progress is recognized to be slow. This is largely due to the lack of coordination between State entities and the absence of truly participatory, rather than merely informative, processes. Therefore, civil society is not part of these initiatives, nor as an active part; and their role as recipients of	For this aspect, the presence of regulations and a state agency specifically responsible for these issues (AGETIC) and its connection with civil society from the Information and Communications Technology Council (ICTC) stands out. The main problem lies in the absence of a state plan and the isolation of this entity from other State departments. (1,36)	<div style="display: flex; align-items: center; justify-content: space-between;"> 2,00 1,18 0,00 </div>

participation of civil society and other social actors.	this information is limited. (1,18)		
15. Consolidating the autonomy and independence of high-level oversight bodies.	The independence of these bodies is guaranteed in legal terms. However, in practice, there has been a lot of political interference and partialism with the government. (0,91)	Regulatory progress in this area is undermined by practice. The political context of recent years, the correlation of forces in the Legislative Branch and the pressure actions of the current governments have demonstrated the lack of real independence. (0,82)	The possibility of duration of the regulation, under the understanding that these are formally measures favorable to the fight against corruption and the rule of law, stands out. However, in practical terms, the dependence of actions on the will of the authorities of the current government stands out. (0,73)
16. Implementing and/or strengthening of bodies responsible for transparency and access to public information, based on applicable international best practices.	This commitment reports no progress in practical or regulatory terms. There is no law on access to public information, so there is no legal basis (beyond the provisions of the Constitution) to advance in a practical sense. (0,18)	Existing measures are outdated and scattered. The lack of a law on access to information is the main problem, although the context is conducive to its adoption, as the debate has been going on for quite some time. (0,45)	In the absence of measures implemented, its sustainability could not be assessed. However, some measures from 15 years ago are still in force and their implementation is sometimes effective, although it lacks clear procedures that lead to their institutionalization. (0,36)
18. Developing statistics and indicators in our countries for assessing the impact of transparency and anti-corruption policies and advancing government capacity in this field.	The existence of a plan of the Vice Ministry of Transparency and the isolated actions of some other entities stand out. However, the application of these measures is null. (0,36)	Transparency actions are very scarce, they are isolated, and they are not part of a larger statistical record because it does not exist. This absence means that its relevance is not rated. (0,27)	Despite the absence of measures on this commitment, the pressure from civil society to highlight these gaps and keep these issues within the public and political agenda stands out. This has caused civil society to be pushing for its attention from the state. (0,45)

<p>21. Promoting the adoption and/or strengthening of legislative measures to criminalize acts of corruption and related offenses consistent with the United Nations Convention against Corruption (UNCAC), the United Nations Convention against Transnational Organized Crime, and the Inter-American Convention against Corruption (IACAC).</p>	<p>The existence of regulations that criminalize acts of corruption is recognized. However, the lack of progress in recent years is criticized since the standards date back a decade or so, as well as the lack of adaptation to other instruments, such as the UNCAC. (1,09)</p>	<p>The current regulations are identified as adequate for the current Constitutional framework, but with other important problems. The lack of regulation and the absence of resources stand out among the remaining challenges. This creates problems in the application of these rules. (1,09)</p>	<p>The current regulations have a long duration and have become the basis for ensuring the sustainability of the commitment, in addition to recent efforts (Bill on Strengthening for the fight against corruption) that incorporate legal figures that have served in other contexts. However, some of the most important facts that call this into question relate to the lack of adequacy for its practical application and the absence of independence of the judiciary and the control and oversight bodies. (1,27)</p>	<p> 2,67  1,15  0,00</p>
<p>22. Protecting whistleblowers, witnesses, and informants of acts of corruption from intimidation and retaliatory actions.</p>	<p>There are regulations, though not new, for the protection of whistleblowers. However, its application depends on the actor to whom it is denounced, and the issue denounced, where if the political power is involved, it can result in the violation of these rights. (0,82)</p>	<p>The politicization of justice affects the broad and impartial application of whistleblower protection measures. In this sense, relevance is regulatory, but not practical. There have been cases of retaliation against whistleblowers. (0,73)</p>	<p>The duration of the regulations that are in force regarding this commitment are expected. However, the sustainability of practical implementation is jeopardized by reliance on the discretion of political actors. (0,55)</p>	<p> 1,67  0,70  0,00</p>



Table 3. Follow-up Criteria for Commitments related to Financing of Political Organizations and Election Campaigns.

Commitment	Effectiveness	Relevance	Sustainability	Country Average
25. Encouraging adoption and/or strengthening of measures to promote transparency, accountability, appropriate accounting, and use of the banking system for income and expenditures of political organizations and parties, especially those related to their electoral campaigns, in order to guarantee the licit origin of the contributions and penalizing anyone involved in accepting illicit contributions.	The main provisions of the rule on the issue of accountability, such as the presentation of annual financial statements, and, above all, the penalties that are envisaged for non-compliance, especially the cancellation of legal status, are only going to begin to become effective because the regulations are relatively new. However, some problems are already evident, such as the impossibility of citizens to access financial information of political organizations, the possibility of not registering sources of financing under some figures such as the collection, and the impediment of the TSE to control the veracity of the statements of the parties. (0,82)	The regulations are not convenient in this regard because they leave a lot of discretionary space for political organizations, take away the central role of the State, do not envisage resources for effective oversight by the Electoral Body, and limit the information that civil society can access. (0,73)	There are regulations that involve the issue of political financing (essentially and almost exclusively the Law on Political Organizations). However, the high dependence on the decisions and wills of political organizations and the limitation of citizen involvement put at risk their sustainability in the current terms. To avoid this, it is recommended to improve the mechanisms and procedures of control by the electoral authority, as well as support and coordination with other state bodies. (1,00)	2,00 0,85 0,00

Table 4. Follow-up Criteria for Commitments related to Prevention of Corruption in Public Works and Public Procurement and Contracting

Commitment	Effectiveness	Relevance	Sustainability	Country Average
27. Promoting the use of digital systems for government procurement and contracting of services and public works, to ensure disclosure, transparency, publicity, citizen oversight, and effective accountability.	There are regulations and a system favorable to the fulfillment of this commitment. Among the problems to be solved are the lack of updating of the system, the unfriendly interface with the citizens who want to follow up, and the absence of promotion and publicity of the system and its content. (1,82)	The actions and mechanisms are relevant to the State, but difficulty is encountered in the use of civil society. The update of the system and regulations is pending to give greater accessibility and to avoid discretion of the authorities regarding what, when, and how it is reported in the system. (1,82)	The regulations and system in force have a long history and have proven their sustainability. However, there are still several pending issues for this to continue, especially considering the current technological advances. Thus, they highlight the need to update the system and its promotion among citizens. (1,82)	 3,00  1,82  1,00
29. Promoting the inclusion of anti-corruption clauses in all state and public-private-partnership contracts and establishing registers of natural and legal persons involved in acts of corruption and money laundering with a view to ensuring that they are not contracted.	It is identified that there is no obligation in the introduction of anti-corruption clauses, only some concrete and isolated facts. Similarly, there is no record of acts of corruption in order to prevent their contracting. (0,73)	Although there is a Certified Registry of a Judicial Registry of Criminal Records (REJAP, by its Spanish initials), there are at least two important problems. First, it needs an enforceable sentence, so it depends on the administration of justice and the state in which it is. Second, this registration does not bar from entering into contracts with the State. (0,91)	In addition to the formal problems mentioned in the previous sections, it is identified that the application of the few existing measures is discretionary to the current government and according to the context, the actors involved and the interests at stake. (0,82)	 1,67  0,82  0,00

<p>33. Implementing measures to reduce bureaucracy and simplify administrative processes at all levels of government in order to prevent corruption.</p>	<p>Important progress has been made in some areas, such as civil registration, collection of bonuses and rents, and labor procedures. However, other aspects and digital promotion and education strategies remain pending to expand their use. (1,45)</p>	<p>The progress made in this regard are recognized, but the actions for their wide and propitious use by citizens are still pending. Among the main problems are the lack of promotion of these mechanisms and the little educational activity regarding their use. (1,64)</p>	<p>There are good signs of continuity over time of these simplification measures from the use of technologies. Despite this, two problems loom: the dependence on the commitment of the authorities of each entity for their development and the knowledge and broad training of civil society, especially in peripheral areas. (1,64)</p>	<p>3,00 ▲ 1,58 ✗ 1,00</p>
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Table 5. Follow-up Criteria for Commitments related to International Legal Cooperation; the Fight Against Bribery, International Corruption, Organized Crime, and Money Laundering; and Asset Recovery.

Commitment	Effectiveness	Relevance	Sustainability	Country Average
37. Promoting the broadest possible cooperation among judicial, police, and prosecutorial authorities, financial intelligence units, and administrative authorities in investigations and procedures related to offenses of corruption, money laundering, and transnational bribery and corruption.	The existence of formal agreements and commitments stands out, but the problem lies in their operationalization and dissemination to civil society. This causes doubts about its effectiveness, especially with sensitive issues, such as drug trafficking. (1,27)	The existence of formal agreements and commitments is pertinent, but the lack of information on their practical implementation does not allow for the monitoring of progress. Restrictions on access to certain information (on ongoing research, for example) are recognized, but this does not justify the absence of general information and statistics on the work carried out in international cooperation. (1,18)	The regulatory framework and formal measures that identify justice operators as the central actors allow us to think about formal sustainability. However, the problems of judicial independence call into question the continuity of cooperation, although it should be clarified that in some specific issues more than in others or in a general way. (1,27)	▲ 2,33 1,24 ✖ 0,67
41. Furthering the adoption or strengthening of measures through relevant institutions to enable the freezing, seizure, and confiscation of proceeds of corruption.	There are mechanisms, such as SIIARBE, but they present problems. The lack of dissemination of results and the absence of control mechanisms stand out, so there are few known effective cases. (0,91)	The relevance of regulations is recognized, in particular their potential to scale up practical actions. However, beyond future potential, current practical application does not fit the context and needs of the country. (0,91)	Regulations, though old, show signs of duration over time. However, this is strongly weakened due to dependence on the will of the actors involved, both in government and in the administration of justice. (0,73)	▲ 2,00 0,85 ✖ 0,00