
BOLIVIA

Republic of Bolivia

Population: 9.2 million (4.1 million under 18)

Government armed forces: 46,100

Compulsory recruitment age: 19

Voluntary recruitment age: 15 (for pre-military service)

Voting age: 18

Optional Protocol: acceded 22 December 2004

Other treaties ratified (see glossary):

CRC, GC AP I and II, ICC, ILO 138, ILO 182

In July 2004 it was reported that under-18s had been conscripted illegally to support anti-narcotics operations in Chapare.

Context

President Evo Morales Ayma took office in January 2006 and implemented wide-ranging reforms. He established a constituent assembly to write a new constitution to replace the 1967 constitution and aimed at giving more power to the indigenous majority.¹ In May and June 2007 the assembly approved several articles of the new constitution, including a ban on armed groups separate from the armed forces and the police and the requirement for all men and women, with or without military training, to defend the nation in case of war.²

Government

National recruitment legislation and practice

According to the 1967 constitution, every person had to carry out all military and civilian service required by the nation for its development, defence and conservation.

Fewer than one third of the Bolivian armed forces were professional soldiers. The rest were conscripts recruited twice a year, mainly from rural areas.³ Around 15,000 conscripts were recruited every year.⁴ Military service was obligatory for men from the age of 19.⁵ Proof of having completed military service or voluntary pre-military service was essential to gain a university or professional degree and, for males aged 17–55, to travel abroad.⁶

In case of war or emergency, women aged 19–35 with no children would be required to join the Female Auxiliary Service for up to two years to carry out production activities. In case of emergency, girls in the last three years of secondary-school (typically from age 16) could volunteer to join the Female Auxiliary Service.⁷

Compulsory military service could be post-

poned for an individual living abroad or studying, or who had a verified medical condition. Men supporting elderly parents or whose fathers had died in international armed conflict or during military service, theology students, the mentally incapacitated and married or widowed men with children were exempted.⁸

Living conditions for conscripts were poor and resources meagre. In February 2006 the Defence Minister reported that the food budget was only 3 bolivianos (US\$0.30) per soldier per day.⁹ In May 2007 President Evo Morales promised thousands of dollars in funding for the armed forces to renew their infrastructure and improve basic services, as part of the national program “Bolivia changes, Evo delivers” (*Bolivia Cambia, Evo Cumple*).¹⁰

According to reports, the government was considering a new compulsory military service law, after the Constitutional Court (Tribunal Constitucional) in January 2006 declared Decree 7755 (1966) on military service to be unconstitutional.¹¹

According to the government there was no domestic legislation on children in armed conflict “because there are no child refugees and there is no armed conflict in Bolivia”. There were no legal provisions regarding children’s participation in hostilities.¹²

Military training and military schools

The army had five basic training institutions, including the Military College, the Sergeants’ Military School (Escuela Militar de Sargentos del Ejército, EMSE) and the Military School (Liceo Militar). The Military College accepted students aged 17–21 who had completed or were in the last two years of secondary education.¹³ It had an enrolment of around 800, of whom 10 per cent were women.¹⁴

Secondary school graduates could apply to become cadets at the Navy Military School from age 16. From the second semester onwards, cadets participated in joint training exercises with the Argentine and Peruvian navies. Cadets completing one or more years of study were deemed to have fulfilled their military obligations.¹⁵

From 2003, female cadets were allowed into military schools as day students, specializing in logistics and administration.¹⁶

In 2005 the government offered for the first time scholarships to members of indigenous communities to attend the Military College.¹⁷ Twenty students from indigenous communities were enrolled in July 2005.¹⁸ In 2006 five women were among the 25 new indigenous cadets. As part of an equal-opportunities project, indigenous cadets took a seven-month academic program before joining the school’s regular program.¹⁹

In May 2007 the government announced the creation of 25 technological military institutes to

offer training and education to the poorer sections of society, with the aim of training 60,000 conscripts by 2010 and preparing them for the employment market on leaving the service.²⁰

Young men and women aged 15–19 with basic secondary education could also do voluntary pre-military service, involving literacy and other training courses, and attending military instruction every Saturday and during holidays for 12 months.²¹ In Sucre alone, 1,200 young men and women volunteered to do pre-military service in 2005.²² Since military service gave conscripts access to training and education they might not have elsewhere, voluntary pre-military service was an attractive option for some young people.

Child recruitment and deployment

In July 2004 the government acknowledged to the UN Committee on the Rights of the Child that youngsters between 14 and 17 had been found doing military service. It also reported that many cases had been discovered of conscript labour being exploited for private gain and of conscripts being subjected to ill-treatment which could result in irreversible injuries.²³

In 2005 human rights organizations reported that hundreds of children in the Chapare region and border areas continued to be subjected to violence and harassment by law-enforcement officials, in the context of anti-drug trafficking and coca leaf eradication operations.²⁴ Homes were broken into and schools taken over and used as military encampments. The government reported that under-18s had been conscripted illegally to support anti-narcotics operations in Chapare.²⁵

Local non-governmental organizations (NGOs) organized training courses on child rights for members of the Rural Patrol Mobile Units (Unidad Móvil de Patrullaje Rural, UMOPAR), rural police assigned to the area, and army and police officers of the Joint Task Forces (Fuerza de Tarea Conjunta, combined units of army and police officers working on coca leaf eradication in Chapare).²⁶ In 2004 greater powers were given to seven local ombudsmen's offices in the region to improve the situation of children and adolescents affected by the violence.²⁷

Developments

On reviewing Bolivia's third periodic report, the Committee on the Rights of the Child criticized the lack of specific procedures for providing special care and assistance to refugee children, particularly those who were unaccompanied or separated, and urged the government to establish a fully functioning and comprehensive refugee status-determination mechanism, with specific procedures for minors.²⁸

International standards

Bolivia acceded to the Optional Protocol in December 2004. Its declaration stated that 18 was the minimum age for conscription and that voluntary pre-military service was available for young people from the age of 17. The declaration made no mention of the possibility for 15-year-olds to do voluntary pre-military service.

- 1 "Push for new Bolivia constitution", BBC News, 6 August 2006.
- 2 Asamblea Constituyente, Comisión No. 21, Seguridad y Defensa Nacional, Artículos Aprobados para la nueva Constitución Política del Estado, www.constituyente.bo.
- 3 Juan Ramón Quintana Taborga, "Documento de análisis: La gestión política de la Defensa Nacional en Bolivia", Resdal, Atlas Comparativo de la Defensa en América Latina, Bolivia, 2005, www.resdal.org.
- 4 "2,500 soldados culminan el servicio militar obligatorio", *Los Tiempos*, 16 January 2005, www.lostiempos.com.
- 5 Ley Servicio Nacional Defensa, Artículo 22, cited at Ministerio de Defensa Nacional, Servicio militar, Disposiciones legales, www.mindef.gov.bo.
- 6 Servicio Militar, Disposiciones Legales, www.mindef.gov.bo.
- 7 Facultad Latinoamericana de Ciencias Sociales (FLACSO), Programa Seguridad y Ciudadanía, *Reporte del Sector Seguridad en América Latina y el Caribe, Informe Nacional: Bolivia*, October 2006, www.flacso.cl.
- 8 Ibid.
- 9 "Ministro comprueba la vida precaria de los soldados", *La Prensa*, 22 February 2006, www.laprensa.com.bo.
- 10 "Evo ofrece \$US50 mil para cada unidad militar", *Los Tiempos*, 20 May 2007.
- 11 "Servicio militar es inconstitucional", *Los Tiempos*, 8 February 2006.
- 12 Third periodic report of Bolivia to the UN Committee on the Rights of the Child, UN Doc. CRC/C/125/Add.2, 16 July 2004.
- 13 FLACSO, above note 7.
- 14 "Otros 25 jóvenes indígenas en la carrera militar", *BolPress*, 13 August 2006, www.bolpress.com.
- 15 Escuela Naval Militar, Admisión, www.armada.mil.bo.
- 16 "La igualdad de género llegó al liceo militar", *Bolivia Hoy*, 4 February 2003, www.boliviahoy.com.
- 17 "El Ejército será pionero con cadetes indígenas becados", *La Prensa*, 1 February 2005, at Canadian Defence Academy website, www.acd.forces.gc.ca.
- 18 "Lanzan programa piloto denominado 'Igualdad de Oportunidades'", *La Prensa*, 26 July 2005, at Canadian Defence Academy website, above note 17.

- 19 “Otros 25 jóvenes indígenas en la carrera militar”, BolPress.
- 20 “Sesenta mil conscriptos tendrán formación técnica”, *El Diario*, February 2007, www.eldiario.net.
- 21 Resdal, Atlas Comparativo de la Defensa en América Latina, Bolivia, 2005; Servicio Militar, Servicio Premilitar, www.mindef.gov.bo.
- 22 “Más de 1,200 premilitares cerraron importante ciclo”, *Correo del Sur*, 25 September 2005, www.correodelsur.net.
- 23 Third periodic report, above note 12.
- 24 Defence for Children International (Bolivia), *Supplementary report to Bolivia’s third periodic report on the implementation of the UN Convention on the Rights of the Child*, 10 January 2005, at www.crin.org.
- 25 Third periodic report, above note 12 .
- 26 Defence for Children International, *Supplementary report*.
- 27 Third periodic report, above note 12.
- 28 Committee on the Rights of the Child, Consideration of third periodic report submitted by Bolivia, Concluding observations, UN Doc. CRC/C/15/Add.256, 11 February 2005.